



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Friday, 7th February 2025**

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**Law Officers**

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A. H. Brouard	C. J. Le Tissier
Y. Burford	J. P. Le Tocq
T. L. Bury	D. J. Mahoney
A. Cameron	L. J. McKenna
D. de G. de Lisle	C. P. Meerveld
H. L. de Sausmarez	N. G. Moakes
A. C. Dudley-Owen	R. C. Murray
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S. J. Falla	R. G. Prow
P. T. R. Ferbrache	L. C. Queripel
A. Gabriel	P. J. Roffey
J. A. B. Gollop	H. J. R. Soulsby <sup>MBE</sup>
N. R. Inder	G. A. St Pier
S. P. Haskins	S. P. J. Vermeulen

**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 M. P. Leadbeater and Deputy A. P. Matthews (*relevé à 9h 37*);  
Deputy A. W. Taylor (*relevé à 9h 51*); Deputy L. S. Trott <sup>OBE</sup> (*relevé à 10h 18*)

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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

## THE COMMITTEE FOR EDUCATION, SPORT & CULTURE

### 7. Education Governance Amendment – Propositions (as amended) carried

**The States' Greffier:** Billet d'État III, Article 7 – the continuation of the debate.

- 5     **The Deputy Bailiff:** Would you read out the next item in terms of what we are doing next, please, States' Greffier.

*Amendment 2.*

*To insert the following wording to the end of proposition 4:*

*"subject to inclusion of the following in the mandate: 22nd January 2025*

*"• exploring and, where necessary recommending, the extent to which the proposed governance boards should be responsible and accountable for the selection of the Headteacher or Principal of the relevant educational setting, and their deputies."*

- 10    **The States' Greffier:** Yes, madam. Article 7, The Committee for Education, Sport & Culture, Education Governance – Amendment 2.

**The Deputy Bailiff:** Deputy Soulsby, do you want the Greffier to read out the amendment?

- 15    **Deputy Soulsby:** No, I do not think it is necessary, madam. It is a straightforward amendment. Hopefully it will not take up too much of the debate. Members will see that Deputy Dudley-Owen, the President of the Committee, is seconding it. Basically, what it is doing is saying that as part of the mandate of the Investigation Advisory Committee they look at basically the Governance Boards being able to go through the appointments of the principal or, potentially, deputies.

- 20    Originally, I had set an amendment saying the Governance Board should do it. I was happy, in discussions with Deputy Dudley-Owen, to change that and to say, let us just add it to the mandate for the Committee and, I think, it is something that should be looked at. Certainly from my

experience, from the Colleges' point of view, the Board of Governors do appoint a principal and I think it is an important element of developing an ethos of a school.

I think one of the reasonings behind having the Governance Boards was that they would be part of developing an ethos in each school and, I think, if that is their responsibility they want to have some idea that whoever is heading that school should support the ethos that they want to develop and, as I say, from personal experience, having gone through that process at Ladies' College, I absolutely see the benefit of that and having somebody who meets the requirements of those people who are meant to be overseeing it.

So, I hope Members will be happy with this amendment and there will not be too much of a debate, but I am sure we can change that.

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

**Deputy Dudley-Owen:** Yes, I do. Would Members appreciate me speaking now?

**The Deputy Bailiff:** It is your choice.

**Deputy Dudley-Owen:** Yes. Thank you to Deputy Soulsby for being collegiate and collaborative in wanting to approach this with the Committee and after that conversation, obviously, we have landed on ensuring that this is a matter for consideration in the scheme of the Education Devolution Delegation Investigatory Advisory Committee, which is why you can see it is called EDDIAC for short.

Members, there is a section within the policy letter which outlines, in detail, the terms of the EDDIAC and the very high level areas that it will be looking at and this falls squarely within those areas in terms of the service areas of the States and so we are very pleased to shine a light on this particular item that Deputy Soulsby has, rightly, pointed out is very important and that governors will actually be involved in; certainly the Chair and their heightened responsibility of being involved in the performance management of the head teachers and principals.

Thank you.

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

**Deputy Ferbrache:** Madam, I promise not to mention the STSB, but I am going to say something that is completely irrelevant. The year 1955 was a marked year. Sir Ambrose Sherwill was the Bailiff of Guernsey, Dwight Eisenhower was the President of the United States and there were two Prime Ministers of England, Winston Churchill and Anthony Eden.

More meritorious on this particular day, 70 years ago, Deputy Murray was born, so I just want to wish him a happy birthday. *(Laughter)*

**Several Members:** Hear, hear.

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

**The Deputy Bailiff:** Happy birthday by the way, Deputy Murray, and may I say you look very well for 70.

Deputy Inder has guillotined the motion but before we do that Deputy Leadbeater, Deputy Matthews, do you wish to be relevéd?

**Deputy Leadbeater:** Yes please, madam.

**Deputy Matthews:** Yes please, madam.

75 **The Deputy Bailiff:** Those who wish to speak in this amendment, please stand in your places. Do you wish to go ahead with the guillotine motion? States' Members, those who support the guillotine motion in relation to Amendment 2 debate please indicate Pour; those against?

Some Members voted Pour, others voted Contre.

80 **The Deputy Bailiff:** Can we do the SEV please? Members you should have on your screen and, hopefully, you are all signed in and ready the current vote which is to guillotine debate on this amendment. States' Greffier, would you open the voting now, please.

*There was a recorded vote.*

*Rule 26(1)*

*Carried – Pour 22, Contre 14, Ne vote pas 0, Did not vote 0, Absent 4*

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

85 **The Deputy Bailiff:** In relation to the guillotine motion, there voted Pour 22; 14 Contre.; I, therefore, declare the motion has passed.

Deputy Soulsby, do you have anything to add?

90 **Deputy Soulsby:** No. In reply to the debate, I would just say happy birthday to Deputy Murray!  
(Laughter)

**The Deputy Bailiff:** States' Greffier, would you put the amendment vote on everybody's screens, please? Thank you. Members you should have before you on your screen Amendment 2. I will ask the States' Greffier now to open the voting on this.

95

*There was a recorded vote.*

*Amendment 2.*

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

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Haskins, Sam	None	None	Taylor, Andrew
Blin, Chris				Trott, Lyndon
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				
Helyar, Mark				
Hill, Edward				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Vermeulen, Simon				

**The Deputy Bailiff:** In relation to Amendment 2, there voted Pour 37; 1, Contre. I, therefore, declare the amendment has been passed.

So, we now return to general debate on the Propositions from Education, Sport & Culture. Who wishes to speak? Deputy de Lisle.

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

I would like to say that despite the frustration of some Members with respect to piloting a governance approach and proposing the establishment of an Investigation & Advisory Committee to assess further delegation of responsibility and devolution of resources to Governance Boards and, of course, the cost of that of £100,000 taken from the Budget Reserve, also the grouping of schools and the politicians and departmental officers being on those boards.

Despite all of this I feel that I have to say that this is a start to devolution and Governance Boards. It builds on the school committee system, which was a recommendation that came through some of the sessions that we had in preparation for this policy letter which I like, actually, the committee system and, of course, I operated and served on those committees for a number of years and I welcome ESC's recognition of the dedication of the committee members that have provided their



time to seeing that the legislative commitments with regard to the school buildings and also discipline within the schools was carried out.

It is proposed that this is achieved, these Governance Boards, by amending the current Education Law so that the school committees are replaced with Governance Boards for each fully States' funded school, the Sixth Form Centre and The Guernsey Institute during the 2025/26 academic year; so that is coming very rapidly.

This is a phased approach, if you like, to devolution and, I think, we have to recognise that. The proposals allow for a legislative framework that will support a phased approach to devolution informed by the recommendations of the Investigation & Advisory Committee. It allows for a manageable transition for the educational system and for new governors (**A Member:** Hear, hear.) enabling Governance Boards to establish their foundations. So, I think in all, we can only hope that these changes help build a stronger, more transparent and accountable education system into the future.

Thank you, madam.

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

Deputy Cameron.

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

Not for the first time we are bringing proposals to modernise education governance in Guernsey and Alderney. These have not been rushed or imposed without thought. In fact, we have, excuse my own words, kicked the living daylight out of this consultation. Every key stakeholder, from head teachers and principals to education officers, parents, school committees and Deputies, has had opportunity to contribute.

The result is a pragmatic, well-structured governance model refined through extensive dialogue and tested for over 200 hours across all 20 educational settings through the Interim Governance Boards, an initiative I was grateful to be involved in. This model enjoys the overwhelming support of school leaders, who see it as a vital step forward.

One of the most urgent reasons for reform is the need to replace the outdated school committee system, which is no longer fit for purpose. Having served on most of these school committees, as well as attending prize givings and other school events, I want to recognise the commitment of school committee members who have given their time to support our schools. (**A Member:** Hear, hear.) There are few greater examples of dedication than a person sitting through a nativity, five years after their youngest has left a completely different school. (*Laughter*)

However, the school committee system itself is over 50 years' old and no longer meets the needs of modern education. The current model is inconsistent. Not all schools have school committees, leading to gaps in oversight, lacking accountability there are no training requirements, no intervention mechanism and no structured reporting.

Ineffective for strategic governance, school committees were never designed to oversee the full breadth of issues that modern schools face. We cannot afford to continue with a system that fails to provide the oversight and support the schools need, and this new model brings structured, accountable governance ensuring every school has a board equipped to support, challenge and guide leadership effectively.

The head teachers and principals responsible for delivering education have overwhelmingly backed these proposals. They recognise that structured governance will provide the support and oversight schools need, without unnecessary political interference in day-to-day operations. However, we must implement these changes at a responsible pace, one that ensures new governance boards are properly inducted and understand the complexities of the education system before taking on further responsibilities. The goal is not just change, but effective, lasting reform.

Our Committee remains open minded about the role of the Education, Devolution & Delegation Investigation & Advisory Committee (EDDIAC). Its role is to provide an objective, evidence-based assessment of how much and how quickly responsibilities should be devolved to schools.

As someone who initially questioned whether governance reform was the best use of resources compared to hiring more teachers or support staff, I now recognise that strong governance is fundamental to the long-term success of our schools and the improvement of educational outcomes.

170 While additional teaching staff are always welcome, effective leadership and oversight ensure that all resources, staffing, funding and facilities are used to their fullest potential to benefit students. Through my experience on the Interim Governance Boards I have seen first-hand how structured governance leads to better decision making, accountability and leadership support.

175 Reform must start somewhere. This model is not an abstract theory but a tested, evidence-based plan, designed with input from schools and road tested through Interim Governance Board application. We are not throwing schools into the deep end, instead we are building on the success of the Interim Governance Boards to create a future-proof system that will allow for further devolution, but only when it will provide to deliver improved educational outcomes.

180 The new Governance Boards include a diverse range of people, some with specific knowledge in a wide variety of relevant areas. My role at the Sports Commission, for example, provided me with good insight on the use of school swimming pools, which allowed me to challenge the use of school swimming pools being prioritised as a revenue stream from community use rather than the use of school students. A clear example of where strong governance can help realign priorities to benefit students.

185 Similarly, coming from an IT background, I have been keen to ensure that the schools digital transformation progresses unhindered and ensuring appropriate training is provided to fully utilise the new hardware. Digital infrastructure is a crucial component of modern education. Whilst I accept it is most efficiently managed centrally it is essential that governance must oversee its effective use to support both teaching and learning.

190 Members, this policy letter ensures that schools have the leadership structures they need to deliver the best outcomes for students. It is a balanced approach supporting autonomy while maintaining accountability. The outdated school system has served its time. It must now be replaced with a governance model that meets the needs of today's education system. This is the right step forward backed by those who will be on the receiving end, shaped by extensive consultation and built on a model that has already demonstrated some success. I urge Members to support these proposals to improve education for all in Guernsey and Alderney.

195 Thank you, madam.

**The Deputy Bailiff:** Deputy Roffey.

200 **Deputy Roffey:** I certainly will be supporting the proposals. I just rise briefly to wish Education, Sport & Culture all the very best in this absolutely crucial project that lies before them. It is not moving quite as far or as fast as I would like it to and I still remain nervous about the outcome of the Investigation Committee not leading to the level of devolution I would like to see and it being too obsessed with protecting central services.

205 But I have to, I think, suspend my disbelief and hope that actually that will not be the case and I will be watching very closely, albeit not from this place, to see how this project develops and I also would urge *en passant* ESC to bring forward the rest of the reform of the woefully outdated Education Law as soon as they possibly can.

210 **The Deputy Bailiff:** Deputy Taylor, do you wish to be relevéd?

**Deputy Taylor:** Yes please, madam.

215 **The Deputy Bailiff:** Thank you. Deputy Gollop.

**Deputy Gollop:** Thank you.

I know everybody wants more self-control and self-discipline (**Several Members:** Hear, hear.) to get things moving. The simple point I was going to make on the amendment, which is now a Proposition, is I entirely support the direction of travel. Deputy Soulsby and Deputy Dudley-Owen allowing or considering, at least, how the new Governance Boards will select school leaders, principals, head teachers and their deputies because it actually says in the amendment, that we have just passed, that it is the Governance Boards who will consider the strategic direction of the school.

That, at least, is comforting because it implies that the Governance Boards will have a key role in shaping the character and attributes and personality of the school. I will say, also, I entirely support, I think, what Deputy Roffey said yesterday that I think there is mileage in the excellent independent private schools to work with other schools and I think that would be beneficial to all concerned. (**A Member:** Hear, hear.)

The amendment we passed talks about people being the right fit and, I think, like Deputy Roffey and others, I would have liked to have seen further development here. But I hope and believe that Education, Sport & Culture, at all levels, for the political level and educationalist level, have an openness to change and moving things forward.

There is no doubt not everybody in the parishes, possibly even the Parish Working Group, are 100% confident of the new arrangements and some, obviously, wanted to continue with the old era and, of course, it is, in a way, a sad day, an end of an era for the elected representatives from the parishes who went through the system. But we move on, but what I would not like to see is too great a democratic deficit though, because not only are we losing those people but, obviously, the report makes clear they want less political involvement.

Now, of course, I support that but for a different reason because I realised, and Deputy Inder will remember this, Education, Sport & Culture is probably the busiest Committee in the Chamber, in a way, because it has so many working parties and school boards that any Member who sits on there, and we only have five, perhaps, nowadays or six, we used to have nine, has so many commitments which takes up ...

I admire what Deputy Haskins, Deputy Aldwell and, of course, the president and other Members have done because they are constantly at these meetings. But at the same time States' Members, however much they would wish to, will not be able to divorce themselves from problems at the chalk face and the system suggests that the Governance Boards, on the one hand, will provide to the political board issues of concern or of strategic importance that need political buy in.

At the same time, there will be powers for politicians, which are not there at the moment, I think, to remove people who are not performing and, again, we have to take that on board and there are some people in the community to whom £1,000 or £2,000 is a lot of money, let alone what might have been even higher rates of paying the chairperson because, of course, it is a balance between public service and getting the right fit for the job. But this does incur an extra cost from a Policy & Resources point of view that was not there. We just hope that the new chairs will be of sufficient calibre to bring about the greater devolution that various Deputies suggested yesterday.

I have a few points of detail on the on the policy letter, which I will support. The first is on, I am sure Deputy Matthews, if he gets the chance and there is not a guillotine, will extend this point, but on page 27 3.24 and 3.25, there is some philosophy from the Committee about the fundamental principle in place of parental freedom of choice around preferred education providers and there is certainly some perspective from the Committee, which is putting at least both sides.

'Whilst this competitive approach to education can be viewed as appealing for the individual children and families', it can have a significantly detrimental effect on those who are not to do so and then they go into others. The concept is easier to implement in larger jurisdictions.

Well, we have schools here in the independent sector who possibly would not exist on the scale they do in the UK, but they work here; Blanchelande would be an example. So I kind of would want to question some of that and see how we go attitude because there does seem to be, resistance is too strong a word, but certainly institutional questioning of looking at those options and I would like to see, in the fullness of time and I appreciate we have to move in a direction of travel rather than overdoing the panic, but that muddled me.

270 Then there is another interesting passage, we move on to the structure at the clusters and we move on to the diagrams on page 45 and 46 about core method of appointments, Education Office representatives, head teachers, parent, carers, staff, associate and even a student representative, in the case of the Institute.

I would make two points there. The first is they do not specifically itemise the community  
275 representatives. I suppose they are part of the associate, but I would have liked to have seen that more clearly because associates would also include diocesan representatives or perhaps a difference of approach in Alderney.

When you look at the makeup of the Committee, whereas at the moment it has been, possibly, overly dominated by elected representatives from the parish or the schools and that is a model that  
280 had its limitations because it only had powers in some areas and not others. I would argue this new arrangement, we will all have a chance, or some of us will, to discuss it on the new Committee, which I support, but it does seem very heavily weighted against the views of a substantial number of us towards the Education Office, because you have an Education Office representative, then you have the head teacher, then you have a teacher chosen by the teachers.

285 So, there will be quite a lot of people who will be an integral part of the system rather than outside, and that is an issue of concern. I have another thing, this is a slip of the tongue and probably, Oh, I wish Deputy Murray a happy birthday and he has been a huge champion of education this term in every way.

But he might not like my birthday present here, in fact, he will not like it I suspect, because he  
290 does a first-class role, so diligent in his various roles on Policy & Resources, including Corporate Services. But if we turn to page 62, this is quite funny really, we are told that the new Committee, the Devolution, Delegation, Investigation Advisory Committee membership, EDDIAC or whatever, will have a chair elected by the States of Deliberation, two Members, one Member is the President of ESC, up to two non-voting Members, and one Member who is the Policy & Resources Committee  
295 lead officer for Corporate Services.

Now, in the first place, obviously, that person will be an able representative of the corporate service perspective and I do think there is a balance between achieving what is most educationally beneficial for the children, as Deputy de Sausmarez and Deputy Roffey said, and cost containment and, actually, I think initially if you devolved some of the functions of IT and HRM to the schools,  
300 there might be an additional cost because you would be duplicating. But in the long term, looking at the success of the independent sector, I think it would be a cost reduction but we will have to wait and see.

But my actual point here is you ever proof-read this made a little error. They said one Member who is the Policy & Resources Committee lead officer. I do not think they mean Lead Officer, they  
305 mean lead political Member rather than an officer sitting on the Committee and having a vote. But that, if it was a Freudian slip, makes the point that we need to have on there a strong mix of community representation, political representation and the Corporate Governance Boards as they are created, undoubtedly as Deputy de Lisle properly said, is a move in the right direction, it is a phased approach. But for me, it is a little too embedded in the centralised model rather than a  
310 professional third sector or democratic model.

So, I will support this but I think the conversation will begin over the next year or two and, hopefully, the Investigation Committee will work to see whether the community, parents and schools are actually willing to go further because, I think, we must not forget that Mr Mulkerrin made very clear, as the amendment we have just succeeded implies, that it is the leadership of the  
315 senior teachers of the school, the head teachers, the deputy head teachers who often really make the crucial difference and so I would like to see more emphasis on that and working with the community and a little less emphasis on the structure being overly reliant on, perhaps, the Education central office.

320 **The Deputy Bailiff:** Deputy Dyke.

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

Deputy Gollop has raised pretty much all the points that I was going to raise. So, I thank him for his speech and this makes mine much quicker. I think there is going to be a continued push from the centre to hang on to as much as possible and, I think, going forward this is going to have to be resisted with as much input from parents as possible.

Deputy Gollop just raised one point that I would like to add a gloss to in terms of costs of delegating some of the central functions. He thought that it might add to the cost but I am not sure. I am looking at the capital projects paper here and we have got Transforming Education Digital, £13 million, Transforming Education another £13 million; that is £26 million.

These sorts of figures are not conceivably what the private schools would be spending on this sort of thing and my daughters were at Ladies' College, recently they did a huge renovation of the property, a new building, renovating mostly offices and classrooms, redesigning the car parks and roadways, all for £6 million; a massive development for a very modest sum.

So, on that cost point I fail to see how there can be any good reason not to seriously consider delegating all of these things to the schools. I mentioned it yesterday, IT, procurement they will do it all better than we do. So, that really should be included in the mix along with all the other issues that Deputy Gollop so ably discussed.

Thank you.

**The Deputy Bailiff:** Deputy St Pier.

**Deputy St Pier:** Thank you, madam.

I did not have an opportunity to speak on the amendment debate yesterday and explain the decision I finally reached to abstain on that amendment, but I would like to just share some of the thoughts on the debate so far, which I found very interesting and helpful, if a little challenging, around this subject.

Deputy Aldwell explained that actually these proposals had, in essence, been prepared as long ago as 10 years ago by the Deputy Sillars Department as then was and there is no criticism of Deputy Aldwell because that is simply a statement of fact. But I do not find that particularly encouraging for reasons that I will come on to.

A number of Members also referred to the length of this policy letter and the reference to 85 pages and that too is not of itself, I think, a measure of success and it is obviously the content of what is in those 85 pages that we really need to focus on. Now, I am and have been sceptical of the Interim Governance Board structure but I do accept, as Deputy Helyar said, that this is an iterative process and that we need to move things on.

But I think, like Deputy Ferbrache, I probably share concerns and I do not think Deputy Ferbrache is alone, I think a number of others have spoken to this about the extent and pace of progress in this area of governance and I think that is probably a concern that is also shared by the Committee for Education, Sport & Culture that I am sure they would have liked to have moved further and faster if they could and I have noticed that Deputy Dudley-Owen, as the President of the Committee, has nodded assent to that on the number of occasions, that people have mentioned it.

I think the concern expressed by some, that the IGBs do not really have as clear a role and as many teeth as perhaps we would like, does give me some concern and I think the view articulated by Deputy Roffey yesterday that he has anxiety, I think might have been the word he used, about the reluctance, I am now paraphrasing, the reluctance of the system to deliver the scale and pace of change which he and, indeed, many in this Assembly would like.

