



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 6th February 2025

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Present:

Ms J. E. Roland (Deputy Bailiff and Deputy Presiding Officer)

Law Officers

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

People's Deputies

S. E. Aldwell	N. R. Inder
C. P. A Blin	A. Kazantseva-Miller
A. H. Brouard	C. J. Le Tissier
Y. Burford	M. P. Leadbeater
T. L. Bury	D. J. Mahoney
A. Cameron	N. G. Moakes
D. de G. de Lisle	R. C. Murray
A. C. Dudley-Owen	R. G. Prow
J. F. Dyke	L. C. Queripel
S. P. Fairclough	P. J. Roffey
S. J. Falla	G. A. St Pier
A. Gabriel	A. W. Taylor
J. A. B. Gollop	L. S. Trott OBE
S. P. Haskins	S. P. J. Vermeulen
M. A. J. Helyar	

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 H. L. de Sausmarez (*relevée à 9h 35*); Deputy P. T. R. Ferbrache (*indisposé*);
Deputy J. P. Le Tocq (*relevé à 9h 52*); Deputy A. P. Matthews (*relevé à 9h 35*);
Deputy L. J. McKenna (*indisposé*); Deputy C. P. Meerveld (*relevé à 9h 34*);
Deputy V. S. Oliver (*relevée à 9h 35*); Deputy C. N. K. Parkinson (*relevé à 9h 33*);
Deputy H. L. Soulsby MBE (*relevée à 10h 46*)

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States of Deliberation

The States met at 9.30 a.m.

THE DEPUTY BAILIFF *in the Chair*

PRAYERS

The States' Greffier

EVOCATION

Billet d'État III

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

2. Review of the Rules of Procedure— Debate continued

The Deputy Bailiff: Good morning, everybody.
Deputy Parkinson, do you wish to be relevéd?

5 **Deputy Parkinson:** Yes please, madam.

The States' Greffier: Billet d'État III, Article 2 – the continuation of the debate.

10 **The Deputy Bailiff:** Just before I deal with the general debate, Deputy Taylor, you had intimated
you might be laying another amendment. Are you going to lay it or not?

Deputy Taylor: Well, I intend to, madam, and Deputy Meerveld had indicated he would be
seconding it, but he was not here to confirm.

15 **The Deputy Bailiff:** Well, you are in a bit of a pickle then because we are about to start.

Deputy Taylor: Yes, a bit of a pickle, indeed. I think I will be minded to lay it, but I probably
need five minutes.

20 **The Deputy Bailiff:** I tell you what, Deputy Taylor, I will allow Deputy Meerveld to come in, sit
down, be relevéd and then we can find out whether he is ready to second it.
Do you wish to be relevéd Deputy Meerveld?

25 **Deputy Meerveld:** Yes please, madam.

The Deputy Bailiff: As you were entering the Chamber, Deputy Taylor and I were discussing whether or not he, seconded by you, will be laying a 16th amendment to the SACC policy letter. Is it your wish to second that?

30 **Deputy Meerveld:** I have not had a chance to discuss it with my Committee, but I will agree to second it so it can be debated.

The Deputy Bailiff: Right. States' Greffier, do you have a copy of the amendment, do the Members have a copy of the amendment?

35 **The States' Greffier:** No, madam, we will need to make arrangements for it to be circulated, but that will take a few minutes.

The Deputy Bailiff: Rather than start with general debate, so that everybody knows whether or not this amendment, which would change a number of Propositions, I think we need to wait for that to be circulated. Are your colleagues able to do that right now?

The States' Greffier: Yes, madam, I will make sure.

45 **The Deputy Bailiff:** So, we will just have a short adjournment while the amendment is circulated. Sorry, yes, Deputy Oliver, you can be relevéed, thank you very much.

Deputy Oliver: Yes please, madam.

50 **The Deputy Bailiff:** And Deputy Matthews, relevéed?

Deputy Matthews: Yes please, madam.

The Deputy Bailiff: And Deputy de Sausmarez?

55 Deputy de Sausmarez: Yes please, madam.

The Deputy Bailiff: We will just pause for a few moments, then.

*The Assembly adjourned at 9.36 a.m.
and resumed its sitting at 9.51 a.m.*

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

Review of the Rules of Procedure— Debate continued – Propositions 7-12 (as amended) carried

The Deputy Bailiff: Deputy Le Tocq, do you wish to be relevéed?

60 **Deputy Le Tocq:** Thank you, madam.

The Deputy Bailiff: I understand the amendment is now not going to be laid, right? Thank you. Deputy Gollop, do you want to start general debate?

65

Deputy Gollop: Yes. I will never know what the amendment might have said, but it raises an interesting matter. I have only got three points to make in general and I thought the best speech we had in the last Meeting, in January, was from Deputy Vermeulen, who said, come on, John, get a wriggle on.

70 The first point, something I would definitely vote against and Deputy Roffey made a good speech on this a few weeks ago now. I did an abortive amendment to go for a compromise of one day for the amendments, but I do not want the amendment restriction to be brought in at all and the irony of the disappearing amendment we did not get this morning, is we would have had one, possibly from Deputy Taylor and Deputy Meerveld, which would not have been, strictly speaking, a SACC
75 Committee amendment given the proposer, that the idea of a late amendment was actually their doing.

So, maybe it was a ploy to get us to not support late amendments, of course, because it takes up our time. But, I think, the principle of curtailing the amendments is one that goes against the grain of us, in terms of being parliamentarians and Assembly Members. I think we might have to
80 look again at it but, for the moment, I think we should keep things as they are.

The second point is we passed, and I must admit I voted for it, a reduction in speeches and I think that should stand especially at the moment, given the urgent need, as Deputy Oliver and others have reminded us, to move on with business and it can always be reassessed at a later point by, perhaps, a different SACC later in the year.

85 What I would say, though, is the one element of it that was difficult, and I have only been an acting Presiding Officer once, but I think from the point of view of the Presiding Officer it puts extra challenges in terms of interpretation and I know we have an extremely able Bailiff and Deputy Bailiff, but I do not think they would want to see their role politicised.

Hopefully that will not happen. I do not think it has happened in Jersey but, perhaps, their system
90 is slightly different because it seems to be 15 minutes and that is it. Whereas the amendment we had implies that there could be discretion whether speeches could be shortened or extended. We will just have to see how it works and hopefully the powers will be very well used.

My third point is we had a very good speech, I thought, from Deputy Trott yesterday and, of course, from Deputy Ferbrache, and Deputy Trott he put his finger on something really, that some
95 of this – did he use the word rubbish, well he might have done – there are a lot of problems when you start getting into this world of declarations of interest and the bureaucracy contained.

Yes, I supported moving it further, like other Parliaments of the Commonwealth, but what got very confusing in the debate was a lot of people were reacting to the proposals from SAC, which broadened it, and we had an expert analysis from His Majesty's Procureur. But we had different
100 views from different Members, including Deputy Meerveld, on what it meant and I am not 100% clear in my own mind because there seems to be one category of persons, close family, who would be affected by the additional requirements to make declarations and others that are much wider family.

But just to be complicated on this, it does not just apply to the Bailiwick because some of the
105 areas like shareholdings and company directorships, potentially, apply worldwide and the second point I would make is it does seem to me curious that we have got, for example, grandchildren, grandchildren's partners, partners' children, what happens if a States' Member breaks up with their partner? We have not gone into that and whether that would make a difference.

Well, actually, of course it would make a difference because some of the people in the list only
110 apply if they are living in the same household. Well, whether you define a household as a manor house or a farm estate where there are several outbuildings or cottages or barns, I do not know. That is a bit of common sense.

But it does seem to me very curious that a whole range of people are covered by this if they happen to live in the same building, but if they live opposite or three cottages down the road or in
115 a clos in the Vale and you are living in the Castel, or *vice versa*, it does not apply. So, if somebody moves out who is listed, then they will not be listed the following year because they have ceased to

be a person of interest in this. It does seem to me illogical, it might be a step in the right direction, but it does seem to be very impractical.

120 Then, of course, we had the desire for IPSAS congruence and for us to meet best practice. Well, that contrasts with our very strict and, I believe, correct views that we will not open clients of Guernsey to the wrong moves on beneficial ownership registers and so on. So, I think we have really got to have a stronger philosophical basis of where we are going with this and how it is implemented and why it is on the one hand, we are extending it to all of these relatives who live in the household but we do not extend it, for example, to anybody who has property in the UK or even
125 in Jersey; there is not a logic to it.

So, I think a declaration of interest really needs to go back to square one and I would hope in future SACC could hold a workshop seminar on it and consult with all States' Members before they bring proposals. Because one little criticism I would have of the report is they advised the changes they wish to make in extending close family definition, but at no point do they give the reasons for
130 that. There is not a justification on the political level as to why they made those judgement calls and what the merits and demerits of it were. But, I think, I will support that but I will not support the amendments area.

The Deputy Bailiff: Thank you. Deputy Roffey.

135

Deputy Roffey: Thank you –

The Deputy Bailiff: Sorry, I am just going to interrupt Deputy Roffey. If Members want to remind themselves of what has been agreed as an amendment, it is actually already showing on your SEV, if you use the SEV system. So, if you wanted to remind yourself of what you have agreed to insert
140 by amendment, it is there in the facility of the SEV system.

Sorry, Deputy Roffey.

Deputy Roffey: No, that is okay. I absolutely fully support this policy letter from SACC with the exceptions of Propositions 1, 3 and 4, all of which are significant backward steps. Proposition 1, basically, says that all amendments have to be submitted a week in advance, which is five working days, that is a week, and we all know that there are irresponsible late amendments where the impact on individuals in our community has not had a chance to be assessed or have not been thought through and there are highly responsible late amendments where the debate has actually elicited
145 issues with the Propositions as they are, elicited what the common ground is within this Assembly and that can actually harness that consensus.

When the debate started Deputy Meerveld addressed this and said, well, that is okay, if it looks like a good late amendment, and I have to say he is quite a serial late amender himself, we will just suspend the Rules. So, we have reached a point where we are making Rules that we think might not work, but that is okay because we can suspend them when we want to. (*Laughter*)
155

Making rules because they can be suspended, it is *Alice in Wonderland* stuff, 'Curiouser and curiouser,' said Alice. It really is and I cannot accept that at all. Let us not have this Rule, just have the discipline that when something is clearly a dangerous later amendment that has not been thought through, vote against it. Those that look like they are very worthy late amendments, despite
160 being late, then support them. But we do not really need a Rule to sort that out and, I think, this would leave us far poorer as a debating Chamber than we are now.

Proposition 3 is the bit about suspending the declarations of interest and it just goes far too far. The idea that your 50-year-old adult daughter who lives in Florida, you have to declare all of their interests. The fact that you might know them, I know you cannot declare what you do not know,
165 but then you can just get around this by saying that you do not know. In which case, what is the point in the Rule?

I would personally extend it to spouse because I am old fashioned enough and I know it is not the common practice to think that when you are married or in a common-law relationship you

170 become a commonwealth and that what is yours is his and what is his is hers and all that sort of stuff. But going the distance that it is going, I am definitely going to vote against it. I am glad to hear that Deputy Meerveld is as well, having heard the debate yesterday.

175 Proposition 4, I think, we are just going from a better definition of direct or special interest to a worse definition and how this all came about is the absurd suggestion that special interest means that if you are interested in something, there are lots of words in English that have different definitions depending on the context and so an interest is one of those.

180 So yes, I am interested in cricket. I would like to know how England are doing in the One=Day International this morning. I do not because I am sitting in here. But that is clearly not what it means in the declaration of interest. You are not declaring everything you are interested in. I am interested in flower arranging, I am not actually, (*Laughter*) it is an interest and what does a special interest mean?

185 Well, we have all got a financial interest in what the Income Tax allowances are. So, that is not special because it is shared by everybody. But some of us have a special interest in certain issues and, to be honest, if we do not know what is influencing our vote then we are not mature parliamentarians. We have to declare in debate or in Committee any direct or special interest and if we cannot understand, ourselves, what is influencing us that would not be influencing other Members then we need to take a long, hard look at ourselves.

190 My final point is the debate on this policy letter, and I have contributed to it fulsomely, has been one of longest and most tedious I have ever known (*Laughter*) and, yet I cannot recall a single speech that came anywhere near 15 minutes. (*Interjection*) So, if we actually think that we are going to solve the problem of over lengthy and tedious debates by bringing in a time limit then, I think, we are fooling ourselves.

195 However, looking at the workload that is coming over the next few months maybe the Presiding Officer will have to use their discretion to go for, I do not know, 90 seconds if we stand any chance of actually making it through. I am not proposing that. So, I am going to vote against 1, 3 and 4 because, I think, they are backward steps but other than that, I have got nothing more to say.

The Deputy Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, madam.

200 I want to start by saying I was shocked at the venom in the voices of some Members who spoke against the amendments. Anyone would think that proposers and seconders were advocating destroying our economy and bringing the Island to its knees, such was the level of venom in the voices of some of those Members who did speak against the amendment. So, way over the top, totally unnecessary, when all the proposers and seconders were trying to do was improve the way we do things.

205 As for some Members saying that it is embarrassing the time this debate is taking because it is all just navel-gazing, well how can trying to improve processes and procedures be navel-gazing? As Deputy Brouard said when he spoke yesterday, if you do not want to debate issues then go home, or better still, question why you wanted to be a Deputy in the first place.

210 This is a debating Chamber. This is where we debate issues. There is nowhere else for us to debate them. A little more respect from those with opposing viewpoints would be most welcome, instead of resorting to baseline personality politics, as some Members seem to prefer to do and the rules are largely silent on that because Members are expected to be respectful and behave like responsible adults instead of behaving like petulant children from time-to-time.

215 When I was a Member of SACC, I did discuss with colleagues about amending or introducing several rules, 12 actually in total. Some of which have been amended over the years and I commend SACC for doing that because, as we all know, they have and have always had major resource problems.

220 Some of my suggestions were rejected hence my being involved in four amendments to this policy letter. The one I did not pursue was the one to introduce a Rule that sought to make it the

duty of every Member to be respectful during debates. SACC are of the view that Rule 8(5) covered that and that also it is up to the discretion of the Presiding Officer to keep order in the Chamber.

So, I did not pursue that one, even though I think a Rule does need to be introduced because the fact of the matter is, a Member should be able to speak and vote against a motion in debate and still be able to go for a coffee or a lunch with the proposer and seconder after the debate. But some Members take those sorts of challenges personally and decide never to speak to their colleague ever again and that has happened to me, it has happened to other colleagues that I have known over the years. I am not making this up. It happens and it continues to happen and it will continue to happen. What sort of Rule, anyway, could you put in place to address that petulant behaviour?

As we all know as well, some Members choose to shoot the messenger rather than listen to the message and I think that kind of behaviour should be stamped out. But, again, what kind of Rule do you put in place to address that sort of immature behaviour and irresponsible, actually? I will close by commending Deputy Meerveld for saying during this debate that picking up on what some Members had said about Proposition 3, he realised his Committee had got it wrong and they had not thought it through and you do not often hear a President say that, in fact very rarely. I cannot really recall the President ever saying that. Presidents tend to adamantly defend their Propositions. So that is why I commend Deputy Meerveld for adopting the stance he has adopted on Proposition 3.

Thank you, madam.

The Deputy Bailiff: Thank you. Deputy Brouard, do you wish to be relevé?

Deputy Brouard: I have already, madam.

The Deputy Bailiff: We had a bit of a debate, I thought you were here, others did not. So, I am glad you are here!

Deputy Brouard: I am still here. Yes. Thank you. *(Laughter)*

A Member: I will say thanks for coming.

Deputy Brouard: I appreciate it.

The Deputy Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, I was going to be very short and just say what he said to Deputy Roffey's speech, because I very much agree with him. I support the whole policy letter except points 1, 3 and 4. So, I think we have had an extensive debate about why 3 is completely unworkable because the way it is drafted, it basically implies that all of your close family members, which is defined very broadly, will have to declare, well you would have to declare, all the same elements that you are required to declare, which is employment, directorships, partnerships, offices held, self-employment, other consultancy work, real property in the Bailiwick, company shareholdings, trusts, payments received for public speaking, other gifts, benefits and hospitality.

So, all of your close family contacts comprising, possibly, dozens of people around the world, not just in Guernsey. So, I think it is completely unworkable the way Proposition 3 is drafted. Equally, I very much agree with what Deputy Roffey said in terms of expanding the direct special interest to be replaced by the term disclosable financial interests, that is fine, but then when it starts getting very blurry, are the disclosable interests?

Well, what could it be? It could be absolutely anything. How long is the piece of string? But also, even worse, potentially disclosable interests. Well, that could be literally just about anything. Anything could potentially be disclosable anytime in the future. So, again, 4, I think, is completely

unworkable. Once 4 fails pretty much the rest of the Propositions, I think, fail as well and the *status quo* stands as well.

275 I understand that some of this has stemmed from an understanding that, according to IPSAS we the declaration of related party transaction has had to be updated but that has nothing to do with you declaring for yourself and other families all the things that are being proposed. I think this synch to the fact that IPSAS is directing us to do something has been completely misrepresented, unfortunately, through these Propositions. So, I would really urge Members not to think that by not
280 voting for these Propositions we are somehow undermining IPSAS. Absolutely not true.

Then I think in relation to Proposition 1, I understand where it is stemming from but I, again, very much agree with Deputy Roffey that there are good amendments that have come through and the issue is that we have got a very busy schedule. Deputies have no support they do not have anyone they can work with. Especially after the summer recess, we have got States' Meetings within
285 three weeks of each other.

So, the realities of you being able to be on top of what is coming for upcoming Meetings well in advance is really limited by, actually, the workload we have had with States' business, with Committee business, but also, importantly, like with many good amendments when Deputies tried to bring amendments, they do try to consult with officers.

290 So, this also puts pressure across the system, potentially, because everyone has got to respond in time. So, unless there are more resources provided, unless we stretch out the timings between debates, the schedule of States' Meetings. Again, I think this is effectively making it unworkable for, especially people not on the Committees, on bringing good amendments or amendments in general forward. I think it is really limiting our parliamentary tools we have got available. So, I would
295 not be voting for the original Propositions 1, 3 and 4 on that basis.

The Deputy Bailiff: Deputy de Sausmarez:

Deputy de Sausmarez: Thank you, madam.

300 I am pleased to have the opportunity to speak now, because I would just like to build on what Deputy Roffey and Deputy Kazantseva-Miller have said and add a couple of more considerations into the mix. I very much agree with Deputy Roffey's point about late amendments, I think, yes, I think we all know a bad late amendment when we see it but I think we have also witnessed in this parliamentary term and on many other occasions, some really good last-minute amendments and,
305 actually, I think it absolutely encompasses the spirit of consensus Government.

A good last-minute amendment can do exactly that and I can think of many which have responded to issues that have been raised in debate and made the Propositions better and stronger and more acceptable. One that springs to mind, that I was personally involved in, was an amendment that I brought with Deputy Murray on the Electricity Strategy and that resulted in a
310 near unanimous support of this Assembly for that strategy and I do not think we would have achieved it without it.

So, I think there are instances where late amendments are not just benign, but actively very helpful in the spirit of consensus building. I agree with those who have spoken against the declarations of interest, for all the reasons that they have said in terms of broadening that out to
315 wider family and the complications that ensue.

But I would also like to draw Members attention to Propositions 4 and 5, which effectively extend that very problematic definition to different circumstances. So, I would urge anyone who is intending to vote against Proposition 3 to also vote against Propositions 4 and 5 – and 6 yes, sorry. Anyone who is planning on voting against Proposition 4 to also vote against Propositions 5 and 6,
320 which effectively extend that same broader definition into the Rules in another way.

Like Deputy Roffey, I too will be voting against Proposition 9 because I do agree with them, this debate has been a prime example of why that Rule is not going to be effective in its intended and very worthy original intention. But I do think that it causes significant problems, not least by putting the Presiding Officer in a position where they will have to make very political decisions because

325 those decisions will materially influence debate. So, I thank SACC for their policy letter and for
actually being flexible and responding and listening to debate in the spirit of great consensus
Government and, yes, some of these Propositions are great.

The Deputy Bailiff: Deputy Dudley-Owen.

330 **Deputy Dudley-Owen:** Thank you, madam.

I have a very different view on the late amendments. I will not be voting against it, I will be
supporting it because, I think, that if we are striving for good governance we should be trying to
take that into consideration when laying these amendments and, despite what all the speakers have
335 said, and I could not help the wry smile when Deputy Roffey was speaking because he is the king
of late amendments, last minute amendment.com, so it did make me smile.

Actually, good last-minute amendments that show the best of collaborative working and
consensus-building, to use some of the phrases that Deputy de Sausmarez was using, happen
working with the sponsoring Committee and, as far as I am aware, the Rules around sponsoring
340 Committees bringing late amendments have not changed.

So, that should be where we are striving for is working. Deputy Trott loves the good old Guernsey
compromise and that has allowed, just as Deputy de Sausmarez illustrated when she and Deputy
Murray brought that amendment, particularly, it was as part of the Committee bringing it. So, she
was able to do that because she was one of leaders of the sponsoring Committee. So, that
345 mechanism is still there.

So, Members, please do not be put off by thinking, oh my goodness that has been taken away,
because it has not because if we are really seeking to work with each other then, surely, the
sponsoring Committee should be at the heart of that and trying to work with them collaboratively
and saying, listen the proposals that you have put in just do not quite make the grade for me and
350 clearly there is a consensus building around the Assembly, I have managed to convince a lot of
people and, actually, your Committee could do well to show your flexibility, your adaptability that
you are listening and come on board with this and if you lead this amendment we can get it in at
the last minute. So that mechanism is still absolutely there.

I do agree, however, on Proposition 3, around the Rules of Procedure and the extent of the close
355 family, defining who they are. I think that starts to be unworkable and the same with Propositions
4, 5 and 6. Special interest, in terms of the disclosable interest, I will not repeat what Deputy
Kazantseva-Miller has said, but I think that she has raised some really valid points there.

But it just highlights, yet again, what a really thorny issue this special interest is and, actually,
because of us being a small community, because so many of us in this Chamber are representative
360 of so many different areas of the community we are bound to bump up against a special interest,
whatever that might be, at some stage and, actually, this can tie Committees up in knots and put
them into a state of wondering whether they can function in certain areas.

I sat on Economic Development last term and we had to parachute in a Member of P&R at that
stage, and that is great if it is just for putting up boarding fees, for argument's sake, because maybe
365 three Members of Economic Development might have a boarding house or what have you and be
caught by that regulation. But it is not great if you are building a policy letter which needs a different
approach. So, I think there needs to be some looking, in terms of special interest, around political
decision-making and actually business as usual of Committees.

The last thing that I will say is, despite the really good collegiate working that has been
370 demonstrated by Deputy Meerveld, I think, here and listening to what Members have said next
term's SACC, please let this be on record of looking at doing this exercise in a different way. In any
handover report that the States' Assembly & Constitution Committee gives to its successor
Committee, there should be some tips about workshopping a lot of these things and arguing the
toss about certain –

375 I will stand to stand down to let Deputy Meerveld speak.

The Deputy Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, madam.

380 I thank Deputy Dudley-Owen for giving way. Absolutely SACC would have liked to have done this in a different way but we did have a period of about 18 months where we did not have our supporting officer, etc. and we definitely will include it in the handover report suggesting that this is done in a different way and more comprehensively next term and I thank Deputy Dudley-Owen for her suggestion.

385

Deputy Dudley-Owen: And I thank Deputy Meerveld for that interjection there and it is very useful.

Thank you, madam.

390 **The Deputy Bailiff:** Thank you. Deputy Gabriel.

Deputy Gabriel: Thank you, madam.

On the face of it I quite liked this policy letter when it came out, but having listened to debate and the extensive amendments I do still like it, except for Propositions 1, 2, 3, 4, 5 and 6. (*Laughter*)
395 So, it is not so bad and nobody has mentioned Proposition 2 so far, which is the 26(b)2 Rule, which is to request another division and it still stands apart from the SEV.

There have been Members in here who have not been able to vote on SEV because they have been locked out or an alternative device was not available or there were problems logging in or the vagaries of our IT system or the Wi-fi or a combination or any permutation of those. So, I do not think that Proposition 2 is actually workable and it will deny some Members a vote, which is exceptionally important, which is why we are here, what we stand for, representing our public and I hear a few hear, hears and a few nods going around.

So, again, Proposition 2 sticks with me, as does 1, 3, 4, 5, and 6 for all of the reasons that have already been articulated and I will not go too much further into it, but certainly in my family it is not necessarily a family tree, it is a family hedge (*Laughter*) and trying to find who those people might be and, especially, when step-relatives are involved and brothers-in-law and sisters-in-law, etc. and what their interests might be and declaring them in Committee or in Assembly would certainly be a problem.

Again, some close families are not that close, even if they are living under the same roof, adults, children for example, even estranged couples who live under the same roof by design because they need to because of accommodation issues, perhaps they do not even speak to each other which is, of course, unfortunate in an estranged relationship. But how can they be expected to make that declaration for 3, 5 and 6? And I will leave it there.

Thank you.

415

The Deputy Bailiff: Deputy Inder.

Deputy Inder: Fairly briefly, madam. I, unlike Deputy Dudley-Owen, will not be supporting Proposition 1 for the reasons laid out primarily by Deputy Roffey, I think reiterated by Deputy de Sausmarez and I can think of, actually, a policy letter, admittedly it was laid by me, but it came from the Airtel/Sure debate where there was a failure in the Proposition and it was picked up by, I think it was Deputy Dyke and Deputy St Pier, I think eventually it was laid by me.

Under our Rules, I can remember, I would not like to see a position where they could not have laid an amendment in play which might actually assist the policy letter because of a failing in the Committee. Which was one word out. So, I will not be supporting that. I agree, with Deputy Gabriel, it is a good spot by him on 2. I will not be supporting 3 for the reasons mentioned, mainly by the proposer of the proper policy letter, Deputy Meerveld.

425

Number 4 was interesting and I am surprised and this is really something I would like to hear from possibly Deputy St Pier, because I remember a conversation we had the last few years of the last term and, I think, it was something Deputy Prow mentioned as well, where the wording that we came up with, for all the reasons mentioned on this nonsense of direct or special interest, and it has been weaponised before, if it has not even been weaponised in this Assembly, within Committee, I remember the phrasing it was where financial interest could be derived.

That was the conversation that we had between us and that seemed quite simple to me and I am surprised, having all that we have got now, disclosable financial interests, other disclosable interest and potential disclosable. It looks like it is literally an animal designed by a Committee that looks a bit like a camel.

I suspect that is probably what happened where a simple fix might have been, and to my regret I did not attempt a change to that which said where a financial interest could be derived, because I think that would have been probably a better fix. Maybe Deputy St Pier forgot at the time. But anyway, I will not be supporting 4. There you go.

The Deputy Bailiff: Deputy Le Tocq.

Deputy Le Tocq: Thank you, madam.

I have not spoken so far in this debate and I only want to make some general comments really at this stage. In my 20 years-plus of being in this Assembly there have been some things that have particularly changed, I think, particularly exemplified by this debate. In his letter to the church in *Galatians*, St Paul talks about the fruit of the spirit. There were nine he mentions; love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control.

I have often thought that whilst parents at baby naming ceremonies quite often choose eight of those, particularly love, joy and peace, I have heard many use those terms, I have yet to come across parents who want to call their child self-control, (*Laughter*) but that could well be because this debate and our Assembly lacks hugely self-control. (**A Member:** Hear, hear.)

The other thing I have noted in terms of changes over the last 20 years has been the fact that we started with a very small set of Rules in 2000. I remember the green book that became gold for a while and then return to green and I am not sure if it could even be a book anymore, it would probably be a series of tomes. But nevertheless, it was a very short document because there were not that many Rules.

We now have a plethora of Rules and that has been a phenomenon but at the same time, alluding to something that I think Deputy Roffey was saying before, we also have seen a massive increase in those 20 years of suspending those same Rules. (*Interjection*) I really do think that we shoot ourselves in the foot and the vast majority of people looking in, whilst they may agree with aspects of the debate that we have had, if you were to look at that in the whole, I think, they would say this is just plain stupidity. (**Several Members:** Hear, hear.)

We have a Committee that is set up, and I believe that we should have a Committee to look at our Rules of Procedure. We have a Presiding Officer or Presiding Officers whom we should trust, sometimes okay I submit to a higher power, I like the idea of having someone who makes a final decision on something even if I do not like it and I have had certain Presiding Officers, not you, madam, who have made decisions that have gone against the way that I would have liked but I have lived with those things because that is self-discipline; in the end, we need to look at the broader picture and the objectives.