Now, I think many interpret that as an implicit criticism of the Education Office and education services, and I see Deputy Roffey is shaking his head, because what I was going to say, and this he may agree with me, is I think much of the reluctance will come from other parts of the system and in particular, of course, there will be considerable opposition from the Treasury function to this process of devolution.

375 So, I do have very real concerns about and, therefore, I am sceptical of the EDDIAC. The system will be delighted at the prospect that this straddles a term, that there will be a new set of faces in here, many of whom will have had no experience or engagement with this issue, depending on the scale of change which an election delivers and we go back to, as we often do, ground zero, and that will suit the system quite nicely. I hear Deputy Inder also grunting his agreement, (*Laughter*) as he often does; a fair description.

380 So, where does that leave me with all of this? I think, clearly, this is the only game in town, it is an iterative progression on where we are and, therefore, it has to be welcomed in that spirit, but I am struggling to seize it with great enthusiasm. So, I think, at the moment, I am inclined to support Propositions 1, 2 and 3 but probably abstain on 4, 5 and 6 because, whilst I cannot really oppose them, I am struggling to find levels of enthusiasm to support them.

385 So, it may well be that others, during whatever the rest of the debate is before Deputy Inder calls a guillotine motion, can muster levels of enthusiasm and I do welcome actually the speeches of Deputy Cameron and Deputy Gabriel because, I think, they have made very good cases for what is in these 85 pages, which have certainly helped inform me. But that is my position as at the debate at this point.

Thanks, madam.

390 **The Deputy Bailiff:** Deputy Matthews.

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

395 Well, there is certainly some broad support for the for the policy letter and the only reason I can think of really to oppose it, in general, would be the question of whether this needed a policy letter at all or whether this could have just been done by ESC without a policy letter. Now, the President addressed some of that, the policy letter itself largely breaks into two parts. The first being what has been done already in setting up Interim Governance Boards and that, actually, has been done without any policy letter direction or without the force of Law behind them and then the next part, to set up a SIAC or a States' Investigation & Advisory Committee, which I think the specific version of which is an EDDIAC, to look at further devolution.

400 The President addressed some of the reasons why it was thought necessary to have a SIAC in her defence of Amendment 1 and that is, partly, that in order to set up further devolution, or some elements of further devolution, there is a need to work with other States' Committees and this is one of the things that I found surprising, that I do not think that it should be necessary.

405 There is a useful reason to set up a separate Committee just to compartment off the investigation from the rest of the Committee's work, but it should not be necessary to set this up in order to engage other Committees' mandates, The President went on to say that other Committees, specifically P&R I think is the main Committee where most of these centralised functions would sit, might not prioritise the work that is needed in order to devolve some of these functions and they are not obliged to work with the Committee for Education, Sport & Culture.

Now, whether that is an accurate reflection of how P&R would approach what should be a Government Work Plan engaged priority or not, is a separate question but I do think it does speak, in general terms, to this sclerosis that affects the way our States' Committees do business.

415 That we can instruct a Committee to do something and if it engages a part of another Committee's mandate, then it just gets stuck where the other Committee can decide they are not going to do it or they are not going to prioritise it, or they are just going to take a long time to do it and then it will come back to the States in a couple of years' time, perhaps not having been advanced because it did not get the resources and it did not get the priority that it needed to go forward.

420 That is a problem across the States that needs to be addressed and, of course, that is a problem that will bite with the school committees and the Interim Governance Boards themselves because they will have to work within the same States' system. They will not have delegated authority over things like HR or IT or procurement or property or finance. They will have to go back and work with

425 the central services that the States provides in the same way that every other part of Government does.

So, the governance boards themselves will have to work within the same confines that every other States' Committee has to work with and they really will not have the type of independence that is needed to drive forward real changes in the way that schools are run.

430 Now, in support of this the Committee would say, well this is very much a first step, this is almost like a nursery school for Government where everything is mostly done for you and you are just doing a few of the little pretend bits to learn how governance works and to learn how to find your feet and get things going in time for when you have to do some real learning later on and, perhaps, then you go through a series of stages where you might actually get to do something in many years' time. (*Interjection*)

435 Now, it seems to be that is one approach, I suppose, to setting something up and at least it is, perhaps, a step forward. But I cannot help thinking, could this not have just been done without the need for a policy letter, much more quickly than it has been done? But one of the other aspects that, I think, will affect the SIAC is what they are able to do and having it set up separately will, 440 hopefully, avoid some of this, or the fact that the States has instructed a specific Committee to go away and look at delegation really means that P&R would not be able to avoid providing the type of resources to look at these and I do hope that they have a wide range of what they are able to look at.

In the debate, or lack of debate, on Amendment 2, which I would have supported and had I been 445 able to speak I would have expressed my support for it, but my concern was that having an explicit instruction for something that seems useful for appointing a principal, should not imply that the SIAC was not able to look at those types of issues anyway. A SIAC should have a wide range of what they are able to look at.

I will follow on from Deputy Gollop and expand, as he suggested I might, on the issue of parental 450 choice, which is referred to in the policy letter in 3.2.4 and it is a very verbose listing of whether that could be looked at. But you can almost see the dismissiveness because in 3.2.6 it just goes on to talk about, well this might cause traffic problems in the Island and almost dismissing the idea of it and I think that a Committee that is looking at this should have a free hand to look at what is best for education from an education's point of view and not be worried about, which I think are concerns 455 it should not really have about potentially traffic problems caused by cars taking children to school, it should be looking at what is best for the way that education is run.

I think the clear evidence is that when parents can choose which school they send their kids to they will make choices that improve school standards and that is why, as Deputy Dyke has said very well in previous debates, if we can get as close to the ways that independent schools run themselves 460 in the states sector we will likely see improvements because independent schools have to make an offer that people want to take up and schools at the moment, do not.

They can impose what they think is the best type of education for children and parents have no choice if they do not have the funds to be able to buy out of the system. So, I hope that is something that the President is able to, perhaps, address in summing up and provide some assurance that the 465 Committee will have sufficient breadth to be able to look at those types of issues.

Thank you, madam.

**Deputy Inder:** Guillotine, madam –

470 **The Deputy Bailiff:** Deputy Trott, do you wish to be relevé?

**Deputy Trott:** Yes, please, madam.

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

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

Following on from some of the points ably made by Deputy Gollop and Deputy Matthews, I just want to put on record my uncomfortableness, if that is the word, discomfort would be a better one, with the fact that in supporting these proposals we are dismantling the one body that is independent of the educational centre, basically.

In a declaration of interest, I have been a Member of a school committee elected by the parish for longer than I have been in the States certainly, I think, about a decade and I have sat through some of the events that Deputy Cameron mentioned and I have to say, I have done so very gladly. I have got four children of my own, I am not short of experience turning up to these kinds of events but and, actually, I have to say that I have always been delighted to be present as a member of the school committee and I am very fond of that role and I think they do perform an important function.

I am not standing here making a case for their continuation but I do think that they had their wings clipped a bit by, maybe, an overzealous interpretation of the 1970 Law, which is obviously out of date, but it talked about the committee overseeing the behaviour of the school and that has been interpreted by this Education, Sport & Culture Committee as being the behaviour of the children within the school, which is a very much narrower mandate.

So, I actually, personally, disagree with that interpretation of the Law. I think the Committees did have a far broader or do have a far broader role to play and I do note, with a little bit of unease, that, actually, we are taking a step more towards the centre with this structure now and I think, some clarification on Deputy Gollop's question would be welcome as well.

Really, further to that, I am with Deputy Matthews and I certainly think this can be done without changing the legislation. I think it is pre-emptive. I think it is premature to change legislation before we know what we want the governance boards to do and so, for that reason, I will not be supporting Proposition 2.

I am also going to need a little bit of persuading on setting up the EDDIAC, or whatever the thing is called, because I just think that the focus is wrong. I just think that this should be, primarily, an exercise about educational outcomes and for that reason, I think, it is better driven by the Committee for Education, Sport & Culture than by a body where Education, Sport & Culture is deliberately, their input is deliberately minimised.

I do worry that the role of Corporate Services, the role of Treasury, etc. is going to be too dominant in that process and we are not going to get an outcome that is going to support the interests of our schools and our students and for that reason, I am going to take a bit of persuading to support their establishment and, as well, I do also slightly baulk at the cost. But I will listen to the rest of debate.

Thank you.

**The Deputy Bailiff:** Deputy Burford.

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

I am in agreement with much of what Deputy Matthews and Deputy de Sausmarez have just said so I will not, necessarily, repeat that. The whole principle that I am not convinced that very much of this is necessary for the Committee to have done what they want, with the possible exception of setting up the SIAC, which they do need States' permission for. But the question still remains, in my mind, whether that is really necessary.

I am also uncomfortable with changing the Law at this point. However, from a pragmatic point, we are where we are. It is quite clear that the majority of this Assembly are going to support all of the Propositions and, in the spirit of consensus, I will get behind the Propositions and support them.

In doing so, I will be looking at the SIAC as perhaps a lifeboat in the next term for really getting together with sorting out where I think we should go in terms of this devolution. Obviously, I was the seconder to Deputy Roffey's amendment. The one thing I would really want to encourage that future Committee to do, and I will endeavour to do it from whether I am inside or outside of this Assembly at the time, is to not shy away from amending any legislation that is made if they think that takes them in a better direction.



Because I do think, we have seen it time and again, it is the sunk cost fallacy that the more things that we put in place, the harder it is to stop and go back because there is an absolute aversion in human nature to having made an investment and then walking away from it. So, I think that would be a really key point. So, with reluctance, but in the spirit of consensus, I will support these Propositions.

Thank you.

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

**The Deputy Bailiff:** There has been a call for guillotine motion from Deputy Inder. Those who still wish to speak in debate stand in your place. Do you still wish to put the motion? Those who support the motion to guillotine the debate now please say pour, those against?

*Members voted Contre.*

**The Deputy Bailiff:** The contre win.  
Deputy Queripel.

**Deputy Queripel:** Madam, thank you.

I was recently contacted by parents expressing concern about students in our schools being rewarded for regular attendance and their concern focused on children who are not able to attend school on a regular basis, through no fault of their own, feeling undermined, undervalued and upset by that reward system to the point where they feel as though they are being discriminated against and excluded.

In relation to that, we are told on page 51 that governors will be expected to gather information in the following areas: safeguarding, care and welfare and attendance and wellbeing matters as well as vulnerable learners and inclusion, including matters relating to those who might be at risk of disadvantage.

But it does not appear to tell us what the governors will be doing with that information. I stand to be corrected on that, but in relation to that can Deputy Dudley-Owen tell me if the intention is for the governors to have a say and an influence in introducing measures to support children who are not able to attend school on a regular basis through no fault of their own?

Will they even, perhaps, be able to put a stop to the practice of rewarding those children who are able to attend school on a regular basis, because that is really upsetting children and parents of those children who are not able to attend school on a regular basis. So, I look forward to Deputy Dudley-Owen's response to that, madam.

Thank you.

**The Deputy Bailiff:** Deputy Mahoney.

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

I have been, through the entire term, a very big supporter of ESC and I think that is pretty obvious to everyone. But on this I do have some questions. I did manage to speak to Deputy Dudley-Owen yesterday in the library for quite a while and she put my mind at ease on some of these things. But I think it is worth just airing them in any event.

I did not vote for the Roffey amendment yesterday, although some of those remarks did resonate somewhat with me in terms of the effectiveness or the need even, perhaps, for some of these things. On page five at 1.2.6 there is a note that these things will oversee the overall quality of education, the use of resources and matters related to safeguarding and it goes on.

But for the man in the street, perhaps, and for me, and we have 80-odd pages of Civil Service speak to describe what that actually means, but in her summing up, if perhaps the President could say in English speak what is it that is going to be better, rather than 86 pages of, what seem to me

580 to be honest, a lot of repeated paragraphs. But anyway they are what they are. But in her summing up if she could just, perhaps, clarify in plain English for me and the other man on the street that would be very helpful.

On page six, under 1.3.1 it talks about structured training, some of which will be mandatory. That will no doubt have a cost; everything does. So, if she could just confirm that is included in the numbers that are already in here and then perhaps how that will be funded. On page seven at 1.4.3 this SIAC, EDDIAC whatever it is going to be called, in very true typical States' fashion will not have to report back for another 18 months, which does hardly seem like a stretch goal to me or to anyone, I suspect and, again, that would be useful to know who said it will take 18 months to come back to us, to the new Assembly on that?

590 That seems like an awful long time for something which we already have the interim governing boards in place right now, which I understand are working very well, but what is it, exactly, that is going to take 18 months for a dedicated SIAC to come back to us on? I struggle with those timescales when 18 months, in the real world, gets you an awful lot of progress. So, I would just like that to be clarified, that would be very useful for me.

595 At 1.7.3 on page eight, it says it will build on the success of the Interim Governance Boards which, as I have already said, I understand have been very useful. But what powers will those new governing boards have that the current Interim Governance Boards do not have? I suppose the crux of it is, what are we getting for £225,000 a year that we do not get for no pounds a year right now?

I think that is useful for me, it may be useful for others. It may be a very simple answer, I hope it is. But that would be, certainly, useful for me and other taxpayers that are going to have to have another £225,000 taken out of their tax dollars (**A Member:** Hear, hear.) for something which, apparently, is working okay at the moment.

600 So, I am struggling a little bit on some of those things. So that would be very useful. I thank Deputy Dudley-Owen for spending some time yesterday with me in the library to go through some of these things, but I think it would be useful if, in plain English speak, she could answer some of those.

Thank you, madam.

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

610 No. In that case, I shall invite Deputy Dudley-Owen to reply on behalf of Committee.

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

I was hoping to be able to spare Members a long closing speech and so I do apologise because it will be longer than I had anticipated. I think it would have been helpful to get some of these more in-depth questions, certainly that Deputy Mahoney has asked either directly the day before yesterday, but actually we had two presentations where some of those really in-depth questions, granular questions, could have been looked at in more detail and I would have been really pleased to summarise those in any speeches if asked. But they are extremely granular and so I hope that my friend, Deputy Mahoney, will forgive me if I do not go into the granular detail right now. I will attempt to during my remarks because, obviously, there has been quite a lot raised.

620 There have been themes which have arisen through the debate and the first is the legislative framework. There has been some concern from some that the legislation is too rigid, or coming too soon, and for the benefit of those listening and also to those who need a little bit more reassurance, I do apologise I am not wanting to teach people to suck eggs because there are many long in the tooth and experienced politicians in the room as well as lawyers, advocates and so it is really for the benefit of those who still need that extra clarification.

625 Imagine the three tiers of legislation this way and I will draw an analogy here. The *Projet* is a primary Law, which is the framework and if you think of it like a wardrobe, it is the outline shell that is capable of housing many things and this is where the principles, enabling provisions sit. Then comes the Ordinance and if you think of this as the coat hangers inside the wardrobe sitting within the framework, which gives it purpose but is flexible enough to hang a range of things on.

Next you think about the regulations and these are like the clothes. Perhaps it will be a dress or a pair of trousers and maybe new clothes would be added over time. The wardrobe will encase them; the hangers will support them and these regs can be varied with relative ease. But at all times  
635 this Assembly has the last word on all these tiers of legislation.

And, finally, there is the Operational Governance Handbook and maybe that will describe which clothes go well together and which clothes do not. It explains in lay terms how the legislation works and sets out the procedures that support its practical applications. Now, I know most of you, many  
640 of, know all of this but, hopefully, having this set out in this way really helps for Members to start to draw, for example, what a worked practical application of stepping rights might look like.

The right would sit in primary legislation, the Ordinance might describe the outline of when and how the Committee could use this, the regulations, as subordinate legislation, might provide practical and procedural details and the handbook would spell out exactly how to initiate the steps in provision to set aside a board or individual governor. So, I hope that is helpful, madam, in that  
645 analogy and I am sure that any experienced lawyers in the room would have popped up and said, no you are wrong, if that had been the case.

So, I would like to just reiterate that the Assembly will always have the last word. So, no 'rogue Committee' could withdraw the autonomy that the Assembly puts in place on the recommendations of the EDDIAC. Getting the legal structure right has been really important and we believe that we  
650 have done this and we have had to come back to this Chamber in order to get the legal structure right and we have used the advice of Law Officers' Chambers and draughters in this design phase to ensure that the legal framework has got that in-built flexibility so that we do not come up against issues that Deputy Soulsby cited yesterday where, at one time in the future, a future Committee might be hamstrung by legal barriers that would be expensive and time consuming to start to  
655 unpick.

But, madam, Deputy Gollop has kindly picked through the model that we proposed to start with, so I will not dwell on that, other than to say a future Committee can recommend that this is changed and they may well want to following the review of the primary sector. We are not wedded to this particular starting point but it is a logical one and we have tried to slice and dice this various ways  
660 and, after some trial and error, landed on the model which seems to have been a sensible commencement point.

The governors of these boards will have the levers of influence from the beginning but these will grow when the Assembly hears back from the EDDIAC and they will have the community connections and the Chair will be part of that line management process for the head teacher. So,  
665 they will give approval to support the shaping of the Schools' Strategic Development Plan and these are the things that the school and the TGI are inspected against.

These are the few things that shape and change an improvement in a school. There are few things that shape change improvement in school more than these and I hope that starts to speak to some of the queries that Members have had about what the extent of the teeth that the  
670 governing boards will have.

A direct line to the Committee is built in through reporting lines, a formal structure which is formed, initially, by the Council of Chairs to bring concerns and help shape solutions and we expect this body to be a significant stakeholder group that the EDDIAC will be taking heed of and also, in the future, for shaping education policy for the Island. It is a vital mechanism which enables two-  
675 way conversations and accountability and, of course, the EDDIAC can recommend changes to this based on the lived experience of this important stakeholder group.

So, talking about the EDDIAC, that was an area that featured heavily, madam, in the comments, and it has features built into it to ensure that the forum is one of broad thinking and creativity and that this can dominate the research that needs to be undertaken on the long list of service areas  
680 that it will be looking at.

An independent Chair bringing an overview, not just of how the States of Guernsey works but also having the political antenna of the States of Deliberation, will oversee the proceedings. The Member of P&R, –and thank you to Deputy Gollop for pointing out that it is a Member of P&R –

with oversight of Corporate Services and the President of the Education, Sport & Culture Committee will sit as members, ensuring that there is no political domination and that there is a balance of influence from both Committees.

There is an ability, Members will note, to add non-voting members and this is actually really important for those with the scepticism that I have heard from across the Chamber and there are other independent members of the Committee bringing a wider view from the community to ensure that there is a broad-minded approach to the process.

So, I would urge those sceptical Members, actually, if they are not going to be in the States put yourselves forward, madam, for that role, bring that healthy scepticism into that forum. Make sure that the feet of that EDDIAC are held to the fire actually, by being an influence at the table –

I will give way to Deputy Roffey.

**The Deputy Bailiff:** Deputy Roffey.

**Deputy Roffey:** Thank you.

Can I just seek some clarification because looking at the proposed format of the Investigation Advisory Committee on page 62, it does not look like either the Chair or the first two members actually need to be a Member of this Assembly. Is that correct?

**The Deputy Bailiff:** Would you like to answer?

**Deputy Dudley-Owen:** Apologies. Yes, that would be correct. But at the bottom of the list, it says that there would be up to two non-voting members.

**Deputy Roffey:** Sorry, my point was, I accept that totally. My point is that the first two bullet points, a Chair elected by the States of Deliberation and must have completed a minimum of one completed political term and is not a Member P&R or Education, Sport & Culture, there is no requirement for them to be a sitting Member of the Assembly and the same is true for the next two posts. So, I presume that is just a drafting error because it would be absurd, I think, to have a political Committee that is not dominated by sitting Members of the States.

**Deputy Dudley-Owen:** Thank you, madam, and thank you to Deputy Roffey for letting me know that he had read it in that that manner and I do see now, that he has raised that, that it could be read in that manner. But no, that would be a sitting Member of the States of Deliberation. Thank you.

So, going back to the point is that actually that there has been inbuilt into this process deliberately, because of the open-minded stance of the Committee, mechanisms in order to ensure that a broad range of voices are heard in that forum. The Committee's experience has not been that there is excessive resistance to change, but just that there has to be due diligence and justification around it and evidence that the change will make a meaningful, positive difference for our children, our young people and adult learners in the classroom.

Now, the future Assembly will be the ones appointing to the EDDIAC and it is up to them, the future iteration of us, to ensure that the right people are on that Committee to shake it up and make it work and to build the consensus on the way forward as we have seen previous SIACs do in the past.

Deputy Kazantseva-Miller made some good points yesterday and I like the idea that through this work the States will create a template for research on wider matters on devolution and delegation. Deputy Kazantseva-Miller has made similar comments before about the governance system that she has seen developing through the Committee's work and, in fact, UK education governance experts who came over to help us with training, our own training, which Deputy Vermeulen has had, they felt that the template we had created here was very strong and if they

were starting from a clean sheet in the UK, this model that we are creating is one that they would be pointing at to follow.

Deputy Parkinson raised some comments yesterday about the Committee being congenitally opposed to the concept of devolution delegation and that is so wide of the mark. I really recommend strongly that more Members should chat to me and to Members of the Committee to find out, actually, what our views are rather than making assumptions and quite frankly, madam, spurious remarks that have no basis in fact.

The Committee is really keen to see this work done and done well and done once and for all and it is time that the long running conversation, with some trying to guess their way through to an outcome, is given an official impartial and resourced forum to propose an evidence-based way forward.

The one-off money required for this work, for Deputy Mahoney's purpose, and also Deputy Dyke raised this, is going to be drawn from the Budget Reserve and the 2023 June debate that I referenced earlier in the debate forecast that the work could not be done for free. So, it should come as no surprise and, actually, just thinking about the amendment that we defeated yesterday, Members should always scrutinise that Rule 4(d) statement very closely.

The money will be used, if needed, to backfill any resources that are needed to support the work of the EDDIAC and the EDDIAC will, if Members think about it in practical terms in the administration of this, they will have to meet regularly and it will require commitment from its Members to attend and engage with it.

It will require action forming out of every single meeting. It must not become a talking shop. That action must come back and be reported on and moved forward and scrutinised by the EDDIAC. It will require the knowledge of various service leads to contribute to the reimagining of the delivery of these services against the measures of feasibility, affordability and, most importantly, impact on the students in the classroom.

Just moving on to Deputy Matthews' point, there is a long list of services which are needed to run an education system and it is a system that we run, not a single school. It feels like this is sometimes overlooked. The States of Guernsey has multiple schools within its education system and The Guernsey Institute and it covers various phases and sectors of education.

Amongst the education services that will be looked at include, and I will not list all of them, but just think about this; it is operational policy development, which includes behaviour, attendance, health and wellbeing, off site activity and so on, school admissions, which speaks to the point that Deputy Matthews is very keen on exploring about parental choice over which school they send their child to. Those matters will be raised within the scope of talking about that particular service area.

School attendance, data and analysis, CPD, the list goes on and on before we have even looked at IT, HR, procurement, property management and so forth, which former Members of P&R and current Members of P&R will acknowledge sit fairly and squarely in their mandate, hence us coming back to the Assembly to ask support of Members to ensure that P&R can prioritise the work of their officers in assisting to look at this very important area.

Now, a matter that Deputy Ferbrache raised, and alluded to by Deputy Helyar, and I want to make absolutely unequivocally clear it is about ambition. There is no one more ambitious about education than the parents of those children and we are making room and making a formal role for those parents to be able to come and sit with their school leaders, the school that their children attends, to be able to overlook, to be able to influence, to be able to support, to be able to challenge the delivery of education by that head teacher in the school that their children go to.

Now there will be a formal structure around that, training is essential, so the parent is not just looking out for their own child but actually thinking about the strategic direction of the school, which benefits all children because as a parent, they are representing a very important stakeholder group in that school.

I have a further ambition about ensuring that education is simply the best that it can be and fit for the 21st Century, but it is also about what role the governors play in the future. Now, think about

us having an Islands' governors' network. Not just Guernsey, not just Alderney, Sark possibly, but also Jersey.

We could create a really strong professional development network there. It would extend, obviously, across the Islands and last week we hosted a Ministerial visit from Jersey and the governance was a key theme that we spoke about and we floated the idea of this type of pan Island network, feeding into the ideas of each other, being greater than the sum of its parts and this is one of our long-term aspirations.

And speaking to that point, it is important to think about the autonomy that these boards will have and we want them to have in the future and how they will be discerning and deducing for themselves the benefit of working in close collaboration with the colleges and other governing boards.

Now imagine that the board of Les Varendes High School decides that, actually, it is going to be in the best interests of their schools to have some closer collaboration with the board of directors at Elizabeth College or with Ladies College, or with Blanchelande and we do not want to fetter that ambition.

We want that to develop organically for the schools themselves, for the governing boards, to find those areas of commonality and to be reaching out between the sectors and to be starting to engage and work. That is not something that we are dictating from the centre and it would not be right to. The boards need to find their own ethos, their way of working and very importantly, what fits the strategic direction and their ambition for the schools.

The governance board membership is weighted in favour of those with the biggest stake, as I have mentioned, and we are thrilled that some school committee Members have come across to join our Interim Governance Boards. In fact, 25% of our new community representatives come from existing school committees' members and we are absolutely delighted at the calibre of all of those committee representatives and we have new representatives coming forward who represent the parent groups and staff groups who are going to be inducted and are beginning their training ready for the spring cycle of IGB meetings.

Costs, for Deputy Mahoney, again, we need a professional governance process. It is a continuous cycle of training and development to ensure that there is real, meaningful challenge and support. No overly cosy relationships around the board tables, professional support and challenge and training on that data that drives decision-making so that governance can interpret that technical data and challenge where what it is revealed is not good enough and that speaks to the point that Deputy Queripel raised, is that what will they be doing with that data?

Well, they will be challenging that data. They will be looking at safeguarding, is it good enough? Have you got your single central register records all up to date? What does your safeguarding look like in practice? Are you recording all of your safeguarding issues on the appropriate data record system?

Asking those challenging questions which reveal a depth of knowledge and that senior leaders are actually taking that responsibility seriously, which they do. But the training allows governors who come in as lay persons from the street to actually start to ask those rigorously inquiring questions and to know how to do that and for those questions to land just where they need to be to elicit that reflection and further insight.

We will have professional clerking services reporting themes to the Committee so that they support strategic policy development and we have already had to review many service areas to look at efficiencies that have been raised as a direct result of what we found on the IGBs and so these areas we can look at under the cost reduction initiative, so that we are able to divert resources here where they will add more value.

Another area, madam, that was raised during debate was about feedback and there were comments about whether there was sufficiently positive feedback on the proposals. But Members may have missed communications announcing new IGB appointments and so I will draw them back to their media releases and there has even been a video gone out which has had some little vignettes recorded about current IGB members, specifically I think those in the post 16 space, which

are really interesting to listen to and start to illustrate and to give Members a really clear picture of the interest in our education system from different areas of the community.

840 I am afraid that hearing such a negative and pessimistic outlook from supporters of the amendment yesterday, and some repeated today, it was quite depressing and I am an optimist and I hope that I can persuade my colleagues to adopt a trait of hopeful scepticism and I think that Deputy Roffey acknowledged that he might be moving towards that position this morning.

845 So I am really pleased and I just wish that Members could come and see and hear more about the excellent work in practice and it has been really great to hear, during the course of the debate, two of our non-ESC colleagues talking about their work on the boards of each of the (*Interjection*) post 16 institutions.

850 But I will comment on this now and it is not great at the end of a debate to be commenting on this, but I really would like to draw a line here and to get this endless trope about control to stop. Successive cultural value surveys have shown that the education system is aligned with the values of the education workforce and the policy letter makes it true that the mythology of control from the Education Office is simply no longer true.

855 It may have been in the past, but it is not the case now, and the past is a place in history and it has been long used as a stick to beat the Education Office and successive committees with too. I hope we are turning a corner with the narrative about education and I hope that there is more confidence growing that it is improving because we are seeing the facts on the ground that the results are coming through as green shoots of recovery after a very long period of turbulence.

860 I will draw to a close now, madam, because I will remind Members that our children and young people only get one chance at their formative education, one chance; and that the Committee is driven to deliver an excellent education system fit for the 21st Century. Everything we do is aimed at achieving this goal, giving life to Guernsey's specific modern education governance system and approval for the Task & Finish EDDIAC to thoroughly research the extent of devolution and delegations for our schools and TGI to proceed is a crucial step towards this achievement and I hope that Members, madam, will support these proposals.

865

**The Deputy Bailiff:** Thank you very much, Deputy Dudley-Owen.

870 Members, as we have heard the wish for the Propositions to be separated, I am going to ask the States' Greffier to put up each Proposition, including 4 as amended, and we will vote on each one individually. So, States' Greffier when you can, can you put up the first Proposition. Members you should now have before you a Proposition 1.

States' Greffier would you open the voting please?

*There was a recorded vote.*

*Proposition 1.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	None	None	Brouard, Al	None
Blin, Chris			Trott, Lyndon	
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  
McKenna, Liam  
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  
Vermeulen, Simon

875 **The Deputy Bailiff:** There voted in relation to Proposition 1, Pour, 38; and 2 Members were not in the Chamber at the time of the vote. I, therefore, declare the outcome passed. Next Proposition please.

Members you now have on your screen Proposition 2. Would you kindly start the voting please, States' Greffier?

*There was a recorded vote.*

*Proposition 2.*

*Carried – Pour 35, Contre 3, Ne vote pas 0, Did not vote 2, Absent 0*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	Bury, Tina	None	Brouard, Al	None
Blin, Chris	De Sausmarez, Lindsay		Trott, Lyndon	
Burford, Yvonne	Matthews, Aidan			
Cameron, Andy				
De Lisle, David				
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				
McKenna, Liam				
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  
 Vermeulen, Simon

880

**The Deputy Bailiff:** In relation to Proposition 2, there voted Pour, 35; Contre, 3; and 2 Members were not in the Chamber at the time of the vote. I, therefore, declare the Proposition carried. Members, you should now have on your screen the third Proposition. States' Greffier, would you open the voting, please.

885

*There was a recorded vote.*

*Proposition 3*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	None	None	Brouard, Al	None
Blin, Chris			Trott, Lyndon	
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				
McKenna, Liam				
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				
Vermeulen, Simon				

**The Deputy Bailiff:** In relation to Proposition 3, there voted Pour, 38; and 2 Members were not in the Chamber at the time of the vote. I, therefore, declare the Proposition is carried.

Fourth Proposition as amended please, States' Greffier. Would you open the voting please, States' Greffier.

*There was a recorded vote.*

*Proposition 4 (as amended)*

*Carried – Pour 34, Contre 0, Ne vote pas 4, Did not vote 2, Absent 0*

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

**The Deputy Bailiff:** There voted in relation to the fourth Proposition, as amended by Amendment 2, Pour, 34; there were 4 abstentions and 2 Members were not in the Chamber at the time of the vote. I, therefore, declare the Proposition has carried.

Proposition 5 should now be on your screens. States' Greffier, would you open the voting, please?

*There was a recorded vote.*

*Proposition 5*

*Carried – Pour 30, Contre 3, Ne vote pas 5, Did not vote 2, Absent 0*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Dyke, John	Blin, Chris	Taylor, Andrew	None
Burford, Yvonne	Helyar, Mark	De Sausmarez, Lindsay	Trott, Lyndon	

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

900      **The Deputy Bailiff:** There voted in relation to this Proposition, Pour, 30; Contre, 3; there were 5 abstentions and 2 Members were not in the Chamber at the time of the vote or are unable to vote, but indicated they wished me to carry on. I, therefore, declare the Proposition has been carried.

Members you should now have on your screens the sixth Proposition. Would you kindly open the voting please?

905

*There was a recorded vote.*

*Proposition 6.*

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

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	None	De Sausmarez, Lindsay	Brouard, Al	None
Blin, Chris				
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
De Lisle, David				
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  
McKenna, Liam  
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 Proposition 6, Pour, 38; there was 1 abstention and 1 Member was not in the Chamber at the time of the vote. I, therefore, declare the outcome as carried.

910 Members, you now have Proposition 7 on your screens. States' Greffier, would you open the voting, please?

*There was a recorded vote.*

*Proposition 7.*

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

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	De Sausmarez, Lindsay	Bury, Tina	Brouard, Al	None
Blin, Chris				
Burford, Yvonne				
Cameron, Andy				
De Lisle, David				
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				
McKenna, Liam				
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 voted in relation to Proposition 7, Pour, 37; Contre, 1; there was 1 abstention and 1 Member was not in the Chamber at the time of the vote. I therefore declare the Proposition has been passed.  
States' Greffier.

## COMMITTEE FOR ECONOMIC DEVELOPMENT

### 8. The Guernsey Competition & Regulatory Authority – Accounts and Auditors' Report for the Year Ending 31st December 2023 – Proposition carried

#### Article 8

*The States are asked to decide: -*

*Whether, after consideration of the Policy Letter entitled "The Guernsey Competition and Regulatory Authority: Accounts and Auditors' Report for the year ending 31st December 2023" dated 12th November 2024, they are of the opinion: - 1. To note the accounts of the Guernsey Competition and Regulatory Authority and auditors' report for the year ended 31st December 2023.*

**The States' Greffier:** Article 8, the Committee for Economic Development – the Guernsey Competition & Regulatory Authority Accounts and Auditors report for the year ending 31st December 2023.

**The Deputy Bailiff:** Although I do not think it is strictly necessary for me to declare an interest, my husband is the Chair of GCRA.  
Deputy Inder.

**Deputy Inder:** Thank you, madam.

At least you do not have to leave the room. Madam, Members the GCRA is responsible for administering Competition Law, regulating telecoms, electricity and postal sectors in Guernsey. Competition Law ensures free, open and fair competition for the benefit of Guernsey consumers by regulating market prices to keep them as low and fair as possible and ensuring there is availability and choice in the products and service available.

The Committee fully supports a competitive economy and as such it provides an annual grant to the GCRA to ensure it can effectively carry out its duties in line with Competition Law. In 2023, the Committee provided a grant of £147,000 to enable the GCRA to carry out its competition duties. A further £125,000 was provided by P&R for specific cases carried out during the year.

During 2023 the GCRA received and cleared five merger applications. The GCRA also conducted a review into wholesale broadband prices and Sure's on-Island leased line prices. It found that prices for both services were higher than justified and intervened. These two price controls came into effect on 1st April 2024, reducing wholesale broadband prices by 31% and leased line prices by 23%. Together, these two price controls amounted to over £11 million in savings to the purchaser of the services.

Members of the Assembly will note that the cost of administering the GCRA in 2023 was significantly less than 2022. This was due to the conclusion of two significant competition investigations in that year. Members will also note that the cost of administering now significantly exceeds the amount of funding the States provide.

The Committee recognised that the economic and regulatory landscape in Guernsey is changing and, as such, commenced a review of Competition Law and regulation in Guernsey in July 2024. This review will be completed by the end of this current political term, ensuring any recommendations can be considered and progressed this term.

The review has been helpful as other related issues have emerged. I commend this policy letter to the Assembly and ask Members to support the Propositions to note the accounts of the Guernsey Competition & Regulatory Authority and Auditors Report for the year ended 31st December 2023.

Thank you.

**The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Sometimes, I know I am on Policy & Resources, but the Committee meetings go too quick. A lot of people say they go too slowly, but I loved the days when I was on Culture & Leisure and we would spend an hour reciting a report we had already had about museum entrances and so on, because I would like to have a whole day workshop on some of these reports and go through them line by line because there is so much knowledge we could gain.

Deputy Inder has explained the benefits GCRA could bring, but also the costs and I understand their Committee is working on a review of the regulation. I would concur with the Chair's view that it is a dynamic and vibrant organisation, a tight focused and dynamic team. But that does not mean to say that there are not some issues.

I think Deputy Inder has hinted, if he has not directly said, that GCRA has had achievements, price reductions of wholesale broadband, price reductions of on Island leased lines. Working with Trading Standards, which interests me, because a constituent lobbied me, weirdly enough, in church about how galling it was that they tried to ring up Trading Standards and they could not go and see them on the door on a reception anymore. So, I think people want a little bit more, maybe they are working from home, but they actually want Trading Standards and GCRA to work together.

I accept the points about positive growth and investigations, patient choice and it is an interesting case involving optometrists and also non-complete reductions. But as we have just been debating in the last issue, this new Committee for Education will look at cost benefit analysis, value for money and we will have to do that with the role of the regulator, balancing what it does for us, for individual consumers and individual cases with the costs.

I mentioned earlier I wanted a little bit more time to look at these. The thing is, for example, they have actually managed to keep the board directors' fees commendably low as well with hardly any increase, but there are some questions.

Deputy Inder outlined some of the funding but it confused me. If you compare 2022 with 2023 there was a Competition Law grant in 2022 of £1.155 million. Did it come from P&R, I am not sure but it compared to £272,000 in 2023. Commendably, they had income from telecommunications licence and application fees, close to £700,000, that indirectly affects the consumer and they had merger and electricity fees. They were all income, and we mentioned the grant, well the grant was £272,000. But why it was £1.155 million the previous year, I am not sure.

But something that is a little bit interesting, from my point of view, legal and professional fees have substantially dropped, which is great, consultancy fees have just gone up a little bit more to £182,000, but bearing in mind I have a role with looking at the cost of employment and salaries in certain areas of the public sector, not GCRA, it is intriguing to see an increase from 2022 of £561,000 to £624,241. That is not the board members, which has stayed the same, but that was for salaries and staff costs.

Now that is an increase of over 10% and I am trying to keep the figures down in other walks of life and rightly so. (**A Member:** Hear, hear.) So, I was interested in that and I was interested too, in

the challenges of regulation and although I did support the regulatory model and can see its benefits, I think too we lost something when we lost a more direct relationship with politicians and the Guernsey Consumer Group never became a statutory body, unlike Carl Walker's Consumer Group in Jersey, and I think if you are looking at a new model there should be a greater opportunity for politicians, perhaps, to intervene.

We saw last year we had the Airtel debate, which was very unusual, and so I just wonder whether the future should bring in a way in which the public voice, too, to can be heard because the regulator is clearly doing that in trying to contain costs and the point is well made in the report that you have to balance, in the Chair's statement actually, customer satisfaction with the need for long term investment and infrastructure.

That too is something that actually us politicians have to get involved with, as we have with broadband. So, the political involvement in terms of ensuring that the regulator stays on an even course and is not acting, on occasion, like a *quasi*-politician has to be done because it is not enough for the 40 of us to say, well, we are not seeing enough investment in that because the regulator has made a decision. We have to lead the Island too.

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

**Deputy de Lisle:** Yes, madam.

The regulator, of course, has been removed from most products and services, areas directly affecting the consumer and business costs, and this is of concern, of course, to many; certainly electricity consumers where the cost is going up 10% basically every year and the cost of living is 4.6%. Of course, we got also the Guernsey Boat Owners' Association and the Marine Traders' Association calling for an independence in that particular area.

**The Deputy Bailiff:** Deputy de Lisle, I think I have commented before in relation to when noting accounts for the Competition Regulatory Authority, they really should be about the accounts and not being an opportunity for your oft spoken and heard commendation, they should go further. This is about the accounts. I understand there is a review and that will come to the Chamber in due course. But this really is about the 2023 accounts.

**Deputy de Lisle:** Yes. I have a question with regard to the review that is ongoing by Economic Development and whether that review of regulation will actually be coming to the States. That is one point, but the other point is to just remind Members of the work of the regulator, the GCRA, in ensuring that markets work well and fairly to business and to consumers and the significant decisions that were made by the President of Economic Development, a few moments ago, is a case in point, whereby we have all benefited by the fact that the wholesale broadband has been reduced by 31%, to us all, and the leased lines, which I always feel are so heavy, have been reduced by 23%.

So, that gives the, certainly, tell-tale of what the regulator can do to the cost of living in this Island, which is very high and, I think, the States have a responsibility to look at that in detail and I would hope that this review will consider also the fact that three years ago, of course we decided on removing the regulator, if you like, the GCRA, from regulating the boards and the Trading Boards were handed to STSB –

**The Deputy Bailiff:** Deputy de Lisle, I am going to pick you up again. This is about the accounts, not about the review itself.

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

The final point that I would like to make is that an independent regulator is what we are sadly missing in this Island, in areas now regulated by STSB and wholesale price controls would see households and businesses benefit in their bills as the savings are shared with them and I think that it is about time, and I am hoping through this review –

**The Deputy Bailiff:** Deputy de Lisle, this is the fourth time and, you deal with it very decorously, but I do want to urge you to stop going beyond the debate in hand, which is about the accounts.

**Deputy de Lisle:** I think I have made my point. *(Laughter)*

**The Deputy Bailiff:** I think you have  
Deputy Brouard.

**Deputy Brouard:** Thank you, madam.

I just want to pick up on a few points from the accounts. Page six about how markets have worked well. I have not been convinced over the latter years of the direction of travel of the Competition Regulatory Authority and, as mentioned on page seven, it is to promote trust in the marketplace, but the cost to companies of complying with the Competition Regulatory Authority can be exceedingly high and the investigations that companies have to go through to comply with what is demanded of the authority can be quite daunting for them and I just think that, sometimes, that heavy hand is not promoting that trust which the regulator seeks to do on page seven.

The failure of court cases mentioned and, I think, we have recently seen one where the fine has been reduced by 90% from some £900,000 to £90,000, just does not give that reassurance that they are in control. **(A Member:** Hear, hear.) I am not sure on page eight whether or not they are adding value to the economy from that and then, of course, we talked about the review on page four.

As the Chair, I think, mentions as part of the work we are looking to see how Competition Law and regulation needs to evolve for the changing world in which now exists and I think that is where that comes into that review. We need to be a part of that review that the Chair talks about because they are our arm and we need to make sure that the arm is attached to the body of Guernsey and not just waving, somehow, independently.

Thank you.

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

**Deputy Ferbrache:** Madam, I have known the Chair of GCRA for a very long time, he us a very sensible, decent and balanced person, I have got to say and, in most respects, his judgement is obviously perfect. *(Laughter)* But in relation to where we are with regulation, it is an inevitable part of a modern society. When I was in the States a long time ago, I wanted to bring in regulation as slowly as possible but we knew that it was an inevitability.

Deputy Brouard has referred to a court case, things get changed, that is what happens with court cases and anybody, and I have been doing court cases for a long time, that could judge with any degree of certainty would be the wisest man and wisest woman of this world. So, in relation to that, I do not criticise GCRA at all in connection with that particular matter.

But the point is, we have got regulation it is our responsibility as the States of Guernsey to make sure it is balanced and if we do not think it is, we ought to take steps accordingly. But I believe GCRA are doing a good job. I believe these accounts show what they show. What they do show is that the cost of regulation is increasing and we, therefore, have to do our best to help those who are regulating to moderate those costs as well as possible. But of course, I am going to support the Proposition succinctly put forward by Deputy Inder.

**Deputy Inder:** Thank you.

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

**Deputy Inder:** Thank you.



Thank you, Members for that relatively short debate, although somewhat irrelevant. The only significant question really came from, I think, it was Deputy Gollop when he talked about the cost the difference between 2022 and 2023. I assume they will fluctuate depending on caseload, but I cannot ignore the fact that Members have mentioned a review and I will respond in an open and in the best way that I can.

I will remind Members that, I think I will start with Deputy Gollop. He said he really wanted a whole day session or something, I think that is exactly what he said. That may happen. This review is really going to be quite significant. We will get it into this Assembly before the end of this term. Beforehand, what it will not do, is it will not be dumped on the Members via email, I would expect to do some form of presentation to keep you guys fully informed and fully involved and there is no point us not doing that because we could get a situation like SACC had yesterday where basically none of their Propositions won and the only thing that got through the Assembly were all of all the amendments. We would not want to have that again, would we?