We have spent hours, days discussing these things that could have been done privately in other groups and I do believe that if there is any message to send to candidates for the next election it is, you will require self-control. You will require self-control in terms of when you speak; we do not always need to speak, we do not need to speak for long. Certainly, Committees need to think seriously about the way in which we behave in this Assembly so that we can focus on the important and urgent and priorities, the priorities that we have set ourselves, which we are clearly not going to be able to achieve this term.

480 **The Deputy Bailiff:** Deputy Matthews.

Deputy Matthews: Thank you, madam.

I am going to try and exercise self-control and not go through all of the different Propositions and why I agree with them or disagree with them. But I did want to make a couple of quick general
485 points, which is that in a way this debate shows how the Assembly should not be used and how this consensus Government should not work.

Most of the points that we have spent a long time debating here, we could have thrashed out and been through in an external meeting in Beau Sejour or something like that. We should not be doing this on the floor of the Assembly. The Assembly should be the final stage where we have
490 pretty much reached a point where either we have got a proposal that can be voted for with general consensus agreement, or there is a there is a division, in which case there is a vote and whichever side wins is the proposal.

That is not what has happened. We have come with some proposals. We all had a think about how we would like the debate to run, how we would like other politicians to behave, how we would
495 like their speeches to run and a lot of this is politicians thinking, well, I want to stop other people from being able to do things that I do not like them doing and, I think, sometimes what we should be doing is stepping out and thinking from the point of view of the public, because they are really the people who have voted us here.

They are the boss and think about this not from the point of view as an individual Deputy and what does this do for me and what does this do for what I am doing, but what does this do for the public, what does this do for the electorate? I think, especially in relation to Propositions like Proposition 1, which blocks late amendments, it is tempting to think, well, I might quite want to put
500 a late minute amendment in, or I might want to stop someone else putting a late amendment in.

I just think, if I am listening in, as a voter, I would rather hear the late amendment and decide for myself whether the proposer and seconder have been responsible and put forward something that was useful and aids the debate or irresponsible, in which case I will change my view of the people who support it. I do not think it is necessary to have rules around that, so I will not be supporting Proposition 1. There are numerous other issues that I have with other Propositions, but I think rather than detailing them, I will just vote in accordance with my views on them.

510 Thank you.

The Deputy Bailiff: Deputy Burford.

Deputy Burford: Thank you, madam.

This debate is largely now all hanging on the amendment, I think, from Deputy Falla, because most other things do not seem to be garnering a great deal of support. So, I will confine my comments to that amendment to limit speech times. I can understand the desire to have speech limits and although I, personally, would not necessarily support that if there was a rational and let me say, elegant proposal to do it, I possibly still would not vote for it, but I would not be quite so
520 exercised about it as I am.

But this is an inelegant solution. I already picked up on some things in it that Deputy Falla subsequently changed, but I think there is still much outstanding. In particular, it really troubles me the burden that we are putting on the Greffier and the staff in this room and also the Presiding Officer and I really do not think we should do that.

I think if Members are really fixed on the idea of bringing in speech limits, then we need to look at a much more considered way of actually doing it because I think this is the wrong way. And so, as a result, I will not be supporting that Proposition and I urge other Members not to do so either.

Thank you.

530 **The Deputy Bailiff:** Deputy Helyar.

Deputy Helyar: Thank you, madam.

535 I just wanted to speak, really, in support of Deputy Kazantseva-Miller's earlier comments, and several other people have mentioned them, in terms of what I call the Snow White Propositions, which is 3, 4, 5 and 6, because under them, Snow White obviously would have to make declarations for Dopey, Grumpy, Sleepy and various of the other people that she was living with and in the same household. (*Laughter*)

540 I have always found it completely bizarre, because it does not represent good governance in any sphere of anything, that anybody who is a subject matter expert has to leave a meeting. (**Several Members:** Hear, hear.) The public is crying out for some competence here in our governance and we are creating Rules where we actually expel people – I am not giving way – where we expel people from meetings because they know more about it than anybody else in the room. It is just bonkers, isn't it? Really, why on earth, and we are trying to make them more complicated; it is silly.

545 Like Deputy Gabriel, I have a hedge. I manage to get to 20 people, possibly falling within that definition and it would be more than that, I think he is putting up four for 40. It is discriminatory against local people with large families; (*Laughter*) but it is, you could literally, if you have 14 members of your household or people falling within this definition, you could literally not be able to attend any meetings except these. (*Laughter*)

550 You could be the Chief Minister, but not able to Chair Policy & Resources for any meetings because a remote cousin who lives in the shed in the back garden has shares in Microsoft and, therefore, cannot do anything to do with Agilisys because that is computers. Somebody would say, oh, that is a potential, there is a potential there. This is really silly. Who thought this up? I mean really, it just –

555 I will give way because I can see Deputy de Sausmarez really wants to add to it.

The Deputy Bailiff: Deputy de Sausmarez.

560 **Deputy de Sausmarez:** I am really grateful to Deputy Helyar and I have very much enjoyed his speech and completely concur with it. But it is just an oversight because I drew Members' attention to the fact that Propositions 5 and 6 were also related, but actually so is Proposition 7. It is slightly in camouflage because it is about rescinding a Resolution and it does not spell out what it is, but that resolution is about rescinding the current definition of special interest. So, anyone who does intend to vote against those should also vote against 7.

565 Thank you.

Deputy Helyar: I am very glad I gave way because I will add that to my Snow White list. Yes, it is really just, what a gross waste of time this has all been. I think we could make Deputy Burford very happy by just throwing the whole thing out.

570 Thank you very much.

The Deputy Bailiff: Deputy Murray.

Deputy Murray: Thank you, madam.

575 I have used the phrase before, fiddling whilst Rome burns. I think we have reached the pinnacle over two Meetings with that. This is not what I signed up to do. We have so many challenges ahead of us. (**Several Members:** Hear, hear.) I thought that is what I was elected to try to deal with and here we are squabbling over how we should behave in this Chamber.

580 What must people think? I just, I despair, really. I have tried not to involve myself in this because I was hoping it would move things along a little faster; it did not. I think, probably, this is all going to get thrown out at the end of the day. The self-discipline, I think, that Deputy Le Tocq talked about is absolutely what we should be thinking about. We are adults in here; we are not schoolchildren. Surely to heavens we can actually conduct ourselves as adults.?

And the respect I understand from (*Interjection*) well we should try. We can be respectful and we do not have to agree on everything. But I do think a lot more work with Committees before they get to this point would actually expedite a lot of the activity we undertake in here, rather than waiting and then throwing grenades in at the last minute into work that may have taken months, maybe years even. So, please, Members, please conclude this as quickly as possible, please gain some insight and some self-control over what we do in here and actually work for the electorate rather than ourselves.

Thank you, madam.

The Deputy Bailiff: Deputy Falla.

Deputy Falla: Thank you, madam.

I simply rise briefly to remind my 23 colleagues who did support the inelegant amendment that although it might be an ugly duckling, in Jersey it has turned out to be a swan.

The Deputy Bailiff: Deputy Taylor.

Deputy Taylor: Thank you, madam.

Thankfully, most Members, or a lot of Members, have raised most of the points I want to raise. I do agree, quite strongly, with Deputy Gabriel on Rule 26(b)2 it is one that I have used a couple of times. In fact, I think once, madam, you even denied me the right to use it, but it is probably fair to say I was using it for nefarious reasons because I was out of the Chamber at the time of the original vote, but I think that is one that should remain. So, I will be voting against that.

I do want to build, though,, on some of the points. I am not going to be supporting 4 and 5. I think, the comments made by Deputy Kazantseva-Miller about disclosable or other disclosable or potentially disclosable, it is muddy. So, I cannot support that and by virtue of that, I cannot support Proposition 5.

But Proposition 6 I do think needs a little bit more looking at because I think a lot of Members have grouped it in with Propositions 3, 4 and 5 and they are throwing it out. But the main part of that argument seems to be that they do not know about Cousin Sally's children or, I think Deputy Gabriel referred to his family hedge and there is a, how would he possibly know? So, I think it is important if we scroll to Proposition 6 and if you read that Rule, first of all, if you read it without the brackets that are in place.

So, a Member of her Committee who – exclude the brackets – has a direct or special interest in the business under consideration must not participate. I think everyone would agree with that. I think that is pretty reasonable. No one is shaking their heads. So then when you consider what is within the brackets and that is where this close family member comes in.

But we have to draw attention to the final couple of words within the brackets because it is a close family member and their interests of which a member is aware. So, if you are not aware of the shareholding or the property ownership of this distant, close family then you do not need to declare it. It is as simple as that.

So, it is not the crazy kind of Rule that everyone thinks it is. But on the flip side, if you do know that your, what is the most distant one, if you do know that the children of a common-law spouse own a property or have an interest in something that you are disclosing, you know that, then I think that should be disclosable. I do not think that is unreasonable. So, if you do know then you could be conflicted. But if you do not know, you cannot.

So, I will be supporting Proposition 6. I think that is an improvement on the *status quo* and I hope other Members will give it a bit more thought and where they have indicated they will be voting against it, I hope they change their mind on that, which then brings me back to then Proposition 3.

I am grateful for your time this morning on the adjournment and apologies to Members it may have seemed like a waste of time, but it was to discuss in more detail, in response to a point that

635 Deputy Meerveld raised at the beginning of debate at the end of yesterday and it is the positioning of the comma. Basically, on the final line of the first paragraph, which Proposition 3, if amended, would amend Schedule 2, which sets out the framework for what needs to go on your declaration of interest form and it would require all those people in the close family, spouse, domestic partner, grandparents, all of their interests to be disclosed on your declaration of interest form.

640 But then if it was your cousin, for example, you would not need to declare it unless that cousin lived in your household and I did not think that was right and I felt that the comma should have come after 'relative'. So, all of those people that fall into close family member would only need to be disclosed if they lived in the same household. I thought that was just about reasonable. It was worthy of my consideration. But the way it is worded, I could not.

645 As it happens, the advice of Madam Procureur was very strongly against that. So, I was grateful for the opportunity to even have that ability to lay that late amendment and have that discussion, even though it did not actually amount to anything. So that, I suppose, brings me around about back to Proposition 1 where, I think, that was beneficial. I think it could have teased something out but actually having the self-control not to lay the amendment, because I can see the writing on the wall is that Proposition 3 is not going to be supported, the amendment is not needed. But I do think late amendments have their place in this Assembly.

650 Finally, I just want to, I suppose picking up from Deputy Murray his point that, yes, we have got lots more things to discuss. I absolutely love rules (*Laughter*) and I love the framework that they create, if you had not noticed, It may surprise, and it will definitely surprise Deputy Vermeulen, I do not like standing around and talking about them. I really do not. It is a complete and utter waste of time.

655 Do not think for one minute that I have been excited about this debate, I do not. The Rules are there and we can work within them; it is other Members that have brought all these amendments and had all these discussions about things. But this is why, I think, our debates go on. It is not because we do not have a 15-minute Rule, it is because someone says something and someone has to reply and I felt compelled to speak on so many occasions in this, I say this week, this year, last year, because comments are made about the Rules and I feel actually, well, I know something about that and I feel I have to comment.

660 So, it is not because I want to talk about the Rules; that is the nature of debate. Someone says something you need to reply. Until we accept that I think we are going to spend forever trying to find ways to get around debating. When we accept that we are actually here to debate, perhaps we could then move forward onto the proper business that so many people want to consider. (**A Member:** Hear, hear.) And with that, I will sit down.

Thank you.

670 **The Deputy Bailiff:** Just before I call Deputy Oliver, Deputy Soulsby, do you wish to be relevéed?

Deputy Soulsby: Yes, please, madam.

675 **The Deputy Bailiff:** Deputy Oliver.

Deputy Oliver: Could I please move Rule 26(1).

680 **The Deputy Bailiff:** Deputy Oliver has called for a motion in relation to guillotining the debate. Those who still wish to debate in this matter, would you stand in your seat?

Deputy Oliver, do you still wish to continue with the Rule 26(1) motion? Those who support the motion to guillotine the debate please say *Pour*; those against.

Several Members voted Pour; several Members voted Contre.

The Deputy Bailiff: Let us SEV it. (*Interjection*) No, I am going to SEV it. Members, you will see –

685 Deputy Dyke?

Deputy Dyke: I am sorry, I did not realise –

690 **The Deputy Bailiff:** Okay. Members you will see on your screens the motion to guillotine debate now, States' Greffier, would you open the voting, please?

There was a recorded vote.

Not carried – Pour 16, Contre 16, Ne vote pas 5, Did not vote 0, Absent 3

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

695 **Deputy Queripel:** Madam, I have not voted yet. I was not able to get on line.

The Deputy Bailiff: I am sorry, can you reopen the voting then please, States' Greffier.

700 **The Deputy Bailiff:** I see you have not actually signed in yet. Would you like to indicate to the method we can use. You can indicate to the Sergeant what your vote would be if we need to wait. It is permissible under the rules.

Deputy Queripel: I am going to abstain, Madam.

705 **The Deputy Bailiff:** Oh, there we are! (*Laughter*) Thank you Deputy Queripel, thank you for dealing with it expeditiously.

I now have the outcome of the vote. There voted Pour, 16; there voted Contre, 16; and there were 5 abstentions, so the motion did not pass.

Could you kindly help Deputy Queripel so he signed in for the next one without difficulty?
Deputy Dyke.

710 **Deputy Dyke:** Thank you, madam.

715 I will be very brief. I just wanted to make a general point about these Rules; they are quite loosely drafted they are not tightly drafted in the way that one would draft a commercial contract. So, one just has to look at the basic principles when dealing with them. I think someone once said, I cannot remember who it was, that rules are made for the guidance of wise men and the blind obedience of fools (*Laughter*) and I think we should bear that in mind.

One does need to look at the general gist in particular, for example, on conflicts of interest. If you have got a conflict of interest in a Committee meeting or in this Assembly, I think you should

720 know that you have and you should be able to work out whether it is something you should declare
or not and, therefore, I am not too much in favour of these very long definitions that have been
given here.

My sense is that that Amendments 3 to 6 are not going to pass this Assembly. I would ask if
Deputy Meerveld could, if that is the case, explain Amendment 7, which did not have an explanation
in the paper and what we should be thinking about in terms of that. I initially voted to bring in
725 Deputy Falla's amendment regarding the 15-minute limit but following the debate and, in particular,
comments of Deputy Burford and others I think I have changed my mind on that. I am not going to
be voting for it. I think it is again, something that we should use our discretion, try to talk briefly
and not go over the 15-minute limit, but there may be occasions where someone has to. Again, it
is a matter of self-discipline.

730 Thank you, madam, that is all I have got to say.

The Deputy Bailiff: Thank you, Deputy Dyke. Deputy Le Tissier.

Deputy Le Tissier: Thank you, madam.

735 I do not think SACC are being effective in this policy letter; it is my view. We have a mish mash
of Rules, some get suspended on a regular basis, some are contradictory and so on and on. But I
think SACC have shown themselves to have their own agenda, which is not necessarily what
Deputies are looking for.

They refuse to acknowledge the instructions of this Assembly to go away and reconsider their
740 proposals on election spending limits. They came back with the same proposals; they knew best.
That was defeated, luckily. Then going back a while now we had SACC, I think it was the President,
saying that we will extend the code of conduct to non-States' Members; never heard any more
about that.

However, I want to concentrate on the disclosure of interests. Now many of the returns presently
745 online and in paper form, kept at the Greffe, are blank. Why, because they are annotated with the
line, same as last year. Now, you might say that there is nothing wrong with that. I agree. However,
the previous copy is not there, so you have got nothing to refer back to and the information that is
there is, in some cases, incomplete.

One return from a Deputy that was elected last term and is President of a Principal Committee,
750 their return, online and in paper, real property situated in the Bailiwick, address of each property
and the answer, Guernsey; just Guernsey. Later in that same Deputy's return it asks for details of
employment by the States of close family members. I will not read it all out, but, well no I have to
read it out otherwise there is no context: Declare here the name, familial relationship, job title and
unusual place of work of any of the following who is an employee of the States. That is to say parent,
755 spouse, cohabiting partner, child, grandchild or sibling. The answer: family relation employed as PT
support staff SOG, States of Guernsey, unnamed to respect the privacy of the individual.

So, what I am trying to get at is, I think SACC would have been better to look at how to police
these returns because at the moment, in my view, they are pretty useless. Then they could have
looked at regulating groups spending vast amounts of money now so they can only spend £3,000
760 during the election campaign; silent on that.

So, on to the Propositions. Proposition 1, in my view, is not practical and as my colleague, Deputy
Gollop, said it is ironic that the President was going, or possibly, going to second an ultra-late
amendment. Electronic voting, they are proposing there are no further votes because it was
applicable when it was recorded by voice.

765 But I refer back to an incident, I think it was last year – time flies, it might have been the year
before – when Deputy Inder, (*Interjection*) yes, was somewhat aggrieved that due to, shall we say,
equipment failure his vote was not counted. So, I think there should be circumstances when
electronic voting is re-run. Now there are other areas but in the interests of time I will leave them
unsaid and I will just vote accordingly.

770 Thank you.

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

Yes, Deputy Haskins.

Deputy Haskins: Thank you, madam.

775 Given one of the Propositions in this where, owing to the fact that I am not a President, I would only be allowed 15 minutes so, I intend to speak for an hour-and-15 minutes as my last opportunity! (*Laughter*) Do not worry, I am jesting. I do agree with Deputy Kazantseva-Miller and Deputy Helyar in their speeches and I thought they were very ably delivered.

I intend to speak on only two points; this is Proposition 1 and Proposition 2. Proposition 1, I was
780 going to vote against Proposition 1, but it was actually Deputy de Sausmarez and Deputy Roffey, they have persuaded me to vote for it. There are valid reasons why late amendments should be late. Technical ones, though, can be laid by Committees themselves without the need to vote to suspend the rules and if an amendment really needs, or this Assembly feels should be laid because it comes out in debate well, then, we, as an Assembly, have a mechanism for which we can suspend the Rules.

785 Because Members, I have heard it here many times and by myself, in fact, that some Members, at least it seems, that some Members put in the Rule 4(1) information, there are no financial implications. Other Members have said that there is the potential for Members to just say that so that they then do not need to suspend the Rules.

Members, if you do think that this has been happening or could happen or that this rule has
790 been abused or Members have gone against the spirit of Rule 4, then I would suggest to Members that they vote for Proposition 1 because amendments can still be laid. Now in Proposition 2, this is regarding Rule 26(b)2, I think we have seen a prime example there with Deputy Queripel, of the need to keep the Rules and Deputy Taylor and I are one of the few Members who have used this, Rule.

795 The policy letter does mention where Members have been absent during a vote and then have returned to a Chamber shortly afterwards and Deputy Taylor did refer to this, I think I was the one to call it and Deputy Taylor was the one who was out of the room. But the Presiding Officer very ably made a decision that was not within the spirit of that rule and, therefore, will not allow it.

So, I am, here asking Members what is the issue; because it has not happened and that is what
800 the policy letter says? This is the reason but it has not happened but Members we can envisage a situation, a scenario in which, actually, we would like to be able to challenge that because there have been times where the SEV has been unavailable to a Member. We have seen, just now, this is with this Presiding Officer that we can ask that one Member for the vote itself. But that has not always been the case.

805 So, on a vote where it is close I would say Members, it is at least safer whilst we are still, and the SEV is still quite new, that we keep it in there.

So, Members, that is it for me. Like other Members there is quite a few, especially 3, 4, 5, 6 and 7 that I will not be voting for and I think I have made my position clear on 1 and 2.

Thank you.

810

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

No. Is it possible now, before I turn to Deputy Meerveld to reply on behalf of the Committee, for there to be the circulation, as requested, of the hard copies of the extant Propositions? Thank you. So, this is a hard copy of what is shown on the SEV already but sets out the Propositions as amended
815 so that you can be clear about what you will shortly be voting on.

Deputy Meerveld, can I call you to reply on behalf of the Committee?

Deputy Meerveld: Yes, thank you, madam.

820 The speech in general debate that I resonated most with was Deputy Gabriel's. He said, I really liked this policy letter when it was published, but ... I thank Deputy Queripel and Deputy de Sausmarez for their comments regarding the Committee, or myself as representing the Committee, being flexible in response and yes, I think there is a tendency sometimes for Committees

to present a policy letter and die in a ditch over it to get it through on the basis that they have drafted it, without necessarily listening to legitimate issues raised in this Assembly and, I think, more flexibility in the consensus Government would be a good thing.

Deputy Taylor, the positioning of a comma. Now, as a dyslexic my grammar is not great but, certainly, I had not seen the implications of that and as a consequence I will not be voting for Proposition 3 of our own policy letter. I leave it to other Members of the Committee to use their discretion on that.

Deputy Le Tocq raised the point about plethora of Rules and Rules of behaviour. It comes back to this issue and, again, I suppose despite the fact that I have said it several times in this debate that officers advise us against implementing Rules to try and change behaviour rather than addressing the behaviour itself, we have probably been drawn into that and some of these doing exactly that in some of these Propositions.

Proposition 1, I certainly wanted to look, explore a much more dramatic change of Rules that would be more restrictive on when Propositions were laid and also Rule changes to change the burden for a suspension of the Rules, but it proved to be too difficult at the end of the term. So, there are, I think, a number of things that have come up. I am just going to go through.

Deputy Murray made the point about self-discipline and SACC has certainly drawn up for the candidates in the incoming term, a lot more training and, as Deputy Kazantseva-Miller mentioned, support for new Members being elected to this Assembly that, hopefully, will add skills and knowledge that will help them apply more judgement in how they handle debate and handle themselves in general in relation to this Assembly and its individual Members. So, it definitely has taken on board those things.

Again, the idea of Deputy Matthews and Deputy Dudley-Owen about the workshops etc. with Members reviewing the Rules going forward, I think that is a very good suggestion and will definitely be part of what SACC puts into its notes for the next SAC Committee. The only speech I really took some umbrage at was Deputy Le Tissier who seems to fail to understand the role of SACC and the way that instructions work, despite his three years of service.

He said we did not come back, we were instructed to consider the expenses, the election expenses, and we came back with the same number. We were not instructed to change the number we were instructed to consider it and return with our recommendations. We considered it and considered that our original recommendations were valid and the Assembly did not agree. Well, that is democracy at work, but we certainly did not fail in the instruction to consider it.

He says that we should be policing the declarations of interest and the returns given, but we do not police anything. The SAC Committee does not own or control the rules, it makes suggestions to this Assembly who owns and controls those rules. But also when you come to things like declarations of interest or election expenses for that matter, where he says we should be effectively acting as judge and jury, well this Assembly has very clearly told us in the past it does not want us acting as judge and jury.

We did that on the Commissioner for Standards set up the way that that operates. But also these are Laws, they are not Rules. We are proposing to this Assembly to change Laws which are then enacted and if there is any failure on that it is not for the SAC Committee or even for any Members to judge, it would be passed to the Law Officers.

The point on challenging the Proposition to not have recounts on SEV, one has to remember that was when it was an oral vote taken around the room and somebody considered that the count, manually taken with human intervention, would potentially come up with the wrong number. SEV cannot come up with the wrong number so, therefore, challenging that it may have counted the numbers wrong, there is no basis for that and that is the reason for the change of that Rule –

Deputy Taylor: Point of correction, madam.

The Deputy Bailiff: Yes, Deputy Taylor, what is your point of correction?

875 **Deputy Taylor:** Well, Deputy Meerveld, I think, is suggesting that Rule 26(b) came from the days of aux voix votes but Rule 26(b) came in when the simultaneous voting came in. So, it very much came in as a package with simultaneous voting, not as he is describing it.

The Deputy Bailiff: Deputy Meerveld.

880 **Deputy Meerveld:** I do not think that is correct because certainly it was there before SEV ever existed in 2016 when I was first elected. It may have been renumbered since in a change of the Rules but, certainly, the rule to request a recount existed in 2016 and SEV did not come in until this term.

885 But anyway, the point of that Rule change is the correct workaround for somebody who believes they have not been able to enter their vote on SEV, for whatever reason, is perfectly demonstrated by Deputy Queripel. At the discretion of the Presiding Officer any Member who has not been able to enter a vote on SEV is able to request –

I will give way to Deputy Haskins

890 **The Deputy Bailiff:** Deputy Haskins.

Deputy Haskins: I am very grateful for the President giving way. I would ask Deputy Meerveld, whilst that was the case this time has that been the case in the past. I am asking in particular
895 reference to Deputy Inder who very much made it aware to the Presiding Officer that he was unable to vote (*Interjection*) at that time?

Thank you.

Deputy Meerveld: I thank Deputy Haskins for the interjection and, yes, from the first
900 establishment of SEV in the first policy letter that brought it in, it very much was at the Presiding Officer's discretion on whether to allow somebody to, effectively, insert a vote after the SEV or into the SEV system based on their inability to be able to operate the system.

We have had a very long debate on Rules. Unfortunately it is a subject that all Members are, for once, experts in because we are the only ones who operate them. So, it does tend to attract a lot of
905 debate. On behalf of SACC we would have liked to have done more on this and, remember, we did poll all Members on their suggestions, we tried to cover as many as we could.

We have had challenges with being resourced this term and, on behalf of the Committee, I do apologise that we have not been able to cover as much as we wanted in the way we wanted because, again, if I remind Members, we originally were going to bring a sequence of policy letters handling
910 sections of the Rules. We did one but then were only left with doing this one wrap up. But with that, I will leave it to Members to vote on the Propositions as they stand.

The Deputy Bailiff: Thank you, Deputy Meerveld, I have picked up from the comments on general debate that it is going to be necessary to break up the Propositions into separate
915 Propositions. So, that is what we will put up on the SEV. You will note that 4 and 5 and 4 and 6 work together, so we may not need to, if 4 does not pass, we will go to 6, we do not need to go to 5, but we will work our way through it as we come to it.

The States' Greffier, are you able to put up the first Proposition on its own? Members, you should see on your screen this is Proposition 1 in relation to Rule 24(2). I will ask The States' Greffier to
920 kindly start the voting.

There was a recorded vote.

Proposition 1.

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

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

925 **The Deputy Bailiff:** There voted in relation to Proposition 1, Pour 9; Contre, 29 and there was 1 Member who was not in the Chamber at the time of voting. I therefore declare the Proposition 1 has not been passed.

Proposition 2 please States' Greffier.

930 Members, you should now have on your screen Proposition 2, which is to amend Rule 26(b)(ii). States' Greffier, would you open the voting on this Proposition.

There was a recorded vote.

Proposition 2

Not Carried – Pour 17, Contre 21, Ne vote pas 0, Did not vote 1, Absent 1

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Burford, Yvonne	Aldwell, Sue	None	Parkinson, Charles	McKenna, Liam
Bury, Tina	Blin, Chris			
De Lisle, David	Brouard, Al			
De Sausmarez, Lindsay	Cameron, Andy			
Dudley-Owen, Andrea	Dyke, John			
Fairclough, Simon	Ferbrache, Peter			
Falla, Steve	Gabriel, Adrian			
Hill, Edward	Gollop, John			
Le Tocq, Jonathan	Haskins, Sam			
Meerveld, Carl	Helyar, Mark			
Murray, Bob	Inder, Neil			
Queripel, Lester	Kazantseva-Miller, Sasha			

Roffey, Peter	Le Tissier, Chris
Snowdon, Alexander	Leadbeater, Marc
Soulsby, Heidi	Mahoney, David
St Pier, Gavin	Matthews, Aidan
Trott, Lyndon	Moakes, Nick
	Oliver, Victoria
	Prow, Robert
	Taylor, Andrew
	Vermeulen, Simon

935 **The Deputy Bailiff:** In relation to Proposition 2, there voted Pour 17, Contre 21 and there was 1 Member absent from the Chamber at the time of voting. I therefore declare that this Proposition has not been passed.

States' Greffier, would you post Proposition 3. Members, this is amending the note to the Schedule 2 of the Rules of Procedure. The States' Greffier, would you open the voting, please.

There was a recorded vote.

940

Proposition 3.

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

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

The Deputy Bailiff: There voted in relation to Proposition 3, Pour 6; Contre, 32; and there was 1 abstention. I, therefore, declare the Proposition was not passed.

945 Proposition 4 please, which is defining the term of direct or special interest to be replaced by other terms. Members, you should now have the Proposition on your screens. States' Greffier, would you open the voting on this Proposition?