To give you some idea of where we have got to now and I understand, I have spoken to the Assembly on this before but, like everything, we have all slept since then. I will show you to help, possibly, Deputy Brouard, maybe Deputy de Lisle, the process of the actual review. So it was a staged review. The closed consultation, with the relevant Committees of the States, has closed and we have had responses from the Committees. Not all of them, but most of the Committees.

There has been a closed consultation with a small number of regulated entities. That is complete and we have had those responses back. There has been a baseline review of Guernsey's competition framework versus comparable jurisdictions. That has been commissioned to Frontier Economics and we have had that back and the Committee has received that report.

Consideration of the responses to the workstreams and the draft conclusions have been formed. Our Committee, I think it was the week before last, had a general presentation of those, we gave the policy officer some direction. We are going to have another session, I believe, it is next week and hopefully by the middle of March we will have a policy letter into the States and hopefully, if we get through States' business, decisions will be made by the end of term.

I think Deputy Brouard makes a consistent and reasonable point. A good regulator, in my political view, just should not be going to court. We should never get to court. There are other methods, there are ways of arbitration, and this is my personal view. The difference between the GCRA and the JCRA, from what we have seen so far, the JCRA looks from our point of view they close off cases and they finish. I do not think the same thing happens in the GCRA and that is coming through and that will give you a hint of where we are likely to be heading.

Deputy de Lisle actually asked when the review will be coming to the Assembly. I have explained that, but in the main, madam, Members of the Assembly, the 2023 accounts are the 2023 accounts but there will be a significant ability for this Assembly to make a decision on where we believe the GCRA should go.

Someone mentioned market reviews. I find it quite interesting myself and this is of my political opinion, it took this Assembly to direct the GCRA to do an aggregate review and it came from conversation, I think, when Deputy Soulsby stood up, possibly Deputy St Pier, and that market review on aggregates alone, probably Deputy Prow as well, that review came from this Assembly and that that should concern people.

Thank you.

**The Deputy Bailiff:** States' Greffier, would you open the voting on noting the accounts of the GCRA, please.

*There was a recorded vote.*

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

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	None	None	Queripel, Lester	None
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				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

**The Deputy Bailiff:** There voted in relation to this Proposition, Pour, 39; and there was 1 Member not in the Chamber at the time of the voting. I, therefore, declare the outcome as carried.

## POLICY & RESOURCES COMMITTEE

### 9. Reporting Progress on Extant States' Resolutions – Debate commenced

#### Article 9

*The States are asked to decide: -*

*Whether, after consideration of the Policy Letter entitled 'Reporting Progress on Extant States' Resolutions' dated 1st November 2024, they are of the opinion:-*

*1. To rescind the extant Resolutions set out in Appendix 2 of this Policy Letter titled 'Reporting Progress on Extant States' Resolutions'.*

2. To rescind and replace the extant Resolutions set out in Appendix 3 of this Policy Letter titled 'Reporting Progress on Extant States' Resolutions'; and
3. To note the updates on extant States' Resolutions for all Committees, as set out in Appendix 1A and 1B of this Policy Letter titled 'Reporting Progress on Extant States' Resolutions'.

1150       **The Greffier:** Article 9, Policy & Resources Committee – Reporting Progress on Extant States' Resolutions.

**The Deputy Bailiff:** Deputy Soulsby, I believe you are bringing this forward on behalf of the P&R.

1155

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

I will be the first to admit this is not the most exciting of policy letters, but it is important in demonstrating the amount of work that is ongoing by the States. Indeed, if the media report nothing else about it, it should be that this is required reading for anyone thinking of standing in the next election.

1160

While it may be argued, and possibly rightly, that Government is doing too much and the future Government might choose to reduce further the work that it undertakes, anyone standing can see what is currently on its plate and where things have got to before suggesting their own ideas on what Government should or should not be doing.

1165

Now, at the time of publication, which was a few months ago, there were 96 outstanding Resolutions from this term and 95 left from previous terms. Members will recall that we did rescind a considerable number earlier in the term and Committees are now proposing another 37 in total that should be binned and two replaced. These do not include 50 Resolutions related to legislation which we covered off previously or those that have already been discharged.

1170

The frustrating part of this is that it has not been possible to detail the activity in the term, however, we are putting that right with an activity tracker which is due to come online pretty shortly and it will enable reporting and monitoring of resolutions, legislative drafting and policy letter scheduling which will make the process more efficient and streamlined for the new Assembly reporting at both Committee level and States' Assembly level.

1175

Now, as it has been several months since the policy letter was published things have clearly moved on and Presidents of the relevant Committees may wish to provide an update to what is listed. From a P&R perspective I will reference just a few areas. Firstly, as Members will be aware the policy letter on States' Members pay has now been published and will be debated next month or might be later this month.

1180

Similarly, the Assembly approved the land transfer policy in relation to the GDA in December. The rent relief was approved in the Budget and whilst it might not have been terribly popular in some areas, the Committee has discharged its obligation to renegotiate the Alderney public service obligation and that took effect from the beginning of the year.

1185

Under the Tax Review Phase 2, we are instructed to work with ED regarding a visitor levy, but as the Proposition said, in lieu of GST. So, that is something that will need to be discussed when the Committees meet shortly, I believe, to discuss it. Finally, in respect of Resolution 11 in relation to enhanced TRP, as stated in the policy letter, this should actually read resolution 12. The correct wording was: Endorse the intention of the Policy & Resources Committee to recommend in the 2024 Budget Report the introduction of a mechanism to charge enhanced TRP tariffs for derelict land and greenhouse sites and unoccupied buildings, both residential and commercial.

1190

P&R have consulted with E&I on the future use of redundant glasshouse sites and they have confirmed that they are supportive of the reuse of derelict glasshouse sites for both renewable energy generation production and also to support biodiversity and, I understand, are looking at what can be done in that respect.

1195

Madam, this is a straightforward policy letter in that it provides the facts, at least a snapshot in time. It probably does not reflect the amount of time and work that has gone in by Committees to

get to this position and it should be remembered that the focus is on those Resolutions aligned to the direction given by this Assembly under the Government Work Plan. It will be for the next States to decide its priorities, but this will give it a useful starting point from which to work. I ask Members to support this policy letter.

**The Deputy Bailiff:** Thank you. Deputy Burford, your amendment.

[Amendment 1](#)

*To insert an additional Proposition as follows:*

*"To rescind Resolution III 4 of Billet d'État No I of 2024."*

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

This Resolution originated from a SACC policy letter that was debated a year ago, a few months before I joined the Committee. Due to the other workloads, and particularly due to extended periods with a limited officer resource, SACC has not been able to progress this review to date and as things stand, the Resolution will be handed over to the next Committee. However, it is my view that such a review is a waste of valuable States' resources at a time when, more than ever, our efforts should be on delivering for the community.

The Resolution calls for two things; a review of absolute privilege and a review of the abuse of that privilege. Taking the first part first, the review of absolute privilege, it is hard to imagine any other outcome from such a review other than continuing to have parliamentary privilege or removing it and becoming an outlier amongst parliamentary democracies.

Members may not be aware that the absolute privilege does not simply attach to what is said in this Assembly. Much of the focus has been on that due to the single case from earlier this term, which triggered this review. But as it states in the Code of Conduct, this privilege is conferred on Members in respect of and I quote: Any words spoken in or in any report to the States or any Department or Committee thereof. This includes requêtes, amendment, *sursis*, written questions, reports and other written documents.

Indeed, the SMC published its recent review under the auspices of parliamentary privilege and it is the case that without that protection, we may well have been a great deal more circumspect in how we reported matters. Scrutiny public hearings also benefit from privilege allowing questioners and witnesses to be more frank in their questions and answers.

It is easy to assume that there has only been a single exercise of parliamentary privilege in the Assembly this term, but not necessarily so. Other Members have made comments in this Assembly which, had they been made outside of it, could have laid them open to legal challenge. I can think of two potential examples and there may have been others.

I have had a look at various parliaments around the world and what they have to say on the subject of parliamentary privilege is pretty consistent. Essentially, it can be summed up by the following: Parliamentary privilege helps underpin parliamentary sovereignty. Without it, Members of a parliament would not be able to fully represent their constituents' interests and would not be able to scrutinise the Government without fear of falling foul of legislation. As such, it is an essential element of a modern parliamentary democracy. It protects legislative independence, fosters accountability and ensures that Parliament remains a robust institution serving the people. While it must be exercised responsibly its existence is indispensable for the functioning of a vibrant democracy.

Now, as my amendment states, I consulted with P&R and with SACC, however, I also spoke to the parliamentary team who told me the following:

Here are the thoughts of the parliamentary team on privilege based on Erskine May's commentary on parliamentary proceedings, the CPA benchmarks for democratic legislatures and personal knowledge of other parliaments.

1245 Absolute privilege, which is held by the legislature itself, is generally accepted throughout the Commonwealth as essential for the protections of Members' ability to speak freely and to ensure that legislature has all of the information it needs to work.

1250 Parliamentary privilege is a founding principle of modern Parliament, dating back to 1689 for England's Parliament, and the protection of free speech appears in the first article of the US Constitution. Its primary function is to ensure that Members of Parliament can speak freely during legislative proceedings. This freedom is vital for open debate. Members must be able to speak freely in the Chamber without concern for controversy or fear of legal retaliation. To effectively hold Governments to account, Parliament must be able to speak freely.

1255 Parliamentary privilege maintains a separation of powers by safeguarding the legislative process from judicial interference. Absolute parliamentary privilege exists to uphold the integrity and functionality of democratic institutions by ensuring that those who legislate can do so freely, effectively and in the interest of public discourse and Government.

1260 However, this privilege comes with a responsibility to use such freedom judiciously, respecting the ethical and moral standards of a democratic society. One of the purposes of freedom of speech privilege is to ensure that Parliament has all the information it needs to do its work. This privilege is held by the legislature and not individuals. It covers the words and actions not only of legislators but also witnesses appearing before Committees and staff who provide services that directly facilitate the legislature's proceedings.

1265 The second part of the resolution calls for a review of abuse of privilege. Now, when I was in Westminster last year, I had the fortunate opportunity to speak with Daniel Greenberg <sup>CB</sup>, the Parliamentary Commissioner for Standards. While we in Guernsey have a mechanism for alleged cases of abuse of privilege, Westminster has no such sanction. So it can be seen that we already have a check on the use of this privilege and Members may do well to consider that one possible outcome of a review would be to propose the removal of that check.

1270 While some in this Assembly, perhaps, hope that a review would propose ditching parliamentary privilege altogether, the Resolution only calls for a review. The proposals could equally come back, suggesting the removal of the abuse mechanism to better align with other places and the next Assembly might just agree.

1275 I realise it is almost impossible to have this debate on the principles given the event this term that triggered this Resolution, but the point is that the system worked. The event in question was put before a panel convened to investigate abuse and there was an outcome. Now, I fully accept and understand that many in this Assembly did not like the conclusion that panel came to by a majority, but that is not sufficient reason to upturn everything. Hard cases make bad rules.

1280 The abuse case this term was isolated. It did not happen before and, moreover, I think the very fact that it happened stands as a caution to Members to think more carefully before availing themselves of the significant privilege afforded to us as elected States' Members.

1285 It was surprising in an earlier debate that several Members admitted they had no realisation or understanding of parliamentary privilege. I certainly think there is a place in induction sessions given to new Members by our parliamentary team to explain to them in detail the rights, rationale and, most importantly, responsibilities of privilege and, as a Member of SACC, I will look to have this included in these induction sessions.

1290 I have tried to be brief. I would strongly encourage Members not to re-debate settled matters from earlier this term, however viscerally they might still feel about them. If Members still want this review to go ahead then simply vote Contre. But given that we already have a check on the use of privilege and given that the existence of parliamentary privilege is the norm in parliamentary democracies and it is not just about what Members say in this Assembly and given that more than that, more than ever, we need to streamline our work for the people of this Island, I suggest that spending valuable officer time on this resolution is simply not essential.

1295 If Members acknowledge the value of privilege and accept my undertaking that the rights and responsibilities are explained to the next Assembly during induction, then I would ask them to support this amendment.

Thank you.

**The Deputy Bailiff:** Deputy Kazantseva-Miller, do you second?

1300 **Deputy Kazantseva-Miller:** Yes, madam.

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

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

1305 The Committee has not formally voted on this amendment, but I believe all Members of the Committee do support it and I am sure if they do not, they will say so.

Thank you, madam.

**The Deputy Bailiff:** Thank you. Does anybody else wish ... Deputy Matthews?

1310

**Deputy Matthews:** I do not think there is very much to add to what Deputy Burford has said. Parliamentary privilege is absolutely a requirement for a functioning democracy and the removal of it, in my mind, would be an outrage. The only reason I can think of to keep the review in place was, as Deputy Burford pointed out, the actual process for an abuse of parliamentary privilege could well be recommended to be to be removed.

1315

To my mind, that would actually be a quite sensible outcome because parliamentary privilege is so necessary in order to support a democratic process that you could declare it absolute and without question. But I think that, notwithstanding that, I will support the amendment because I support the principle of parliamentary privilege and any attempt, misguided as it may have been to, to remove it, I think, is not something that is particularly beneficial for our Island.

1320

Thank you.

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

1325

**The Deputy Bailiff:** Those who wish to contribute to debate on this amendment, please stand in your places. Do you wish to put the motion to vote? Members, you have heard that Deputy Inder is seeking a guillotine motion on the debate in relation to this amendment. Those who support the guillotine motion say Pour; those against?

*Members voted Contre.*

1330

**The Deputy Bailiff:** The Contres have it.  
Deputy Taylor.

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

1335

I really rise to get a bit of clarity primarily, I think, from Members of SACC. because in the original policy letter where this particular Resolution is referenced, it is in the keep category, apologies I cannot remember which appendix that is, and it tells us that a policy letter is being prepared for debate in Q4 of 2024. I have not done a date calculation, but that seems to have passed.

1340

So, it seems like a policy letter must have been pretty close to being put together. We are now hearing that a policy letter is all ready to go for Q4 2024 but now hearing that all Members of SACC would support removing this Resolution, I am just a bit confused. We had only yesterday where policy letter came from SACC where a whole load of their own Propositions were voted against by the Committee Members and it feels like here again, we might have a policy letter that would come forward that none of the Committee Members would actually support anyway. I am just trying to square that off in my head.

1345 Deputy Burford is shaking her head so I am sure there is a logical answer that will come out. I just want to add that I cannot see what is quite going on here.  
Thank you.

**The Deputy Bailiff:** Deputy Mahoney.

1350

**Deputy Mahoney:** Yes, what he said.

The vote last time, Resolution 4 in January 2024, was 31-5 in favour of doing it and I may have missed it, I know Deputy Kazantseva-Miller still wants to speak, but if she can tell me what has changed the mind or should change the mind of 31 people from when we agreed it then to today.  
1355 I am like Deputy Taylor; I am somewhat surprised. No one from SACC voted against it last time, they voted for it last time. So again, I am a bit confused.

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

1360

**Kazantseva-Miller:** Thank you, sir.

Deputy Burford has laid out a really comprehensive case of the rationale for bringing this amendment and as one of the, I think, five people who did not support the original Proposition in that debate, I was very happy to second it. I think, obviously, the debate, in my view, we went through a quite challenging and sensitive debate right, we followed the processes as Deputy  
1365 Burford outlined, where the Privileges Panel investigated and it was brought to the Assembly.

So, I think, we followed the parliamentary process which, I absolutely agree with her, it works because we could ultimately, as an Assembly, also debate and agree to disagree on the outcome of that Privileges Panel and I think I feel there was, perhaps, a kneejerk reaction because it was the first time a privileges debate had taken place in this Assembly, or I think ever. So, it was the first  
1370 experience that Deputies had and, obviously, we all had different points of view.

But what I want to talk about is the possible implications of what undertaking this work would actually entail and I would draw Deputy Mahoney's attention to the debate we had just in the last few days within the declaration of interest where we failed, or when the Committee of SACC failed, to come up with any amended proposals of how to define the special and direct interest which, I  
1375 think, is something much more concrete and specific rather than trying to define privilege.

So privilege, ultimately, is about freedom of expression. So, if we were to undertake work to effectively try to define a boundary of freedom of expression well, what do you think the outcomes would be? Well, it is really either freedom of expression or, well I would argue it is really impossible to try to define and put some kind of restrictions to this freedom of expression that we have got  
1380 only in parliamentary proceedings.

As Deputy Burford outlined, it is not just the words spoken in this Assembly, it applies to also any matter brought to the States through a report, amendment, requête, scrutiny report as well. So, to me, I am coming from quite pragmatic, I think, approach to say well, if we did not rescind this resolution and SACC and the Assembly undertook this piece of work the outcomes would be, well  
1385 in my view, three, I think Deputy Burford said two, I would say three.

Potentially a removal of privilege which I think would be the most disastrous outcome to the democratic institution of Parliament and as Deputy Burford said, parliamentary privilege underpins absolutely all parliamentary systems in the world and the UK has been enshrined in the Bill of Rights of 1689. So, it has stood the test of time for 336 years.

1390 So removal of privilege, I think, should not be under any question, so we should not be doing any work to try to remove privilege. The other outcome could be we could say, actually, we have looked at it and we are going to just continue as we are, which probably is likely to be the outcome so why do the work in the first place.

The third, as I said, we might decide, well, let us look at restrictions. But as I said, how are you going to draw a boundary or carve out restrictions for the freedom of speech? So, my worry is that  
1395 even though, as Deputy Burford said, we have strong sentiments around that specific case and

debate, I think, the likely outcome is that we are just not going to be able to come up with a reasonable restriction to freedom of speech that we will all somehow agree on. So there is going to be resources and work spent, which we do not have.

1400 Deputies, we have got to be really strict about what we want to prioritise to really ultimately deliver for our Islanders and I do not think investment into this work and also any future debate, which is likely to be probably very polarising and contentious and probably will not lead anywhere, will do anything at all for our community.

1405 We have had an isolated case, which was dealt with through the process which I really think worked. I do not think there is really any case for change, because ultimately it is just not going to lead to any successful outcome. So, on those very pragmatic principles I think we have to be laser focused on delivering on things that actually matter for this community and those include the cost of living, education, health and this really just does not touch the boundary. So, I would say let us take it away from the workloads of the future Committees and just get on with the matters that

1410 truly matter for our Island.

Thank you.

**The Deputy Bailiff:** Deputy Brouard.

1415 **Deputy Brouard:** Thank you.

I think this matter should stay for the work of SACC to be done and I say that for several reasons. One is it is a discreet piece of work and I think opening it out to whether or not we should have privilege or whether it should be removed or not, is missing the point. That was not the issue that came out.

1420 The bit that I think was a revelation, I think, and it was not because of the actual case that we are talking about but it was in the discussions around that case of what parliamentary privilege meant and the idea that someone can – I am not saying it happened it did not happen as such – but we learnt that one could deliberately lie, deliberately mislead, deliberately do all sorts of things in this Parliament and there would be no consequences because you could hide behind parliamentary

1425 privilege and that was the bit that, I think, was unacceptable to Members.

So, I think it is a discreet piece of work to put some restriction in, not necessarily that you have parliamentary privilege restricted but that if you abuse it there has to be some sanction and you cannot hide behind the fact that you have got *carte blanche* to say what you like, how you like, when you like. It was the other side of that responsibility that you need to have some sort of check that we, as parliamentarians, can hold each other to account when we suspect that an abuse has

1430 happened –

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

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

**Deputy Kazantseva-Miller:** It is not correct that Deputy Brouard said we should look into having that, we have got those checks and balance, because if someone thinks an abuse has taken place they could refer to the Privileges Panel and then the process is undertaken and the Panel look at

1440 the specific cases because each case could be very different. So, my correction is that we have got exactly that check and balance in place already.

**The Deputy Bailiff:** Deputy Brouard.

1445 **Deputy Brouard:** Thank you and Deputy Kazantseva-Miller is right to an extent, but what the Panel was advised was that there was nothing they can do because I have absolute parliamentary privilege, so there is nothing you can castigate me for because I was using my parliamentary



privilege and it was that conundrum that, I think, needs to be teased out. So you cannot have it both ways.

1450 So, if we are going to have an abuse of privilege, we cannot then have ultimate full privilege when we are speaking, the two just do not work in tandem. So, I would suggest to Members that this is kept in place for a discreet piece of work to ensure that we have a system that the privileges can work and bring sanction against the argument that I have total privilege I can say and lie and do whatever I like in this Chamber with no consequences –

1455

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

**The Deputy Bailiff:** Yes, Deputy Taylor.

1460 **Deputy Taylor:** I suppose it might just be I have misunderstood Deputy Brouard, but he seems to be saying that there is no repercussion if you were found to have breached absolute privilege. There are political repercussions for it and you could be sanctioned in that way, it is just that there would not be any legal or civil proceedings against you.

1465 **Deputy Brouard:** Thank you.

That is exactly the point I am trying to tease out here, is that a Member has full privilege in this Assembly and then will say to the Panel, I have full privilege there is nothing you can do to me. So, it was just teasing that point out and I think that clarification would be helpful –

I will give way to Deputy Taylor.

1470

**The Deputy Bailiff:** Deputy Taylor.

**Deputy Taylor:** I am grateful to Deputy Brouard giving way. Yes, you could say to the panel that I had absolute privilege I had every right to say it, but if you were found to have abused it, which was not the case in the example we had, there could be ramifications. So, the Assembly could place a sanction on you. So, it is not that you just get away completely scot-free, you would have a sanction placed by this Assembly.

1475

**The Deputy Bailiff:** Deputy Brouard.

1480

**Deputy Brouard:** I remain of the view that it needs to be kept in play so that we have this clarity for Members.

Thank you.

1485 **The Deputy Bailiff:** Deputy Murray.