There was a recorded vote.

Proposition 4.

Not Carried – Pour 5, Contre 34, Ne vote pas 0, Did not vote 0, Absent 1

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

950 **The Deputy Bailiff:** Right, my outcome has come up. (*Interjection*) No, you will not get this outcome, Deputy Oliver. I can still declare what the result is of that Proposition it has counted all the votes.

In relation to Proposition 4, there voted Pour, 5; Contre, 34. I, therefore, declare that Proposition is not passed and, therefore, we do not need to lay Proposition 5.

955 States' Greffier, are you able to set up Proposition 6? Can everybody see that on their screens? So before you is Proposition 6 which is the alternative as Proposition 4 was not agreed. Would you kindly open the voting please, States' Greffier?

There was a recorded vote.

Proposition 6.

Not Carried – Pour 4, Contre 34, Ne vote pas 1, Did not vote 0, Absent 1

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

960

The Deputy Bailiff: In relation to Proposition 6, there voted Pour, 4; Contre, 34; and there was 1 abstention. The Proposition has not passed.

Proposition 7, States' Greffier. This is the Proposition to rescind Resolution 14(1) aa.

965

Deputy Roffey: Madam, it may be useful for Members to understand that is the instruction to SACC to review the Rules on interest. So, I suggest we should vote in favour, unless we want them to come back with yet another definition, in which case we vote against.

970

The Deputy Bailiff: Thank you for that Interjection, Deputy Roffey. Would you open the voting, please.

There was a recorded vote.

Proposition 7.

Carried – Pour 30, Contre 8, Ne vote pas 1, Did not vote 0, Absent 1

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

975 **The Deputy Bailiff:** There voted Pour, 30; Contre, 8; there was 1 abstention. The Proposition has passed. (*Interjection*)

Proposition 8, please States' Greffier. This is the Proposition inserted by Amendment 5. In relation to Rule 26(b) would you open the voting, please?

There was a recorded vote.

980

Proposition 8.

Carried – Pour 24, Contre 13, Ne vote pas 2, Did not vote 0, Absent 1

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Cameron, Andy	Leadbeater, Marc	None	McKenna, Liam
Blin, Chris	Dyke, John	Taylor, Andrew		
Brouard, Al	Falla, Steve			
Burford, Yvonne	Gollop, John			
Bury, Tina	Haskins, Sam			
De Lisle, David	Helyar, Mark			
De Sausmarez, Lindsay	Inder, Neil			
Dudley-Owen, Andrea	Le Tissier, Chris			
Fairclough, Simon	Mahoney, David			
Ferbrache, Peter	Matthews, Aidan			
Gabriel, Adrian	Moakes, Nick			
Hill, Edward	Prow, Robert			
Kazantseva-Miller, Sasha	Vermeulen, Simon			
Le Tocq, Jonathan				

Meerveld, Carl
Murray, Bob
Oliver, Victoria
Parkinson, Charles
Queripel, Lester
Roffey, Peter
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Trott, Lyndon

The Deputy Bailiff: There voted in relation to this Proposition, Pour, 24; against, 13; there were 2 abstentions. I, therefore, declare the Proposition has been passed.

985 Proposition 9, which was inserted by Amendment 1, which is in relation to speech limits. Would you kindly open the voting, please?

There was a recorded vote.

Proposition 9

Carried – Pour 22, Contre 17, Ne vote pas 1, Did not vote 0, Absent 1

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

990 **The Deputy Bailiff:** There voted Pour 22, 17 against. I, therefore, declare the Proposition passed. Proposition 10, this was inserted by Amendment 4. You will see that the States' Greffier has put that Proposition on your screen. So, I will ask him to open the voting, I please.

There was a recorded vote.

Proposition 10

Carried – Pour 27, Contre 10, Ne vote pas 2, Did not vote 0, Absent 1

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Brouard, Al	Prow, Robert	None	McKenna, Liam
Blin, Chris	Burford, Yvonne	Taylor, Andrew		
Cameron, Andy	Bury, Tina			
De Lisle, David	De Sausmarez,			
Dudley-Owen, Andrea	Lindsay			

Fairclough, Simon	Dyke, John
Falla, Steve	Haskins, Sam
Ferbrache, Peter	Le Tissier, Chris
Gabriel, Adrian	Le Tocq, Jonathan
Gollop, John	Leadbeater, Marc
Helyar, Mark	Matthews, Aidan
Hill, Edward	Meerveld, Carl
Inder, Neil	Murray, Bob
Kazantseva-Miller, Sasha	Queripel, Lester
Mahoney, David	Roffey, Peter
Moakes, Nick	Soulsby, Heidi
Oliver, Victoria	St Pier, Gavin
Parkinson, Charles	Taylor, Andrew
Prow, Robert	
Snowdon, Alexander	
Trott, Lyndon	
Vermeulen, Simon	

The Deputy Bailiff: There voted Pour, 27; Contre, 10; there were 2 abstentions. I, therefore, declare that the Proposition is passed.

995 Proposition 11, which was inserted by Amendment 6. Would you open the voting, please?

There was a recorded vote.

Proposition 11

Carried – Pour 34, Contre 5, Ne vote pas 0, Did not vote 0, Absent 1

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

The Deputy Bailiff: There voted Pour 34; against 5; I therefore declare the Proposition has been passed.

1000 Proposition 12, please. This was inserted by article Amendment 8. Would you open the voting, please?

There was a recorded vote.

Proposition 12

Carried – Pour 29, Contre 10, Ne vote pas 0, Did not vote 0, Absent 1

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

The Deputy Bailiff: There voted Pour, 29; Contre, 10. I, therefore, declare this Proposition was passed.

1005 You will see that we are all ready to set up for the 15-minute limits on speeches, but we have only come to a temporary solution in the last three minutes, so we will do our best but there may have to be an element of acceptance by the Members that we are trying to work with the resources we have at the moment but, hopefully, we will find a more permanent solution.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

3. Dates of States' Meetings: September 2025 to August 2029 – Propositions (as amended) carried

Article 3.

The States are asked to decide whether, after consideration of the Policy Letter entitled, Dates of States' Meetings: September 2025 to August 2029, they are of the opinion: -

1. To agree that the dates on which States' Meetings shall be convened for the next political term, in the period from 1st September 2025 to 31st August 2029, shall be as set out in the table in section 3.2 of the policy letter.

2. To agree that statements under the provisions of Rules 10(4) and (5) shall be made by the Presidents and, in the case of the States of Alderney, the nominated Alderney Representative according to the following rota set out in the table in section 4.4 of the policy letter.

3. To delete Schedule 1 of the Rules of Procedure of the States of Deliberation and their Committees and replace with Schedule 1 as set out in Appendix 1 to the policy letter, to take effect on 5th May 2025.

1010 **The States' Greffier:** Article 3, the States' Assembly & Constitution Committee – Dates of States' Meetings September 2025 to August 2029.

The Deputy Bailiff: Deputy Meerveld.

1015 **Deputy Meerveld:** Thank you, madam.

As we near the end of this political term and look to the next, I am pleased to present this policy letter on behalf of my Committee proposing the dates for the States' Meetings, Special Meetings and schedule of statements for the next political term. The Committee has followed the pattern of States' Meetings from this Assembly, avoiding school holidays and continuing to schedule States' meetings to start on the last Wednesday of each month, allowing three days for the business of the States.

1020 As usual, there is no Meeting planned during the school holidays in August, but this is followed by an early meeting in September as education resumes, quickly followed by a second Meeting on the last Wednesday of the month in order to ensure we have enough time to cover States' business.

1025 In terms of Special Meetings, the Committee proposes that the annual budget of the States and the policy letter on the uprating of non-contributory benefits from the Committee for Employment & Social Security will be scheduled in accordance with the rules on the first Tuesday in November, with the States' Accounts and Government Work Plan in the same June meeting, although we appreciate that our colleagues on the Policy & Resources Committee may wish to propose a revised approach to the schedule of the Government Work Plan.

1030 With regards to the rota statements from the Committee Presidents and the Alderney Representatives, a consistent pattern of dates has been proposed to assist Committees with their planning. Madam, I would urge the Assembly to note that the election of Committee Members is included in the schedule on 7th July 2025, whereas within the table 3.1 on the policy letter, this is not the case.

1035 To conclude, madam, as the Assembly would expect, the Committee has followed the Rules of Procedure in proposing the meeting dates for the next political term. These follow an established pattern which has worked successfully for successive Assemblies. So, I would, therefore, urge the Assembly to support the proposed dates and schedule of Meetings.

1040 Thank you.

The Deputy Bailiff: Thank you and, Deputy Meerveld, you have proposed two amendments would you like those laid?

[Amendment 1](#)

In proposition 1 to delete "3.2" and replace with "3.1" and in proposition 2 to delete "4.4" and replace with "4.3".

[Amendment 2](#)

To delete proposition 3 and replace as follows:

"To delete schedule 1 of the Rules of Procedure of the States' of Deliberation and their Committees and replace with Schedule 1 as set out below, to take effect on 5th May 2025."

1045 **Deputy Meerveld:** Yes, madam. The First Amendment is simply a technical correction. The second one is –

The Deputy Bailiff: You can address both now.

1050 **Deputy Meerveld:** Thank you.
The second amendment is simply an amendment to the schedule to include the Committee *for* Housing and its statements which have, obviously, come about since the original policy letter was introduced. I would ask Members to support them.

1055 **The Deputy Bailiff:** Deputy St Pier, do you formally second both those amendments? Do you formally second, both those amendments?

Deputy St Pier: With glee, madam. *(Laughter)*

1060 **The Deputy Bailiff:** Does anybody wish to speak on either of those technical amendments? No. So, no need to reply then and we will put those votes straight on, please States' Greffier. Can we vote for them at the same time, States' Greffier? Well, I am going to read the room and say we can vote on them both at the same time then. So, States' Greffier, would you open the voting in relation to those two technical amendments as proposed by Deputy Meerveld and seconded by Deputy
1065 St Pier.

There was a recorded vote.

Amendments 1 and 2

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

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Burford, Yvonne	McKenna, Liam
Blin, Chris			Inder, Neil	
Brouard, Al			Matthews, Aidan	
Bury, Tina				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Hill, Edward				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				

Prow, Robert
Queripel, Lester
Roffey, Peter
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

The Deputy Bailiff: There voted in relation to both amendments, Pour, 36; there were no votes against, no abstentions and 3 Members were not in the Chamber at the time of the vote. I, therefore, declare that those amendments are passed.

[Amendment 3](#)

To insert an additional proposition as follows:

"In Rule 6(3) of the Rules of Procedure of the States of Deliberation, substitute "an ordinary" for "a" and to insert an additional paragraph immediately after paragraph (3) as follows:

"(4) When a Special Meeting falls to be adjourned under sub-paragraph (2) (c) (or the proviso thereto) the adjournment shall normally be:

(a) from the first day of the Meeting, until 09.30 on the following day;

(b) from the second day of the Meeting, until 09.30 on the next following day;

(c) from the third day of the Meeting, until 09.30 on the next following day;

(d) from the fourth day of the Meeting; until 09.30 on the next scheduled date of a Meeting."

and to renumber the remaining paragraphs accordingly."

The Deputy Bailiff: Would you like the States' Greffier to read out to your amendment?

Deputy de Sausmarez: Yes please, madam. Would it be possible to debate both at the same time because they are effectively alternatives to each other?

The Deputy Bailiff: No, I am afraid not, Deputy de Sausmarez, I like having alternatives as separate ones. I think people find it too confusing. So if you do the first one first, please?

Deputy de Sausmarez: Which is the first one?

The Deputy Bailiff: Amendment 3, which is Rule 6(3), Rules of Procedure.

Deputy de Sausmarez: I do not think it is going to help anyone if the States' Greffier reads it out, because it is just a list of stuff. I will try and explain it to put it into common parlance. I will start with the problem that we are trying to address here, which has been a little bit of a niggling frustration that we have experienced a few times in this political term and that has been when there has been a Special Meeting, typically to consider the budget or the GWP and the States' accounts.

That has started on a Tuesday and we have got really stuck into debate and then we would get to the end of Thursday and we realise that actually there is no provision to roll over to the Friday and it leaves us all scratching our heads and going, what was all that about? In the words of Deputy de Lisle.

So, really this is a pair of amendments that are both designed to tackle this problem in a slightly different way, but I would reiterate that it probably is an either/or choice because depending on what order, if you vote for both, one will replace the other anyway.

Amendment 3, which is the one we are dealing with first, effectively seeks to provide a fourth day. So, it would retain a Tuesday start for such Special Meetings.

The other thing I should explain, sorry, is that there are some Special Meetings which are immediately followed by an ordinary Meeting and for those ones the fourth day is included. But the

1100 specific situation that these amendments are trying to address is where there is a standalone Special Meeting, which is not followed by an ordinary Meeting and those are the ones that tend to stop short on a Thursday evening and do not roll over to the Friday.

So, the alternatives proposed by this pair of amendments is either to start Special Meetings on a Tuesday and include the Friday. In other words, to make those standalone Special Meetings four
1105 days, or to start the standalone special meetings on a Wednesday, which is the effect of Amendment 4. So, that is really the decision that these amendments are presenting the Assembly with.

I think my preference is Amendment 3. Deputy Dudley-Owen can speak for her own preference when she speaks. But I think of the two, I would like the situation to be addressed because I think it is a frustration for the Assembly and, I think, given the nature of the standalone Special Meetings
1110 they are often Meetings with a lot of business and, therefore, I think Amendment 3 is probably preferable because it does allow that additional day.

So, I hope that explains the situation clearly in the interests of this new found discipline that we are all working under I think I will leave it there, but very much welcome any questions in the course of debate that I hope can clarify. But I think Amendment 3 is proposing that standalone Special
1115 Meetings are four days rather than the default three.

Thank you.

The Deputy Bailiff: Deputy Dudley-Owen, do you formally second that?

1120 **Deputy Dudley-Owen:** I do, madam, and I reserve my right to speak.

The Deputy Bailiff: Do you want to speak now?

Deputy Dudley-Owen: Reading the room, I think I will, yes. I have agreed to second these
1125 amendments because I think it is a pragmatic approach to an issue that arose a couple of years ago, I think, or at the end of one particular year, and all of us were rather shocked to be told, you think you are sitting on a Friday, but actually you are not.

We do need to remedy it. I think this is a sensible proposal and I prefer Amendment 3 but, obviously, I think that having a choice there allows a little bit of flexibility for Members to be able
1130 to make that choice. But yes, hopefully, these will get some support in terms of the practical application and remedy an issue that you cannot often foresee but arises on the hoof and shows that we are adaptable.

Thank you, madam.

1135 **The Deputy Bailiff:** Who wishes to speak on this amendment? Nobody.
Presumably you do not want to reply to your seconder?

Deputy de Sausmarez: No, madam, except to just double check with my seconder, which I was
1140 scrawling a note and I have not had time to send, that she would be happy to not lay Amendment 4 should Amendment 3 carry, which I think would be sensible?

The Deputy Bailiff: Yes, thank you.

States' Greffier, on that basis we will go straight to voting and would you kindly open
1145 Amendment 3. Members on your screens now should be Amendment 3 and as Deputy de Sausmarez and Deputy Dudley-Owen have usefully indicated, if this one is supported Amendment 4 will not be laid.

Would you kindly open the voting, please?

There was a recorded vote.

Amendment 3

Carried – Pour 32, Contre 4, Ne vote pas 0, Did not vote 3, Absent 1

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

1150 **The Deputy Bailiff:** There voted Pour, 32; Contre, 4; and 3 Members were not in the Chamber at the time of the vote. Therefore, I declare that the amendment has been passed and as Amendment 4 will now not be laid, we will return to general debate.

Who wishes to speak in general debate?

Deputy Bury.

1155 **Deputy Bury:** Thank you, madam.

Just briefly really, because one of my questions to SACC ahead of this debate has just been addressed by the very welcome amendment that has just passed. But one of the questions that I did present to SACC, which I have not had an answer on, so I wonder if I will get one now, was just if any conversations had been had around the merits or value or usefulness of new Assembly's debating and approving the accounts so swiftly?

1160 So, in 2025 the new Assembly will be approving and debating the accounts a week after they have been put into office and in 2029, it will be a day. So, I realise that there are structures in place and it might not be easy to change, but I do just wonder whether any conversations were had around the practicality of that and whether any alternatives were looked at.

1165 Thank you, madam.

The Deputy Bailiff: Thank you. Does anybody else wish to speak?
Deputy Gabriel.

1170 **Deputy Gabriel:** I will be brief, madam. I should perhaps have spoken in support of Amendment
3 but with a short warning note and asking Members to, perhaps, take account of Parkinson's Law.
Not, of course, Deputy Parkinson, but Parkinson's Law. Work always fills and expands to fit the time
1175 available and I would suggest that, heeding Deputy Le Tocq's words earlier, perhaps we can have
some self-control and even with our 15-minute limit of speeches that perhaps be a little more
succinct and hopefully we will not have to expand into the fourth day now that we have got a
successful amendment.

Thank you.

1180 **The Deputy Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: Yes, I am rising, prompted by Deputy Bury's comments and I was
wondering whether Deputy Bury's comments were motivated by, possibly, thinking that new States'
Members might not be well versed enough in matters of the States in order to come to the
1185 Assembly in an informed manner to be able to debate the States' Accounts and I am happy to give
way, if that is the case?

The Deputy Bailiff: I am sorry, Deputy Bury, you do not get to answer that; it is not a question
and answer session.

1190 **Deputy Dudley-Owen:** I said that I would be happy to give way for Deputy Bury.

The Deputy Bailiff: Oh, sorry. I did not realise. Sorry, I apologise.

Deputy Dudley-Owen: I give way to Deputy Bury.

1195 **The Deputy Bailiff:** Deputy Bury.

Deputy Bury: Sorry, madam, I was discussing something with a colleague but I think I picked up
the question, it was about Members readiness to be doing such. And, yes, that was really my concern
1200 that Members will have spent the previous week or time doing, what I call, drafting week, getting
positions on Committees, etc. I am not sure that there has really been time, realistically, for them to
apply themselves. Some may have taken the diligent approach to read them ahead of time if they
are available to them. But yes, really, that was that was my concern.

1205 **Deputy Dudley-Owen:** Okay, thank you to Deputy Bury, madam, for giving that clarification. It
was just that if that was the case, then I would offer that those accounts would have been out for
some weeks and, actually, those perspective candidates, or those candidates, would have done well
to have versed themselves in the States' Accounts and previous year accounts as well. I think it has,
certainly I recall speaking to Deputy Parkinson, who had been a former Treasury Minister, in my first
1210 term about the accounts and they are a statement of fact. They are what has happened.

Deputy Parkinson is looking quizzically, but we did go for a coffee and discuss them. They are a
statement of fact and it is a good way to introduce yourself to what has happened through the year
and it cannot be changed. It is to note that the Policy & Resources Committee has approved those
accounts. So, I would suggest that, in this instance, whilst on other areas I would absolutely agree
1215 with Deputy Bury, for this particular instance I think that new Members should be sufficiently
equipped to be able to make that, reasonably vanilla, so to speak, decision.

The Deputy Bailiff: Deputy Soulsby.

1220 **Deputy Soulsby:** Yes, just briefly, madam. I think Deputy Bury has raised a good point. The
accounts are going to be particularly hard work, I suspect, and for 2024 it will be the first time that

we will have full consolidation. So, I do think, and I have already discussed this with officers, that we will need far more training induction for new Members, as well as existing Members, because I think Members will notice that it would be very different. We will have various organisations included in the accounts, various transactions that have been cancelled out and I do think time needs to be spent on that, both as general induction but also what the specific accounts mean

The Deputy Bailiff: Deputy Meerveld

Deputy Meerveld: Thank you, madam.

I will start with Deputy Gabriel. Yes, I am concerned always about filling a vacuum if we have got extra days allocated but I am glad that Deputy de Sausmarez and Deputy Dudley-Owen brought the previous amendment and have cleared up the uncertainty about the extra day, if we need it.

As regards the accounts, we did discuss it. I think Deputy Dudley-Owen highlighted the fact that this is simply acknowledging and noting accounts that are historic and considering the financial situation we are in. I actually think it is probably beneficial that is done sooner rather than later with new Members.

I think if we had been debating the Budget within a week of being elected, I think, then that would be a real issue but certainly, my opinion, that noting the accounts is not. But I very much welcome Deputy Soulsby's comment about P&R leading some kind of induction or training or some extra sessions, not just for newly elected Members but for existing Members or re-elected, to familiarise ourselves with the new accounting format and I think that would be very helpful for everybody. I am actually quite glad in some ways that new Members in the new term will be starting off with one of the issues that they are initiated in immediately, is our financial situation.

Thank you, madam. I ask Members to support the schedule.

The Deputy Bailiff: sorry, post the Proposition with the additional amendments.?

The States' Greffier: Yes, I think it could be done.

The Deputy Bailiff: Thank you, would you kindly post that for the Members to see so we can take the vote? It is not posted on my screen yet.

You should have now, before you, the amended Propositions with the details set out and I will ask The States' Greffier to start the voting on that.

There was a recorded vote.

Carried – Pour 39, Contre 0, Ne vote pas 0, Did not vote 0, Absent 1

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	None	McKenna, Liam
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				

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

The Deputy Bailiff: In relation to this Proposition, as amended, they voted Pour 39. I, therefore, declare the Proposition was passed.
States' Greffier.

STATES' TRADING SUPERVISORY BOARD

4. Guernsey Post Limited – Annual Report and Accounts – Proposition carried

1260

Article 4.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Guernsey Post Limited – Annual Report and Accounts' dated 17th October 2024, they are of the opinion:-

1. To note the Annual Report and Accounts of Guernsey Post Limited for the year ended 31st March 2024.

The States' Greffier: Article 4, the States' Trading Supervisory Board – the Guernsey Post Limited annual report and accounts.

1265

The Deputy Bailiff: Yes. Deputy Roffey.

Deputy Roffey: Thank you, madam.

1270

I would normally apologise that the whole process of auditing, etc means that the accounts are always discussed quite a few months after the period under consideration, which was up to the end of March last year and that would have been the apology I would have offered if this had been debated when it should have been, which was towards the end of last year. Now it has almost become absurdly out of date, but I will give a few highlights anyway.

1275

The operating loss for the year to the end of March last year was £1.1 million for Guernsey Post. That was ahead of the budgeted position and an improvement of £1.2 million compared with the prior year operating loss of £2.3 million. This improvement in performance was particularly pleasing,

I believe, when considering that the company had to contend with the effects of continual high rates of inflation and, in particular, specific costs that fell on them during the financial year, which placed considerable downward pressure on the operating margins.

For example, costs associated with transporting mail between the UK and the Bailiwick saw increases of close to half a million pounds alone in those 12 months. And the disruptive changes made by Condor to local freight arrival times and departure schedules earlier in 2024, I have to say, contributed significantly to further unplanned operational costs for the company. So, it is very good to know that there is now going to be an absolutely settled arrival time for a.m., slightly later than Guernsey Post would like but they can work with it and rota people accordingly.

It is good to report that the company's investment in HR Air continues to yield positive results and that actually contributed close to £350,000 in operating profits during that financial year. Just to update briefly, Members, on the progress during the year under consideration of the business transformation plan and the intention, which I have reported previously, is to realise £3.8 million in benefit over a three-year horizon and it is continuing to grow very well indeed.

The most notable achievements over the 12 months under consideration were in November 2023, the company brought live its new parcel automation machine. I think there has been a lot of publicity about that and Members will be aware of it, but partly as a result of that in December 2023 the final phase of the voluntary redundancy scheme concluded and that resulted in an overall year on year annual reduction of 11% in the workforce of Guernsey Post. And in January 2004, the company made notable changes to its pay and benefit packages for all new employees, which was designed to ensure that the company remains on a sustainable footing for the years to come.

This turnaround plan is based on things like, what I have just been talking about, reduction in staff, changes in terms and conditions. I think I will just make the point *en passant* that if Guernsey Post had not been an incorporated entity, I think, their ability to deliver that impressive turnaround would probably have been far more limited than it was, and I congratulate their board on the turnaround and I have to say, I can report I am not going to go into their achievements since March 2024 because that would be ill-disciplined, according to Deputy Le Tocq, but I think Members will want to know that the turnaround program continues to deliver and there will be much better news to report when the accounts come forward next year.

The Deputy Bailiff: Deputy De Lisle.

Deputy De Lisle: Thank you, madam.

The Chairman in the report mentions the opening of the new Portsmouth site to enhance our network capabilities and further parcel growth and provide a delivery hub for suppliers not currently serving the Guernsey market. In terms of retail supply, I have to claim an interest as I and family Members are in the retail industry.

Through this service Guernsey Post now provides the myUKaddress service, equivalent to Ship2Me. Now, there is no problem with providing Islanders with a UK address to facilitate delivery to Guernsey from the UK, but it has also launched an online directory called RockShopper which lists online retailers that can ship to Guernsey.

Now the online directory lists 409 retailers, of which 98% are UK shops, each promoted on the site with imagery and direct links to their websites. This is actively signposting Guernsey consumers to shop in the UK and undermines efforts made here to promote the local retail industry (**Several Members:** Hear, hear.) and that goes against the States' policy and mandate to facilitate business in Guernsey and shop locally and promote the local economy.

Now, I also have to note that in the last term Economic Development actually supported the retail industry (**A Member:** They still do.) to the extent of placing £300,000 over three years of grant assistance, if you like, to the retail industry to promote it forward. Now this RockShopper business is actually doing the opposite and working against what we are trying to do –

Deputy Taylor: Point of order.

The Deputy Bailiff: Sorry, Deputy de Lisle, Deputy Taylor has raised a point of order.

1330 **Deputy Taylor:** I might be wrong, but I did not think RockShopper was in 2023.

Deputy de Lisle: I cannot hear what he is saying.

1335 **The Deputy Bailiff:** I do not think it is an important point of correction, I am afraid, Deputy Taylor. (*Laughter*) Carry on, Deputy de Lisle.

Deputy de Lisle: Thank you, madam.

1340 Guernsey retailers were not consulted and will be negatively impacted by this service and the States role, as a shareholder of the incorporated company owned by the States a sole shareholder, should be consistent in supporting local business including the retail sector. So, Guernsey Post is undermining efforts to boost the local retail industry by actively promoting and encouraging Islanders to shop online with UK retailers.

1345 Madam, the challenges of the postal landscape with increasing competition and the continued escalating cost pressures driven by the wider macroeconomic factors beyond the control of Guernsey Post have no doubt added to the complexity of the operating environment. But that should not be overridden by enhancing network capabilities and parcel growth to the detriment of local retailers subject to the same challenges. (**A Member:** Hear, hear.) I call, madam, on STSB to intervene to take down Guernsey Post's RockShopper on the website to stop further damage to the local retail industry.

1350 Thank you, madam.

The Deputy Bailiff: Thank you, Deputy de Lisle. Deputy Gollop.

1355 **Deputy Gollop:** Whilst I agree with the sentiments of Deputy de Lisle and I drew a sharp intake of breath when I saw that the new team at Guernsey Post were working and, I think, Deputy Taylor is technically right a lot of this did happen post this report, we are working towards a solution, have mixed feelings because on the one hand they are providing a customer service some of whom are amongst probably the most financially vulnerable in our society, as I think some online buyers come into that category because retail costs are not always cheap in Guernsey, I did think that it seemed odd that a States owned public entity was doing that (**A Member:** Exactly.) and, perhaps, as it is against the interests of St Peter Port and elements of the retail and Economic Development. (**A Member:** Hear, hear.)

1365 But then should I resist the temptation to interfere in a commercialised entity, because the whole point of it was to give them certain freedoms away from traditional bureaucracy and/or political intrusion. One of my favourite topics is, as is Deputy Dyke, is I would like to see more sub and town post offices and maybe the site at the moment which, hopefully, will become a Victor Hugo centre is not ideal. But, again, I am interfering.

1370 But I do hope, following Deputy de Lisle's wise comments, that some thought is given to how Guernsey Post can both serve its many customers but also encourage and enhance on-Island work. I am concerned a bit of the cost of stamps but I think Jersey has gone further. I do appreciate they have actually been managed extremely well at a time of great challenge. They have proved resilient; they have contained losses and they have grown parcel business.

1375 I am interested by the purchase of HR Air and also there is a company behind that, which is interesting too, it is not material, Shellback Holdings. I actually think that Guernsey Post have every right to do that because I gather that Jersey have been very keen on logistics developments and we need to work with our providers, like Condor and Air, to get things done.