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

I will be very brief. I think, unfortunately, Deputy Burford has suggested that there is an either/or here and that was not actually where we ended up. It is not a question of we will look at it and your only options coming out of that is actually to remove it or keep it. I do not think that was the intention at all.

1490

I think we all understand the benefit of parliamentary privilege. But to the two points that have just been made, you cannot abuse it, is my understanding, because it is universal. There is nothing you cannot say, seemingly, that will actually be interpreted as abuse. Therefore, if you want to lie, and that was made very clear, you can lie –

1495

**Deputy Roffey:** Point of correction.

**The Deputy Bailiff:** Yes, Deputy Roffey.

1500 **Deputy Roffey:** I really do not want to get into a debate about privilege, but absolute parliamentary privilege is absolute protection against legal consequences for what you say. Therefore, you can still be deemed to be abusing privilege by a political panel that is set up to look at you. It is the fact that it is absolute in protection from legal consequences does not mean that you cannot be deemed to abuse it.

1505 **The Deputy Bailiff:** Deputy Murray.

**Deputy Murray:** Thank you.

1510 I guess we are going to get into a debate about what is abuse then, ultimately, at the end of the day. If I am allowed to stand here and lie, and this is my moral concern about this, and it is what actually upset me in the first place because I did not actually recognise that parliamentary privilege meant I could lie in this place and I do not think that is acceptable. I do not think that should be encased in parliamentary privilege.

1515 Pretty much everything else, and I am not talking about the legal aspects here I am saying that I can stand up here and I can blacken somebody's character knowingly and, actually, there is no consequence for doing that because I am allowed to say it in here. I cannot be sued, I get that, but I can say it in here and by inference, somebody might assume that there is no smoke without fire.

I do not believe that is acceptable. (**A Member:** Hear, hear.) So, it is not a question of saying do not look at it simply because –

1520 **Deputy Parkinson:** Point of correction, madam.

**The Deputy Bailiff:** Deputy Parkinson, point of correction.

1525 **Deputy Parkinson:** I believe it is the case that if you attack someone else or make allegations against them, you have to have some justification for what you are saying. If you stand up there and make a just a total spurious allegation without any reasonable support at all I think that is not protected.

1530 **The Deputy Bailiff:** Deputy Murray.

1535 **Deputy Murray:** I am not getting into a legal argument on this because I am not qualified to do so, but I cannot quite square in my mind the fact that parliamentary privilege is absolute and at the same time say that it can or cannot be abused. It is one or the other and it is also the case, as I understand it, that you can lie in here consciously or unconsciously, either of them. So it is a very grey area, basically, at the end of the day and I just want clarity –

**Deputy Oliver:** Point of correction.

1540 **The Deputy Bailiff:** Yes, Deputy Oliver.

**Deputy Oliver:** How can you lie unconsciously? I do not understand that; I am sorry.

**Deputy Murray:** It is a matter of opinion. In my opinion I think you are incorrect.

1545 Anyway, what I am basically trying to get at here is that I am trying to remove the assumption that looking at parliamentary privilege was actually initiated because we wanted to remove parliamentary privilege. That was not the case, that is why it was so strongly supported at the time.

1550 I think it came as a revelation, particularly to new people in the Assembly, the extent of what parliamentary privilege actually covered and I had some concerns about it. That is why I wanted it looked at, not to remove it, I absolutely see its necessity and particularly in a legal sense. Therefore, I would like to clarify what Deputy Burford said, that it is not the intent that the outcome would

simply be yes, it has got to be stopped or no we can carry on with it. I suspect we want to understand whether, in fact, there is moderation required on the areas that we have concern about.

Thank you, madam.

1555

**The Deputy Bailiff:** Thank you.

Deputy Prow.

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

1560

I think this debate has demonstrated exactly why it would be unwise to rescind it. We are getting into very technical advice. Somebody is actually going to jump up in a minute and ask for His Majesty's Comptroller to give legal advice. Whilst I do actually have some sympathy with the arguments put forward by Deputy Burford and Deputy Kazantseva-Miller, I believe that the debate itself demonstrates that it would be dangerous to rescind it. (**A Member:** Hear, hear.)

1565

Thank you, madam.

**The Deputy Bailiff:** Thank you. Does anybody else wish to contribute towards the debate on the amendment?

Deputy Soulsby.

1570

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

As people realise when I say this that P&R, by majority, supports the rescinding of the Resolution. We do have lots of Resolutions and it is one that, I think, Deputy Burford said hard cases can make bad rules and Laws and, perhaps, that is why this came about. It was as a result of something that had not happened before so, it is not as if it is an urgent piece of work either. That is me speaking personally, which I can also do now, fortunately. So, yes, but by a majority P&R supported the amendment.

1575

Thank you.

1580

**The Deputy Bailiff:** Thank you. Deputy Burford to reply.

**Deputy Burford:** Thank you and thank you to all the contributors to the debate and particularly to Deputy Kazantseva-Miller for seconding this amendment.

1585

Deputy Taylor, no policy letter has even been, we do not even have the briefest of notes on it. This is still an item on the SACC forward work programme, so that is not the case. But I do want to make it clear that this is an initiative on my own; it is not on behalf of SACC. In fact, it is useful to go back to how the Resolution came about, which better explains that.

1590

The main debate that happened around it was during the debate on the abuse of privilege and that is where Deputy Murray expressed his surprise about it, which he has reiterated today, and that is where Deputy Meerveld stood up and offered for SACC to bring a Resolution to have a review, although quite why the Resolution to have the review was needed that is another matter.

1595

What happened was there was a SACC policy letter coming forward in January 2024 and in that was the Proposition which led to this Resolution to review both of the parts specified in the amendment. I have reproduced it there. I was not in that debate, unfortunately so, therefore, I was neither able to speak nor vote, but I would have spoken strongly against it at the time.

1600

So, I think everyone piled in because it was not an amendment, it was a SACC Resolution and people got behind it. There was virtually no discussion on it in that particular debate. The discussion had happened three, four or five months earlier. So, that is why that all happened and that is why this is coming from me and not from the Committee, although I think the Committee do support it and I thank them for that.

I think Deputy Brouard has made the same points, really, that Deputy Murray has made, which is that I have made the case for this being an either/or; and other people do not think it is. But I think it is an either/or, because the whole concept of privilege is that either you have it or you do

not and as much as I hate this analogy, it is like saying you cannot be a little bit pregnant, you cannot have a little bit of privilege. You have either got it or you have not. So on that basis, it is almost impossible to see this review coming back on the privileged side, because there are two aspects on the privileged side, saying anything else than *status quo* or remove and people really do not want to remove it, I would suggest, madam.

On the other side of it, the abuse of privilege, as I have said Westminster does not have that concept because, as others have pointed out, it is a little bit of a contradiction in terms that there can be abuse of privilege and that is why it is confined where we have it into a process within this Assembly where other Deputies sit on a panel and it comes back to the Assembly so it does not go anywhere near a legal process.

So, we have that. I actually am aware that some of the people who voted to have this review voted in the hope that the abuse part would be removed. Now, going at the general temperature of many of the people in this Assembly, I do not think that is what they want but be well aware that is a possible outcome of the review.

So, what I would say is, be careful what you wish for. I think we are probably better off where we are, which has that check and safeguard and the safeguard does do something because, Deputy St Pier might need to speak for himself on this, but it drags you through a long, drawn-out process with a lot of news coverage that people do not want to put themselves through that voluntarily.

Deputy Murray says, well you can just lie and get away with it, but there are there are public sanctions on these things as well otherwise we would just have States' Members, possibly, just saying what they want all over the place and we do not. This is an isolated incident that led to this. I think that pretty much covers it all.

So, I just think that this would be a waste of officer time. It would probably lead to identically the same outcome as we have got now but with yet another extended debate, including a whole load of new Members. So, I come back to my point that I do think, and I do not think it was done at the start of this term because people like Deputy Murray and others, there were plenty of others, said they did not understand the full ramifications of this.

We need to ensure that it is in the parliamentary section of the induction process so that people understand and, thank you, I can see the Greffier nodding, what right they have and the strong responsibilities that come with it. So, on that basis and on the basis that we do not need to be doing work, we do not need to do, I would encourage everybody to support this amendment.

Thank you.

**The Deputy Bailiff:** Thank you. Deputy Burford, Members, you should have on your screens Amendment 1. States' Greffier, would you open the voting, please?

*There was a recorded vote.*

*Amendment 1.*

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

**POUR**

Blin, Chris  
Burford, Yvonne  
Bury, Tina  
Cameron, Andy  
De Lisle, David  
De Sausmarez, Lindsay  
Dyke, John  
Fairclough, Simon  
Falla, Steve  
Gabriel, Adrian  
Inder, Neil  
Kazantseva-Miller, Sasha  
Le Tocq, Jonathan

**CONTRE**

Aldwell, Sue  
Brouard, Al  
Dudley-Owen, Andrea  
Ferbrache, Peter  
Gollop, John  
Haskins, Sam  
Helyar, Mark  
Hill, Edward  
Le Tissier, Chris  
Mahoney, David  
McKenna, Liam  
Moakes, Nick  
Murray, Bob

**NE VOTE PAS**

Leadbeater, Marc

**DID NOT VOTE**

None

**ABSENT**

None

Matthews, Aidan  
Meerveld, Carl  
Parkinson, Charles  
Roffey, Peter  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

Oliver, Victoria  
Prow, Robert  
Queripel, Lester  
Snowdon, Alexander

1640

**The Deputy Bailiff:** There voted in relation to Amendment 1, Pour, 22; Contre, 17; there was 1 abstention. I, therefore, declare the outcome as carried. Returning now to general debate, who wishes to speak in general debate?

Deputy Prow.

1645

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

I wish to make two points in debate on this policy letter, the first in my capacity as President of Home Affairs. First, I would like to give some brief further updates and context on the progress in relation to some of the items listed in Appendix 1 of the policy letter, in relation to Resolutions 32 to 43, which relate to Population Immigration Policy Review, which were agreed by this Assembly earlier this term.

1650

I do this as this got some mention in speeches in the recent housing debate. I had the privilege to chair the political working group comprising of the Principal Committees and appropriate Committees of the States, including Policy & Resources. This was a significant piece of work required in the post Brexit landscape, where many local industries were struggling to retain and recruit.

1655

It became clear that it was necessary and expedient to merge the two separate departments, Population Management and Immigration, operating under different legislation and to streamline the process, including upgrading IT systems underpinning the regime. The regime also needed to take into account all the security benefits and requirements of the CTA with regard to all those nationals subject to the extended Immigration Acts. The new system has greatly improved the application process and co-ordinated effort from a policy and a delivery point of view. This was no easy task to design or implement.

1660

Whilst, as the schedule outlines, this work is not complete, in some aspects, much has been achieved and the new policies have generally served businesses very well and we have, in the main, achieved an ability to recruit workers into the Island where there is an identified need. I would submit this undertaking has been a success and I would like to take the opportunity to thank the staff involved for their hard work.

1665

That does not mean there are not areas of challenge for some in industry and the Committee is undertaking a review of the balance between short-term permits, which do not allow dependants, and long-term permits, which do, and the pressures that brings to bear on housing and other Government services, particularly Health and Education.

1670

This review is ongoing and will rely on data to inform what policy changes might be necessary. What the original PIPR also made clear is that these issues, particularly housing and the pressures on services, are beyond the remit of Home Affairs or any single Committee and delivering on those Resolutions requires more cross-Committee energy and work.

1675

One aspect of this is the Committee working with ESC and Economic Development to ensure that residents are educated and upskilled to meet the needs of industry, able to take the jobs required and have the ability to do so. The Guernsey Institute and Skills Guernsey initiatives are vital to this.

1680

My second comment I wish to make is on Appendix 2 and I make these comments not as President of Home Affairs, but as a Deputy. The policy letter is entitled Progress on Extant Resolutions. That is welcome and I thank and support P&R where it details this progress. For the avoidance of doubt in what I am about to say, I apply no criticism whatsoever to Policy & Resources

and I recall Deputy Murray leading us through the Government Work Plan update very efficiently.  
(**A Member:** Hear, hear.)

However, I shall not be voting for the Propositions which rescind resolutions made in the Assembly following on from detailed policy letters and subjected to debate and challenge in this place. Again, for the avoidance of doubt, I support absolutely the concept and intent of the Government Work Plan and the process. Prioritisation is essential, especially in these difficult times but this can and is achieved without the need to rescind.

I am not a huge fan of our unique and curious Committee Government system, but this is what we have; this is how we work. We make decisions in this Assembly in the form of Resolutions. This takes up enormous officer resource invested in research on the policy letters which are presented and hours of debating in this Chamber. This is our democracy; this is how we do things. We make those Resolutions and then we expect the States, as an organisation, to deliver them knowing that what we do and the resource time to do them in the knowledge that they will be prioritised.

I do not believe we should simply kick out any of them on the basis of a very short comment on a spreadsheet from P&R. I perfectly understand that some of these are now worthy of not being progressed, but I actually do not see what harm they do in remaining extant. We have a method of prioritisation, I have already said, through the Government Work Plan. Once rescinded, they cannot be resurrected without going back to square one and repeat the same or similar States processes.

Whilst the schedule outlines this work is not complete in some aspects, much has been achieved. By way of example, I refer to item 34. This will rescind a Proposition charging P&R to investigate a health insurance scheme for those who have not contributed to our secondary health provision.

This was agreed as part of the PIPR package and, to be fair, unlike the others in the schedule there is an explanation in appendix nine. However, the summary conclusion is, and I quote, the scheme is 'not currently appropriate'. I emphasise currently, so it might be at some point. But as someone who was involved in the original PIPR Propositions, the explanation put forward just seems to me that it has just gone in the far too difficult to do, tray.

I do not accept the logic presented and it conflates reciprocal health agreements which deal with emergency care for non-residents, a matter I actually lobbied hard for last term, and it confuses that with long-term secondary health provision for residents who have not contributed. In times of financial constraint we should not throw this out without the full scrutiny of a debate. (**Several Members:** Hear, hear.)

I did consider an amendment, and I commend Deputy Burford for bringing one, but for the reasons I have already outlined, I think the best use of our time is just to vote out Appendix 2 entirely. So, madam, I should be voting for all the Propositions except for Proposition 1, which relates to Appendix 2 list of rescinded Propositions.

Thank you, madam.

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

**Deputy Gollop:** Thank you.

Earlier this week – I wonder if we will get to SLAWS it will come up again probably – Deputy Roffey and Deputy Leadbeater referred to the Gollop factor whereby, apparently, I say one thing in a Committee meeting and then change my mind on the floor of the Assembly. I am not going to do that today because we have looked extensively, Deputy Soulsby especially and the team have done really hard work on this.

But I do have a lot of sympathy and empathy and agreement with some of what Deputy Prow said because from a personal point of view, and this has happened before over several Assemblies, it is so galling that these Resolutions are thrown out because many of them were long debates in the Chamber, the views were passionately held by Members and they hit the dead zone.

The thing is, it is easy for some of us to be lazy and not cover every one of these and I wonder how everybody in here has followed everything in this 158-page policy letter, even though it has been around for a long time now. But I will give you an example, I know Deputy Helyar sometimes

has said, show more self-control. Deputy Inder does the guillotine. But I wonder if they realise, I am sure they do, that they are listed in here as being cancelled.

1740 Page 32 and 33, additional key worker housing requête. Remember the one about the cow field that Deputy Falla brought and how the requête was actually rewritten and succeeded. The Resolution relating to direct the DPA to give consideration of designating land thus purchased at APA as part of its review and authorised P&R to utilise a budget of up to £300,000 and at their discretion to purchase the land and to cover the cost of all necessary works and clearance from slavery. That is one of those in the list.

1745 Deputy Prow has referred to the big one about health insurance, which I actually support because I think it is impractical at this time, but I will not go into the reasons why. But a debate and especially public discussion, I bet it will be an election issue of some kind and the weird thing is, one slight point of disagreement I have with Deputy Prow, not disagreement, but perhaps putting it a different way, is he said it ends the life of these and he hinted you start all over again if they go.

1750 Well, actually, I think there is a cyclical side to all of this, whether it be housing committees or population reviews. The thing is a lot of these issues we can cancel them today if we want but they will come back. A couple of the ones that interested me, given my role with the employment side of P&R, is number two on page 92, the organisation of States Affairs, to agree that as set out in the policy letter, that shall following examination of the issues lay recommendations to reform the political arrangements in connection with the States' role as an employer. Given the response, this is not considered necessary, after two political terms of the P&RC discharging employer responsibilities.

1760 Well, maybe that is the right way of doing it, or maybe we should have a different Committee, a commission but that is going to be part of the Machinery of Government. So, we have not ended it, it is going to come back. Then we, actually, have another one on the States of Guernsey Annual Budget for 2020, 17 to direct P&R to submit a policy letter to the States, 'on the terms and conditions of public sector workers, together with any recommendations in respect of the remuneration', based on the principles of fair and equal pay, the feasibility of harmonising/rationalising. Well, the work was handed over. That issue will not go away permanently. It has been superseded by other things, but it will come back.

1765 One of them that the media picked up on put, surprisingly and victoriously, I believe, by Deputy Roffey and Deputy de Sausmarez, was the possibility of looking at partial ownership of Guernsey Housing Association properties and so on. And we have had –

1770 **Deputy Roffey:** Point of correction.

**The Deputy Bailiff:** Yes Deputy Roffey.

1775 **Deputy Roffey:** Or I will accept the give-way. Although that is how it is displayed in this Billet, and I was not going to quibble over it, that is not quite right. What Deputy de Sausmarez and I brought forward was a proposal for a new tenure of affordable housing for new developments that the GHA would do. They were quite keen on it because it was one of the UK. Then it was further amended in this Assembly to say that existing houses, including States' houses, could be sold off. That was certainly not a proposal brought by Deputy de Sausmarez or myself.

1780 **Deputy Gollop:** Yes, apologies for that, I thought it seemed at variance with discussions we have had over many years. But the point is, those arguments about housing, I am not sure about selling off houses, because I entirely agree with the comment that it might be an idea but you would need a replenishment above what we have already of housing stock.

1785 But on the tenure issues, surely that will be a matter that the new Housing Committee will look at and so we can say yes to getting rid of it, but they will come back and there is a form of executive governance in this, actually, because the P&R Committee and their advisers make a judgement call on what is to be dumped and we do not come back for the big debate.

On the other hand I, as much as anyone, particularly since I joined the senior Committee, am aware of the shortage of policy officers and the shortage of money to recruit and pay and the limitations of work and the view that many hold that Government is too big and at least has to be streamlined to be resilient and we do not have the resources to do all of this work.

So it is up to States' Members now and in the future to do three things. Firstly, to be careful about what they vote for. Secondly, to keep on, as some of the older Members used to, pushing away to see what has happened to the Resolution and really get it on to the tables of different Committees rather than just let it drift into the long grass. Thirdly, I am afraid, sometimes, to make unpopular decisions and vote for tax increases in order to pay for, perhaps, more resources to deliver this.

So, I am going to stay with Policy & Resources and the work that has been done, but note the points and hope that, maybe, this will be the last of its kind of a burning of the Resolutions and that we can move to a new approach in the future. But we will have to realise that we cannot have the resources to do anything.

One final point, I enjoyed Deputy Mahoney's speech because, actually, I would have liked to have seen the privileges report, if only to get legal clarification. But he said how strange it was that 32 voted for it and five against and now we have had a u-turn on it. Now, the extraordinary thing is some of these Resolutions go back to the beginning of this term, or to a previous term, but that Members will in one year vote overwhelmingly for something and then not, perhaps it makes the case that we do have to get rid of these Resolutions. But, again, possibly we need more discipline on that.

**The Deputy Bailiff:** Deputy Taylor.

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

Firstly, I do not particularly like these kinds of policy letters where they cover everything and pretty much anything is fair game to talk about because all of our work is listed down here. So, I think we could end up having 38 Members talking about very different things and it does not really get us anywhere at the end of the day.

But I am going to speak about the things I want to speak about, but I have thought about them and I am going to keep them condensed so I do not fall foul of Rule 17(a). The clock is going. But the first one I just want to touch on is in appendix 1b, it is staying in, on numbers 94 and 95, is direction to Committee *for the Environment & Infrastructure* to look at third party appeals.

The fact that resolution stays there does not particularly worry me, it is the comment that goes alongside it and I am not entirely sure how when this policy letter was crafted whether the comment came from E&I or if the comment is strictly P&R. So, hopefully, Deputy de Sausmarez, when she speaks, could maybe touch on this because it says that third party appeals, at the moment, are not really a priority. I agree, absolutely.

Sorry to explain, third party appeals to planning decisions. So, if your neighbour gets planning permission for an extension, they have got permission; you, as the neighbour, have no real right of appeal. You make your objections at the beginning. But a third-party appeal would mean that you could appeal against your neighbour's planning permission.

But what is really concerning is the comment that third party appeals 'may become a higher priority with increasing housing development'. Now, that does not sit particularly well with me. If we are trying to press along with housing development I do not think we should be acting outside of the provisions set out in the planning policy, but if we are going to start increasing the ability to appeal against those decisions, I think, that is what would be called additional red tape and I do not think that is the right justification of why we might need to bring in third party appeals.

So, I just want to put on record my concern about that part, although it would result in consultation with the DPA, which I have a bit of involvement in, certainly for the next couple of months.



Then it is a big scroll down to Appendix 9, page 152, or 154 I start with, which I want to just draw attention to.

We are going to be talking about it in much more detail, but arrivals over pension age and there is a good graph there. I think this is something that should be picked up on more by the media when we talk about immigration and lots of people coming to the Island. I have not heard this particular comment, but it reminds me of a comment like this where you get, it is all these foreigners coming in, they are taking our jobs and none of them even work. It does not really make sense a lot of the time.

But interestingly, looking at the data that is shown here and it has come up elsewhere, the arrivals over pension age. So, over 65, less than 7% of Islanders with less than 10 years' residency on the Island. So, I think when we are going to be talking about long-term care and I think it is going to be easy for us to stand here and blame foreigners. It is these old people who are coming in, that is the problem and I fear we sort of slip into, for want of a better phrase, syphilis mode, madam.