Whether this HR Air could provide fast courier services for important letters, I know not because I have always hoped that a solution can be found, maybe working together as Islands, possibly not, to give us, ideally, next day delivery. But I do not know what HR Air do, it is not particularly explained

1380 but I am sure they do a supportive job with parcels and logistics and the freedoms that Guernsey Post has are interesting.

They have a defined contribution scheme. We are told by Deputy Roffey, although it is not particularly developed, that they have changed some of their terms and conditions for new employees. So, they clearly are in a different place from the States main line and, I think, we can learn from them, all of us, on how to manage cultural change and stay resilient and work in a modern environment.

1385 At the same time I would hope that they retain the standards of services of the past ensuring quick delivery and affordable facilities, maintain the growth in parcels but at the same time work together with Guernsey's business community and the retail and other sectors to ensure that we are together as a team.

The Deputy Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Madam, I am the retail lead for Economic Development and concerns have been raised about the actions of Guernsey Post with this Rock Shopper type set up. There are feelings that the Post Office is acting actually *ultra vires*, outside of their powers, in encouraging Islanders to shop off Island.

Madam, Islanders need no such encouragement. We have got a vibrant high street at the moment which is struggling a little bit and we do not need shoppers being encouraged not to support the local jobs that are provided in the high street. I regularly buy electrical appliances on The Bridge from the States' Electric and I overheard a conversation that went a little bit like, with the excellent salesman in there, hello, Mrs Le Page you will be you will be ordering your washing machine from us and you said you were looking for one. Can we help you; we have got these excellent terms? Oh, no, she said, I have bought it online. I have bought it through Very.

1400 So there is an example of another States' Trading Board, States' Electric, losing a sale. All that support is gone and if there are any listeners at home wondering whether or not to buy their appliances, like I did a TV, if they are in need of a TV and they are considering buying offline. I just bought a TV locally; it was far cheaper than the online.

1410 **Deputy Taylor:** Point of order, madam

The Deputy Bailiff: Deputy Taylor, it is Rule 17(6). A lot of Deputy Vermeulen's speech seems to be linking to RockShopper. RockShopper was launched, I think, in October or November of 2024 and these are the accounts leading up to 31st of March 2024, so I cannot see how it is relevant.

1415 **The Deputy Bailiff:** I am going to disagree with you, Deputy Taylor, and that is because I am also looking at the Chairman's Statement, which looks forward as well as back and so, therefore, I think it is appropriate that these issues can be aired under this heading because it is a forward-and backward-looking document.

1420 **Deputy Vermeulen:** Thank you, madam, for that ruling, I kind of knew which way it was going before Deputy Taylor started. But anyway, this is a very serious thing. So, I ordered my TV it was installed by two local technicians, one referring to the other as Pops. (*Laughter*) It was all tuned in, mounted on the wall, the old one taken down, everything set up and if there is anything that goes wrong with it, I have a 10-year guarantee on that and those guys will fix it. You do not get that when you order it off-Island online.

1425 So, I can commend in part the reduction in losses at the Post Office but look, this cannot be at the expense of the local retail. People need to shop local. (**A Member:** Hear, hear.) They need to support those people that are employed. They need to support that investment we are seeing, currently, in the high street, multi-million-pound investment and we do not need to be giving

anybody any encouragement to buy by off-Island. (**A Member:** Hear, hear.) We should support local.

Thank you, madam.

1435 **The Deputy Bailiff:** Deputy Kazantseva-Miller.

1440 **Deputy Kazantseva-Miller:** Members I think Deputy Roffey has summarised it very well. If Guernsey Post was not an incorporated asset, they would not have been able to do what they have been able to do, which is being innovative, being adapting, being able to respond to the modern needs of their clients who are both local businesses and local community.

1445 They have been able to innovate and move forward. They have been able to acquire companies. Imagine a States unincorporated asset going and doing an M&A, this would be inconceivable. I think this is what a successful, flexible, well-governed asset actually represents, that they are able to spot opportunities, they are able to move on with their times and all, what, for the benefit of our Islanders. (**A Member:** Hear, hear.)

1450 We have got a cost-of-living crisis. Unfortunately, our local market, our local retail community will never be able to support the needs and requirements of all of our economy. Enabling the choice, access to cheaper products as well, the variety of what you can get, the service this is what moving into the modern world looks like.

1455 I am absolutely fully supportive of these initiatives that Guernsey Post is undertaking. It does not mean we do not have a local retail economy, but this is an opportunity for them to innovate as well and to understand what can we provide, what is our unique selling point, whether it is same day purchase, ability to try things on or having more of a social cafe environment, whatever it is, this is a kick in the bottom, I think, moment (*Laughter*) for our retail community to also move on with the times.

1460 We should absolutely, as Government; embrace that actually we need that tension and we need to move on with requirements and effectively putting barriers to modern economy is actually totally against what we stand for. We want to embrace competition. We want to embrace that connectivity and online shopping has delivered huge benefits to our community and will continue to deliver those benefits.

1465 We should also remember, actually, as a proportion of our economy the retail environment is often low margin, it is often where some of the lower paid jobs are. This is potentially people we are supporting with minimum wage, etc. We are actually better off, potentially, ensuring we have higher value sectors of the economy and that some of the workforce actually moves up into higher skilled jobs. So, Members, I think this is something to celebrate and embrace and really a resounding vote to note this statement and continue to move on with the times which all of Government assets should do.

1470 **The Deputy Bailiff:** Deputy Soulsby.

1475 **Deputy Soulsby:** Thank you, madam.

1475 I hear Deputy Kazantseva-Miller, she is right but an organisation is only as good as the people running it and, on that basis, I thought it is right to thank the Chief Executive, who is now no longer in that position, for the role that he undertook and probably people can see how successful Guernsey Post has been. Very much it has a lot to do with that person.

1480 I am glad, I was on the panel that that appointed him to the role of Chief Executive and Head of the Public Service and the work that has done at Guernsey Post very much gives people an idea about why we thought he would be suitable for the current post. So, thank him for what he has done at Guernsey Post and wish him all the best for the role that he is now in place.

1480 **The Deputy Bailiff:** Deputy Queripel.

Deputy Queripel: Madam, I rise to merely say I very much look forward to Deputy Roffey's response to the point made by Deputy de Lisle and Deputy Vermeulen, because that would mean STSB getting involved in operational issues at Guernsey Post, should they decide to intervene.
Thank you, madam.

The Deputy Bailiff: Thank you. Deputy Dyke.

Deputy Dyke: Thank you, madam.

The results of the Post Office over a number of years have been quite creditable. They are a bright spark in our economic framework in a sea of darkness, to be honest. I think Mr Smillie seems to have done a very good job against extreme headwinds over the years following some of the problems he has had. So, this is all very creditable indeed.

I note in particular what has been done with staff costs in terms of keeping them under control and now that we have Mr Smillie as head of the Civil Service, I hope P&R will support him in doing the same with staff costs over the States as he has done with the Post Office. I think that is a very important aspect to consider. I hope the Post Office will continue to thrive without him, I guess we will see.

One little quibble on the accounts, I do see that directors' fees seem to have gone up quite a lot, from £394,000 to £494,000, which does quite a big sum to me. *(Interjection)* Well, it is a big sum from a big sum. So I do not know if Deputy Roffey could comment on that, do we need quite as many directors? I do not know.

The other the other point one does note from this is how successful the Post Office has been with its structure as against how successful the Ports have been with their structure and I would ask Deputy Roffey, should we consider separating out the sea port from the Airport into two separate companies to see if –

The Deputy Bailiff: Deputy Dyke, I am not going to allow Deputy Roffey to comment on it, we are talking about the annual reports of the Guernsey Post Limited. I am not going to spiral off into –

Deputy Dyke: Sorry, madam, I slightly drifted. I think that is all I have got to say.
Thank you.

The Deputy Bailiff: Deputy Matthews.

Deputy Matthews: Thank you, madam.

I will be brief. I was not going to speak, but I thought I ought to speak because the conversation seemed to talk a lot about the option for Islanders to be able to buy products online and Guernsey Post facilitating that. I should say, as a former Guernsey Post employee, I went through some of the changes where, and the story of Post has been very much of declining letter volumes and increasing packet volumes.

But I think for those, Deputy de Lisle and Deputy Vermeulen, who said that we should try and prevent this, I think, that would just be an anti-competitive move and it would not help our retail industry at all. What it would do, would be to provide a sort of short term –

I will give way to Deputy Vermeulen if he would like to defend that.

The Deputy Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Perish the thought of anything being anti-competition, airlines and the like discouraging other airlines from coming to Guernsey. But what I was saying was that we need to be supporting the local industry. Now, retail employs 5,000 people. I will let you continue your speech, but those are all jobs we are not having to pay unemployment benefit to them at the moment but if the Post Office is encouraging people to buy offline that might not always be the case.

1535 **The Deputy Bailiff:** Thank you.

Deputy Matthews: I thank Deputy Vermeulen for his interjection, but really the point that I was just about to get to, which is that if you were to try and prevent people from buying products online, although you might provide some short-term comfort in the long run, you would be damaging the local retail sector.

1540 I have had a very similar experience to Deputy Vermeulen when I bought my appliance, my TV recently, I found that buying locally actually offered the best price, it was from a just off the high street shop by the Town church. They had a better price than I could get on Amazon and I would have, actually, paid more because you get the service that means that if return it then you do not have to have the hassle of putting it into a box and sending it off.

1545 Our retail industry is actually doing a pretty good job of providing an alternative and I think they have met that challenge quite admirably and that is something that we should encourage our retailers to do, rather than trying to shield them from what is inevitably going to be competition from online providers. So, I do not accept that would be a useful intervention and, along with Deputy Queripel, I am not sure that STSB could even do that to try and interfere with Guernsey Post's operation in that way. But on a more general point –

I will give way to Deputy de Lisle.

Deputy de Lisle: I thank the Deputy for giving way. Just to make clear my point, it is not about providing Islanders with a UK address to facilitate delivery from the UK; that is fine. I know that the system and the advantages, really, of admitting products from outside. But it is this RockShopper that I am listing here as a problem, whereby the online directory is listing so many UK retailers and encouraging local buyers to actually shop through these UK shops with imagery and direct links to their websites, which seems to me to be overkill.

1560 **Deputy Matthews:** I thank Deputy de Lisle, but I maintain my point that I think that is just providing a good customer service and, actually, the Post Office has often been quite good at being able to provide Islanders with information, which is sometimes quite difficult to get a hold of about how things work on Guernsey and how deliveries work and, I think, that is a useful thing for them to be able to do.

1565 In general, and I am sure that with our new Chief Executive of the States arriving from Guernsey Post, Guernsey Post has been very much on the journey from a post office board through to a limited commercialised company. I am sure that many of those innovations are things that we would like to see in the States as well and so I note the accounts, madam.

1570 **The Deputy Bailiff:** Deputy Murray

Deputy Murray: Thank you, madam.

1575 We seem to have gone down a bit of a rabbit hole, I think with RockShopper and I would like to ask Deputy Roffey, with low expectation that he will have the answer, how much is RockShopper used? (*Interjection*) Who knows? Maybe it is not used very much. Now, whilst other speakers have been speaking, I have been looking through RockShopper and I would say nine out of 10 of the retailers listed do not take the VAT off. Boden, Diddly Squat Farm, they do. There are others but I just flicked through.

1580 So, I would have said the savvy shoppers are not going to want to pay the VAT as they cannot claim it back and so they will be shopping locally. They will only shop in the UK and have to pay the VAT if it is not available here. So, I just question is it really doing much damage?

Thank you.

1585 **The Deputy Bailiff:** Deputy Roffey

Deputy Roffey: Thank you, madam.

I deliberately stopped at the end of March 2024 because that was the year of the account we are considering and I could have gone on to mention the enormous success of myUKaddress, which has had many thousands of people signing up to it, but I was trying to show some discipline. But you are absolutely right, the report does refer to it and, therefore, Members were able to discuss it.

Let me start maybe with Deputy Lester Queripel who asked, would it be us getting involved in operational issues? Well, he wrote, he asked all Committees recently whether or not they ever got involved in operational issues and STSB gave him a clear answer, that in the unincorporated businesses, yes, it is quite commonplace for us to get involved in operational issues because we are responsible for the way that they operate.

However, for the incorporated entities, the businesses, that is down to their board of directors. We are there to set shareholder strategic objectives and to monitor the performance of those businesses against those and the central shareholder objective relayed by the STSB, which has been endorsed time and again by this Assembly for all of the incorporated entities, is to act in a commercial manner.

That is what Guernsey Post have been doing and I have to say that as far as myUKaddress and Rock Shopper, I am absolutely supportive of both of those initiatives and I would stress that on the Rock Shopper every single local business has the right to be inscribed on that and promote themselves in that way and Guernsey Post would like to see far more doing so. That is up to them.

But the idea that if that facility did not exist Guernsey people would not be buying so much online is just pure denial of the modern world. Jersey Post would love to fill this gap with Ship2Me or whatever it is, they would love to step in and do this. It would not be happening if Guernsey Post was not taking advantage of this possibility to boost their parcel deliveries, it would still be happening but Guernsey Post would be losing out and, therefore, so would the people of Guernsey who own it. So, I make no apology for that whatsoever.

Now the only other comment I will say before sitting down is Deputy Kazantseva-Miller was very supportive of the idea that the turnaround programme and the very impressive performance of Guernsey Post was partly down to, largely down to, their agility to operate as a commercialised entity and I can maybe take this opportunity to inform the States that they will have the chance to debate whether to extend that format of ownership to other States-owned trading entities during the course of this political term.

Thank you.

The Deputy Bailiff: Thank you. Yes, Deputy St Pier.

Deputy St Pier: Madam, under Rule 17(d), I have an interest to declare, my wife is a Director of Guernsey Post.

There was a recorded vote.

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

POUR

Aldwell, Sue
Blin, Chris
Brouard, Al
Burford, Yvonne
Bury, Tina
Cameron, Andy
De Lisle, David
De Sausmarez, Lindsay
Dudley-Owen, Andrea
Dyke, John
Fairclough, Simon
Falla, Steve

CONTRE

None

NE VOTE PAS

Mahoney, David

DID NOT VOTE

Inder, Neil
Leadbeater, Marc

ABSENT

McKenna, Liam

Ferbrache, Peter
Gabriel, Adrian
Gollop, John
Haskins, Sam
Helyar, Mark
Hill, Edward
Kazantseva-Miller, Sasha
Le Tissier, Chris
Le Tocq, Jonathan
Matthews, Aidan
Meerveld, Carl
Moakes, Nick
Murray, Bob
Oliver, Victoria
Parkinson, Charles
Prow, Robert
Queripel, Lester
Roffey, Peter
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

1625

The Deputy Bailiff: The Proposition was supported by 36, there was 1 abstention and 2 Members were not in the Chamber at the time of the vote. I, therefore, declare the accounts duly noted. States' Greffier, please do announce the next.

POLICY & RESOURCES COMMITTEE

5. The Income Tax (Gratuity Schemes) (Guernsey) (Amendment) Ordinance, 2025 – Proposition carried

Article 5.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Income Tax (Gratuity Schemes) (Guernsey) (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.

1630

The States' Greffier: Article 5, the Policy & Resources Committee – The Income Tax (Gratuity Schemes) (Guernsey) (Amendment) Ordinance.

The Deputy Bailiff: Deputy Trott.

1635

Deputy Trott: Madam, thank you.

Through the 2021 States' Budget debate, the States resolved to make a technical change to legislation to clarify that the exemptions in place for gratuity schemes should cover international savings plans. Discharging this Resolution has taken longer than originally anticipated, madam, due to the need to prioritise Moneyval related work streams.

1640

Engagement has taken place with the Guernsey Financial Services Commission and the Guernsey Association of Pension Providers Technical Committee. The draft Ordinance was approved by the Committee in October when Members additionally approved further consequential changes by way of Resolution. I have had no advance notice of any technical questions, madam, and so I so move.

1645 **The Deputy Bailiff:** Does anybody wish to speak on this Proposition?
Deputy Gabriel.

Deputy Gabriel: Deputy Trott will be pleased to know, madam, that it is not a technical question, but is he confident that the Revenue Department has enough resources and adequate IT to process this exemption that the Law relates to and, indeed, any other Income Tax revenue service facility?
Thank you.

The Deputy Bailiff: Does anybody else wish to speak in general debate? No. In that case, I will turn to Deputy Trott to reply.

1655 **Deputy Trott:** At this moment in time, I answer, confidently, yes.

The Deputy Bailiff: Thank you.
You should see on your screens, Members, the Proposition. States' Greffier, would you open the voting, please?

There was a recorded vote.

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

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

The Deputy Bailiff: The vote was unanimous for those Members in the Chamber at the time of the vote; 3 Members were not in the Chamber. So, I declare the Proposition passed and we will, taking into account the time, adjourn for lunch.

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

THE STATES' ASSEMBLY & CONSTITUTION COMMITTEE

6. The Electoral Expenditure Ordinance, 2025 – Proposition carried

Article 6.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Electoral Expenditure Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.

The Deputy Bailiff: States' Greffier.

The States' Greffier: Yes, madam. Article 6, the States' Assembly & Constitution Committee – The Electoral Expenditure Ordinance.

The Deputy Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, madam.

Obviously, this is just an enacting or bringing forward the decisions the States have already made and I will leave it to the Assembly for their consideration.

Thank you, madam.

The Deputy Bailiff: Does anybody wish to speak?

Yes, Deputy Gollop.

Deputy Gollop: Yes, I decided not to even attempt to try the patience of the Assembly and the Law Officers and everyone else by drafting an amendment to this because we have had the debate, at least twice, and I do not want to be accused of yo-yo Government. But I will vote against this because, I think, I know the SAC Committee put forward a much higher level of expenditure and then the report was pulled and then it came back and Deputy Falla, in a democratic way, got the amount reduced to the £3,000 or the £1,500 for parties.

But bearing in mind there are now a lot of prospective candidates around, some of them may even be visiting us soon, I think we should have been on a level playing field or at least the playing field we were on four years ago. I think the amounts are too low, they are too low for groupings of candidates, they are too low to send out manifestos.

I do not quite know if we all voted against it, what would happen, whether we would revert to 2020 rules or not or the rules that Deputy Inder's Committee set, which were probably closer to what we really wanted in the end. But I am just, at this point, going to say that I am going to vote against this legislation.

The Deputy Bailiff: Thank you, Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

I just like a little bit of clarity from the President when he replies to debate. If a majority of the Assembly, which I do not think they will, but if a majority of the Assembly were to vote against this Ordinance what would be the effect on candidates' expenditure limits in the upcoming election?

Thank you.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: As the President of SACC is unlikely to know, I would rather ask the Comptroller, indeed, what would the effect of that mean? I am not entirely sure we would actually have an election with any money to go through, even though I agree with Deputy Gollop and I will not repeat it, I would not mind knowing what the effect of not supporting this Ordinance would mean.

Thank you.

The Deputy Bailiff: With no disrespect to you, Deputy Meerveld, I will ask His Majesty's Comptroller whether he is able to express an opinion now, or whether he wants a few moments and we will deal with the other people who want to speak in this debate before he opines on this.

The Comptroller: Madam, if I could just have a few moments. This has cropped up before. I think Deputy Inder may well be right, but I will confirm that if you can give me a few minutes.

The Deputy Bailiff: Thank you very much.
Deputy Matthews.

Deputy Matthews: Thank you, madam.

I will wait patiently for His Majesty's Comptroller's reply, because I too intend to join Deputy Gollop in voting against on the basis that I do appreciate Deputy Falla's noble attempt to reduce election expenditure, but it seems to me a bit of an odd situation where we have now almost got a reverse election where you can spend much less during a regulated period than you can outside of it and, I think, it strikes me as odd. I did not vote for the amendment and I would vote down the legislation for the same reason.

Thank you.

The Deputy Bailiff: Thank you. Deputy Dyke.

Deputy Dyke: Thank you, madam.

I agree with Deputy Gollop. I think it is totally unfair to reduce the expenditure to a level below which we all were elected four years ago and we had the capacity to spend a certain amount of money. We have now reduced it, which is utterly unfair on new candidates coming forward. **(A Member:** Hear, hear.) So, I think this is very bad legislation and we should vote it down.

The Deputy Bailiff: Deputy Oliver

Deputy Oliver: I would just like to remind people that this has already been voted upon. **(Several Members:** Hear, hear.) I can just here the amendment all over again. I am not happy with it, yes, that is fine, but we have already voted on this. Please, guys, let us get on. We have got so much other work.

The Deputy Bailiff: Deputy Vermeulen.

Deputy Vermeulen: I think we do need an election, *(Laughter)* desperately. So who is going to stand in the way of this? If it turns out that Deputy Inder was right after all and there would be no election that is just unthinkable. But I think candidates and Deputies in this Assembly can take

comfort from that wonderful booklet which gets circulated to all the households and really, the majority of the work is included in that booklet. It is a master stroke that we have got that and I think that works really well. So, I will listen to what the ruling is but I am minded that we need an election desperately and I will support this.

1755

The Deputy Bailiff: Deputy Ferbrache.

1760

Deputy Ferbrache: Frankly, this is ridiculous. We had a debate, as Deputy Oliver said, we came to a decision. I remember Deputy Leadbeater said he did his, I think, for about £250 or whatever it was, it was a modest sum, last time in relation to where we are and he got duly elected. Goodness me. Clearly, madam, you have asked for the learned Comptroller's view and he will give it.

1765

I have got a recollection, which may be wrong, that it came up during the course of the last debate and if there had been no vote, we would have reverted back to what the figures were for the last election. But the learning learned Comptroller will tell us that, I may be wrong. That is just my recollection of what has been said.

1770

So, here we are on the spur, no amendment to the Ordinance, just on the cuff we decide that four or five people have got a conscience, this is all terrible, one of the arch capitalists who just spoken, Deputy Dyke, saying, oh this is terrible we should be more socialist. I never know whether Deputy Dyke is a member of Attila the Hun's Party or the Socialist Workers Party; it varies between the two! (*Laughter*) But in relation to this, we voted on this, we have got an Ordinance which came through after a democratic vote. For goodness' sake, if this is good Government, then I do not know who I am, I do not know who I am anyway at my age, but there we go. (*Laughter*)

1775

The Deputy Bailiff: Does anybody else wish to speak?

Then, Mr Comptroller, could you give your view on the effect of what would happen if this Ordinance was successfully opposed.

1780

The Comptroller: Madam, it does remain the same. The Ordinance is targeted at a particular election. The extant Ordinance was targeted at the last election, so it will not apply to this election. So, my view is that if this Ordinance is not enacted there will not be a limit on candidates' expenditure.

The Deputy Bailiff: So it would be limitless.

1785

The Comptroller: Limitless indeed. (*Laughter*)

The Deputy Bailiff: So while you cogitate on that – Deputy Leadbeater, do you want to.

1790

Deputy Leadbeater: Yes, it is just off the back of that news. Anybody not supporting this Proposition has got to be absolutely barmy. (**A Member:** Hear, hear.) I mean, we have been through this time and time again, it has just been articulated by Deputy Ferbrache and we have heard from His Majesty's Comptroller the effects of this not carrying. So, come on, let us just vote this Proposition through and get on with the next piece of business.

1795

Thank you.

(**Several Members:** Hear, hear.)

The Deputy Bailiff: Thank you. Deputy Meerveld, in response, if you need one.

1800

Deputy Meerveld: Yes, I am not sure how to respond to this one. (*Laughter*)

I will have to leave it to Members to decide. But I am inclined to, personally, vote against it because I am fundamentally opposed to the way that we have reduced the amount that candidates

can spend below what the existing Members of this Assembly were allowed to spend at the last election. But I am cautious about the implications.

1805 Thank you, madam.

The Deputy Bailiff: Well, that is an unusual turn for the books.

States' Greffier, you have already posted the Proposition which we are now going to vote on. Would you kindly open the voting.

1810

There was a recorded vote.

Carried – Pour 28, Contre 5, Ne vote pas 5 , Did not vote 1, Absent 1

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

The Deputy Bailiff: In relation to this Proposition, there voted Pour, 28; Contre, 5; there were 5 abstentions and 1 Member was not in the Chamber when we voted. I therefore declare that the Proposition has been passed.

1815

States' Greffier.

COMMITTEE FOR EDUCATION, SPORT & CULTURE

**7. Education Governance –
Debate commenced**

Article 7.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Education Governance' dated 25th November 2024, they are of the opinion:-

1. To agree to establish a new Education Governance system in respect of each fully States-funded education setting in Guernsey and Alderney and The Guernsey Institute, to facilitate devolved and delegated governance as described in sections 4 and 5.

2. To amend the Education (Guernsey) Law, 1970 and any relevant associated legislation to give effect to the new Education Governance system from the commencement of the 2025/2026 academic year, or as soon as practicable thereafter.

3. To agree that the Committee for Education, Sport & Culture should consult with the States of Alderney in relation to the new Education Governance system as it shall have effect in respect of the fully States-funded education setting (St Anne's School) in Alderney.

4. To agree to establish, by no later than December 2025, and in accordance with Rule 53 of the Rules of Procedure of the States of Deliberation and their Committees, a States' Investigation & Advisory Committee to be known as the Education Devolution & Delegation Investigation & Advisory Committee, whose membership shall be as described in paragraph 4.4.3 and whose mandate shall be as described in paragraph 4.4.5.

5. To instruct the Policy & Resources Committee and the Committee for Education, Sport & Culture to each make available the resources necessary for the Education Devolution & Delegation Investigation & Advisory Committee to fulfil its mandate; and, in the event that additional resources are required, to instruct the Policy & Resources Committee to release funds up to £100,000 from the budget reserve.

6. To direct the Education Devolution & Delegation Investigation & Advisory Committee to report back to the States of Deliberation with its findings and recommendations as soon as possible but no later than September 2026.

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

The States' Greffier: Article 7, the Committee for Education, Sport & Culture – Education Governance.

1820

The Deputy Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, madam.

1825 I am pleased to present these proposals on education governance for our States-maintained schools in Guernsey and the Guernsey Institute. These long-awaited proposals were published on the 25th November, accompanied by two States' Member presentations, while also circulated as a recording to all Members, and this means that Members have benefited from an unusually long time to absorb details.

1830 There has been much discussion and commentary on the, somewhat, stunted approach to education governance in the state sector over many years. A longer political term and increasing stability across the States' education sector has enabled the Committee to prioritise education governance.

Having rechecked and modified some areas following debate in June 2023, we have consulted, researched and actively piloted a governance model proving the concept and providing evidence

1835 of the positive impact of improved governance for our States-maintained settings. The policy proposals focus on two main areas.

1840 First, a new legal framework which will create governance boards for all schools and the TGI. Developed and designed with the current education leaders of our state sector schools and TGI, we have tried and tested interim governance model using a fail fast, fail forward approach and it has formed the basis of the governance proposals in this policy letter, albeit that these policy proposals go significantly further than our interim model. These proposals provide a sound legislative framework for governance in the future with built in permissiveness within the legislation which is able to flex and adapt according to varying needs.

1845 Second, a proposal that a States' Investigatory & Advisory Committee, to be known as the EDDIAC, is established in the early days of the new political term to research fa- reaching devolution to our new and non-political governance boards and directed to return to the States before the end of 2026, with specific evidence-based recommendations.

1850 So, why are we doing this? The Committee is driven to deliver an excellent education system fit for the 21st century. Everything we do is aimed at achieving this goal and developing a fit for purpose, Guernsey specific system for education governance is a crucial step towards that achievement.

1855 The proposals support forward-looking education policy, meeting our Island's changing needs bringing us finely in line with modern governance expectations. Until this term, the system of education governance for the States has been fragmented and insufficient, a mixture of mandated governance by the Committee, historically operationally focussed, and a legal framework for an outdated school Committee system, something not all settings have benefited from and which is legally restricted in its duties and expected accountabilities.

1860 Good governance is not a nice to have. It is not lost on me, and I hope it is not lost on Members, that we have just spent many hours during this meeting and the last debating how we govern ourselves. Governance is such an important feature of many parts of our working lives and the lives of Islanders. At all levels, good governance is essential.

1865 It is not a coincidence that the most developed and modern jurisdictions benefit from a structured form of education governance, as do our private colleges locally. It is a known and evidenced fact in scrutinising education performance, including outcomes and resources, which leads to improved educational outcomes for students through better decision making and the more efficient use of resources.