If anyone is aware syphilis, historically, was a foreigners' disease and so the French called it the Italian disease and the Italians called it the French disease. Actually, a lot of people called it the French disease. (*Laughter*) But basically the idea is that different countries were blaming syphilis on other countries, it was all them, it was the foreigners coming in that were bringing syphilis and it takes your attention off the actual problem.

So, I think, it is worth bringing to attention how small the numbers are of these for, again, for want of a better phrase, old people coming in and incurring big costs for us because I think of the over 85s with less than 10 years residency, it is only 0.6% and I think that is quite a telling number.

Then scrolling back up again to page 152, but it is the same document, is looking at the working age arrivals and I think that is really important to look at as well. I know there is always this conflict between the provision of housing and having people to work in the jobs we have created and we do need to bring people into work.

I think I made it clear in the debate about this plus 300, it is not a target, but the plus 300 figure I was not in support of it and I think it does cause problems, but it is worth drawing attention to the fact that 80% of those incomers were between 18 and 65, so the working age and if you narrowed it down to 20 to 50 years old that is 64%. So, we need those people coming in and that is the point of bringing attention to it, madam, but I felt like I had to say something and there is so much to choose from but those were the three highlights I wanted to bring up.

Thank you.

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

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

I thank P&R for all the work they have organised on this and I think it is definitely a good idea to clear the decks occasionally. So, I am all in favour of that. I think they have made a slight mistake in they have got a couple of, somewhat, controversial things in here which might have been better left out.

Deputy Prow got my attention and raised some issues with work he is doing. But correct me if I am wrong, he can still continue with that work that he is doing and I think the matter of housing licences, the three years, the eight years and looking at that very hard and possibly looking at whether the three years can be converted to five years so that we can have fewer eight-year licences, is worth doing.

But I do not think, if anyone can intervene and correct me if they need to –  
Deputy Prow –

**The Deputy Bailiff:** Deputy Prow.

1890 **Deputy Prow:** Yes, I thank Deputy Dyke for giving way. He is right in what he says in that the  
Propositions that I outlined, I was giving a progress update and that does include a further review  
specifically around the issues that you have raised. But I have said, many times in debate in this  
Assembly that the medium-term permit is dead and buried; it serves no purpose. Where we are, it  
1895 is short-term permit holders who cannot bring dependents and the long-term that can and there  
are many reasons for it and the medium-term permit is not an option to change. Everything else  
that Deputy Dyke mentioned it is. I hope that clarifies.

**The Deputy Bailiff:** Deputy Dyke.

1900 **Deputy Dyke:** Yes, I am very grateful for that intervention and we will have to have a private  
conversation on some of those issues at another time. The one that I am quite concerned about the  
issue of requirement for healthcare for people coming in. I think it is partly rejected on a false  
premise that it would conflict with our reciprocal health agreement with the UK, which I do not think  
it would. I have had some incoming correspondence on this who have pointed out that is possibly  
1905 not correct and it would not conflict with our reciprocal health arrangement –  
I will let Deputy Prow speak.

**The Deputy Bailiff:** Deputy Prow.

1910 **Deputy Prow:** Yes. I thank Deputy Dyke for giving way. That is completely my understanding as  
well. That the two issues have been conflated and that is one of the Population and Immigration  
Management Resolutions that is to be rescinded if we pass this Proposition 1.  
Thank you, Madam.

1915 **The Deputy Bailiff:** Deputy Dyke.

**Deputy Dyke:** Yes, I thank Deputy Prow for his intervention to confirm my understanding.  
So, if we vote Pour on Proposition 1, then that gets thrown out and I think that would be  
unfortunate. It is a big issue. It is quite a large sum; I think the sum could be up to £10 million a  
1920 year. So, I do not think we want to chuck that out. That being the case, reluctantly, I will agree with  
Deputy Prow that we should vote Contre on Proposition 1 if you want to keep that in there.  
(**A Member:** Hear, hear.) So that us what I am going to do –  
I will give way to the Chief Minister.

1925 **The Deputy Bailiff:** Deputy Trott.

**Deputy Trott:** Thank you because, through you, madam, I would appreciate it if my friend  
Deputy Dyke would consider the significant burden on the taxpayer should he so do.

1930 **The Deputy Bailiff:** Deputy Dyke, you can continue now.

**Deputy Dyke:** The Chief Minister was quite cryptic there. I am happy for him to expand on what  
he was saying.

1935 **The Deputy Bailiff:** Deputy Trott, Deputy Dyke is giving way to Deputy Trott again.

**Deputy Trott:** Thank you.

Well, clearly, if you rescind a large number of Resolutions that you minimise the cost on the  
public sector. The consequences of minimising the cost on the public sector are that you do not  
1940 have to levy additional taxes. Now clearly, my friend, and I have a lot of respect for Deputy Dyke,

wants to make the public sector smaller and yet he is considering voting in a manner which will make the public sector larger.

**The Deputy Bailiff:** Deputy Dyke.

1945

**Deputy Dyke:** I thank the Chief Minister for his further explanation.

So, the question is, if we pass Proposition 1, we chuck out a load of things that we need to chuck out and we also chuck out a baby with the bath water. But I suppose we could bring that Proposition back again as a separate item, possibly fine-tuned –

1950

I will give way to Deputy Meerveld.

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** I thank Deputy Dyke for giving way.

1955

I share his concerns on this particular extant Resolution but I would suggest that if any Members have got a specific Resolution they believe that should be kept, then maybe lay an amendment to that effect, just saying, do not rescind that one, rather than doing a blanket rejection of all the Propositions that will be rescinded, because there are a lot of those that where the circumstances have changed or the environment is different, where they do need to be rescinded. So, I would suggest to Deputy Dyke and other Members, if there is a specific one that you believe should be kept in, lay an amendment and let us have that not rescinded.

1960

Thank you, madam.

**The Deputy Bailiff:** Deputy Dyke.

1965

**Deputy Dyke:** I thank Deputy Meerveld for his good plan. So, perhaps, Deputy Prow and I could speak with the Greffier over lunch. That was my main point of concern and we seem to possibly have a solution there. So I will stop and sit down.

Thank you.

1970

**The Deputy Bailiff:** On that cliff-hanger we will adjourn for lunch! (*Laughter*)

*The Assembly adjourned at 12.32 p.m.  
and resumed its sitting at 2.30 p.m.*

## POLICY & RESOURCES COMMITTEE

### 9. Reporting Progress on Extant States' Resolutions – Debate continued

#### [Amendment 2](#)

*To insert at the end of Proposition 1 the following:*

*"except for item 34 – 2022/XVIII: the Population and Immigration Policy Review".*

1975

**The Deputy Bailiff:** Were you about to contribute towards general debate? I think, in fact, what we will do is we will deal with the amendment that has been circulated over lunch so that can be inserted now.

Deputy Dyke, do you wish to Greffier to read the amendment?

**Deputy Dyke:** I think that is okay, I can do that thank you, madam.

1980 Well, we started discussing this informally around the Assembly this morning. The point of this amendment is a fairly straightforward one. It is to take out item 34, which was resolution 18 of 2022 regarding the Population & Immigration Policy Review. The text of that is on the other side of on the back of the amendment on the back page and it basically deals with asking for a review of how we might impose requirements on employers to provide health care for their employees brought here on housing licenses. (*Interjection*)

1985 Obviously, it has not been drafted by me it was drafted by whoever brought it at the time. So, it is fairly narrowly drafted, but it is part of a bigger point that we do have to look into. We do have a lot of people coming to the Island and it adds costs. There are three basic elements, there is housing, potentially education for those on the long-term licences or moving here permanently and health.

1990 The point of this is to look at internalising the cost of healthcare by taking out private insurance to cover, it is focused on bringing employees here, which is, to my mind, a very sensible thing to look at. Jurisdictions across the world do this. A lot of jurisdictions, one I am particularly familiar with in the Caribbean, requires both a health report an actual doctor's health report from the hospital and insurance.

1995 So, other jurisdictions around the world do take considerable efforts to protect themselves from bringing costs, excess costs and problems into the country and, I think, this is a very sensible thing to review and to keep on board as something that needs to be done. I have spoken, informally, to Health and Home and I think they are all in favour of this and they will be able to speak. So, I strongly recommend this amendment to this Assembly.

2000 Thank you.

**The Deputy Bailiff:** Deputy Matthews, do you formally second?

**Deputy Matthews:** Yes, madam.

2005 **The Deputy Bailiff:** Do you I want to speak now?

**Deputy Matthews:** Yes, please, madam.

2010 Deputy Dyke mentioned during his speech and I noticed also during Deputy Prow's speech and I had noticed this in the list of Resolutions to be rescinded, this actually came to HSC for comments and at the HSC Committee our comment that went back was that we did not think it should be rescinded, partly on the basis that my President, Deputy Brouard, was one of the proposers of the amendment to put it in.

2015 The reason why it is there, or the rationale for it, is to ensure that we can adequately continue to provide healthcare services to the Island and that we are not encouraging people to come to the Island in the expectation that they will immediately then be eligible for what can be, in some cases, very expensively provided healthcare.

So, if I just read out the text of the resolution that P&R proposed to rescind, it says:

To direct the Policy & Resources Committee to lead a review of the options for any bespoke arrangements that ensure those who are new to a community, and who may only be staying and working in that community for a fixed period rather than on a permanent basis, access public services in a fair and transparent way, and to report its conclusions and make any recommendations to the States before the end of 2023 and in conjunction with the Committee for Health & Social Care, to examine through suitable external advice whether there is scope for reducing the costs to the taxpayer of any increased population's access to health and social care services via a commercially provided compulsory health insurance scheme, and to report back to the States of Deliberation thereon not later than the second half of 2023.

2020 Which, of course, P&R has not done by 2023 but I do not think that is a very good reason to rescind it. I think this is good work that should be done. I have heard that there was some concern that it was restrictive and that it might reduce the scope by only looking at a certain age. I did not see that in the in the text of the resolution and, in any case, my expectation would be that if P&R were to be able to bring forward proposals that were bigger than the Resolution that would, in

itself, satisfy the Resolution as it is there and I do not see that there would be any difficulty with that.

One of the reasons I think that P&R had cited for wanting to rescind the Resolution was the difficulty that it would impose to the States for our own employment for off-Island hires because the States, as an employer, does not provide health insurance, unlike the majority of employers who will be looking to employ from off-Island, who will have their own, or if they do not, can set up their own private health insurance scheme.

The States does not and that is one of the features of being a civil servant, is that you do not get health insurance as a benefit where many private employers, not all, but many private employers do provide that and it would be difficult to recruit into services like health and education and home affairs if you are asking people to come to the Island and then saying of course you will have to get health insurance, but we are not going to provide it. Buying health insurance as a private individual is considerably more expensive and more difficult than if your employer provides it.

So it would necessitate, in most likelihood, the States providing its own health insurance scheme, or the equivalent of, in order to be able to continue to hire from outside the Island and I do not think that that would necessarily be a bad thing.

If that is what was necessary in order to accomplish the Resolution then that should be something that the States, as an employer should, should consider doing and how that would work in terms of the whole package of pay and benefits is something that would have to be considered. I think it would be something that would be put forward to the various employee representative groups and unions as options, probably, as part of a pay negotiation.

But I do not see that that would be controversial. I do not see that that would be impossible to do and, I think, that it is something that the Policy & Resources Committee, in conjunction with the Health & Social Care Committee, should investigate and should bring proposals to the States to continue to do so for that reason I would urge Members who agree with me to vote for the amendment to keep that Resolution in and not to rescind it.

Thank you, Madam.

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

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

I hope I can just bring some clarity to this. Whilst the Reciprocal Health Agreement does not cover things like this specifically during the time it was renegotiated, and Members will remember, madam, that it took a long time to get to the place where we could do that and there were appeals for us to redo that for the benefit of our own community here, apart from anything else.

It is affected by the Common Travel Area and in the negotiations regarding the Reciprocal Health Agreement, the Common Travel Area came up quite a lot because Members, we have rights as Guernsey residents within the Common Travel Area and those rights apply right across the way, depending on where we travel including, obviously, the UK, Republic of Ireland, etc.

I certainly would not want to see the negotiations on the Reciprocal Health Agreement opened up because we brought doubt to the reciprocal agreements that were referred to during those negotiations. I will give Members, if I might, madam, the advice that we have been given, and I quote:

An insurance requirement for new arrivals is further complicated by the issue of reciprocity with the UK. Crown Dependency residents enjoy access to healthcare in the UK through the Reciprocal Health Agreement. Access to NHS services is available as soon as a person moves from the Channel Islands to the UK, with the intention of becoming ordinarily resident. Not offering UK residents relocating to the Bailiwick, who account for most of the people moving to the Islands, the same access to healthcare as established for the rest of the population may well result in political difficulties with the UK Government.

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Only briefly, madam, because not everyone comes to Guernsey are members of the CTA. Having travelled, and I remember having this conversation, having this in debate last time, irrespective of what the current opinion is, and advice is not the same as opinion, and that all Deputy Le Tocq has expressed some opinion that he has had.

2080        There is nowhere in the world I have travelled without health insurance, nowhere. Having travelled on visas, in quite a few countries, mainly really Japan as you know, there is not a hope in somewhere very hot that I would have been able to walk into any Japanese hospital, having worked there on a visa, and said I have not got any health insurance, please look after me.

2085        I do not understand what Guernsey does. It seems that we are just this open door and we are so worried that people might not come here because they have got to ensure travel insurance, we basically open the borders completely, allow anyone to come in and the cost is entirely put on to the people of this Island –

          I am expressing an opinion, but I will give way.

2090        **The Deputy Bailiff:** Deputy Le Tocq.

**Deputy Le Tocq:** I thank Deputy Inder for giving away. There is a difference between travel insurance and health insurance and working and going as a visitor and all of those sorts of things. Also, we are talking about the Common Travel Area here, which is the point I was trying to make before.

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**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** In any event, I called it travel insurance, but it covered my health cover. We can dance on the –

2100

          Okay, I will give way.

**The Deputy Bailiff:** Deputy Matthews.

2105        **Deputy Matthews:** I thank Deputy Inder for giving way because I think that Deputy Le Tocq, in the advice that he gave, referred to a requirement for health insurance for entry, which is not the sort of thing that you would be proposing under this Resolution and very few countries do. For example, Switzerland has a requirement that people have health insurance after three months.

          So, it is after three months of residency that you are required to get health insurance, it would not be part of customs check as you as you enter the Island, as it is not in Switzerland or many of the other countries that have that type of requirement. So, I think that is a different kettle of fish.

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**Deputy Inder:** I will let the President of our Home Department join the debate.

2115        **The Deputy Bailiff:** Deputy Prow.

**Deputy Prow:** I thank Deputy Inder.

          Forgive me, I think we are getting really confused. The Common Travel Area, for a start, any travel between the Common Travel Area there is no immigration restriction. It is free, that is the whole point of it. The point is that, I thank, actually, Deputy Le Tocq for outlining the point, but if I would have been in a meeting where that point had been put to me, I would have given it challenge because the whole point is that Reciprocal Health Agreement just used the jurisdictions in the Common Travel Area to have a commonality in their Reciprocal Health Agreement.

2120

          It does not impinge at all on what the Common Travel Area is and what the restrictions for people coming from outside of the Common Travel Area into the Common Travel Area. The Common Travel Area is simply about immigration restrictions. It does not deal with health matters.

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As I understand it, the Reciprocal Health Agreements that were negotiated, which were trying to be consistent within the areas of the Common Travel Area and that is where it has crept in. But it is completely confusing this debate and one of my points that I made was around how debating this on the floor of the Assembly is, actually, very helpful.

Thank you.

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Well, I will try and help. All this amendment will do is allows that to be kept in. So the conversation could happen, most of those arguments could be developed, some of the confusions could be disabused and it may be the case that a future P&R and a future Health, could have an entirely different view, a more positive view and maybe more like some who simply believe that people who come to our Island to work should have some kind of health insurance when they come to the Island, and so on. It is as simple as that.

That is ideological to me, that is what I believe in and I think this amendment allows that possibly to happen because that investigation may come to that conclusion or a future policy letter could come to the point that the only way of reducing the cost of those who might come to the Island is by some form of health insurance. So, because I do not really know what the future will have, I do not really want this to be taken away from a from a future P&R to look at. So, in short, madam, Members of Assembly, I will be supporting this amendment to keep it in, which is my point.

**The Deputy Bailiff:** Deputy Haskins.

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

I am very grateful to Deputy Dyke for bringing this amendment and I wholeheartedly support it. I think that would come as no surprise. As the Resolution says, and Deputy Matthews did highlight, it should have come at the end of 2023. Which is fine, neither here nor there. But I am surprised that over a year later that P&R have not given, at least, a briefing to the Assembly on this very matter, especially given the multiple assurances from P&R that this Assembly has been given. I, of course, have mentioned this many times now.

With regards to the CTA, I think Deputy Prow has covered that and they are noted and this is why, I think, it is so vitally important for P&R to fully brief Members rather than just simply rescind the Resolution with, to me, no prior warning or explanation. Personally, I have had to have health insurance to work in multiple countries in the CTA. I have had to have health insurance myself.

One thing I would add is that in Appendix 9, the superscript references are missing and that, again, to me just adds weight to the argument of, please can P&R fully brief Members if they are so convinced that this will not work, cannot work for x, y, z. They really do need to be thorough because this Assembly has directed and has mentioned it multiple times, this is the direction that we are seeking, this is what we are after.

If it does not work and, actually, Members in my mind there is an alternative here and I would hope that P&R might see this as a possibility rather than a compulsory health insurance scheme. You could have an incentivised voluntary scheme. So, Members, please support this amendment and let us get on with business.

Thank you.

**The Deputy Bailiff:** Deputy Roffey.

**Deputy Roffey:** I am very happy for P&R or anybody else, Home Affairs, Health to look at the idea of universal health insurance. I think it is not a bad idea, but I will vote to get rid of this particular Resolution because it is just so flawed. It makes no sense at all. First of all, it only asks for the insurance to be applied to workers. So, anybody elderly coming to retire, who are probably more likely to be a drain on the health service, is not covered by this resolution.

Secondly, how on earth do you –

**Deputy Dyke:** Point of correction, if I may?

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

**Deputy Dyke:** The original Resolution is drafted in such a way that it could be interpreted in two different ways. It says in the second line, and who may only be staying and working in the community for a fixed period. So, they may only be living and working in the community for a fixed period or they may be something else, is the way I would interpret it. You could argue over the interpretation, but it could be interpreted more broadly if one wanted to, which I think one might want to. (**A Member:** Hear, hear.)

Thank you.

**The Deputy Bailiff:** Deputy Roffey.

**Deputy Roffey:** Well, I do not know about the hear, hear, and working is quite clear, and working in that community and what is a fixed period, It says, and then goes rather than on a permanent basis? People moving to the Island, they may intend to stay permanently, do not need the insurance. They may only stay three years, the person who comes in to stay five years is actually going to stay here longer but they will need the insurance because they came in on a fixed period. That is exactly what it says.

The neat way of doing it is for, actually everybody, not just people coming in, but for everybody in the community to have some form of health insurance with assistance and, in fact, that is the road we started going down when we brought in a universal insurance scheme for secondary health care.

Back then it was an insurance scheme and it paid for the MSG contract. Now, that has rather morphed into just a general contribution to the health budget, which probably should be through taxation rather than Social Security payments, but I am not going to go down that route. But there is nothing, if we rescind this, in stopping P&R looking at this whole area.

I absolutely agree, spiralling health costs is one of the most important things with our changing demographics that we need to address. But let them start from a logical starting point and not from a Resolution which quite clearly has multiple flaws running through it all over the place.

**The Deputy Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you very much.

I was not going to speak but, obviously, I am called to my feet because this amendment was beautifully crafted by two experts, (*Laughter*) myself and Deputy Ferbrache I believe. The whole point of the original amendment was to give the States a chance to look at this particular area. It is not written as a full description. You might as well get us to write the answer.

This was a hunting trip to see if we can actually catch some of these issues and put them down. It is not prescriptive that the P&R cannot look at it wider and the first line of it says, to direct the Policy & Resources Committee to lead a review of the options. Options for any bespoke arrangements that ensure that those who are new to the community and also who also may be staying and working

It is completely open to them, but it gives the direction of travel that this is something we would like investigated and as they investigate it, they will then discover if there are other areas that they need to cover or need to be done better. So, that the chance of losing it now would be foolish I would say to the Assembly.

We have got this in place, if you try and get another amendment through, well, good luck because it will be months down the road, it will be the new Assembly and we will be another year



away from getting anywhere near this. So, we have got this in play. It is as wide as P&R want to make it, because they have got the full powers to broaden this out if they so wish, or to focus just on the narrow part of this.

But this is the door that opens the chance to have a look at this particular area and I think it will become more and more important as health costs continue to rise and we have people coming to this Island, perhaps late in life, who may not have the wherewithal to pay for their health but will be looking to Islanders to do so for them.

Thank you.

**The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Deputy Brouard has made a useful point and he will probably bring up not dissimilar points, if and when we get to the Social Security SLAWS debate. He mentioned people coming here late in life, which applies both to Guernsey and to Alderney, I suppose. But the amendment which has received a little bit of critique, spoke about workers.

Now, I align myself really with the speeches Deputy Le Tocq and Deputy Roffey have made because I think these are complicated areas. Deputy Le Tocq chose to focus on health reciprocity of Common Travel Area, of people's rights of movement, I think that is relevant to SLAWS as well. But there are many other issues such as mobility of labour, employment, attractiveness of Guernsey, discrimination. There is a multiple range of legal and financial issues to consider and Deputy Inder implied he was ideologically in favour of it.