1870 Over the past two years, interim governance boards have proved evidence of impact that has led to a new approach to staff and student wellbeing in all settings, teaching French earlier to some students in primary, improved parent communications and is fed into our new education workforce strategy and P&R's review of education staff terms and conditions and many more.

1875 So, how will we do it? The new governance framework will improve community oversight of education settings with different but invested and participating voices sitting around the governance table. These new governors will provide oversight, monitoring how our schools and the Guernsey Institute develop, adapt to change and deliver better experiences and outcomes to learners.

1880 Accountability through partnership oversight will be strengthened. Leaders will be held to account on the decisions that they make to ensure that they are delivering against their and their local community's priorities. Our legislative proposals, madam, are designed to meet modern expectations creating a flexible framework which will support a greater level of autonomy for each setting and their new boards. They have been designed to provide a flexible and adaptable foundation upon which our Government can devolve and delegate a range of functions to schools in the Guernsey Institute, many of which are currently centrally provided.

1885 There has been wide consultation with multiple stakeholder groups. The Committee has gathered feedback and survey responses from settings leaders, from the community, private colleges and even off Island education governance specialists, all geared towards building the right system for Guernsey.

Some themes have arisen through periods of consultation. We have been asked about powers and accountabilities of the boards and high-level duties and Members can find details in section 4.2.1 of our policy letter. We have been asked about how we will transition from the current position to our new boards, about their composition, the extent of future devolution and delegation and of current levels of delegation. We have also received comments relating to the English system.

We will support transition from the interim position to our new governance framework through the Governance Handbook, which will lay out the move from the *status quo* and will be annually updated to stay in line with best governance practice and the evolving responsibilities of the board. This handbook will direct governors on the additional responsibilities devolved by the States and will offer flexibility that the current legislation does not.

Initially, proposed powers and responsibilities of the boards, which will be included in legislation, are noted in section 4.2.18. The legislation will also cover appointments, elections, interventions and high-level duties of each board. Concurrent to the drafting of enabling legislation we will begin transition from our IGBs to legally constituted governance boards.

This Committee wants to empower the boards and suffice to say we will prioritise the recruitment process for the new chairs of the governance boards to get them into the driving seat quickly. Therefore, the political chair role will transfer to the new independent chairs. Some will be appointed to Chair individual governance boards across a group of schools, so designed to make the best use of limited resources at this time and, of course, it will be in the gift of succeeding Committees to vary the number of chairs should the number or types of schools across the Islands change.

Our chairs will be important figures in education, leading an important stakeholder group for future Committees and expected to maintain regular strategic links with our head teachers and principals. We are delighted that they will benefit from the quality and enthusiasm of the existing pool of nearly 50 interim governors, who are equally keen to see their roles now formalised.

The membership of our boards is clearly set out in the policy letter, but areas to note are any governors, save for the head teacher, will not serve more than eight years of consecutive membership on their board, ensuring boards embrace new ideas, evolve and continuously develop, thereby avoiding stagnation. Governors will be able to serve on more than one board if they choose, but these numbers will be limited to avoid risk of disproportionate influence.

Madam, it is true to say that there are mixed views about the extent of devolution and delegation that is best for our Islands. It is also true to say that these mixed views come with varying degrees of knowledge about both education governance and the States' education sector.

We have engaged and sought views of States' Members on multiple occasions on this subject now, and we know that this Assembly is not unanimous in its views of what is best or how quickly change should happen, does not have a complete understanding of how devolved responsibilities might work in practice, does not know the financial implications of degrees of devolution across different areas or even different educational settings, noting that devolution in a small primary school might need to be quite different from, say, devolution in the TGI.

And, most importantly, the Assembly has a limited understanding of the functions that actually impact directly and positively on outcomes for children, young people and adult learners. We know that some Members want an immediate and far-reaching model of devolution or delegation presented with these proposals and to them I say, we owe it to our students, the sector and the Island that the devolution proposals be properly explored and appraised against the measures of affordability, feasibility and impact.

This Committee understands this sector well and is now well versed in education governance. It is in our gift to design and implement a model of governance which supports improvement and listens to leaders. What is not in our gift is Policy & Resources' mandate and if I can illustrate here, corporate HR has been busy focusing on refining the new hub and bespoke operating model to improve recruitment and personnel management across the entire States. Could we at ESC reasonably have expected simultaneous prioritisation of modelling to devolve HR options and employer responsibilities for Education?

We need and want to work with P&R to explore the corporate services operating model in order to propose the optimal extent of devolution and delegation, but we cannot do that at the expense of their delivery of core corporate services to every other area of the States, as well as the P&R political Committees priorities and to propose something not fully explored and evidenced is irresponsible. At this time no individual politician can give the Assembly an accurate picture of the impact of change on this scale. Nor can the Assembly be expected to make an informed decision.

So now, madam, I hope that Members understand that officers outside of my service area are not obliged to work for me although, of course, all officers take a corporate approach to their work. Hence, the Committee is asking that the Assembly give the necessary instructions to ensure that the devolution modelling is prioritised beyond ESC in an impartial way and properly resourced so that it can be done once and done well.

Therefore, a short term EDDIAC will provide the capacity for important and nuanced corporate modelling, allowing the States to decide just how far it is willing to go in terms of autonomy for Education and how quickly it should move. Task and finish, no increase in the size of Government, it must be quick and collapsible. The £100,000 requested is an essential underwrite to support any needed backfill across P&R services. Due diligence and appropriate pace are critical in this area; our education system cannot risk being destabilised once again.

Deputy Trott gave good account of the function of the SIAC in the debate late last year. He said that they ensure an evidence-based set of proposals are presented to the next Assembly. He also said that what you get at the very least, is not a back of the fag packet discussion, but evidence. He referred to the SIAC process as good governance.

Our SIAC will have a clear remit and a task and finish purpose. Most importantly, it will be chaired independently of the main Committees whose services and functions it examines and proposes changes to. Guns will be left at the door and this will hugely reduce the risk of its findings and recommendations being mistrusted by the Assembly or being accused of lacking objectivity.

Approving our proposals now, madam, means that the minute the EDDIAC recommendations are agreed by the States, our new governance boards, established and supported by modern and appropriate legislation will be ready to go, receiving their responsibilities no matter how wide ranging they may be.

For questions relating to the current level of delegation, I encourage Members to look at pages 57 to 59 of the policy letter, which gives a long and accurate list of the level of freedoms that all States education settings leaders already have. We included this because there is some mythology around how autonomous our leaders already are. For example, head teachers do recruit their own staff and they have complete freedom on how to spend their annual non-pay budget.

But we want to go further by providing more autonomy around budget, recruitment processes and leadership oversight immediately at the point that our proposals are agreed by this Assembly. And for those who take an interest in the development of education across the Channel, they will be very aware of the English Government's proposals.

Their bill is seeking to make changes across schools, particularly those academies and free schools who have the greatest level of autonomy. It is noteworthy that during the decades of increasing decentralisation in English schools, arrangements have been subject to constant change. We should also note that recently policy changes have been driven by concerns about the impact of a fragmented position around school oversight and governance.

But, of course, the English position is very different from our local picture. Here we are not talking about reducing freedom for our States schools and TGI, we are doing the opposite and increasing it. Our Committee's desire is to get politicians further away from the operational matters of the school. (**Several Members:** Hear, hear.)

We are starting now by putting a new Law into action, making further delegations and then building on this, using the recommendations from the States' short-term task and finish group, the EDDIAC and, madam, what are the teeth in our proposals? I should remind Members that the current Education Law, as it relates to school Committees, has none at all.

1990 Our proposals not only establish governance for all settings, but governance with wide ranging focus. It will hold leaders to account and will, itself, be held to account by the political Committee and it will do this by establishing regular formal meetings where headteachers, principals and other staff present information and will be supported and challenged on various outcomes, for example student attendance, assessment data, support for achievement and vulnerable students, behaviour, culture and strategic planning development; areas which indicate how well the organisation is performing.

1995 The chair will be at the heart of the performance management process for the head, setting and agreeing performance targets, monitoring the progress made against these targets and recommending action to relevant bodies if these targets are not met. Giving governors linked duties laid out in Law so that they can explore specific areas of practice and seek to assure the board on quality delivery and requiring the board to scrutinise the way that public monies are used; and that is just the start.

2000 Madam, it is worth me reminding the Assembly other matters which may relate to teeth for education governance, generally, relate to specific employment, infrastructure or funding powers each of which are currently overseen within the P&R function. These include powers to appoint and the power to dismiss education leaders. Our Committee expects the EDDIAC to review and recommend against these areas and quickly.

2005 Madam, the Committee retains effective and overarching political governance of the whole system of education in our Islands. Our proposals ensure that there will be legal powers of intervention, which can be initiated by succeeding Committees if they believe and have evidence that individual governors or boards are not competent. These powers do not currently exist.

2010 Further, succeeding Committees will engage with the chairs of the new boards to assure itself that its governance arrangements are delivering what is needed. Our new governance model continues to recognise the primacy of the Bishop of the Catholic Diocese of Portsmouth in relation to our two diocesan schools and the buildings that they own. We are grateful to the Diocese for their support as we have refined these proposals and I am pleased to inform the Assembly that the Diocese is in support of our proposals and will continue to work closely with us as we develop the Governance Handbook.

2015 In proposing this governance solution neither we nor our states school and Institute leaders want to wait more years than we already have for proper governance delivered with and by people with the most skin in the game. Improvements across education continue and our system will be primed, ready, as will the new governors themselves recruited, fully trained to take on the additional responsibilities that the EDDIAC devolves to them next year.

2020 Madam, I commend these proposals to the Assembly which, for the sake of the efforts to improve education delivery for every single one of our children, young people and adult learners, I strongly urge colleagues to support.

2025 Thank you.

The Deputy Bailiff: Deputy Roffey, would you like The States' Greffier to read out your amendment?

2030 No. Deputy Roffey on amendment one.

[Amendment 1](#)

To delete the original propositions and substitute therefore:-

"1. To direct the Committee for Education, Sport & Culture to return to the States as soon as practicable with proposals for far greater devolution of powers to governing bodies in respect of each fully States-funded education setting in Guernsey and Alderney and The Guernsey Institute, to allow them to genuinely govern, including the autonomy to decide the degree to which they choose to use centralised States' services and resources, such as the finance and HR functions."

Deputy Roffey: Thank you, madam.

I have got five main points to make and a time limit of 15 minutes. So I guess that is about three minutes a point. So, I will take the advice of the new Alderney Rep and maybe *précis* the points at the beginning, expand upon them afterwards and then do a conclusion at the end. It is a long time since I did my A-levels, I must admit.

The main five points I want to make are firstly, the fundamental difference between the delegation of powers and the devolution of powers. Secondly, the importance of any legal devolution of powers being full-blooded and meaningful, both to attract the right calibre of school governors and in order to fairly hold boards of governors to account for the performance of their schools.

Thirdly, the logical sequence of deciding what powers to devolve in Law to boards of governors before establishing those boards officially under the Education Law, giving them full legal status and then only a year or so later determining what, if any, powers to legally devolve to them, to my mind, is a classic cart before the horse politics.

Fourthly, whether we really need the cost of setting up and resourcing a special investigation committee to consider a matter that falls squarely within the mandate of a Principal Committee. Fifthly, why on earth that Committee has not got on with the work we asked them to do 18 months ago.

Before expanding on these points let me talk a bit about the level of engagement I have had with ESC before laying this amendment, because I probably engaged more fully on this subject matter of this amendment than on any other amendment I have ever laid. That is because ever since my successful amendment on governance 18 months ago, ESC have kindly involved me at every stage, not just at the public presentations to States' Members, but I have also had a number of meetings with their senior officers and I want to warmly thank them for that courtesy.

During that process I have consistently made clear my vision for a governance model which gives boards of directors the same sort of powers that they have at some of the most successful schools in the UK and, just as importantly, that we see at the Guernsey colleges and those officers have always made clear to me that this is absolutely feasible and within the range of options available, but at odds with the judgement of the Committee, who prefer a more limited and cautious approach to the devolution of powers from the centre.

That, of course, is their prerogative, or at least it was until this Assembly told them clearly 18 months ago that its judgement, the Assembly's judgement, was closer to my vision than to theirs. Yes, I know that their policy letter was withdrawn before we voted on the amended substantive Propositions, but in seeking leave to withdraw the President solemnly undertook to respect and be guided by the votes which had already been taken on the various amendments.

Anyway, back to the difference between delegation and devolution. Delegation means keeping the real power at the centre but delegating to other bodies, for the time being, the ability to exercise those powers on their behalf. By contrast, devolution means genuinely transferring the legal powers of governance away from ESC and to the governing bodies themselves.

Those powers will then have officially gone from the political centre and will reside entirely at school level. Although, almost certainly, the political Committee should retain the right to remove both individual governors or, indeed, even whole boards that are not performing as they should be.

Now, madam, I am strongly in favour of genuine devolution of legal powers of governance. So why, some Members may ask, do I not want to move as quickly as possible towards that right now by amending, in isolation, just that little bit of our very outdated Education Law regarding governance?

Well, the answer is very simple. It is just not logical to set up governing bodies in Law but only decide a year or so later what powers to actually devolve to them. How is that remotely fair on governors who will have no idea what role they are really signing up for? But more crucially, I am genuinely concerned that by establishing such bodies in Law ahead of any decision on their substantive powers, we will be creating what will eventually result in a significant damp squib.

We will have boards of governors, they have been established, box ticked, that is done. The need for local management of schools, identified as far back as the Mulkerrin Report will have been

satisfied, box ticked. LMS will have been delivered and even if later on it proves not to be anywhere near as extensive as the LMS exercise at the colleges, or which most Members said they wanted to see, the pressure will be off. It would no longer be a live exercise.

2090 Well, I want to keep the pressure on for exactly what we voted for 18 months ago, for real, meaningful, full-blooded devolution to governing bodies and the best way to do that is to only set up those governing bodies in Law when we have decided what powers they should wield and if that means waiting until it can be a part of the long overdue replacement of the whole of the outdated Education Law, then fine.

2095 It does not stop preparation, it does not stop governors building up their skills and experience for the days when those powers are devolved to them, it just means that in the interim the process continues to happen under delegated powers, as has been the case in the process so far. But when we do pluck up the courage to finally let go, just let go and genuinely devolve the legal powers of governorship let us do so knowing exactly what sort of bodies we are creating and what the extent of their powers will be.

2100 I really hope that those powers are extensive, firstly, because I am convinced by the evidence that such far-reaching devolution, such meaningful local management of schools will significantly benefit the schools and the pupils concerned and surely that has to be our first consideration. But just as importantly in future, once they become legal entities, we will increasingly start to hold those boards of governors to account for the performance of their schools. But how can we do that fairly
2105 unless they have all of the levers that they need to influence that performance? They cannot, they would effectively become Aunt Sallys, someone to blame but without the full range of powers to put things right.

For all of those reasons, I think it would be crazy to set them up now and then only decide in a year or so what, if any, powers to devolve to them. But I am equally puzzled over the suggestion of
2110 setting up a special committee to consider what those powers should be. Firstly, that will involve extra cost when we are completely and utterly strapped for cash and secondly it is a weird thing to do when the task clearly falls squarely within the mandate of a Principal Committee and I ask, how is it even possible that it may not fall squarely within the mandate of ESC?

I will answer my own question, only if the determining factors in deciding what powers to devolve
2115 are not driven exclusively by what is best educationally. Well, that jolly well should be the driver. I was shocked at a recent meeting between ESC and P&R, to which I was very kindly invited, to hear the narrative from some. It was being suggested that in determining the future powers of Guernsey school governing bodies we really needed to take into account the possible marginal impacts such devolution might have on the States' central services such as HR, IT or finance.

2120 No! No! The determining factor in what legal powers to devolve to the new governing bodies has to be what is best for school governance. It cannot be trumped by a reluctance of the political centre to relinquish any influence. Let me make clear, I am not remotely suggesting that, for example, school governors will necessarily decide not to make use of the central finance function, they may well do, or they may decide that they are better served taking on that function in-house
2125 or, just as likely, they may decide to outsource it to another provider and the same is true of the other central services.

But one thing I am quite clear about, madam, if we tell them that even if they think they are being very badly served by any of the central States' services, but we nevertheless insist that they have to continue to receive what they see as an unacceptable service then, in those circumstances,
2130 there is no way we can possibly hold them to account for the performance of their schools.

If you give people the proper levers, then you can hold them to account. If you deny them those levers, then you cannot. It is as simple as that and, frankly, I think many of the talented professionals that we really want to attract as governors may well become reluctant to serve if they know they are going to be held to account for something they do not have proper and full control over.

2135 Lastly, I want to ask, why do we find ourselves in this situation today? Eighteen months ago we asked the ESC to work up a very extensive set of powers to be devolved in Law to their proposed new governing bodies. The vote was a clear one. Yes, I know that having passed that amendment,

as I said earlier, we never got to vote on it as a substantive Proposition because we allowed ESC's beleaguered policy letter to be withdrawn in the light of having been savaged by so many successful amendments. But before we gave that permission, we were promised that ESC would act in good faith on the amendments that have been passed.

Well, it is now crystal clear that they have reneged on that promise in relation to the Soulsby/Roffey amendment. They simply have not done the work that was requested and what is more they have no intention of doing it. Instead, they want to set up a new committee, at considerable expense, to do the work for them. So this amendment simply asks them, once again, to do what we have already asked them to do once.

And to sum up, because I have only got four minutes and six seconds to go, we are being asked officially to set up a system of school governance and board of governors in Law ahead of deciding what powers to invest them with. That is illogical and it runs a real danger of bringing about a feeling of job done and taking the pressure off as far as bringing about fulsome devolution from the Committee for Education, Sport & Culture to those governing bodies.

Well, we have voted for full fat devolution and in this policy letter, ESC has not delivered on it and without comprehensive devolution there is no way boards of governors can genuinely be held to account for the performance of their schools and the worrying narrative is being peddled that maybe we should restrict the powers we devolve, just in case such devolution might have a marginal impact on the States' central services. Lastly, as a matter of good governance, that buzzword of the day, I think when we ask a Committee to do something we should expect that it will be done.

For all of these reasons, please vote for this amendment.

The Deputy Bailiff: Thank you. Deputy Aldwell.

Deputy Burford: Madam, I second the amendment.

The Deputy Bailiff Oh, I am terribly sorry. I was so focused on the timing. *(Laughter)* I do other stuff as well. So that is formally seconded by Deputy Burford.

Yes, Deputy Aldwell.

Deputy Aldwell: Thank you.

Madam, this amendment landed two months after the policy letter was lodged without consulting the Committee, though the President had reached out many times to Members offering the opportunity to discuss the plans if Members were thinking of laying amendments, as well as putting on presentations for Members with opportunities to ask questions.

This Committee has thoroughly done its homework having governance as one of its four priorities within the Education Strategy and has spent hundreds of hours over the past few years, not only in training and preparation before each meeting of the 160 interim governing boards, but we have worked and taken along on this journey our education leaders at each setting, the professionals and, madam, we are confident those leaders in our education settings all support our proposals, as is stated in the policy letter.

Can kicking seems to be something which consecutive States' Assemblies are accused of at different times and so when I hear comments such as, why put in place governing boards you should wait for the approval of the Assembly and I think to myself, this is exactly why we hear cries of frustration that nothing ever seems to get progressed.

It appears to me that Education is very much like the fashion industry, different styles reappear in different generations. The current generations are sure they have created a particular style idea, but invariably it is someone else's design which reappears years down the line, once again, with a few tweaks.

Reading the minutes of February 2015, 10 years ago in fact, the then Education President, Deputy Sillars, and his Committee's proposals were very similar to these you see before you today. Governing boards were to be created with community members, teachers and parents and with the

2190 reasons and sentiments for setting up these boards very much the same as this Committee and, again, certainly not dissimilar to the Mulkerrin Report in 2011.

Madam, it is fair to say that there are Members in this Assembly that have sat on individual college governing boards for several years and so absolutely have an understanding of the work required to study and understand data, to be curious, to delve, to challenge and to be a critical friend, holding heads and principals to account and in doing so, lifting education expectations.

2195 This Committee has taken up the challenge; it needed proof of concept, putting in place pilots to gain a full understanding of the needs of the school governing boards in our States' education system. We have built up relationships with our education leaders, worked together in those 20 settings and in doing so, understand those leaders now feel listened to, supported, challenged, and empowered.

2200 We have engaged with school Committees and communities and brought on some wonderful community members who have started training and joined the governing boards in this autumn term. We have reached out to members from school communities and brought on a teacher and a parent in each setting eventually allowing Deputies to step back. You will have seen school leaders, not only in the media, praising the governing boards but will have seen community reps' enthusiasm wanting to be involved, wanting to make a difference for our children because everything we do is for our children's benefit.

2205 The Committee has not only been trained in-house but by UK governors and those governors have informed us that if they were to start again developing a governance system they would use many of our ideas we have put in place as they have informed us, they were extremely impressed. This Committee has never had a problem in a suggestion of handing over devolution to school leaders but through this process we have learnt that the school leaders are not shouting for full devolution, whatever that might mean at this time, to some Members.

2215 We also understand we do not have the power to do so as part of those powers, which include HR, are centralised and sit under P&R and it is not within our gift, along with the school maintenance and IT. As an example, our school leaders do not want to organise individual teacher training for their staff or organise school busses for their settings or IT.

2220 Individual Deputies may have individual ideas on the matter, but it is this Committee who have been on the journey and worked with the educational leaders across the Island and we understand our school leaders do want the opportunity to work with an Investigation Advisory Committee in a timely fashion, as suggested in the policy letter, with fresh eyes and independent thoughts from across the new Assembly.

2225 Our leaders most certainly want our Education Law proposals progressed and put in place with safeguarding issues and training requirements, which are lacking in our school committees and having no root in the 1970s Laws to remove inadequate committees. We have been made very aware by Treasury that whoever takes up the investigation work looking into devolution will need resources to complete the work.

2230 With each school being an individual setting, each school leader will have very different requirements for devolution, some wanting a pick-and-mix, some wanting everything done centrally. It cannot be forced upon these leaders and it would mean keeping the same services centrally and taking on more staff to meet the individual setting needs, obviously at an extra cost. But that is the point of the new Investigation & Advisory Committee to look at the art of the possible.

2235 Let us do this properly. Education leaders are fed up with Education being used as a political football, (**Several Members:** Hear, hear.) very much want this Assembly to approve these proposals and I hope every Member of this Assembly will reject the last-minute amendment and support the policy letter and in so doing support our school leaders' wishes and their aspirations for our children. After all, never forget that they are the professionals and this is all about our Islands children's education. Make it the best it can be for now and for future generations.

2240 Thank you, madam.

The Deputy Bailiff: Thank you.
Deputy Murray.

2245 **Deputy Murray:** Thank you, madam.

I am not going to mince words. Last year, in response to a successful amendment that Deputy St Pier and I brought in relation to the GDA, Deputy Roffey described it as a stinker. Well, I am going to return the epithet. This, madam, is a definition of an amendment stinker. In fact, I have to express some astonishment at the audacity and, indeed, the apparent arrogance of the proposer and
2250 seconder who seek to entirely remove the work presented in an 85-page policy letter with a single paragraph and a direction to return with a vague instruction to permit settings to genuinely govern and yet, there is nothing in this paragraph that expresses, actually, what that means or how it should be achieved.

This is particularly astounding coming from a proposer who, to my understanding, has little or no experience of face-to-face educational governance himself and I am quite happy to give way to Deputy Roffey who can correct me and advise the Assembly of just how many face-to-face governance sessions he has had to qualify himself to discount the months of work that went into this policy letter.
2255

No, I did not think so. (*Interjection*) Well, I have done a few dozen before joining P&R whilst VP on ESC, but the Committee, the five Members responsible for these 85 pages of extensive research, investigation and learning from actual experience in 20 settings have conducted 129. In my opinion, madam, it is therefore the height of hubris to bring such an amendment to this place and expect to be taken seriously without any practical experience upon which to presume an alternative approach that may well explain the lack of any substance to support why we should even entertain this
2260 amendment.
2265

Madam, I saw the work done by the previous ESC on governance, in which Deputy Roffey was a Member and, as far as I can recall, it never even left the drawing board last term. I would remind Members that the direction of travel for education that his ESC Committee was taking was utterly rejected at the last election, with three of the Members losing their seats and Deputy Roffey himself being re-elected, but not to ESC, but we did put him in charge of STSB, and I will let Members make their own minds up on how successful his governance experience on that has worked out.
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But let us return to the direction given in this amendment. There is a presumption of autonomy but no clarity about what that is supposed to be. With my responsibility for corporate services on P&R I asked officers about the practical ramifications arising from this amendment and they said: the model proposed is that the schools can opt in or out of the corporate services, but this is difficult and could be costly.
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Take finance as an example, if one of the schools opted out then there would be no saving in the finance team as the work is done in a small percentage of several people's jobs. But there would be an additional cost to the school, either for providing the service in-house or contracting with a third party to do it. Of course, this might be what the States wants, but this amendment is asking for a decision to be made without understanding the consequences.
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Similar would apply to HR services, say recruitment, but some of HR services could not be given to the schools unless they were also going to take on the role of the employer, which would require a separate legal entity with their own policies and procedures. There are also systems issues as all of the finance currently and HR work is managed through SA. So, there would be a big change for the schools if they were to need to change these.
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To work all of this through would pretty much be what would be done by the proposed Special Investigation Committee anyway. All of this is possible to work through, of course, but it will take time and it will have a cost. With some certainty this kind of model will result in an increase in the overall cost, which is fine if this is what the States wants, even if not really affordable. But that is not evident from this amendment.
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Not only would there be additional costs as set out as just described but, at the moment, there is some flexibility in managing the budget across schools. So, for example, if a teacher at the top of

2295 a grade leaves one school and is replaced by a cheaper one, that saving might currently be used to offset a cost pressure somewhere else and if anybody does not think we are under cost pressures, then I do not know what planet you have been on.

That would not be possible in the kind of system proposed in this amendment which creates an overall cost pressure. The saving of £100,000 is incorrect and misleading in any case. The resultant costs of such a model could be a lot more than £100,000, more on an ongoing basis than today.

2300 Consequently, is it correct to say in the Rule 4 information that there are no financial implications? We cannot easily estimate that cost but it certainly is not nothing as set out in the amendment. There is also the premium and the problem that this has been directed at ESC, but corporate services and employment are the responsibility of P&R, which has correctly been attributed in the policy letter; that from the officers responsible for the central services.

2305 The apparent lack of understanding of how services are delivered in Education, in our settings, and where the competent authority lies is baffling from experienced Deputies who clearly know better. There are pages and pages of explanation in this policy letter that carefully explain the interactions with the key stakeholders, including the leaders of the settings.

2310 Where exactly is the evidence in this amendment, in this paragraph that we are being directed to implement from the proposer and seconder, that there is either a desire or capacity within settings to take on whatever is meant by greater autonomy; again, not defined? Well, the answer is there is not, not a scrap, *nada*, nothing.

2315 So, are we to assume that we should just accept that the proposer and seconder know better, that those who actually work in our settings will be happy to take on greater responsibility for administration, finance, HR and IT? That is not what we are told in the policy letter. It is also blatantly obvious that the more budget that is expended on duplicating all of these services in each setting will simply remove budget from delivering outcomes. There will be no additional budget to do this.

2320 Deputy Roffey may be comfortable running persistent deficits across a number of STSB entities under his governance, but that is no reason to inflict such largesse upon yet another Committee mandate on what appears to me to be a whim, because there is no evidence in this amendment that what he proposes has any evidential basis to pursue except, apparently, to frustrate the evidenced improvements in settings that ESC have and are achieving on the journey they have initiated on governance, which no other predecessor Committee before them seem to have been able to attempt.

2325 There is nothing proposed in this policy letter that prevents further exploration of additional opportunities for greater autonomy and, indeed, specifically seeks the involvement of P&R where the actual responsibility lies to explore this. But this wrecking amendment, which seeks to remove the entirety of the considered Propositions and their replacement with, well frankly, nothing but personal hubris in my opinion.

2330 **The Deputy Bailiff:** Deputy Murray, I have not commented so far, but I think you are edging on the edge of unparliamentary language. So, I ask you to moderate.

Deputy Murray: Sorry, madam, I will retract that.

2335 There not only being no evidence, but with no plan as to how it should be accomplished and, in any event, further autonomy is already proposed for further investigation in this policy letter. To proceed simply as directed to ESC in this amendment into areas which are not even under their mandate, would risk being an unmitigated disaster for the States and public education to untangle for the next Assembly to deal with. I urge Members not to further blight our education system and the next term's Assembly by supporting this. Reject it totally and unequivocally.