Well, I am instinctively ideologically against this kind of approach. I know we are going to have to review, the discussion has not gone away, on the universal health offer and the care passport and all the rest of it and what we will provide publicly and what may need insurance, compulsory or voluntary. But I think we should give up universal entitlement with great reluctance, because you do not know where you will go with that and whether the Island will end up becoming a pariah or involved with unnecessary litigation or difficulties.

So, I am not keen on the sentiments behind it in the first place. I would have to be persuaded of the overwhelming evidential and financial case. The secondary point, of course, is the Member, Deputy Haskins and others who suggested that we could have done with more context, more presentations. Yes, I would go along with that. I think with quite a few of the things we pass and we could widen up the debate and explore some of the options of Deputy Matthews and others.

Maybe there is a case for voluntary insurance and maybe there is a case for encouraging health insurance for all employees but that is for another day and, I think, just including this amendment back, well I am not going to support it because I think, a bit like the privileges debate where I was on the losing side, the Assembly by majority decided that not much good would come out of it because the situation was as it is.

I think there might be a parallel here, because I do not think as phrased the report back would actually produce anything obviously useful that we could run with this. It may be it is an election issue and an election for the new term to be phrased in a different way.

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

**Deputy Le Tissier:** Thank you, madam.

I am going to speak on this amendment as to me it seems an eminently sensible thing to do. This amendment I am referring to, not me speaking. But no doubt we will be given more scare stories of why we cannot do something. There is no evidence, it is just an opinion. No evidence. We are only asking for an investigation, we are not voting something through.

I am totally fed up with the constant trotting out of reasons why something cannot be done. It is very easy to do nothing and sometimes it is hard to do something, but that is what we are here for. We have a black hole that came from P&R, but in the shape –

**Deputy Trott:** A point of correction, sir.

2285 **The Deputy Bailiff:** What is your point of correction, Deputy Trott?

**Deputy Le Tissier:** Alright I will give way.

2290 **Deputy Trott:** The Policy & Resources Committee may well have been those who have articulated the issue the most extensively, but the reason we have a deficit is this Assembly. It is this Assembly's behaviours and actions that have created the deficit and not one Committee on its own.

**Several Members:** Hear, hear.

2295 **The Deputy Bailiff:** Deputy Le Tissier.

**Deputy Le Tissier:** Thank you.

2300 Yes, I agree, and I voted accordingly. But anyway, thank you for that intervention. But whoever said it, we have not got enough money and yet two P&R Members, Deputy Gollop and Deputy Le Tocq, so far, I think have spoken against this amendment. So, do they not care about seeing us haemorrhaging cash?

2305 They seem to want to ignore this drain, preferring to tax local residents more and more. To me, it is not good enough. Local taxpayers should and, indeed, must be looked after. I am for the hard-pressed taxpayer and I make no apologies for that. Now, just briefly, the actual policy letter states that arrivals to Alderney over pension age, it is a domestic problem. How on earth can that be correct?

2310 New arrival, gets ill, requires operation, hip replacement, knees, whatever. Not an emergency, cannot be treated in Alderney, so the Guernsey taxpayer is on the hook again. It cannot go on and as Deputy Dyke has stated, other jurisdictions require insurance. I do not think we should be so generous, particularly in our dire financial situation.

Thank you, madam.

**The Deputy Bailiff:** Thank you.

2315 Deputy St Pier.

**Deputy St Pier:** Thank you, madam.

Members might want to take a look at [www.gov.je](http://www.gov.je), Moving to Live in Jersey.

Jersey is not part of the NHS.

Surprise, surprise.

We have different rules to the UK, other Channel Islands and other countries. When you and your family first moved to Jersey, you and your family will have to pay for most health care. Once you and your family have lived here for six months, you can apply for a health card. Consider arranging health insurance to cover any healthcare costs, including possible travel for treatment in the UK.

2320 Madam, the last time I looked Jersey is part of the Common Travel area. I would suggest there is a bit more homework that needs to be done on this. I think the main inconvenience is in respect of public service workers, who would come here, and it is a problem which those advising are struggling to work out how to address and, therefore, the easy answer is not to address it. I think this amendment and the experience of Jersey would suggest that there is more work to be done.

2325 **The Deputy Bailiff:** Deputy Prow.

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

I will be brief. I think Deputy Brouard and Deputy Inder have made the point and I just want to reinforce the point, which is quite simple. This amendment is to rescind or not to rescind. It is not to rerun a debate that we had where a successful amendment was turned into a Proposition. We had that debate then and I use this as an example where this Assembly has been asked to rescind something on a comment on a spreadsheet and an appendix.

I have already pointed out the summary, conclusion and it is the conclusion of the appendix that deals with it says, and I quote: The scheme is 'not currently appropriate'.

I emphasise the currently, so it might be at some point. Now, I think what this debate has teased out is that, why should we kick this, not into the long grass, but completely rescind this when there is a very valid reason that has already been decided in this Assembly and as I said before, we have a Government Work Plan process where there is prioritisation.

Everybody in this Assembly not only accepts that and understands that we cannot do everything, but what we are saying and what this amendment says is, look we are not convinced by the by the argument, today is not the day to debate, just do not rescind it, please. Just leave it as a Resolution and, hopefully, when priorities allow, it will be dealt with. So it is rescind or not rescind.

One other point I would make, there has been some suggestion around expense and cost, but I do not really understand that because the Population & Immigration Management Group was put under Rule 4 scrutiny so any cost was considered when we first debated it. This is not a new thing. We are just saying do not rescind this, please. So I do not understand any cost implication argument at all. It is a Proposition already passed, do not rescind it, or if you support P&R's view, rescind it.

Thank you, madam.

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

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

Just briefly really, this week we have had quite a lot of discussions in Alderney with P&R current, old P&Rs and lots of communications with this and I think the feeling is that we would like to move forward with this. So, I endorse what has been happening in this debate, is that we should be moving forward with it. I understand the issues, but to remove it completely, would be concerning really.

So, I think we should be moving forward with it. I understand that it is difficult but at the end of the day we are trying to save money here and I think Alderney been criticised for lots of people coming in and, basically, costing the Guernsey taxpayer and Deputy Trott is nodding. So, I think we should, hopefully, be supporting this and when we discussed it at HSC, we were concerned about it disappearing as well. So, I would like to see this go and hopefully a future P&R may be able to bring something back onto the table with HSC and implement it.

Thank you.

**The Deputy Bailiff:** Deputy Taylor.

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

To review or not to review, that is the question. *(Laughter)* Madam, I have heard comments in this Assembly where Members have complained about the length of policy letters, anyway it is something simple that we are going to be discussing or debating and we have got 100 pages and we do not need this, back in the day, policy letters were the thickness of my little finger's nail and we got much more done back in the day and I am inclined to agree.

When I look at Appendix 9, madam, Appendix 9 to me well, for me, would satisfy the reporting back to the States, admittedly, they missed the deadline of 2023 but let us put that aside, there is a form of a report back here in front of the Assembly with some information. Some Members might want more information, but I just want to read out the third paragraph of appendix 9:

Since the resolution was made, the Policy & Resources Committee has explored the potential benefits and risks of requiring new residents. ... The Committee has identified risks to recruitment, which it considers outweigh any financial benefits. As such, it is proposing rescinding the 2002 Resolution.

It provides some examples. It gives a bit more information. I would hope that all Members have read this, madam, but the fact this amendment has come during debate, it should not have been a surprise. Ideally, this amendment could have given a bit of the information if this was so easy to do, or it is so obvious why we should be doing further information. There was plenty of time to contain it within an explanatory note of this amendment, but it is not there.

But Appendix 9, which I would consider is a report of form, does give some details. It gives various reasons, it provides a conclusion and, most importantly, I think, I do not know if this has been read out or not – am struggling to pay attention if I am honest – Page 155:

Removing the resolution does not mean that consideration of sustainable funding for health services or the role of health insurance will stop.

And it goes on to say this will be explored in more broad terms. You can look at it a different way, in a better way than the original Resolution directs. So, I think we can bin this and I hope other Members will. I do not think I can convince them, but hopefully Deputy Trott can add some more power.

Thank you, madam.

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

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

I can certainly understand concern in the Assembly that this has not come back for them to debate. I get that, but we have done the research that we were requested to do and it sounds like many people do not like the result from that. That does not necessarily mean that it is wrong. However, I would point out perhaps –

I am not going to give way unless it is a point of correction. I would like to assist my able colleague who is concerned about, just arrive here and do not worry about having to have insurance, because a lot of the people coming into the Island are actually in the hospitality trade. They are on low wages they are probably not going to use the health service to a great degree if they are young, not exclusively, but not likely to use it. But it is going to cost them if they have got to have insurance to come here. It is either going to cost them or it is going to cost the employer.

So, there are some risks, actually, in just doing a wholesale, let us just implement this, because there are some downsides. But the bigger picture and I will refer you to a little bit later on actually in the paper, which is to do with the consideration of SLAWS, which is in here as well, and there is a paragraph in here that I think probably clarifies why it is that we need to look at this in a much broader perspective and I will just read a couple of lines from it:

Agreeing a new model –

This is in respect of SLAWS.

... will be a key task for the incoming States. It is not a decision to be made in isolation.

And I would suggest that this is not a decision to be made in isolation either. We all recognise that our health service is completely unsustainable in terms of the model we have currently got. It is the biggest expense that we have got and, frankly, there is nobody more than myself that has recognised that for a number of years now (**Several Members:** Hear, hear.) and we are struggling to find out what we do to resolve that.

That is why we set up the actual sustainable health care portfolio, because it needs to be looked at in totality, because if we start dealing with things a bit at a time we will not get to a universal entitlement and it is the only way that we will get to some resolution of what is needed and health insurance is most definitely part of the solution here, but not a piecemeal insurance it has to be a universal insurance and that is going to take some doing to bring into being, but it has to happen.

I certainly understand the concern about people coming here and taking advantage of what we, quite understandably believe, taxpayers have contributed towards their own health care needs. So, the difficulty here is that you do not like, perhaps, what we have reported on and the rationale behind why we have reported that; I get that. You want to have a policy letter on this, but not on the whole health insurance scheme altogether, which is going to be a lot more work clearly but it needs to be done, so we can bring this back and we can debate this and you maybe at the same point where you say, I do not accept what is actually been put in front of us.

That will not resolve it. You have to think of this in terms of its part in the bigger picture that we have got, which is a totally unsustainable health model and if we cannot get our heads around that the problem is we will stick another finger in the dyke here and my concern is also (*Laughter*) – I was not talking figuratively, although now that you mention it!

My bigger concern, I mean we are going to talk about SLAWS, I do not even know we will get to that at this point in time, but the issue with SLAWS, that I do not support, is being brought forward for exactly these reasons because the new Assembly coming in is going to have some serious things they have got to deal with. (**A Member:** Hear, hear.) Taxation is certainly one of them and out of taxation will come how much we can afford our health service.

So universal entitlement and issues under it like this is, have got to be number one on their priority and the danger is with this not being rescinded and with SLAWS itself actually going forward as a piecemeal solution, which it suggested in here we should not do because we should not treat it in isolation, it will get kicked into the long grass again. I am about finished; I will not give way. It will get kicked into the long grass again.

We need to make sure that everybody coming in here as a candidate, or putting themselves forward as a candidate, understands the serious financial problems that we have and the limited means we have got with which to actually deal with that and the health service, this model, is critical. It has to be dealt with.

So, we can take this away again, if that is actually what the Assembly wants, but I would suggest it does not come back until we have got some alternatives on an alternative health model to what we have got. So, it may be some time. So, just turning this – do not rescind this, that is fine. But do not presume that we can come back with a solution or would wish to come back with a solution in isolation for this problem alone, because it is not this problem alone. It is much, much bigger.

Thank you.

**The Deputy Bailiff:** Thank you. Does anybody else wish to speak on this amendment?

In that case, I will turn to Deputy Soulsby on behalf of P&R.

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

It did feel to me that we have come back and suggested the rescission of this Resolution as if it is something that we did not want to do and so we are getting rid of it and people are completely ignoring what is in Appendix 9 because it did not give them the answer that people wanted. The work has been done.

I supported the Proposition for this work to be done and as much as anybody, I would love it to be a different answer so that we can simply just create a whole compulsory health insurance scheme. It is so simple, and these things are. It is just like people saying, why do not we have import, it is a simple thing, just tack import tax on all this stuff that comes from the UK, that will solve all our financial problems.

But we cannot do that either. It is the same sort of thing. It looks so wonderful and easy on the outside but it is only when the research is done that we can –

I will not give way.

2470 **Deputy Matthews:** A point of correction, madam.

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

2475 **Deputy Matthews:** I think Deputy Soulsby is implying that this is equivalent to the often put forward suggestion that we have something like an Amazon tax, which we cannot do under WTO rules. (**Deputy Soulsby:** I am not; it is not) There is not really a similarity because there is not –

2480 **The Deputy Bailiff:** Deputy Matthews, I do not accept that as a point of correction. She was giving an opinion and it is very difficult to have a point of correction on what is Deputy Soulsby's opinion. So, I am afraid I do not accept your point of correction. Do carry on Deputy Soulsby.

**Deputy Soulsby:** I was going to say, there are people who automatically and quite understandably say, well, we have got all this stuff comes in from the UK, why cannot we have an import tax on it? Well we cannot and that I do not think is my opinion, I think that is the truth of it. 2485 Now Deputy Inder says it is not all who come here come from the UK, but no, the majority do. The majority of people that work on this Island do come from the UK and the stats are there. Just look at the Facts and Figures book, it gives you a very clear idea about where people come from and I suspect if we say, well no, it is okay then we will not do the UK we will just do those people come from different countries, I think we might have a human rights issue there, although I am not 2490 an expert, but I do not think anybody else here is either. If we do not include the UK, then those financial benefits are going to be far less, quite clearly.

I was unclear with Deputy Matthews because he was talking about, it is not all about compulsory health insurance but this Proposition, Resolution, was all about compulsory health insurance. So, that is exactly what has been looked at. Now, Deputy Prow stood up and said, oh, if I had been 2495 given this advice and if I had been in P&R, I would have challenged it.

Well, he may well have done, but we have got an expert in our midst, who reports to P&R and he is responsible to the whole of this Assembly as the Head of External Relations. So, I would say he probably has more expertise than anyone else here and he has advised and has been listening to the debate and says he absolutely stands by what he has given. It is not opinion and it is actually 2500 fact. (**A Member:** Hear, hear.)

The CTA does deal with health matters in relation to UK and Ireland, for example, and compulsory health insurance will cause difficulty and he says he stands by that that advice. Now we can decide that we do not want to listen to experts again but we also hear from people like Deputy Inder, so, we keep the politicians out of it, they do not really know anything, they just get in the way. 2505

Well, yes, what I have heard this afternoon very much feels like a bunch of politicians getting in the way of us moving on and doing exactly what Deputy Murray said. Because I absolutely agreed with every word (**A Member:** Hear, hear.) that he did say. He was absolutely spot-on. It is far more complicated than saying, well, why do not we just have a compulsory health insurance scheme?

It may sound so sensible, well, yes it does until you get the experts in who can provide the advice. 2510 It is not something that we as P&R want to have to advise on. We would love to have said this is so, yes God that will solve all our problems overnight. We are the ones that tell you that we have got an under-funded budget. If we knew that we could have done this we would have brought it in the budget and given all the proposals to move it forward. But we did not because we knew it would be far too difficult.

2515 Health costs are an issue; that is absolutely right but so is finding the staff we need. Anything that adds more barriers to that will impact us completely and if you say right, no this has got to apply to all people that come over so all the nurses, teachers, police, who is going to pay for that health insurance? Well, I can tell you who that would be, that would be the taxpayer, of course. We

have got an underfunded budget, where is that money going to come from? And people might question whether the level of GST is sufficient or not.

Deputy Murray made it very clear that this work could effectively be part of that whole wider review of the funding of healthcare, which we know as Deputy Murray is absolutely right, is broken and we have got to do something about it. It is a shame it has not happened sooner than it has now, but it will form a major part of the sustainable health and care portfolio already directed by the States in the Government Work Plan, there is already a workstream.

So, when anybody is saying, oh, well if you just rescind this now that is it. It will take so long, Deputy Brouard, was saying, it will take so long because somebody in the next States is going to have to raise this and then we will have to go through it again. No, you will not, because we have already got an extant Resolution through the Government Work Plan to look at the sustainable funding of healthcare. So all is not lost, it can be incorporated within that but we do not need this separate Resolution.

Deputy Le Tissier was saying that we do not want to do it. It is not that we do not want to do it, the work has been done and it has given us the advice. He might not like the advice because it is not giving him the answers he wants. But this is expert advice that we have received and the briefing is in –

I will not give-way, I am nearly at the end.

**Deputy Le Tissier:** Point of correction.

**The Deputy Bailiff:** Deputy Le Tissier, what is your point of correction?

**Deputy Le Tissier:** Deputy Soulsby was referring to that I did not like the answer to the investigation. But apart from a few paragraphs in Appendix 9, I do not think we have had a proper report and why it is not possible, with facts and details.

**The Deputy Bailiff:** Deputy Soulsby.

**Deputy Soulsby:** Well to be honest to Deputy Le Tissier, madam, I think we would produce in a policy letter that will just show what is in here and that is all that is actually needed.

Deputy St Pier, I was very surprised at Deputy St Pier's contribution given his previous experience and knowledge of External Relations and certainly about Jersey, to consider that Jersey seemed to be able to do it and we cannot.

I think the operative word, when he talked about what people may need in terms of insurance, was the word 'may'. Jersey is in exactly the same position as we are and so, as I say, I am quite surprised that was his comment. As I say, the Head of External Relations is of the opinion that what we are doing is absolutely right in rescinding this resolution. He talked about, it says that in Jersey that you will get access to the healthcare after six months, but then it takes six months to get access under the Reciprocal Health Agreement.

So, I would just say to Members we can re-debate, or in the next States, re-debate this matter. The same information will be in there; it will take up more staff time to prepare a policy letter and put it all in the right format and make sure it fits everything that we all expect a policy letter to look at and, as I say, given that we have got so much work left to go through, so we might consider people wanted to be debating it this term, what else is going to give?

We have already been told that it is near to, goodness knows, how many policy letters that we have not gone through. We have been sclerotic in how we have dealt with business in this meeting. We have got no reason to believe it is going to be any better in any of the others. So, we just want to add another policy letter to the pile when we have already got an answer which, I think, is sufficient and in any event the work can be done through an existing resolution.

So, I would ask Members either to support the amendment or not, it is not going to make any difference other than to cause more work when we are trying to put things, as Deputy Murray said,

in the round and not just look at something in isolation. So there is absolutely no benefit to having this resolution still in existence. So, I ask Members to reject it.

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

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

Good grief, I thought this was going to be a pretty quick and easy amendment. I do not know, I look at P&R and I think of Chicken Little. If we do this the sky is going to fall down. Human rights, I heard this four years ago when I was trying to get rid of GP11, human rights. (**A Member:** Human rights.) Anything cannot be done because of human rights.

We do really need a more 'get up and go' attitude to getting things done. (**Several Members:** Hear, hear.) We want to get it done, how do we do it? That should be the approach of this, not oh, well let us find a reason not to do it, or oh gosh, there could be a problem here so we cannot, oh my goodness, there could be a problem there, so we cannot do it.

There are problems all over the place. The point of our Assembly is we should ram through them and get things done. (**A Member:** Hear, hear.) Well, various Members of P&R have mentioned the unsustainability of our expenses, in particular, our medical expenditure and, yes, certainly I agree with them, we have got these problems. But in a way that is undermining their own argument as to why we should not look into this.

There are various aspects of medical expenditure. There is the SLAWS issue, which is one thing. There are all sorts of issues, but one of them is the one addressed by this amendment, with this Resolution, which was placed in 2023, I think, or 2022; this deals with part of it. People coming in, possibly with illnesses and diseases and we are simply saying, like just about every other country in the world, if you are going to bring people in you should look after their health issues to internalise the costs of what you are doing.

It is just completely standard across the world, even in Jersey, as Deputy St Pier's has pointed out –

**Deputy Soulsby:** Point of correction, madam.

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

**Deputy Soulsby:** It is not different; Jersey is exactly the same as Guernsey.

**The Deputy Bailiff:** Deputy Dyke.

**Deputy Dyke:** Alright, well there is a debate to be had on that. But the point is we are not, sorry –

I will give way to Deputy St Pier.

**The Deputy Bailiff:** Deputy St Pier.

**Deputy St Pier:** Jersey is different. If you rock up in Jersey and start working, you do not get cover for six months. That is different from Guernsey.

**The Deputy Bailiff:** Deputy Dyke.

**Deputy Dyke:** I thank Deputy St Pier for his intervention. So, one other point I think I do need to address. I do not think Appendix 9 counts as a report because Appendix 9 purports to give reasons why we should pull this one, put this one into the list of extant Resolutions to be overturned. So, I do not think Appendix 9 even purports to be a report in accordance with the requirement of the proposal.



And bear in mind, we are not here to debate how exactly to deal with the issues, how to get it done, how precisely to arrange it, we are just asking it to be left on the list of things to do and, to my mind, it is a relatively easy thing to do ahead of some more complicated debates. We are haemorrhaging money all over the place, so we should start plugging the holes. (*Interjection*) Yes, exactly, and not just put everything –

I will give way to the Chief Minister.

**The Deputy Bailiff:** Deputy Trott.

**Deputy Trott:** I have said many times, madam, that I hold my colleague Deputy Dyke in high regard, but the evidence does not support his assertion. We spend less *per capita* on public services than any of our direct competitors. That is a fact.

**Deputy Dyke:** I thank Deputy Trott for making that point, he has made it before. But still, however much we spend relative to other people we are spending more and more. Deputy Murray has pointed out that the whole health thing is unsustainable. We are talking about increasing taxes, which is a very unpopular thing and a great burden on our society.