2340 Thank you, madam.

The Deputy Bailiff: Thank you. Deputy Vermeulen.

2345 **Deputy Vermeulen:** Thank you, madam.

I am a practical man, I am not really one for lots of theory, I am more a doing type, I like to see things done. I suppose it comes naturally as someone who grew up in a family of builders. Now, I am a governor, at the moment, and I have also watched the struggle that Education has had basically getting anything done, getting a sixth form built, getting the new College of Further Education up and running.

We talked about a political football, a term I have used before for Education, but it seems Deputy Murray's wrecking ball is more apt. I cannot really see that I am going to support this amendment. It was a very good speech by Deputy Roffey, but from what I have seen on the inside of the governing boards and working with the governorship there is an appetite to go in the direction of Education, which is the direction I am going to travel in.

If it is all changed and knocked down and we have to start again, I do not know where that leaves the other governors. But I can certainly see positive progress. I spent 10 years going to the College of Further Education, up until the age of about 26, on a day-release programme, picking up different elements of construction and everything, and I have fond memories, and it is quite sad to think of being stuck in the past with the old facilities and not generating, not developing the new facilities, which we need so badly.

I can vouch for the Director of Education, the teachers that I have met, I can vouch for the sessions which we are doing, I can vouch for the training that we had, or that I had, you never stop learning, do you, madam? So, I had some training to be a governor which was which was very good and others in this Assembly have done it. So, yes, do not knock this one down, do not support this amendment and, I think, we will listen to the next one with interest.

Thank you, madam.

The Deputy Bailiff: Thank you. Deputy Matthews.

Deputy Matthews: Thank you, madam.

I am going to support this amendment because the Committee's policy letter appears to me to be a hurried attempt, right at the end of the term, to salvage something that gives the impression of moving towards the long-standing objective of decentralised management of schools. That objective has been widely acknowledged since, at least, the Mulkerrin report in 2011, so getting on for 14 years, at least, as key to improving school standards and accountability. Those ideas were based on the UK's Education Reform Act of 1988, introduced by Ken Baker, sometimes known as the Baker Act, more than 35 years ago.

The policy letter acknowledges its objective in paragraph 4.1.9:

A political appetite exists in some quarters of the Assembly for a reduction in the size of government and/or to give frontline education leaders more autonomy ...

The proposals in the policy letter, with its interim governance arrangements, have been presented as something like thin gruel to keep the wolf from the door, to keep things moving along until the main meal. What the actual real proposals for decentralisation will be has been left out.

The proposal in Proposition 4 is to kick that into the long grass with the establishment of a States' Investigation & Advisory Committee, or SIAC, to develop further concepts. Unfortunately, it appears the Committee's interim proposals are even less accountable than present arrangements. The school boards, under the responsibility of parish Douzaines, have a degree of accountability to the parish electorate.

Over time the old idea of having parishes run their own schools has become less relevant. But despite a pattern across the States of a gradual erosion of parish responsibility an element of local accountability remains. Under these proposals, the Douzaines are to be stripped of their responsibilities with governors effectively as appointees of the Education Office, with the real control and oversight more centralised than is the case now.

The amendment, in contrast, calls for the Committee to consider genuine devolution. To me, that is what ESC should have been doing since the beginning of term –

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Deputy Aldwell: Point of correction.

The Deputy Bailiff: Sorry, Deputy Matthews, what is your point of correction, Deputy Aldwell?

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Deputy Aldwell: My point of correction is the Douzaines are the facilitator of putting out elections; they have no view on who is elected. They have no part of that; they are just there to facilitate for an election to happen. So, they have no power over school committees because everything was centralised in 1935. They do not have any powers at all.

Thank you.

2405

The Deputy Bailiff: Deputy Matthews.

Deputy Matthews: I am not sure if I thank Deputy Aldwell for that intervention, it did not really seem to me to be much of a correction. I did not correct her speech, (*Interjection*) I will carry on. The amendment, in contrast, calls for the Committee to consider genuine devolution. To me, that is what ESC should have been doing since the beginning of term.

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Instead, we have proposals that seem to be the opposite, proposals that look like they have been developed by a panel of experts with the intention of keeping control and governance managed by the centre. Indeed, the proposals further weaken the concept of devolution to individual schools with the clustered chair approach, where groups of schools are clumped together under a single chair. Whilst this might be described as a mechanism to foster sharing of resources, to me it would tend to encourage homogenisation.

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Now, I could, at this point in my speech, put forward a plea not only for greater self-governance but for the introduction of parental choice in education. It is my belief that this is the most effective way to drive up standards because, collectively, parents have the greatest interest in their children's education. Overall, they will make better choices than a panel of experts ever can, but I feel that any such plea would fall on deaf ears.

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It seems to me that the intent is to bulldoze through with interim governance arrangements which have been developed internally, even acknowledging that there is much progress still remaining for the SIAC to pick up. The idea of enabling parental choice is viewed dismissively. It is a disappointment that a more collaborative approach with politicians in this Assembly and at the parish level and with parents and the community has not been taken and for that reason, I support the amendment.

2425

Thank you, madam.

2430

The Deputy Bailiff: Deputy Burford.

Deputy Burford: Thank you, madam.

Just a small point to make. This amendment is the same as we voted on the 22nd June 2023. It is the same wording and, on that occasion, 14 Members of this Assembly voted against and 22 voted in favour. The Committee, as you know, withdrew their policy letter and went away with a promise to take into account, not just the amendments that had carried, but those that had not at that point been laid.

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So, I am just a little bit confused over claims that this is a last-minute amendment when it has certainly been in the public domain for two-and-a-half weeks or something, but also essentially it has been in the public domain for 18 months and the reason that Deputy Roffey and I have brought this amendment is because we do not believe that that direction of this Assembly was actioned.

2440

So, to try and suggest that it is a last-minute amendment to undermine this carefully crafted policy letter, and I am not suggesting a lot of work has not gone into this policy letter, it most clearly has, but it does not address the direction of this States that was made 18 months ago.

Thank you.

The Deputy Bailiff: Deputy Prow.

Deputy Prow: Thank you, madam.

I can be very brief. Can I just take this debate back to where it started with the opening speech from Deputy Roffey. I have enormous respect for Deputy Roffey, probably more than he actually realises, but I have to say I had some difficulty in matching his speech with the amendment. That has partly been explained by Deputy Burford but, to me, I immediately went back and read what the wording of the amendment says and the only really substantive instruction in this Proposition is to, again, direct the Committee *for* Education, Sport & Culture to return to the States with proposals for far greater devolution of powers. That is it.

You look at the explanatory note, one very brief starting paragraph and two paragraphs. I read the policy letter that has come to the Assembly which, I think, is some 85 pages, and what struck me about the policy letter is what politics is all about. It is about the art of the possible. It is about taking the lessons that they learnt and the views of the Assembly, way back in June 2023, and went about talking, as Deputy Aldwell has already outlined, to educationalists and actually outlining what they thought they could achieve.

It was a clear desire and instruction from this Assembly to look at governance and set up governance boards and they have worked extremely hard and taken that advice and advise us in the policy letter. So, as far as Deputy Burford's point is, well they have, they have gone away and done some work. Clearly, it is not to the satisfaction of Deputy Roffey or Deputy Burford.

But I ask this Assembly, is it to your satisfaction? Do you believe that they have spoken to the educationalists? Do you believe that the work that they have done is a worthwhile piece of work, in the policy letter itself, it does not say it is the end of the road, it says it is starting a process it is sorely needed, let us just try and achieve something this term. Let us just try and get on this journey of governance boards now. (**A Member:** Hear, hear.)

One other curious part of Deputy Roffey's speech. He is a big supporter of Committee Government system, and that is not for this debate, and all Committees have their mandates. They are completely separate, they stand alone. P&R has the mandate for finance, IT and HR and, again, I go back to the art of the possible and in the policy letter it makes it quite clear that there needs to be interaction and agreement from P&R around the question. Whether it is devolution or whether it is delegation, P&R are key partners in that. I said I was going to make a short speech, so I will stick to my word, I just asked this Assembly to despatch this amendment as soon as they can.

Thank you, madam.

The Deputy Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, madam.

Yes, I struggle with this one because I was one of the 22 people who voted for the original amendment some 18 months ago. But I suppose the way I analyse it is this, very much like the comment earlier to Deputy Le Tissier on the previous item, where I said the Committee were sent away to consider something.

Has the Committee failed to consider that Resolution? I would say no. Have they come back with an answer on all the issues? Also, no. But have they proposed a direction of travel and organised a way for those questions to be answered in a way that is likely to come out with recommendations that are well thought through and will be presented to this Assembly, or the next Assembly, to make a decision on? I think they have.

2495 They have gone away, they have not gone right through the process of answering absolutely every question, which is what the original amendment, I suppose, was expecting, but does it need a reset to zero and tell them to go and do it again which, of course, it cannot be completed this term it can only roll into the next term anyway, when we have before us a policy letter that illustrates a lot of consideration has been given, the direction of travel is in the direction of the original amendment, but just has not achieved the entire objective. I think it has. So, therefore, I am inclined to vote against this amendment and support the policy letter.

2500 Thank you, madam.

The Deputy Bailiff: Deputy Ferbrache.

2505 **Deputy Ferbrache:** I like to come after Deputy Meerveld's speech because he is right. It is not as though they have ignored, the Education Committee have ignored, the June 2023 Resolution, they built on it and they considered it. I do not know why, but Deputy Dudley-Owen spoke to me at lunchtime wondering if I was going to support it and I told her I was not because I am a great supporter of this Education Committee.

2510 They were left with a disastrous system as a result of people, such as Deputy Roffey for whom I have got great respect, and in his 12-minute speech he spoke cogently and logically, most of the time, (*Laughter*) and Deputy Burford, by their decision they just blew up the previous education system and Deputy Dudley-Owen, in the last four or so years and her colleagues, have taken it on.

2515 Also we look at consensus Government. Now, one would have to be completely blind and deaf to not appreciate that the Education Committee has not always been a harmonious one over the last four years or so but look at page 70 of the policy letter and it names the Members of the Committee. Admittedly, Alderney Representative Roberts has left now, but Deputy Cameron has been there the four years, Deputy Haskins, Deputy Aldwell and the President. They unanimously support these proposals.

2520 They are the experts in this field because they have been given a task which is, I think, it is monumental in what they have had to do. Now, as Deputy Prow has said, this is not the finished product, they are on the way. In a way I would have liked to have seen them to be a bit more ambitious, but they have devoted so much effort to this that they should be commended.

2525 We have also had the practical words from Deputy Vermeulen who said, look I am a governor, I have looked at this, I know how it works and I think the proposals put forward by the Education Committee are good and should be supported. So, in relation to that, he has looked at it, others have looked at it, it is an 80-odd page policy letter, they devoted so much effort.

2530 Now, really what I think Deputy Roffey is saying, with his usual honeyed words, he is saying in relation to this they do not agree with it. They have come back with but they have not followed the Resolution of June, and I appreciate his point that things were withdrawn, *etc.*, I accept all of that, but it was done in that sense. They have come back and they have not fulfilled that Resolution. Well they have, they just have not agreed with Deputy Roffey.

2535 Now, people are allowed to disagree with Deputy Roffey because this is a debating Chamber, as Deputy Brouard said in a different context yesterday. People are even allowed, I do not know why, to disagree with me when they have expressed different views to those that I express, because this is a debating Chamber.

So, I do think we have got the distance to go. I would be disappointed if, in two years' time, this was the finished product, frankly and I appreciate the point Deputy Dudley-Owen is making very clear by nodding this way and that way, that it is not the finished product, we have got a way to go.

2540 Deputy Roffey said we have got to get on with it, we have got to give more devolution and he explained, correctly, what devolution means but he said we are not really ready to go yet. We have got to wait a bit because we do not know what powers are going to be delegated, devolved or whatever word we use, so we should wait.

2545 So, action this day, but not for another year. I think that might have been a quote that Deputy St Pier might have directed at me in different context. He would have been wrong, but he would

have been allowed to say it because this is a democratic debating body. So, I commend Education for what they have done, but please realise that Education has still got a lot of work to do.

The Deputy Bailiff: Deputy Gollop:

Deputy Gollop: Thank you.

Very good speech from Deputy Ferbrache and I think I am aligned with two of the issues Deputy Prow and Deputy Meerveld have raised and I will counterpoint Deputy Murray, even if I can see where he is going on this, and Deputy Matthews. Deputy Ferbrache was slightly truculent, perhaps, when I got up and tried to, not exactly redebate, but question a previous decision we had done earlier and that did not go down too well. Perhaps I should have done an amendment, maybe not.

But, I think, this is almost a parallel because this is an amendment that has been through the system. It was not an amendment to this policy letter, it was a direction of travel to Education, Sport & Culture to look at the work and within their framework they have done just that. Like Deputy Meerveld I struggle a bit with this and I will explain the reasons why.

I am, to be honest, very sympathetic with the views expressed, not just by Deputy Ferbrache that we should be more ambitious, but Deputy Matthews, who went into a bit of UK political history with Kenneth Baker and free schools, academies, technical college, all kinds of parental choice and I would like to see some of that. But I also listen to Deputy Murray and I am bound to as a Member of Policy & Resources.

Education is a two headed political animal because it is not just all about the Education, Sport & Culture Committee, important though they are, there is a centralised resource that is provided clearly in terms of property, corporate services, human resources management and finance and wearing that hat I have to be responsible and see that you cannot just pull the bits out at random.

Deputy Ferbrache condemned Members in the past, perhaps, who eventually voted for change, as I did, for a system that was a bit of a political revolution, a bit of a big bang and pardon me, I would like another big bang actually. We are losing the parochial democracy. Deputy Matthews was kind of right because although the Douzaines do not control the schools some of the candidates who are publicly elected on school Committees with a very limited mandate, linked to buildings and truancy, are Douzeniers or are potentially Douzeniers; I get the point.

I think that it is regrettable that they are being lost and although the community representatives are important, I would have liked to have seen some form of direct election, admittedly with training, safeguarding and other roles because I would probably agree reluctantly, maybe, that Education, Sport & Culture have persuaded us that the old system had to be reformed, whatever happened.

Now where we are at with this, it seems, is my heart, my instinct would be to very much support the Deputy Roffey/Deputy Burford amendment. If one reads the explanatory note the argument, we have not really come up with this so much in this debate but it is very much there, apart from the opening speech, rather than change the legislation now and hope that it matches the eventual outcome of future work to decide the role, the more logical approach would be, as proposed in this amendment, to direct ESC to return to the States with proposals for the kind of governance that the States may want to support and then design the governance system that will best deliver it. There is nothing to prevent continuing to delegate the responsibility to interim governance.

The problem with that is this Committee has worked at political level, at parochial level, at officer level, at educationalist level and with head teachers for many years and this direction seems to me at odds with where the Committee currently is. We may have a new Committee in a few months' time, but when one looks at the professional unity and, I think, there is broad unity behind these proposals, not necessarily from everybody in the parishes and people who have worked within the old system but I think the current post-holders support Education, Sport & Culture.

The problem would be, for me, to do a protest vote, like I did an hour ago, and support the Roffey amendment is it does not answer the issues Deputy Murray, quite properly, raised about costs. Part of me would say, yes, I would rather have higher costs and, I will not say to win, but better education or more choice.

2600 But there is a huge ramification for that, of efficiency in the public sector, of negotiations, of taxation maybe, of challenges with everything from IT to recruitment and we have got an amendment in Parliament, we are not talking about, but that looks at one of those issues. So, one has to balance, somehow, with what one would like to see, which I would like to see more of a self-managed system, more freedom, more diversity, less homogenous approach, raising standards, all of that, with the reality of where we are now in terms of resources, work and professionalism.

2605 If we support the Roffey amendment it could be construed, or maybe misconstrued, that we are throwing out everything Education, Sport & Culture have done and that might also apply to the work of the training, of the approval of people, of what the head teachers and educationalists would do. Then, of course, we go into an Election and more confusion.

2610 The correct time to reassess this will be after the Election, after due consideration. But in the meantime, I think we have to go along with the work Education, Sport & Culture have done, although I do not approve of all of it personally, but I understand the path and journey they have travelled.

2615 I suppose what makes it easier for me to live with it, apart from attending the presentations and talking to people across the spectrum, is, as Deputy Murray pointed out and Deputy Dudley-Owen, Deputy Aldwell too, I think, that this is not the final chapter. In fact, it actually not only postponed the Education Law Review, but more significantly creates this new committee. It could be another perk, another SWBIC but, hopefully, it will be even more successful than those committees.

2620 Because where it means to go, I cannot remember its title, it is an investigation and advisory committee on education, blah blah, it will be a multi members committee. It will have within it people from Policy & Resources, Education and some Members who are experienced, supposing they all get in, I do not know, and some new Members and it will try to reach, compromises is the wrong word, but a consensus and I do endorse the points that somebody made earlier about consensus, because they said the nature of consensus is you move together in an agreement and my rather maverick views that, possibly Deputy Matthews has, a few other Members have, about going further, bringing about more independence to schools, more autonomy I believe in them, I think that would be the long term way to go. We could all produce evidence of it long enough.

2625 But it is not where the consensus is now and I think that if we endorse this amendment, we would be running the risk of losing our consensus. I found the thing, States' Investigation & Advisory Committee, the Education Devolution & Delegation Investigation Advisory Committee. Well, I think that is a clear indication that Education, Sport & Culture are open minded, at least, to going further with delegation. But if we are going to move down that, I do not see how we can do it now.

2630 Let us imagine the Roffey Amendment wins. It would put Education, Sport & Culture in a very difficult position because it would clearly be partially contrary to all the work that they have done and the people who they work with and even if they said, great we will go on and really get this done, because there is not much detail in that, we have only got three months left of this term.

2635 It would put things back six months, a year. Now, maybe some people want to delay it and I personally would not mind the existing framework going on longer, but I do not think that is where the majority of people are. Maybe people can put it in different ways, but I think, wearing my Policy & Resources sensible hat, I will not support the amendment even though I believe in it.

2640 Thank you.

The Deputy Bailiff: Deputy Helyar.

Deputy Helyar: Thank you, madam.

2645 I very much enjoyed Deputy Roffey's speech, but it did remind me of something Deputy Le Tocq was talking about this morning, which was St Paul and another story about Saint Paul and his Damascene moment, his conversion on the route to Damascus because Deputy Roffey's speech was a fantastic rousing call for the devolution of power, for independence, for smaller Government, for, dare I say it, privatisation. *(Laughter)*

2650 These are not things which I normally associate with Deputy Roffey. I have great respect for Deputy Roffey, but these are not things I normally associate with him and so, I was quite surprised to hear them being said in such convincing terms. In fact, so convincing, I think if there has been such a Damascene moment he should reconsider his standing for election because I do think we need a bit more privatisation and devolution of power and that would be a very good thing. (Laughter)

2655 But I, unfortunately, will not be supporting his amendment because I think it is a wrecking amendment. (**A Member:** Hear, hear.) I think what it says to me is, go away and do the work and we are going to bring it back again because we do not like the conclusion you have reached. I think the Committee has done the work, I do not like all the recommendations, I will be quite honest about governance, I do not like them all but I think we spend far too much time in here dithering over trying to find something which is perfect rather than setting sail having done the work and then iterating, which is what happens in the real world and I think we should do that in this case.

2660 For those reasons, I cannot support the amendment and I would urge Members to please let the Committee get on with its work. It has done a huge amount of work on this. It is, for once, absolutely *ad idem*, everybody agrees this is the right thing to do and that is an important marker to the fact that we should support it.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy Inder: Rule 26(1), madam.

2670 **The Deputy Bailiff:** Sorry, it has been called. Deputy Inder has called for a Rule 26(1) but unfortunately, Deputy de Sausmarez, I am afraid I had already called her. So I am afraid Deputy de Sausmarez is going to call and then Deputy Inder your 26Rule (1) can go. It is helpful if you send me a note first.

2675 **Deputy de Sausmarez:** Thank you, madam.

I will try to be as concise as I possibly can, I can actually see the countdown clock, I have got an advantage from where I am standing. Deputy Helyar has described this as a wrecking amendment. I take completely the opposite view. I think that a significant majority of this Assembly was very clear 18 months ago, when we debated the proposals put forward at that time by the Education, Sport & Culture Committee, and there was a very direction that they should go and do exactly this.

2680 And as Deputy Burford has rightly said, the wording was just about identical. So this is what ESC was directed to go and do, and 18 months later they come back with something that is not this. So, I absolutely support the right of the proposer and seconder to bring this amendment, because I think they have failed to follow the direction, the very clear direction, strongly supported of this Assembly.

2690 So just a few points, I do not know what it is, whether my number is just more prominent than Deputy Dudley-Owen's on Gov.gg or whatever, but I do get the calls from people who are within school leadership structures who are not happy with these proposals at all and I also have a lot of people who talk with me about the culture that we have got at the moment.

Now, if Members cast their mind back to the debate on the Education Law proposals, there was a central theme that ran through like a golden thread of many of the amendments and it was one of the chief concerns of this Assembly and that was a culture of really centralised control. Okay, it is a personal view, others might disagree, but I suspect many in this Assembly would agree, that actually schools can only really fulfil their full potential if they are given greater autonomy.

2695 I do not think they can achieve as much of their potential when they are working within a system that is heavily top down controlled and, really, that is what is at the core of this amendment, which was supported last time. People within this Chamber do want to see, or certainly did 18 months ago, see the schools given more genuine power to really thrive.

2700 I think there is, you can think through that logically, you can understand how that can develop a much stronger sense of identity within each of the schools and really motivate the whole school community, including staff, including everyone else within that school ecosystem, to really go above and beyond and that is why autonomy or greater autonomy is important.

2705 One of the most persuasive speeches in favour of this amendment was actually Deputy Murray's. Now, I think we should be under no doubt, absolutely no doubt, anyone that would like to see genuine devolution or greater devolution of powers, within reason, to our schools, I really cannot urge them strongly enough to vote for this amendment because to me it is a really clear choice.

2710 If this amendment is rejected and if the original proposals are supported then what this Assembly will have done is they will have voted to maintain the system of centralised control, or something very close to it, for the indefinite future. I really do get that strong sense. I do think we are facing a clear choice and Deputy Murray's speech actually articulated that very Think of all the problems, think of all the problems it might cause central Government, Deputy Dudley-Owen has referred to this.

2715 Deputy Roffey is absolutely right we should not be looking at it through that lens. We should not be looking at it through a lens of what is convenient to us as Government. The Education, Sport & Culture Committee should be looking at it absolutely through a lens of what is going to support our schools, what is going to provide the strongest basis for our students and for our whole school communities to thrive and that, I strongly believe, is devolving more power genuinely to them.

2720 Now, the proposals are a bit cart before the horse. People are concerned that this might add time, I beg to differ, I think this could actually be a more efficient way of getting to that final destination. Now we have heard, oh well do not worry, this is not where we are planning to stop, this is just a temporary reshuffling before we figure out what we want to do.

2725 Well, first of all, I think that the time that is proposed in the in the original Propositions is really quite long and, obviously, it is a very costly process and I believe that it would look at it through the wrong lens. I really do think that this needs to be looked at, primarily, through the lens of education first and foremost.

2730 But really, if we all buy into the fact that, as the Committee tell us, this is not the final destination then why on earth are we baking into Law a structure where we have not got a clear idea of what its purpose is? That just seems like a false step. There is absolutely nothing in this amendment that would prevent the Committee from continuing to run their interim governance boards, as they are currently doing, they have delegated powers in that way and that is fine they could continue to do that, but it does not make any sense to me.

2735 Before we know or before an Assembly has agreed what we would like those governance boards to do, it does not make any sense to me to bake into legislation how they should be structured and not least because it excludes a whole bunch of ideas that might, actually, be better at the end of the day.

2740 So, who is to say that, actually, there might be a really interesting governance sharing arrangement with some of the colleges where actually the two types of schools can learn from each other, but we are preventing that. If we go yes, we are really happy with what we have got now and we are so certain, even though we do not know what we want them to do, we are so certain that the structure is right that we are going to put it into legislation. Well, then someone has got to undo that legislation.

2745 If we vote for the original Propositions, we are going to get something that looks very similar to what we have got now. Put a pin in this. I am pretty sure that this will come to pass if this amendment does not carry and the original Propositions do, I will come back to *Hansard* in a couple of years' time and I think these words will be borne out. I think that, actually, we are going to get something that looks very similar to the current arrangements.

2750 So really to me, it is a fairly clear choice. If Members really support giving greater autonomy to schools then I think we need to support this amendment and if Members want to make an active choice to continue something that looks much more similar to the current system, which is a more

centralised system, for all the reasons that Deputy Murray has talked us through, then I think we will get that if this amendment does not carry and we support the original Propositions.

2755 This comment did slightly perplex me. Deputy Aldwell has claimed that it is not in ESC's gift to hand over HR functions, etc. No, but it absolutely is in the Committee's gift to propose that, which is what this amendment suggests. It suggests coming back with proposals for far greater devolution of powers.

2760 Similarly, Deputy Dudley-Owen made a comment when she opened that it would be something along the lines of, to propose something not fully explored as irresponsible and that is why I just do not understand why the Propositions, the original Propositions, are asking us to set in place and bake into our legislation something that has not yet been fully explored and potentially excludes better structures, better governance options.

2765 That is not to say, again, that the interim governance boards cannot continue as they are. Clearly, they can because they are already up and running. There would be nothing to stop those continuing. So, I really do think it is a clear binary choice, really. This is the point at which this Assembly decides between carrying on, pretty much like the *status quo* or actually doing something different and I think we should have the courage of, certainly, the majority's convictions 18 months ago and support this amendment.

Thank you.

2770 **Deputy Inder:** Rule 26(1), madam.

The Deputy Bailiff: Rule 26(1), thank you. Deputy Inder has proposed a Rule 26(1), those who wish to still enter in debate please stand in your places.

2775 Do you want me to place the vote? Well, your choice, Deputy Inder.
Deputy Kazantseva-Miller.

2780 **Deputy Kazantseva-Miller:** Madam, there were a number of articles that appeared in the *Press*. Funnily enough, they always appear often before the States' Members know about what is going on. But when I was reading those articles, and I unfortunately do not have them with me, but I could not stop thinking that exactly the same logic about devolution, etc. that Deputy Roffey and others want to see at our schools models applies to just about any other public service, but especially, I thought, it applies word-for-word to States' Trading Assets, (**A Member:** Absolutely.) especially the non-incorporated ones.

2785 I just wanted to remind, well I do not think I need to remind, colleagues that the proposer of this amendment is the Chair of the States' Trading Supervisory Board. So, he called the proposals by ESC as emasculated school governance boards, but Deputy Roffey presides on top of, what are effectively, well even worse emasculated trading asset governance bodies. (**A Member:** Hear, hear.)

2790 My question is, why has Deputy Roffey, in his four and a half years of political chairmanship, (*Interjection*) have done absolutely nothing –

The Deputy Bailiff: Deputy Kazantseva-Miller, there might be a good point in relation to STSB, but I want to focus on Education now. Please can we focus on the debate –

2795 **Deputy Kazantseva-Miller:** The reason I am making –

The Deputy Bailiff: I do not think it is, I am making the point and this is my ruling, you need to stick to the debate upon the amendment to this.

2800 **Deputy Kazantseva-Miller:** Absolutely, I will show you why, absolutely, exactly relevant to ...

The Deputy Bailiff: Deputy Kazantseva-Miller, you do not talk over me when I am making a ruling. You need to move on from this point in relation to comparing STSB with education. I want to hear your debate on this amendment, please.

2805 **Deputy Kazantseva-Miller:** Which is exactly what I am doing. So, when STSB was established in 2016, it was established as part of a phase –

The Deputy Bailiff: Deputy Kazantseva-Miller, I have already ruled on this. It is not relevant to the education debate. Please, can you stick to the debate in hand. I have made that ruling. It is not
2810 a matter for debate with me. Please can you –

Deputy Kazantseva-Miller: Madam, I am making a point on the phased approach –

The Deputy Bailiff: Deputy Kazantseva-Miller, I have made a ruling. Please, can you stop making
2815 a comparison with STSB. The debate is on this particular element, so please focus your discussion on that and that is the end of it.

Deputy Kazantseva-Miller: The amendment is in relation to scrapping of the approach that is proposed by the Committee, which is a phased approach to consider the establishment of a special
2820 investigation committee to review how we look at corporate services and the way other, I have to mention that the way the STSB was established was to continue in a phased approach and has the same problem with corporate services.

So, the issue we have got is that we have got an inconsistency in political approach on one side and not continuing looking at what needs to be done at all of our core services and I think what the
2825 Committee has done is, actually, identify that it is not so simple to just look at devolution in granular detail because of the effects of the corporate and centralised services we have got and because over the last 10 years we have gone strongly in the direction of centralisation and that does not just affect schools, it affects absolutely every single service that we are talking about, including STSB with £400 million of unincorporated assets.

2830 It is not so simple and, I think, this is what the Committee has found and, absolutely, the corporate services do not sit within the mandate of Education and when we talk about corporate services, we are talking not only about HR we are talking about procurement, we are talking about States' Property Unit.

2835 Importantly, we are talking about the Digital Transformation project and we know the issues we have with the Digital Transformation and all the legacy infrastructure we have had across all the services that significantly affects also our data policy and everything surrounding data. The moment you start giving autonomy on data to schools or anywhere else, you put under really big questions about the whole interoperability data sharing with, again, Government.

2840 So, I think what the Committee has actually done is really identify that it is not as simple to start devolving all of those potential decisions and what they have suggested is that, they have gone really a step further forward to say, actually, it is quite complex, it is not within our mandate and let us establish an independent body which we have not really done, because we have done largely things in Committees.

2845 They have recognised the importance of doing that. So, this is what they are proposing to do because it is not as simple as it sounds and I think, actually, this EDDIAC will be a really interesting case to learn from, not only for the devolution of governance for schools but will, potentially, be a test bed for further devolution, whether that was deemed appropriate down the line to other services.

2850 So, I think while the amendment is phrased in a very similar fashion to the previous amendment 18 months ago, but actually we have moved on. The Committee has done quite a lot of work, has established there are almost two parts to governance it is the actual the board, the chairs, the

appointments, the training, the handbook and almost the second part is what kind of levers, what kind of decisions are they allowed to make?

2855 So, I think it is a very constructive way of trying to move forward in something which was supposed to have happened in the same way as STSB and other parts, when we are trying to move in a phased approach rather than making a massive decision today and thinking it will solve everything.

2860 So, we can get to a point that, perhaps, Deputy Roffey, Deputy Burford and others want to get to and we are setting the right foundations by establishing the special investigating committee and, actually, I think it is really great that it will have that independence, it will have non-States' members and it will be a Committee in itself that can bring policy papers. I think, actually, it gives it an extra power that we do not have to provide that independent view.

2865 So, my view is that we can still get to where this amendment wants to get to, but without derailing the work that the Committee has actually put forward to move forward. So, I think it is not a binary view at all. I think we can get to this place by actually rejecting the amendment and supporting the Committee's original proposals.

The Deputy Bailiff: Deputy Dyke.

2870 **Deputy Dyke:** Thank you, madam.

I am not quite sure where to start. Where I had hoped we would be at this time was would be with a re-drafted Law, taking account of all the points made in that previous debate 18 months or so ago. So, that is where we should be. But we are not, we are somewhere completely different. I come at this as someone who is very keen on devolution.

2875 I have followed, to some extent, not professionally but with an interest, that development of the one thing the last Government in England, I think, did quite well was educational reforms which were in two main areas. One was, the curriculum was considerably changed and upgraded with more hard maths and English and that sort of thing, which has helped take the UK up through the PISA rankings quite considerably in maths and English and they have also set up the free school and academy models which, I think, have broadly been a success with some exceptions. Incidentally, I think that is all about to be undone by the current Government. (**A Member:** Yes.)

2880 So, I am coming from the thinking that more devolution is better. In Guernsey, our private colleges are popular and do well and I have noticed that there has been, I do not have the exact figures but speaking to people, a number of people I have spoken to have moved their children recently from our States system to our private system at very considerable expense. Not all very rich people, but they have done it. So there is something to worry about to my mind.

2890 We do need the best possible devolved system to my mind to give our children the best possible education. I mean, what I am thinking is that to have schools that are as close as possible in the state sector to the private sector. I am not sure if Deputy Helyar mentioned privatisation that is quite a hard line to go, but to give our state pupils, as close as we can get, to the private school system, which does seem to be popular and works. So the devolution, I think, is necessary.

2895 I sense that here at the centre, I sit on Committees, the centre does not really want to devolve at all and that there will be a lot of digging in of heels to stop this happening. We have talked about various issues, the issues of devolution of IT, devolution of property management, procurement and HR are, I think, of secondary importance but I do not think it is absolutely necessary. Deputy Gollop suggested that if we did that, it would increase costs.

2900 Really, IT, has that been working so well at the central level? Property maintenance and procurement, Deputy Leadbeater might have some comments on that and HR, none of these things, I think, have been working absolutely brilliantly at the centre of our Government. So, it is entirely possible that giving the schools the option to use different systems, if they think it is better, might give us all a better outcome. Choice is always very important and choice can lead to better outcomes. So, I do not think that is an objection. However, we are where we are and as I say, I do not think we should be where we are right now, but I do not suppose we can do much about that.

2905 There are two important points in the table that get my attention and I would like Deputy Dudley-Owen, if she would, to speak to them in terms of what has been delegated to the schools. On page 57, which staff are recruited to work in their setting, leaders appoint their own staff. So, does that mean that the schools will definitely be appointing their own staff from the full market and not from some sort of panel that is provided for them by the centre, if Deputy Dudley-Owen could speak to that?

2910 On page 58, there is another point that is important to me, choice of exam boards, courses and qualifications for secondary and post-16 leaders, including The Guernsey Institute. I think that is important. To what extent will our heads have control over the curriculum? I have touched on this in a personal conversation with Deputy Dudley-Owen, but I want to be absolutely clear and I would like everyone else to be absolutely clear.

2915 We seem to look to the UK for things. My sense is they are about to absolutely wreck their curriculum, given the person they have just chosen to review it; in the UK, not here. So, I am concerned that if our centre follows the UK, we will have a disaster in terms of the curriculum. So, I would like to know how much that is being delegated under this system. So those are my concerns and I think I will stop talking now.

2920 Thank you.

The Deputy Bailiff: Deputy Falla.

Deputy Falla: Thank you, madam.

2925 Like Deputy Vermeulen, I am a newly arrived interim governor at the Sixth Form, he is not the Sixth Form he is at the Institute the final sixth form, as a representative of Economic Development. But, madam, I have not gone native. I have gone there as a critical friend and that was how I pitched myself for that role.

2930 So, I would like to see more devolution and more autonomy as quickly as possible and I have never really been a cheerleader for ESC, to be fair, I have given them a reasonably hard challenge, I think, in this term. I still do have questions about how this will work and particularly about how the EDDIAC will work.

2935 But having said all of that I do think that ESC are now moving in the right direction with this and I am not going to support the amendment because I do think that we have got to give them a chance (**A Member:** Hear, hear.) and hold their feet to the fire on the way in which it is developed going forward. I undertake to do that both in my role on an interim governance board and in my role as the States' Member and a scrutineer in that way.

Thank you.

2940 **The Deputy Bailiff:** Deputy Parkinson.

Deputy Parkinson: Thank you, madam.

2945 Well, like Deputy Roffey and others, I believe in devolution and this is why I will be leading, if the States' agenda allows, the STSB's policy letter on further commercialisation of our trading assets –

The Deputy Bailiff: Deputy Parkinson having criticised Deputy Kazantseva-Miller for bringing this as part of the debate, which is actually about education, I would ask you to follow the same discipline. I understand why you are making that point, but I have already firmly guided Deputy Kazantseva-Miller away from it.

2950 **Deputy Parkinson:** I am merely giving this example of my enthusiasm for the whole subject of devolution, (*Laughter*) which is shared by my colleagues on the States' Trading Supervisory Board. So, nobody says devolution will be easy. Yes, of course, disentangling any part of the States from central corporate services is difficult, but it has been done before.

2955 There are various incorporated trading assets, for example, which have been spun out of States' Departments and where their separate computer systems, separate HR, separate IT and so on have been established and are working well, arguably better than they did when they were under central States control.

2960 So, devolution of schools will be complicated and it is difficult and it involves lots of discussions with unions and lots of legal advice on contractual arrangements between the States and various external bodies. It is not easy to do, but it has been done before and it will be done again if the States supports my Committee's proposals.

2965 Devolution in terms of the schools was the course of action supported by Denis Mulkerrin all those years ago and I thought that his review and his report were very persuasive. But it was evident, from talking to him at the time, that he felt he was up against the administration in the Education Department, as it was, and like Deputy Dyke I feel that the Education Committee has been dragging their feet on this issue for a long, long time.

2970 So, I think that the States gave a clear direction on this issue when we last debated this subject and the sense of that debate was that unless the States gave the Education Committee a clear sense of direction, they would probably avoid doing it. Devolution was not only difficult to do but it was something that they seemed to be congenitally opposed to.

That is why, I think, Members in that earlier debate were very clear that this was a direction from the States and the President of the Committee made it very clear that she and her Committee would take on board the points made in that debate in bringing forward a revised policy letter.

2975 But it now seems that they are still prevaricating despite that clear direction and, therefore, I will support the amendment and, as Deputy Falla put it, we need to hold the Education Committee and we need to hold their feet to the fire. We gave a clear direction that we wanted to see proper devolution of what used to be called local management of schools and I am still of that mind. I think the educational outcome for our children will be better if schools are given virtually complete autonomy, or the boards of school governors are given virtually complete autonomy. That is the outcome I want to see and for that reason I am going to support the amendment.

The Deputy Bailiff: Deputy Cameron.

2985 **Deputy Cameron:** Thank you, madam.

I will keep this brief. I previously supported an earlier version of this amendment, largely because I had concerns that our governance boards lacked the authority or teeth needed to carry out their responsibilities effectively. That amendment was taken into account by ESC and the result is the introduction of the Education Devolution Delegation Investigation & Advisory Committee (EDDIAC) recommended in the policy letter. So, I believe this has now been addressed.

2990 Senior officers in both ESC and P&R have been clear to Deputy Roffey that the work required in the amendment is just as costly and resource hungry as the work of the EDDIAC. Any greater power of delegation is not what our school leaders are asking for, as has already been mentioned, they do not want to get heavily involved in HR or IT, for example.

2995 They are overwhelmingly supportive of this policy letter unamended. (**A Member:** Hear, hear.) The Committee has repeatedly stated its desire to see greater autonomy. It is not and has no intention of standing in the way of any far-reaching delegation and devolution. We cannot afford further delays in implementing school governance boards. Supporting this amendment will push the governance board policy letter into the next term, something we cannot justify after extensive consultation and preparation. So, I urge you to not support this amendment. (**A Member:** Hear, hear.)

3000 Thank you.

The Deputy Bailiff: Deputy de Lisle.

3005 **Deputy de Lisle:** Thank you, madam.

It seems to me to be a matter of whether we want devolution and governing bodies or we do not. Certainly, the Mulkerrin model had a very different approach coming from a successful career in the UK, as he did. But I can remember very clearly my first job in Hertfordshire and on interview sitting on one chair in front of a panel of business men and women who were conducting the interview. I can remember one of the first questions I had, what are you going to do for us, de Lisle? A very direct sort of questioning but that was the sort of governing body business approach to ask, how are you going to benefit us? And that is what we need to be more inclined to see here in Guernsey, too.

What concerns me is that this is an interim governance model, which is a pilot, if you like; of a governance approach which I just feel that we should be doing a little more than that. We should be looking at a governance model that is a lot stronger. It is not a matter of grouping schools together; it is a matter of each school having that structure.

It is also not a matter of politicians and departmental officers being on the boards, it is a matter of bringing in business people from the community in the location onto those boards. So, I think we should be looking at a system of greater devolution of powers to governance boards for our schools and I just feel that, perhaps, the system currently is not working towards a full devolution and governing body but is working on a sort of pilot governance approach which, I think, we need a far stronger movement towards devolution of powers and governing bodies. So, we have got the private sector, if you like, business people, actually calling the shots, to some degree, with respect to educational progress.

Thank you, madam.

The Deputy Bailiff: Thank you.

Deputy Soulsby.

Deputy Soulsby: Thank you, madam.

I find this quite a difficult debate actually. I was the seconder of the original amendment that was brought a very similar guise to the one that is in front of us now. But as others have said, we are 18 months later and the question to ask is, have we moved on in any way, do we need to reset the button and start again?

So, is what ESC is proposing enough? I do still have issues with the proposal. It does not look like to me, anything has really changed apart from bringing in the special investigation committee, which seems to be very much flavour of the month now, it was not 18 months ago, interestingly, but it does seem to be something that everybody seems to have rallied around now. I said, well, is that enough? Is just having another investigation going to do it?

Well, I have looked at the mandate of the investigation committee and, if I can find it now and my screen does not die on me, I think it is 4.4.5 the first bullet point, says it will have the responsibility of examining the services delivered by Corporate Services under the hub and bespoke framework and via the Education Office to support delivery of education.

So, that does not say, I know that others have said well that is a big issue basically it is still going to be the Education Office, is going to still have its power. That is not necessarily the case, I think, and I think that is important and I think what might be helpful here is having that independent committee that can look at it.

I think it is very difficult when you are in a Committee and you are dealing with those people within that Committee that are working for you to really be able to stand back and say, well does this actually make sense? So having a special investigation committee in that respect, I think, is something that I welcome. I think that will be helpful.

Now, I did think about, before this debate, actually laying an amendment relating to the investigation committee because, as Members will know, in the Policy & Resources green paper we are recommending a fundamental services review and that is something I feel very strongly is needed and I do think there could be some element of overlap there but with that overlap there might be a symbiotic relationship.

3060 So, I think that having the special investigation committee being set up at the same time might be useful, as one might be able to help the other and we can look at it in the wider context of the States as a whole, but also more specifically for Education. We are talking about, devolution and the importance of that, of course, with devolution can come duplication and, of course, the reasoning behind the centralisation of services in the first place was we bring it all together and that should make savings here, there and everywhere. We only have one lot of people in HR, one lot of people looking at IT and one group of people looking at finance.

3065 That is very good, but within my mind, I am seeing what has happened to the States of Guernsey over the last 10 years and that growing centralisation and I am not convinced that in all areas that has actually been the best approach. You get to the point where an organisation can be too big and too complex that the diseconomies of the economies of scale can be too big and too complex and I do think that is something we do need to consider. That is one reason why we were looking at having a fundamental services review, where we can actually say, how are we doing things, is this the right thing that we should be doing? And, I think, linking that with Education might be useful.

3070 I do agree with Deputy Helyar about the need for an iterative process. This is twice, yes Deputy Helyar I think I have agreed with you twice at this Meeting! But I do agree with him that we can try and get everything right in the beginning sometimes and never get to a conclusion and we have seen that in so many different areas and I do think having an iterative process might be useful.

3075 I go back to the 20/80 rule and I do think, in Government, we go on and on and nothing actually gets to this place to be able to deliver it. So, I do agree with him, we should have an iterative process in this and it will enable things to start moving. My only concern on that front though is the legislation, because what is here will determine our legislation.

3080 But I really hope that we do not get bogged down in so much detail that we do not then end up being able to have that iterative change. We need flexibility within the legislation rather than being really prescriptive and that, I think, all along was my concern when we had the original debate from the Committee, it felt really prescriptive and it was prescriptive. It was all about this will be done and that will be done and for me, I looked at it and thought, why does this even have to be legislated for? Surely the least amount of stuff that we actually need to legislate on the better. **(Severall Members: Hear, hear!)**

3085 That should be a stopgap for things that are absolutely, fundamentally necessary for safety, stability, security, safety, things that we need, we are caring about the safety of various people or things that we, absolutely, it is core to what we are doing. My concern will be over the legislation and so, when it comes back to the States, if it comes back this term, it might not and I might not be in the next States, who knows, and I do not know at this moment in time whether I am standing. But, if it comes to the States and I am in that position to be able to review it, I will be going over it with a fine-tooth comb because I think that is where the crucial element will be.

3090 Sometimes on P&R we say, well can we do this? No, you cannot, well it needs a legislative change. Why is that in legislation in the first place? I think this is one area, we really do need to sit back and say Government is not just about creating the Laws it is about being able to make the people's lives better and, I think, the Law has often got in the way of being able to do that. So, for me, that is a crucial element of where we are.

3095 Now, where do I go on this now then? Well, I do have sympathy for the amendment. I understand where they are coming from, but I do feel we need to move on. I do think there is a potential for positivity. I am hoping that when it comes, when we get a policy letter on the colleges, Deputy de Sausmarez was saying what we are doing now will stop collaboration with colleges.

3100 I hope that policy letter might enable collaboration, because I do totally agree with Deputy de Sausmarez it will make such a difference to the education system if we could all feel like every element is part of the education on the Island. But I do think we can move on with this special investigation advisory committee. I do not think we need to press a reset button and start over again, which will mean that nothing moves forward and so, I cannot support this amendment.

3105 **Deputy Queripel:** Rule 26(1), madam, please.

The Deputy Bailiff: Deputy Queripel has asked for a Rule 26(1). Those who still wish to debate this motion, please stand in your chair, not in your chair, that would be dangerous! (*Laughter*) Do you wish me to lay the motion, Deputy Queripel?

3115 **Deputy Queripel:** Yes, please, madam.

The Deputy Bailiff: Those who wish to guillotine the debate on this amendment, say *Pour*; those against?

Members voted Contre.

3120 **The Deputy Bailiff:** The motion has been defeated.
Deputy Bury.

Deputy Bury: Thank you, madam.

I find myself really torn on this debate, a bit like where Deputy Soulsby started. Could I take the viewpoint that I think the sentiment that came from Deputy Roffey that I am a bit miffed that ESC did not take the exact direction that was given from the previous amendment? I think I could. Could I also accept that steps have been taken, they might not be giant leaping ones that get us right to the destination, but they are teetering forwards? I think I can accept that as well. I think the two can potentially co-exist.

3130 If I took a cynical point of view, I might say it feels like ESC have swerved doing something that they did not want to do. (*Interjection*) If I took a supportive point of view, I might say that actually they have started the work and they have felt that it is not the right time. As I said, I am torn. I am torn between those things.

I also think one of the problems with the amendment, despite the fact that I totally accept and agree that it is not a brand-new late amendment, but it feels wrecking. (**A Member:** Hear, hear.) Even though I do not necessarily agree, it feels it, and I think that is going to put quite a few people off. But is it? Because, as Deputy de Sausmarez said, it does not actually prevent the interim governance model continuing, so it does not wreck in that way.

3140 So, I am torn and I do not normally contribute to debate when I am torn but I am doing this in a genuine plea to those that are going to be summing up to try and help me with my decision making. So some of the concerns, one of the points that I think is really pertinent, that Deputy Roffey made in his opening, is holding people to account and yet not giving them the levers and the powers to do what they need to do and, actually, many of us could probably identify with that.

3145 People think we have got way more power than we do over matters. So that concerns me that these boards will become a bit of a place to push all our blame but actually they are holding their hands up saying, but we have not got the power that you think we have. So that is a concern. The baking into the legislation, that Deputy Soulsby just raised again, concerns me.

The EDDIAC may come up with all manner of new span dangle ideas that we want to support but we have already baked into legislation where we are now. So, that concerns me. Admittedly, we have not, contrary to many other debates that we have had about education, or as far as I am concerned, I have not seen much feedback on this policy letter from educationists, from anyone really, to be honest.

3155 Now, you cannot necessarily take silence as acceptance because I think, previously, we have been aware that employees have found it difficult to air if they are not happy. So again, there has not there has not been much feedback in that sense. So, I am not sure where we stand on that point.

The concerns raised again, by Deputy de Sausmarez in relation to Deputy Murray's speech, I really echo actually. I do not want these decisions being made from the lens of what works for the central corporate services. This really should be coming through an education lens and best outcomes for education. I know that as Government and as Deputies, we do have to take into

3160 account the whole picture generally but, to me, the educational outcomes have to trump the impact on the corporate services; it has to.

So, those are my concerns that I am still wrangling with. There was just one more that Deputy Dudley-Owen had said that the boards will be fully trained and ready to go once the EDDIAC makes their recommendations. To my mind, I cannot see how that can be because we do not know what the recommendations are going to be.

I know that the governance boards are going through training now for what we expect them to do now, but we do not know what the EDDIAC is going to tell them that they are going to do so, how can they possibly be trained and ready to go? Presumably, there will be more training to come depending on what the EDDIAC advises. So, those are all my concerns. That is my inner monologue and so, if Deputy Roffey, Deputy Dudley-Owen in their summing up, or anyone else can help me out, it would be much appreciated.

Thank you, madam.

The Deputy Bailiff: Deputy Taylor.

3175 **Deputy Taylor:** Thank you, madam.

I fully accept your ruling on discussion about STSB, so I will not go there, but I hope you would allow me to put on record, not necessarily my disappointment but the regret that comments can be made in this Assembly that attribute the losses within a Committee to a sole Member of this Assembly. (**A Member:** Hear, hear.)

I think that is a bit unfortunate. It is a bit like the like a Scottish sportsman, when they win, they are British, but when they lose their Scottish. (*Laughter*) And I think it undermines or puts out the wrong perception in the community of how much power an individual Deputy has within our Committee system. So, I hope you will allow me to say that madam, if not I can go back to the beginning.

The Deputy Bailiff: I allow you to.

Deputy Taylor: Thank you.

3190 But anyway, back to this amendment. I think I have to start by saying I think Deputy Burford probably did a better job of opening with her speech and I think she explained it reasonably well and considerably more concise as well. But I have to point out that I think Deputy Prow and Deputy Meerveld really did counter the argument that she put forward.

Madam, I was not part of the previous debate when this was laid originally, I was actually staying with Lord Digby, not really official business but I will just slip that in there, Deputy Trott style. (*Laughter*) So, I was not part of that debate but I can accept the point of principle and that point of principle that this has previously been agreed pulled me towards supporting this. I do get that.

But then it is this question that Deputy Meerveld asked was that, if this was adopted, this amendment, and then the proposals that came forward months down the line were what we saw in front of us, how would you feel about them? And that is where I would have to say, well, I think I would be reasonably happy. So, is it worth going around about the houses to get back to this stage?

Now Members may comment about whether that is the Committee for ESC undermining the will of this Assembly or just doing what they wanted to do. They are entitled to their views; I distance myself from those. So, I guess in concluding, the ultimate question I had to pose myself was, do I think that this amendment will lead to improved educational outcomes?

If I am being honest, perhaps it might. I do not think I am qualified to say, but what I am not convinced by is the timeframes. I do not think the timeframes for any potential positive benefit that we might see from this would be acceptable and I have to say, I am quite comforted by the unanimous support of the Committee on this. That means quite a lot for me and so, on that basis I will get behind the Committee, madam, and I will be voting against this amendment.

Thank you.

The Deputy Bailiff: Thank you.
Deputy Haskins.

3215 **Deputy Haskins:** Thank you, madam.

In response to Deputy Taylor, positives are already being seen from the interim governing boards, so I would hope that I am allaying his fears that there will not be any more positives coming out. Now, Deputy Bury, I really do hope she does have a more supportive point of view. I too, and I think other Members here, also feel that this amendment is wrecking, and I hope to explain shortly why I think it very much could be and probably is.

3220 Deputy Bury also said, well, I am not sure there has not been too much noise, but there has because there have been members of the community, there have been governors, there have been headteachers out in the media saying, actually, this is the way to go, this is pragmatic and this is what we should be doing. So, I hope that gives Deputy Bury some reassurance.

3225 Members, I would take the opportunity to highlight, once again, I do it often, that Deputy Roffey and Deputy Burford have not consulted the Committee as clear in the Rule 4 information. I do often highlight that because I think it is useful. Those Rules are there for a reason so that we take note of them, as are the cost implications. That is why they are there, so this Assembly can understand what the financial implications are.

3230 Now this amendment states that there are no financial implications. Having asked Treasury and our officers, they are not of the same opinion. I would just like to point that out. Now, ESC has given multiple opportunities to Deputy Roffey, as he has admitted himself, officers offering help to Deputy Roffey himself, specifically, but, from my point of view to no avail. We even had an individual meeting ourselves with our full Committee to brief him on the policy letter ahead of releasing it, to help, to be collegiate, to seek his views and yet this amendment does come very late for this debate.

3235 Now, because there are no financial implications this amendment bypasses the requirement to suspend the Rules. Again, I do not apologise, I say this very often that is one of my frustrations around this Rule. Members, Deputy Roffey said that the determining factor is what is best for the students, the students not the cost well, interestingly, this amendment does not mention students once. I just make that observation.

3240 I disagree with Deputy Roffey here because the cost is important. Of course, the outcomes of the students are what ESC, in particular, should be majoring on but the cost, of course, is important. When we are here, standing here, we are, I myself am not just a Member of ESC I am a Member of the Government as a whole, of this whole Assembly.

3245 So, in my opinion, this seems to be a difference of political ideologies perhaps. Some Members think that it does not matter how much money should be spent, as long as it is spent on what they think is a good cause. The problem is, Members, this is taxpayers' money we are talking about and we have a limited pot of it.

3250 Of course, we have to prioritise where we spend money. In my mind it is nonsense to say otherwise. What about if it comes at the cost of not being able to offer certain healthcare or certain benefits for ESS? It might well be best to have one-to-one student tuition for every single student, but how much would that cost? It might be the best for the outcomes, but can we afford it?

3255 We have heard a couple of times, but Deputy Roffey in particular, did say that governing boards cannot be held to account. How can they be held to account? Because they cannot really affect, they are not in control of everything. But, Members, the accountability is far more nuanced and, really, they are accountable for the things that they are accountable for

3260 We have also heard that we have already heard this, we have debated it and it carried so, why has ESC not done more, I think? Well, the spirit was that this Assembly wanted proposals for increased devolution, and maybe increased delegation; I am not sure what definitions Deputy Roffey does have himself. But it is my opinion that is what we have done, perhaps not in the way that Deputy Roffey and Deputy Burford, who is not in the Chamber, wanted but these are proposals for increased delegation and devolution. In my view, it is in a balanced, way within our resources and our mandate.

3265 In front of Members are proposals for relevant legislation which is the vehicle to have governing boards which can cater for an increase in devolution the future level of which will be researched and evidenced by the Investigation & Advisory Committee. It will change over time regardless of what the EDDIAC, the investigation committee, proposes.

3270 The next Assembly will be able to decide upon the evidence what level of greater delegation they would like for the next few years, but the level of devolution will change. It might further increase, even after the EDDIAC, it might then substantially decrease years after that. The policy letter suggests the legislation is flexible enough to handle this.

3275 Going back to Deputy Bury, now, I am sure that Members here do not need any reminding that there is an election soon. This will mean a new Education, Sport & Culture Committee. Now, if Members vote for this amendment the next Committee will not be under any direction, Resolution to carry on with the current governance arrangements.

3280 The new Committee could decide they do not want to exercise governance themselves in any material way, as previous Committees have decided. So, in my mind, all the work done thus far, gone. Now they may decide to continue as is, or as is as they feel fit. Members, as is means those boards involve politicians but this Assembly wanted politicians out of the schools, yet voting for this amendment will continue with politicians being involved in all of the boards with a limited basis, a very limited basis, to step in if they are not being effective.

3285 As for comments on cart before the horse, I did actually have to look up the etymology; I found it very interesting. But I would ask Members, what about the primary review? (**A Member:** Hear, hear.) What about the Early Years Strategy, the declining population and what about the time frames of those? Because it does not fit with this amendment.

3290 Do Members think that the next ESC will be able to come back without these full reviews and not face exactly the same issue of cart before the horse? There will always be changes. Deputy Roffey will say we cannot make the governing board right now because it would not be fair because they would not know what their responsibility would be. But there is always going to be changes.

3295 This will always be a moving feast, hence why the legislation needs to be flexible and there is subordinate legislation that tackles changes in responsibilities, duties, *etc.* Members, the simple reality is this, this amendment, forgetting it deletes everything, does not really work in any case, regardless of what is being said by certain Members. The work required in this amendment needs to P&R to (a) be directed to undergo this work alongside ESC, and (b) for resources to be assigned to that work.

3300 As has been mentioned, the functions of HR, Property Maintenance, Finance, IT, *etc.* all rest with P&R. They are the ones who need to assess what the impact of decentralising their already centralised model will be. So, Policy & Resources absolutely need to be a leading voice at the table. What will be the impact if some of these some of our settings want more devolution than others? What is that impact? This matter, of course, needs to be fully explored by P&R and they are essential in helping to answer this question.

3305 In closing, Members, our proposals are a framework. Members only need to read section 4.13 where the policy letter mentions the constitution, elections, limitations, responsibilities, powers of intervention and Members, the legislation can be flexed to cater for all eventualities. The amendment needs P&R to be at the table and for resources to be assigned. They are not assigned in this amendment and they need to be, in order for this amendment to have any meaningful resolution and direction.

3310 In my opinion, Members, Deputy Roffey is suggesting that ESC is putting the cart before the horse, but he himself is asking to pull apart, to deconstruct the cart and try using a pup to pull all the pieces with no rider and no direction. Members, I really do urge that they throw this wrecking amendment out.

Thank you.

The Deputy Bailiff: Deputy Moakes.

Deputy Moakes: Thank you, madam.

I will try and keep this very quick because people have said an awful lot already. First of all, I disagree with the people that have stood up to say that ESC has not really moved very forward. I think they have moved forward a great deal. (**A Member:** Hear, hear.) We now have a policy letter
3320 laying out the Committee's plans for a new legal and operational framework, I think that is very good news.

I will also be honest with you I was already supportive of this policy letter but not for the amendment, I must admit. But for those of you that are still on the fence consider this, we have
3325 heard from two governors actually in the Chamber today who have first-hand experience of this particular process and both of them have come out in support of the policy letter. So, there you go, there are people actually involved who support it. Tick in the box.

I was also really keen to hear today from two people who, I hope they will forgive me for saying this, have challenged ESC quite significantly in the past and both of them have also come out, or two of them, have also come out in support of the policy letter, but not of the amendment. That is
3330 a hugely powerful step in an opposite direction. So, think about those two things.

Education, sadly, I think everybody would agree, has been treated like a political football for quite a long period of time now and enough, frankly, is enough. I will not be voting for this amendment. You have heard lots of great speeches today this is not one of them. (*Laughter*) But I
3335 want this framework. This framework has got to be given a chance to succeed. It needs time and it needs space. Please kick this amendment out and vote for the policy letter.

Thank you.

The Deputy Bailiff: Deputy Le Tocq.

3340 **Deputy Le Tocq:** Thank you, madam,

I can be brief. I do not think I have ever spoken for longer than 15 minutes in Assembly. I have certainly preached for longer than 16 minutes, this will not be a preach I promise. But I need to say a few things. I was supportive of this concept first time round and I think it is fair to say that there is certainly far more that I would like to see happen than is being proposed at the moment.

3345 However, Deputy Burford is not here, but she will remember a saying that I used to use quite a lot years ago when she was on the Policy Council and that is that the enemy of the good is the perfect and, I think, this is somewhat looking to an objective that we are not in a place to, certainly not to impose, but to arrive at.

It is quite clear by the research that the Committee has done and my own research in terms of talking to existing Members of the shadow governing bodies that have been put in place, many of whom contacted me anyway, but I know several and several who have also been on school committees before, I have been on school committees more than I would like to have been in the
3350 past.

3355 So, I know what the issues are. But what I was surprised to discover was that many who I did speak to say this is the right speed to go at, because if we want to see change it is not enough to say that is where we want to go, if we are if we arrive there tomorrow then everything will sort itself out. We know from experience, particularly those of us who have been involved in cultural change in public sector organisations that you cannot pull people all at the same speed, even if the destination is the right one to get to.

3360 So, I very much am in support of what Education are proposing. I will not be supportive of this amendment, even though I understand the objective and the destination that the proposer and seconder want to get to and I sympathise with that, it is the methodology in which we do it. When we have attempted to do that many times in the States, we have not been able to change the culture and, as a result, we have missed the opportunity and here we are talking about children's education and lives. (**A Member:** Hear, hear.)
3365

In my own mind, and I take my responsibility seriously where I voted in the past, we have already messed up a generation. (**Several Members:** Hear, hear.) Therefore, in terms of the governance of

the schools I think we, particularly, have to take that responsibility on board and if this amendment was to pass there would be further messes and I cannot be responsible for that.

3370 I can see that, I have heard others say it, it is not just those I have spoken to who are on the shadow boards it is also those involved, currently, as head teachers in the schools and those teachers in schools that I have spoken to. So, I cannot support this amendment but I will be supporting Education's proposals.

3375 **The Deputy Bailiff:** Deputy Gabriel.

Deputy Gabriel: Thank you, madam.

3380 We know that public confidence goes a long way, ever more so when the education of our Island's children is concerned. Effective governance is important for all public institutions, as some Members have already tried your patience, madam, to describe it. But it is essential to include individual education providers as well. I have effectively parachuted in and come to this process very late but, like Deputy Taylor, I like rules, structure, scrutiny and governance which are why, partly, I support this policy letter.

3385 Only some have mentioned it so far but student outcomes for me is paramount and whatever structure that we can put in place to ensure that those tasked with actually educating our Island's children, our future, are governed independently and they are given the tools and structure to do so effectively. Governing effectively can be complex and rightly so. It should reflect the needs of the setting as well as those underpinning key principles of good governance.

3390 Diverse independent representation within the proposed governance boards will ensure that they reflect the interests of students, staff and the broader community. The people we are here to serve. In my mind, the further politicians are away from operational delivery the better and adding this layer of governance to the structure will enhance that distance, delegating authority to the governing boards.

3395 This structure will allow those boards to address both strategic and operational needs effectively providing a well-rounded perspective in decision-making with autonomy. Evidence shows that external education inspection processes, such as OFSTED, often link the effectiveness of governance to the effectiveness and impact of leadership, which then cascades down to the outcome for learners, our students, our children, as I mentioned before.

3400 Good governance relies on a collective of people with a range of skills, knowledge, experience and perspectives which can be used to both challenge and support those leaders. Now, we have heard conflicting reports about levels of engagement and feedback, but I would like to draw Members attention to appendix two of the policy letter.

3405 A survey of 24 frontline education setting leaders in respect of three statements, it revealed the following –Statement one:

The Committee believes its proposals, as the starting point for greater autonomy, are the most appropriate position given the size and scale of Guernsey and Alderney.

Five of those 24 strongly agreed the highest scoring, 18 agreed and only one did not know. The second statement was:

The Committee's interim governance model has provided an important and valuable foundation for the governance proposals in this policy letter.

Three of the 24 strongly agreed, 20 agreed, one did not know. The third statement was:

It is important that a cross-States' Investigation & Advisory Committee works with front line education leaders and educationalists in order to develop a sensible and appropriate end point proposal for devolution and delegation of school and TGI autonomy.

3410 The important thing for me in that statement is end point proposal. So, nine strongly agreed, 11 agreed, one disagreed and three did not know.

So, the temporary Investigation & Advisory Committee will evaluate whether that autonomy could improve education outcomes. It is to be made up of experienced representatives from the States of Deliberation, our colleagues, our future colleagues, with more than one term under their belt, though, so that is the experience part, and up to two non-voting Members.

3415 This EDDIAC, as we have described it, will report its recommendations in just over a year after it is set up because, in all reality, Election June, July swearing in September 2025 first meeting, September 2026 when it is reporting back and it will work with key stakeholders, including the new governance boards in that intervening period. They will present evidence, which is what Members want and let us face it, if Members do not like what they see in the policy letter the EDDIAC will
3420 provide evidence but let us please get this process started.

ESC was directed to get on with it, so let us get on with it and do it. To coin a phrase, we need to get on the train or be left at the station and being left there at this station is not what this Island's students need. If Members do not like certain aspects of the policy letter, then it is definitely not worth throwing it all out. To continue the train metaphor, we should get on it now and actually start
3425 to do something, if necessary, Members can upgrade to first class – absolute perfection – if they want to when they are on the train. You cannot do that while you are left at the station when the last train has left.

This EDDIAC approach will ensure that each part of the journey is driven by evidence of what works best for students, staff and, as the policy letter states, in a way that does not risk destabilising the States' education system, let us face it, it has seen so much destabilisation so far. It will allow each step to be considered and reviewed against tangible benefits for learners.

Do not forget that at the same time mandatory training for all governors and the legal measures we are putting in to ensure accountability will generally improve governance which, in turn, will improve learner outcomes, which is what Members have said should occur. The purpose of the
3435 EDDIAC is to ensure that consensus may be reached on the complex matter of decentralisation, devolution and delegation across the Education settings.

Those on the EDDIAC, as I have previously described, are people who have not gone native, as Deputy Falla said, but should be and can be critical friends, but still holding their feet to the fire, to coin Deputy Falla's words, while simultaneously improving the system for the benefit of learners.

3440 This is so important given the expected impact on front line education leaders and the States of Guernsey operating model. The EDDIAC will be tasked with making recommendations which will be included in the updated legislation for education governance and it will be critical to ensuring that education and governance for settings continues to evolve to get to that end point to meet the needs of the learning community.

3445 Thank you.

Deputy Inder: Rule 26(1), madam.

3450 **The Deputy Bailiff:** Deputy Inder has called for another guillotine motion. Those who wish to continue to contribute to the debate please stand in their places. Do you want to continue with the motion? Those who wish to support the guillotining of the debate, please say Pour; those against?

Several Members voted Pour; several Members voted Contre.

The Deputy Bailiff: I am going to call for an SEV vote, please. Just in case anybody was confused by my words. The voting is open just in case anybody does not know.

3455

There was a recorded vote.

Carried – Pour 17, Contre 16, Ne vote pas 3, Did not vote 3, Absent 1

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

The Deputy Bailiff: In relation to the motion to guillotine the debate now, there voted Pour, 17; Contre, 16, (*Interjection*) there were 3 abstentions and 3 Members were not in the Chamber at the time of the vote. Therefore, the debate is guillotined and I turn to Deputy Dudley-Owen to reply on behalf of the Committee in relation to this amendment.

Deputy Dudley-Owen: Thank you, madam.

And I thank everyone for their contributions this afternoon. Madam, I think it has been a really interesting debate seeing the ebb and flow of different views, hearing the different comments and taking on board some of the questions which I think that when they have spoken, Members of the ESC Committee, some of those questions have been answered. So, I will do my best to answer what I think is remaining.

But I will start, madam, because it is quite simple, we are saying that Members should not support this amendment if they want to see the following, and that is politicians out of schools and a greater level of community involvement in the running of our school; if they want to see a speedy and well researched answer to the question of greater levels of devolution or delegation to our schools and that Members should also not be led into believing that the work that Deputy Roffey proposes in his delete and replace proposal can be done without costs and as he wants.

There have been assertions that the amendment is the same as that laid in the Education Law debate in June 2023 and it is absolutely not the case. It is not the same, it does go further and that is because we are now 19 months further on. The landscape has changed; the backdrop is different. The Committee has certainly not stood still. It has not even made little steps; it has made great strides in this policy development and the significant positive progress is on the refining of the governance policy and the proof of concept that it is having a positive impact.

And because we are so much further on, the impact will certainly not be the same as last time. It will almost be devastating on the children and young people and adult learners in our education system today and tomorrow. But through you, madam, I would like to remind Members that what I said in June 2023 is now equally true and because no consultation had been undertaken with the Committee and, therefore, the Committee was not in a position to state the fact that the work that Deputy Roffey wants to see done would require a considerable amount of funding.

That is what I said then and that is what I say now, because no consultation had been done with the Committee prior to laying this amendment, it has not captured all the salient details that it would need to in order to pass muster of good governance within this Assembly. The sense of the debate, then, was that a realisation that the Committee would need to be realistic. Deputy St Pier said the same. There were mentions, also, from Deputy Roffey about understanding that the

Committee would not slavishly follow the requirements of the debate because we would have to come back with costings and more detail.

3495 But notwithstanding this, the Committee's officers, P&R officers, overseeing the operations of corporate services, our education systems leaders and our head teachers used the intervening period to begin to explore what greater devolution could look like. We got so far and our policy proposals set us off on that journey, but to do this work properly needs resources. Members should not be led into believing that the work that Deputy Roffey proposes in his delete and replacement proposal, madam, can be done as he wants and done without cost.

3500 Madam, I promised Deputy Queripel back in 2003 that we would create time and space for presentations and workshops, different types of engagement with States' Members and stakeholders and that is exactly what we did. Via workshop sessions Members here set out their high-level principles for our education system.

3505 We repeated that same process with the Youth Forum, school committees, our head teachers, governors and leaders from the private colleges, the Diocese of Portsmouth, the list goes on. Then we looked for commonalities. Madam, resoundingly, Members told us, in common with most other groups, that the voice of the community local to the education settings, that is parents, students, staff and community reps should play an active role in its development.

3510 We listened and we are increasingly bringing those voices into governance roles in our pilot to firm up those appointments on a legal footing and give them greater operational influence in the community, moving this away from us politicians. We worked with Members, again, holding a workshop specific to governance to test Members appetites for the speed and extent of devolution. Unsurprisingly, views were mixed, but we took them all on board.

3515 Madam, we then hosted a fireside chat conversation with those who work in the States providing education and corporate services and who have experience of education governance on the mainland comprising the panel. We have twice presented these proposals to Members on each and every occasion we have been open to questions and feedback, all of which we have listened to and taken on board. We have even extended duration of the sessions so that no one was left unheard.

3520 I am going to speak to a point that Deputy de Sausmarez has laboured a couple of times now, and last November our head teachers and principals were surveyed *anonymously*, without fear of not being able to come forward, and they were asked if they felt that the proposals in this policy letter were the right way forward and they resoundingly told us that they were.

3525 We checked again in January because Deputy de Sausmarez raised that she had concerns and she had heard concerns and we asked whether, on reflection, any of them had a different view and they confirmed the results of the early earlier survey still held true. They still held true. So, I hope that that helps Deputy Bury and I hope that it helps Deputy de Sausmarez as well.

The proposals here reflect the approach which emerged from extensive engagement to bring the school community and local community on board as governors, to move forwards at a workable pace and ensure the investigation of how much further to go is carried out as objectively as possible.

3530 So, madam, the Committee has returned to the Assembly with the weight of consultation behind it. Deputy Cameron has even said that we have kicked it, kicked the consultation, kicked the something out of the consultation, but I cannot say that because it is unparliamentarily. But we have got a workable way forward to formalise the work done thus far, to set up a formal body with a genuine intent to explore how fast and how far we can get towards delivering precisely what Deputy Roffey wants.

3535 I can put it no plainer than this, I want, the Committee wants to do the work Deputy Roffey wants to be done. We have different views on how to go about it and the Committee is less prescriptive than Deputy Roffey about the outcome but we are not miles apart. But we must break the cycle of Deputy Roffey saying, go away and do the work and the Committee repeating, we need the resources beyond those of the Committee and we also need funds to do the work properly.

3540 Madam, I have tried. I have reached out to Deputy Roffey and he has acknowledged that and I have asked him to work with me on different types of amendment to reflect the facts that are needed to push this forward in the way that he wants and one that does not look to throw the baby

out with the bath water. But, for his own reasons, which I do not understand, but I do respect, he did not want to do that.

Through you, madam, I ask Members to see the mischief of this amendment, the sheer waste. (A Member: Hear, hear.) the waste of public money and the lost opportunity that it will bring. It does not insert new Propositions so that the Assembly can have the choice between the way Deputy Roffey wants to explore further devolution in the way that the Committee recommends, it removes Members' option to choose.

But we need to recognise a considerable commitment of our 49 volunteer interim governors by providing the legal framework they and others joining them need to make real progress, while at the same time exploring how far to devolve services to schools. It pauses the real and genuine progress we have been making. It loses the momentum we have been building, both with our education leaders and the wider community and it loses the trust of those leaders who have offered their knowledge, experience, patience and time to help us co-construct with them a bespoke framework for a governance model fit for our Island's needs.

Are we really going to dangle this in front of Members of the community and workforce, who are keen to see these proposals put on a legal footing, and then snatch it away? It snatches away the opportunity to enable a greater level of community involvement in running our schools and putting politicians at a healthy distance. (A Member: Hear, hear.) It ensures that our education system will take longer to get to the destination Deputy Roffey wants to get to.

The Committee's proposals ensure a speedy and well-researched answer to the question of greater levels of devolution or delegation to our schools and the Committee's proposals are realistic about the time, resources and funding needed to do what Deputy Roffey is asking and we know because we have taken the trouble to ask.

Now, Deputy Roffey's refrain is that the Committee is putting the cart before the horse and I will not go into too much detail about that because Deputy Haskins has spoken, I think, very well to that point. But absolute nonsense, that is just not how it is at all. As others have said, I think Deputy Gabriel has given a really lovely analogy there the vehicle is what you need to get to your destination and the legal framework provides that vehicle and the extent of the devolution is the delegation.

Setting legal status for the governance system enables it to continue the work of improvement right across each of the 20 schools and TGI, independently of Government, but there is simply no need to wait to get every single answer before we make a start on putting the framework in place.

Madam, Deputy Roffey might say that we cannot start because we do not know what skills and experience we need our governors to bring to the table, if we do not know what elements of supporting services they will be accountable for and that is just nonsense, madam, because our proposals, as demonstrated by various speakers, cater for the flexibility in the number and the type of governors each governance boards can have and so if additional skills are needed later down the line, they can be brought in.

As has been said, the Committee proposals offer a highly adaptable legal framework for varying levels of devolved autonomy, allowing each of the Education settings to have a unique degree of autonomy if that is what is wanted. The framework accommodates both ends of the spectrum of devolution as well as everything in between and, I think, that at this point it is useful to remind Members of how our legislation works in terms of having the layers of primary legislation, then ordinance and regulations and then, obviously, the handbook has guidance sitting beneath that. [A mobile phone rings] My apologies. That was a phone call coming through, which has knocked me completely off. One of my children, no less!

But, madam, professionals with extensive governance experience have discussed with Members, with all Members in at least four sessions, that 75% of governance work has nothing to do with HR, finance, IT, buildings, management, procurement, etc. which is what a lot of the focus is on.

It has everything to do with time spent developing and promoting a school's ethos and values, making sure the right support is there for those with additional learning needs, that our most able learners are stretched and challenged, making sure the health and wellbeing of learners and staff is supported and prioritised, that safeguarding protocols are adhered to, that attendance levels are

high, children and young people's voices are heard and the outcomes of children and young people are the absolute best they can be. Nothing at all alluded to in Deputy Roffey's amendment.

I agree that some of these things might be easier done with autonomy, but real progress can be made regardless and do take our word for it, because we have spent hundreds of hours now over the last two years actively governing schools in Guernsey, Alderney and The Guernsey Institute.

The deep research and learning from education governance locally and in other jurisdictions, trialling and refining to come to these proposals means that we know that active and meaningful governance is already making a difference and it can do so much more once the legal framework is in place.

Now, we have spoken about the flex in the model and the fact that these proposals are not the finished product, they are just the start. We are seeking here the Assembly's approval to fledge this model, to allow it to fly and take flight. It is the start of something new and exciting and the proposals go further than the recommendations actually made by the Mulkerrin report in 2012, who suggested that governing bodies should only be established for secondary schools, at least in the initial stages, and, noting more than 10 years have passed since Mr Mulkerrin made his recommendations, and we are still no further on.

Deputy Dyke has asked a question relating to existing devolved powers and, I am afraid, I am not going to be able to give too much detail relating to the exam boards, but I certainly can relating to –

The Deputy Bailiff: Deputy Dudley-Owen, I would just like to remind you, you have got 54 seconds.

Deputy Dudley-Owen Okay, *(Laughter)* well I am not going to be able to, but I will put it down in writing. So, madam, I say to you, Members, make no mistake this amendment will slow progress, and it will certainly ensure that politicians sit more closely to the operational business of schools and education settings for longer.

It risks the next ESC coming full circle and returning to the Assembly without being able to complete the task, because senior officers have told us this and we have discovered that also for ourselves. We simply cannot do this amendment without the necessary funding. The amendment is far from constructive and the approach being brought is far from collaborative. I urge Members in the strongest possible terms to reject please.

Thank you.

The Deputy Bailiff: Thank you, Deputy Dudley-Owen. Members, you will have noted the time and I am also mindful that there are a gathering and very exciting amount of prospective candidates in the Public Gallery, but I am going to put a motion to the Assembly, and I think this is a good learning example for those who think they might be standing for the States, that we actually continue to hear the response from Deputy Roffey and have a vote on this amendment rather than moving off till tomorrow morning.

So, those who support the motion to finish the debate and have the vote, please indicate Pour, those against?

Members voted Pour.

The Bailiff: The Pours won.

Deputy Roffey, your response, please.

Deputy Roffey: Thank you, madam.

I admitted this morning to being a cricket nut and I think I am on a bit of a sticky wicket, but I will do my best to reply to the debate with a straight bat. Hopefully, I will do better than England did in India this morning. I have been accused of having a revelation on the Road to Damascus. I

do not know if that road is safer or less safe since the falling of the Assad regime, but nothing could be further from the truth.

3650 Deputy Helyar does not understand my starting point. I have never been a centralist. I have always wanted to see devolution of powers to the lowest practical level, to see them more responsive. Absolutely. But I tell you what, an awful lot of my colleagues in here seem to have been on the Road to Damascus, (*Laughter*) because all of those who were in favour of small Government in favour of small, agile groups and devolution, suddenly it is all about, we have got to take into account the impact on the States' finance function and what about on procurement?

3655 Well, if that is their starting point I am absolutely stunned because it does not tie in at all with what they have been saying earlier on. Actually I think, it is not often I say this, probably my closest ally in thinking on this is probably Deputy Dyke because I really do want to see us moving to genuine devolution as quickly as possible.

3660 If I really felt that we were on the road to that and this was a staging post then, maybe, I could accept the approach of Deputy Falla, let us do this and keep their feet to the fire. But I do have a degree of cynicism after many years of believing. Actually there is a culture of keeping powers at the political centre and, in particular, in relation to Education and if nothing else, because I am picking up that most Members of the States, even though they probably will not be voting for our amendment, do want to see full fat devolution. So, at least if it is an exercise of keeping feet to the fire and making sure that this new, expensive committee that we are going to set up to look at this actually takes that ethos on board, then I think this has been a worthwhile exercise.

3665 At the minute, in the middle of the debate some time I actually thought I was in a parallel universe and this was a debate about the STSB rather than Education (*Laughter*) and I take the point about your ruling, madam, but some things were said that are now on the record and cannot be unsaid. So, I ask your leave to just, I will not extend it in any way, but just to reply to some of those things because I think I need –

The Deputy Bailiff: I am afraid, Deputy Roffey, I said it was off limits. I made it very clear and I want to finish this debate this evening, so I would rather –

3675 **Deputy Roffey:** Well, I have only got 15 minutes one way or the other. (*Laughter*)

The Deputy Bailiff: So, I think everybody knows how you feel. It was made quite clear by Deputy Parkinson and I have made my ruling. So, please can you just move on to what we are talking about.

3680 **Deputy Roffey:** Very well, unlike some, I will slavishly obey that ruling.

The Deputy Bailiff: Thank you, Deputy Roffey.

3685 **Deputy Roffey:** But I have to say, I was disappointed with my colleague, Deputy Murray, I thought it was just attack politics, or that it was personal politics, and I was disappointed with that. Deputy Murray was one of those who, basically, let the cat out of the bag, what it is all about it is all about the central services.

3690 I cannot mention any other bodies because I am not allowed to, but if we are really going to take that view in relation to any aspect of the States, then I really think, I do not know about cart before the horse, it is tail wagging the dog. We really want the best output. It should not be whether central procurement or the central finance sector is best served by this or not.

Deputy Soulsby says it goes through iterations and I think that is what Deputy Helyar said and absolutely right, but that can happen now under the sort of process that we have seen up to now with delegation. The question is, at what point do you bake it into legislation?

3695 And for all of the claims that the legislation can be very flexible, I am sure as legislation goes it might be quite flexible, we all know that legislation tends to be a straitjacket and, therefore, to bake it into legislation at this stage and then say, what is the first thing we are going to do in the next

Assembly, we are going to set up a special investigation and advisory committee to decide what those bodies should do and what powers they should have seems to me to be absolutely absurd. But it is an absurdity that I accept the majority are probably going to vote for today and, therefore, I am not going to spit it out, particularly with so many people waiting to get on with other things.

Deputy Bury, I absolutely accept that the results of the surveys that have been carried out are the results of the surveys, but I can tell Deputy Bury that one of the reasons that I ploughed on with this amendment today, despite knowing that it was probably going to get quite a rough ride, is because I have been contacted by several senior leaders inside education in Guernsey urging me to do so, and that has actually given me a bit of backbone.

So, how that tallies with the results that Deputy Gabriel has read out, I do not know, but I do know that there are several senior leaders who are worried that this Assembly will not see it through to genuine full fat devolution. Several people have said it is a political football and also that I have sprung this on the Committee late in the day.

Well, I genuinely believe that schools and students and the community will be better served by, this is Deputy Roffey saying this, not always the biggest supporter of private education over a state education but, I think as far as governance is concerned that the colleges can teach us a trick and I actually believe I want to get there.

I really like the idea of, actually, some shared governance arrangements, which will be very difficult to implement once we baked this arrangement into politics. So, it is not a football, I am not trying to score points. I genuinely, seriously believe on behalf of our children and the generations to come, that this is going to serve education a lot better and I am not convinced that this proposal before us, and I absolutely respect that the work has been done and they are putting forward their proposals that they believe in at ESC, I do not necessarily believe that this is going to take us there.

I hope it does, because I think I am going to lose and I hope that the new investigation committee will come back, will not be swayed by all this might ruin the economies of scale of the procurement function of the States, and that they will come back with a genuine leap to where I think most of us want to be but I am not convinced of it at all and, certainly, in the past, the resistance of the system that has always been there and I think it is going to be very difficult to overcome if we back away now.

Deputy Dudley-Owen wants to put a healthy distance between politicians and the decision making. I do as well but I also want to put a healthy distance between the dead hand of central administration of the States and the system as well and that is where, I think, we have not gone far enough.

People know how they are going to vote, do they not, madam, and there are other people waiting to do other things in here, it seems, unless there is just a sudden outbreak of interest in, I know everybody knew I was going to speak last and, therefore, (*Laughter*) obviously they would want to pile in here at 5.30 p.m. but maybe that is not the reason they are here.

So, I will call us today and urge those, like Deputy Parkinson, like Deputy Burford and myself and Deputy de Sausmarez who really wants and believes in proper devolution, giving governing bodies all of the powers that they need in order to be legitimately held to account, to vote for this amendment.

The Deputy Bailiff: Thank you, Deputy Roffey.

Deputy Roffey: Madam.

The Deputy Bailiff: States' Greffier, would you open the voting – Sorry, Deputy Leadbeater.

Deputy Leadbeater: I apologise for the interjection here, but just when you cut Deputy Dudley-Owen short, I think she was allowed to speak for longer than 15 minutes.

3750 **The Deputy Bailiff:** Deputy Haskins has already made the point and I think the difficulty is the way the amendments were worded it is not in relation to secondary Propositions, it is only in relation to primary Propositions and, therefore, I do not think the 15 minutes does apply.

Deputy Leadbeater: Thank you.

3755 **The Deputy Bailiff:** For those gathered, we have just had this morning a 15-minute time limit on speeches and so we are just getting used to that. But my reading of the current amendment, and I know the States' Greffier agrees with me because he is nodding, is that it has been worded not including secondary Propositions. So, you chose the amendment you chose. So we are dealing with that. Anyway, I think that was a point worth making so, thank you Deputy Leadbeater.

3760 Right, Members, I am going to ask the States' Greffier to open the voting on Amendment 1 in relation to the Education Governance policy letter.

There was a recorded vote.

Not carried – Pour 7, Contre 23, Ne vote pas 2, Did not vote 3, Absent 1

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

3765 **The Deputy Bailiff:** There voted in relation to Amendment 1, Pour 7; Contre, 27; there were 2 abstentions and 3 Members were not in the Chamber at the time of the vote. So, therefore, I declare that the amendment has not been passed.

3770 Members, that brings us to the end of today's Meeting. We will reconvene tomorrow. Before we do I very much welcome the prospective candidates, who are now gathered in the back, and I hoped they enjoy and find useful their training session. You have seen a number of interesting things. You have seen the new 15-minute Rule and how that works or does not work. *(Laughter)*

You have seen an example of a phone ringing which is strictly *verboten* and now Deputy Dudley-Owen owes a small contribution towards a charity! And you have also seen that despite the length of days of the States, which can feel long, it can go on longer than 5.30 p.m. So you should

3775 build that into your thinking when you decide to become a candidate. With that, I will ask the States' Greffier to close the meeting for today.

The Assembly adjourned at 5.51 p.m.