So, wherever we see expenditure that we can avoid, we should stop it and, therefore, this amendment, to keep this Resolution, I think is a very valid one and, to be honest, I think it is something that should be prioritised. I think it is a relatively easy thing to do and then as we build up our proposals on health to add to it and mesh them in together.

But I think we cannot just put everything off until we have got the perfect solution to everything, because we will never have the perfect solution to everything; but we cannot do nothing. So, progressing in stages seems to me to be an extremely sensible thing to do and this is a relatively easy one, so it should be left on the list of things to do and, actually, we should get on with it quite quickly, to my mind.

Thank you.

**The Deputy Bailiff:** Thank you. You should have on your screens Amendment 2 and I would ask the States' Greffier to open the voting.

*There was a recorded vote.*

*Amendment 2.*

*Carried – Pour 22, Contre 15, Ne vote pas 1, Did not vote 2, Absent 0*

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

Snowdon, Alexander  
St Pier, Gavin  
Vermeulen, Simon

2655       **The Deputy Bailiff:** There voted in relation to Amendment 2, Pour, 22; Contre, 15; there was 1 abstention and 2 Members were not in the Chamber at the time of the voting. I, therefore, declare the amendment has been passed. We now return to general debate.

Deputy St Pier.

2660       **Deputy St Pier:** Thank you, madam.

Deputy Ferbrache enjoys my *Guernsey Press* columns (**Deputy Ferbrache:** Hear, hear.) in fact, I am reliably informed that he enjoys them so much that he rereads them or possibly recycles them in his outside toilet (*Laughter and interjection*) and he also tells me that his memory, famously a good memory, but it is not what it once was and, therefore, he may not recall my preview of this item because, of course, this item should have been debated a little while ago.

2665       Therefore, I am going to take the opportunity, specifically for Deputy Ferbrache, of reading what I wrote, which is as follows: The annual reporting of progress on extant Resolutions, with all of its 158 pages, tells us so much about what is wrong with our processes, (not least with the hundreds of hours across the States in its preparation.

2670       Appendix 1A is an update on the 96 outstanding Resolutions passed this term. Appendix 1B is the update on the further 95 Resolutions that predate this term, the earliest of which dates back 22 years, to 2003 (**A Member:** I remember that.) and this includes, of course, a 2007 Resolution to report back and I quote, 'as soon as possible' on vehicle exhaust noise. (*Laughter*)

2675       The update tells us it is one of a number of topics included within a commissioned report which the Committees are currently considering. So, something which the States considered required attention, as soon as possible, in 2007, and a good chunk of the population had considered required attention in every one of the intervening 18 years is, well, still under consideration. (*Laughter*)

2680       Appendix 2 contains 37 Resolutions that are proposed for rescission. The earliest of these stretches back just 11 years to 2014. The most cited reason for recommending that Resolutions be rescinded is simply that they have been superseded. In other words, overtaken by events, proving that if you wait long enough, not doing what you said you would do, or said urgently needed doing, you will not have to do it anyway. (*Laughter*)

2685       So there you go. But I think it was actually Deputy Prow's contribution in general debate earlier which, of course, has triggered the amendment which we have just debated, which drew attention to that particular Resolution which, of course, was inserted by amendment. There are a number of other resolutions which are long outstanding that have been inserted by amendment and this really is a symptom of what I will call capital The System, when it really does not like things that it has been directed to do; somehow, they just get buried at the bottom of the in-tray.)

2690       So, I will just refer to a couple and I was involved in some of these so I recognise them. The 116th Medical Officer of Health Annual Report in 2014, so 11 years ago, which was to direct something which was then called the Health & Social Services Department, for anyone who remembers that, to review the role, purpose and accountability of the Medical Officer of Health and report back to the States no later than April 2015 with any recommendations arising thereon.

2695       There was also in 2015 something to note Home Department's intention to return to the States with a further States' Report with detailed proposals to give effect to that report's recommendations, this was on Law Enforcement, by December 2016. So, we have a long tradition of, in essence, managing to lose things in The System.

2700       Similarly, another one that was in relation to direct something called the Commerce & Employment Department, whatever that is, to return to the States by the end of 2016 with a policy letter proposing the introduction of shared parental leave. So, we worry about the productivity of our economy and how we increase employee participation, we had a Resolution 10 years ago that we have still not managed to act upon.

2705 This, madam, is not a criticism of this particular Committee that is presenting this particular report. But as I said, from the excerpt which I read, which Deputy Ferbrache so enjoyed in his outside toilet, is a symptom of one of the significant challenges we have in our system of Government, which simply fails to do what it has been directed to do when it really does not want to have to do it.

2710 **The Deputy Bailiff:** Thank you. Deputy McKenna.

**Deputy McKenna:** Thank you, Madam Bailiff.

I rise to my feet because when I hear about things taking 11 and 15 years, this is rather urgent. I had a phone call last night from two very good friends of mine Advocate Mark Torode and advocate Adrian Sarchet. Mark Torode is a great family man, they are all swimmers, he is a wonderful long-distance swimmer and Advocate Sarchet is affectionately known as the sea donkey. He did the iconic Seven Oceans Challenge. He is known as one of the global swim immortals and he did the 24-Hour Swim challenge back in September 2022 –

2720 **Deputy Bury:** Point of order, madam.

**The Deputy Bailiff:** Yes, Deputy Bury.

**Deputy Bury:** Rule 17(6), relevance to debate.

2725 **The Deputy Bailiff:** I am going to wait to find out what it is. You might be right *(Laughter)* but hopefully we will find out soon.

**Deputy McKenna:** Thank you.

I do not speak very often, Madam Bailiff, so I did not realise that.

2730 **The Deputy Bailiff:** Unfortunately, Deputy McKenna, that is not one of the Rules. *(Laughter)*

**Deputy McKenna:** So, the point being, Madam Bailiff, some genius is deciding to take away the diving board at the Vallette bathing pools now the diving board is a rite of passage to all our children and grandchildren.

2740 **The Deputy Bailiff:** Deputy McKenna you were not here yesterday so you would not have heard I am being quite strict on keeping people in their lane in terms of what we are debating. Is this relevant to the Resolutions that are before?

**Deputy McKenna:** Madam Bailiff, it has no relevance whatsoever, but now everybody knows *(Laughter)* we should save the diving board and let us all get together and give our community hope and let us save that diving board.

My apologies. *(Applause)*

2745 **The Deputy Bailiff:** Deputy Murray.

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

2750 It is very difficult to follow that really. *(Laughter)* What I did want to do was I wanted to follow up Deputy St Pier's comment because he will be aware, as anybody who has been on P&R, we have regular meetings with the Law Officers to try to promote or produce some action on that huge, long list that he referred to before, he is absolutely right.

Part of the problem that I have established or understood is that every new term, when we repopulate our Committees, they focus on what they want to do rather than the whole long list of

2755 things that they were supposed to take on board and do. So, it did suggest to me from what I was understanding from Deputy St Pier that there is actually some sort of resistance to dealing with these things.

In fact, it is actually officers responding to the current occupiers of those Committees and what they want to get done and I think this is part of the challenge, unfortunately, with new people coming in, they will get confronted with exactly the same problem in a year or year-and-a-half's time, whenever it is going to be, and it will be the same problem. They will have added another whole pile of things that were in their manifestos that they, quite rightly and understandably, wanted to see happen.

2760 What they did not know when they came in was that there was 300 things before them that had not been dealt with and I think one of the things that we could, perhaps, overcome that to some extent is that every Committee when it meets has an agenda, but never on that agenda have I seen what my Committees need to have got done before we dealt with the current business because you do not even know half the time what actually your Committee was charged with, or the Committee before you or the Committee before that even, and that is why it still sits there. Then, of course, 2770 things do get overtaken by events or successive amendments or changes or Resolutions that actually make them no longer relevant.

So, I would plead for a little bit of understanding on the part of officers who, frankly, do what we tell them to do when, in fact, actually we need to actually advise candidates they need to come in with a little better understanding of what it is, actually, (**A Member:** Hear, hear.) that previous 2775 Assemblies have asked them to do

Thank you, madam.

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

2780 **Deputy Inder:** Only briefly, madam. I think Deputy Prow has, indeed and quite wisely, set the scene and the problems set out by this, but I have got to come to the defence of P&R from Deputy Le Tissier. All P&R have done, and they have gone out collecting from the rest of the Committees a bunch of Resolutions that the Committees think are irrelevant and put them into a package and asked us whether we agree or not.

2785 The previous one, as I understand, there seems to be some confusion because I got the impression from Deputy Brouard that his Committee was not so sure whether that was one of the Resolutions that should have been burned. But I think this is another problem with this and, again, if I could refer to page 109, Appendix 2 and it is item 31.

Possibly I should have put in an amendment like Deputy Dyke has done over lunch, I did not as 2790 I had to be elsewhere, I thought it was probably one of the best written amendments I had ever seen by Deputy de Sausmarez and Deputy Roffey. I thought it was fantastic. It is really quite positive. They are talking about selling off States' houses, keeping funds together, 75% of that is the –

**Deputy Roffey:** Point of correction.

2795

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

**Deputy Roffey:** The same one I raised when Deputy Gollop said this this morning, despite what it says in the Billet, that was not an amendment by myself and Deputy de Sausmarez and I suspect 2800 that Deputy Inder knows it because from memory, I think it might have been a Ferbrache/Inder effort rather than ours.

**A Member:** Hurray!

2805 **Deputy Inder:** But it turns out, it was an entirely pointless intervention because you knew exactly where I was going with, but it turns out that perfectly written amendment with a fantastic

explanatory note, really quite positive about housing, written in 2022, which actually said the problem is now it was not written by Deputy Roffey and Deputy de Sausmarez, it was written by Deputy Ferbrache and Deputy Inder and the reason I do not really want this removed from – but that's 2022, so that was three years ago now – Inder/Ferbrache recognised there was a housing problem and since then we have built nothing. So we have now got a Housing Committee and it does strike me whether this Resolution should be kept in place because it may prove to be useful to a future Housing Committee.

Now, I have not got around to putting an amendment because I do not think, and for the reasons I described, I think this has been removed for ideological purposes because I remember at the time Deputy Roffey jumped up and told us it was the most terrible thing to do, the thought of selling off States' housing was disgusting, it could not happen, I was the worst person imaginable, apart from the last speech I did (*Laughter*) when I was the worst person imaginable.

But as we leave our seats, a new Housing Committee might find a sensible way of selling off some of the States' housing and using some of that funding to build some of the houses this Island so desperately wants. (**A Member:** Hear, hear.) So, my question would be to anyone who is interested in housing, before some of us lose our seats, is this worth keeping in, or could a new Housing Committee still carry on and think of that as a possible solution? Is the work worth continuing?

Because right now, I am not really that keen on voting for Proposition 1 and I do not blame Policy & Resources for it, by the way. I think the problem is that this has been taken out on ideological purposes, I genuinely believe this has been removed and I think it should be kept in because we are going to change our seats, if we have got the same positivity now being now being expended by the likes of Deputy Dyke and even Deputy St Pier we may, eventually, get a Government that is looking for growth and solutions.

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

**Deputy de Sausmarez:** Thank you, Madam.

My speech might be considerably shorter as I cannot actually find the right policy letter to speak to, it has just disappeared off the window, I will go from memory. I was slightly tickled by Deputy Prow's speech given that the very first entry into the table, from memory, of the Resolutions to rescind was, indeed, one put forward by Home Affairs.

But I do have to say, on the general principle of efficiency, I would like to echo whoever it was that made the points, it was probably Deputy Soulsby maybe Deputy Trott, about the fact that, actually, all these extant Resolutions do require quite a lot of resource and I think we do need to have appropriate mechanisms by which to streamline them and make sure that they are up to date and to help us work as efficiently as possible as a Government.

That said, I do think there are ways that we could potentially improve upon the current process. It strikes me, reading through some of the amendments, that we are seeking to rescind resolutions that have already been discharged and I think there is a little lack of clarity about what resolutions have been discharged and what needs to happen with them after that, whether they can just be ticked and we can move on or whether we need to rescind them if they have been discharged.

So, I might suggest to P&R to consider possibly looking at whether that can be something that is clarified and hopefully streamlined. So, it strikes me that there are essentially three different categories of extant Resolutions. They are either current and ongoing, they have been discharged or they are being proposed for rescission.

Now, of those that are proposed for rescission quite often if we read through the table in Appendix 2, or whatever it was, it is because they have been superseded by subsequent pieces of work, usually subsequent Propositions in follow on policy letters. So, there are several in that table, for example, that were originally put forward through the Energy Policy and were superseded by the Electricity Strategy, that kind of thing.

So, it is not that they are not being done, it is not that they are not being progressed. It is just that they have either been discharged or they have been superseded. So, events have overtaken them, a different way of doing the same work or achieving the same outcome has been thought of.

So, there are often very good reasons for rescission and where I do part company slightly from Deputy Prow, is that I do not think it is a sensible use of resource or time, either officers' time, Committee's time or, indeed, this Chamber's time to go through and bring policy letters that –

I do give way to Deputy Prow.

**Deputy Prow:** Thank you.

I thank Deputy de Sausmarez very much for giving way. In my speech, I did not actually disagree with the points you have made and I made it absolutely clear when I spoke that I was speaking as a Deputy, not the President of Home Affairs. You made some very valid points, but my point was there is no harm in keeping them un-rescinded; that was my point.

Thank you.

**Deputy de Sausmarez:** I thank Deputy Prow for that clarification.

I do apologise if I misinterpreted any of his contribution to debate. But yes, I actually think some of the debate that we have had is about Resolutions where, maybe, the overall intent might be worthwhile but the exact expression of the Resolution does not quite fit and I do think we need to remember that Committees do have the autonomy to seek to achieve certain results even if a slightly unwieldy resolution has been rescinded for whatever other good reasons.

So, I just think that there is potential to improve on this process and I do hope P&R will take some of that feedback on board, but I do intend to support the Resolutions. I know Deputy Taylor is going to expect me to talk about third party, no he is actually shaking his head, I will talk to him about it afterwards. I really do not want to use valuable debating time, valuable time in this Chamber to go through each individual Resolution, point by point.

Thank you.

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

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

I will not take up too much time. I just rise really to voice support as well for sentiments expressed during the course of the debate about finding a better way of administering this particular report which, obviously, comes to the Assembly under Rule 23, which I have just had a frustrating, nail biting time finding, not through any fault of anyone else's, but actually the way that we lay out our Rules of Procedure and our blue book is really confusing, to the extent we do not even have page numbers on it.

However, that aside I think that there needs to be a little bit more consideration given to the criteria for whether work has met the conditions to discharge the particular resolution, because there is an awful lot of narrative within the appendix, which says, well, this work is ongoing, that is part of the objectives of the Committee, etc., and I think that just a little bit more clarity around that would be helpful and possibly it is almost like an ongoing action list, isn't it? Yes, every single Committee should be reviewing its extant Resolutions on a more regular basis, but there is that issue of the day-to-day work getting in the way and obviously new policy development, which comes from possibly bigger ticket resolutions that do get in the way.

That said, I wanted to comment on some of the tone, which I think was started off by Deputy St Pier's comments, which I do understand and that is a view, but I agree with Deputy Murray and I was going to stand before Deputy Murray stood to say that, actually, that is possibly a view and there could on occasion be a pocket of that.

However, my experience is not that at all. It is more often that things do not get done because of a lack of resources (**A Member:** Hear, hear.) to be able to do the work, which has often come from, for example, a legacy of the salami slice of the FTP, for example, or a Committee being

2910 required to slash its budget by 3%, or the savings initiatives and contracts not being renewed. So, the staff resources, because that is always what it is, who were set aside to do that particular job are no longer available to do it.

So, I would say that the commentary or the narrative coming out that listeners might be listening to is, oh, well we put States' Deputies there to get things done and then the things that they decide on doing are not getting done because there is a massive blocker in the Civil Service because they just simply do not want to do it.

2915 Well, that is not my experience, certainly not within the Committee *for* Economic Development that I worked on last term, the Committee *for* Education, Sport & Culture. Things may not be done as quickly as you want them to, but this tribalism or guarding the homework I have not seen that evidenced.

2920 What I have seen evidenced is well, we simply do not have the people at the desks to be able to do the work or out on the ground to be able to do the work, because we have had to look at our budgets carefully and there is a consistent pressure to reduce your budget and to stop the spend and, I think, that it is a conflicting narrative between colleagues like Deputy Dyke who are constantly saying, no more and, actually, then we make yet another Resolution to do more and you cannot do both.

2925 You cannot say, we cannot spend any more money because we are spending too much of taxpayers' money, yet we need to do more in order to fix the problems that are arising in the Island and, therefore, we need to spend the money. You cannot do both. But I just felt that the narrative coming from Deputy St Pier was a little bit too simplistic and not offering the complexity which often sits behind the reality of the situation, which is there is simply not the resources to discharge those extant Resolutions.

Thank you, madam.

2935 **The Deputy Bailiff:** Deputy Trott.

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

I shall speak briefly, but I have to say how thoroughly amusing Deputy St Pier's speech was and there is one thing consistent during the period of time he referred to and that is that Deputy Gollop and I have been in this Assembly for that entire time. So, maybe we are more culpable than others.

2940 But it is quite clear and I think it was the speech from Deputy de Sausmarez that talked about the ongoing and, effectively, the things that need to be struck off. Things change but, importantly, so do priorities. In fact, they change almost daily. We need to respond to various issues within our Committees that more or less means that we drop everything else in order to deal with those priorities. That is true in life generally, not exclusively in this Assembly.

2945 But picking up on what Deputy Dudley-Owen had to say and why I was eager to speak next, was that so many things do not get done because we simply have not got the human resources to deliver on the wishes of this Assembly. We simply do not have the resources. We are not bloated and the reason I keep coming back to this key metric that shows quite vividly how much less we spend *per capita* on public services. There are many in this Assembly who would want to spend more. There are a few who genuinely believe we should spend less because things are pretty lean.

2950 Now, I want to make the point that this and previous Assemblies have supported amendments that we simply have not got the resources in many cases to deliver on. That was true 25 years ago, as it is today and I am reminded of the line in the film *Top Gun*, where the Admiral tells the egotistical Maverick, son, your ego is writing cheques that your body can't cash. (*Laughter*) That is what we do. We are well meaning, we are enthusiastic, we want the best for our community. But we simply cannot cash many of those cheques.

2955 So, that is partly, but not exclusively, why reports such as this one are required and it is clear that the Assembly had some concerns, an amendment was brought and it was dealt with. Rather than throwing the whole baby out with the bathwater, we dealt with something that Members were particularly troubled by and I would be hopeful that we will agree to the majority of this report and

it is why I voted against a Proposition that remove the ability of Members to bring so-called on-the-hoof amendments because occasionally some sort of surgical activity is required in this Assembly without the requirement to bring a hatchet to a set of proposals. So, I do hope that Members will support the overwhelming majority of this report as amended.

Thank you.

**The Deputy Bailiff:** Deputy Helyar.

**Deputy Helyar:** Thank you, madam.

I am a bit of a science fiction fan on the side, *Red Dwarf* being one of my favourite ones and this reminds me of an episode called *Future Echoes* where the spaceship starts to travel faster than the speed of light and they start to see into the future. We had some putative new Members, or those planning to stand in the election in here last night, and there was a big television set here first thing this morning.

So, I was thinking to myself, well, if those candidates had to go through this huge list of things that we want to strike out what could they expect, what would my presentation look like? Well, the first slide in the PowerPoint would be headed Resistance is Futile, (*Laughter*) from the Borg Collective because I talk about the tactics they might expect to have to face, not just from their colleagues, but also those that are supposedly delivering.

The first one is, and this probably echoes quite a lot of what Deputy St Pier had to say, because the first one will be to bury you in detail. Let us really get unnecessarily huge meeting packs full of detail taking you into the realms of detail and triviality so you completely lose sight of the objectives.

Then we will hold another meeting with no objectives or outcome. If that fails, we will go very slowly. Then we might just go to ground so you cannot get hold of us at all and one which Deputy Trott just mentioned, it is a bit like the bingo again, isn't it, then we will present you with an emergency which has been happening very slowly for several years. We have seen that one a few times, haven't we?

The old classic, I need more resources. Yes, that one is always a winner, isn't it? And if all fails, break glass here, The Human Rights Act. (*Laughter*) We cannot do it because of human rights. We do not know which section it is; it is bound to come up, somebody is going to phone us at some point or send an email saying, you are breaching my human rights.

I am very cynical about this stuff. I think, like several of the speeches, I did not speak in the previous amendment, although it is probably my fault, if I am honest, from an insurance perspective because it seemed to be going in the right direction. But I am quite cynical because we can accept this and we cannot accept this, but if others decide it is not going to happen, it will not and so it does not really matter what you vote. That is my personal view.

Thank you.

**The Deputy Bailiff:** Thank you, Deputy Helyar.  
Deputy Bury.

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

Like Deputy Taylor, I do not really enjoy policy letters like this. It is so wide-ranging that we could, well we could not spend hours now we could spend 15 minutes, talking about everything. (**The Deputy Bailiff:** It all adds up, Deputy Bury.) It does. As wide-ranging matters as people often want to do and I think that a bit like, if everybody is special, maybe nobody is special, if you talk about everything perhaps you are talking about nothing

So, I am going to just choose to talk about one thing which rarely gets an airing. It is not up for rescission, it is in the previous year's extant Resolutions and that is around birth registrations for children, particularly, where the parents are same sex couple, single parents and this is on page 83 in Appendix 1B and it came out of the 2020 Discrimination Ordinance proposals and it is about the birth registration process.



3015 I pushed the original P&R on this at the start of the term and have done with this P&R as well, and generally the feedback is, and you will see it in the narrative and also Appendix 5, which is the explanation, that it is a complicated piece of work. That is the narrative around, and I have no doubt that it is, so why not get cracking then?

3020 That has been my issue with it from the beginning and I appreciate now that this P&R, and in this explanation, that some impetus has been put into it to move it along; but 2020 is 2025. So, there are children, we were talking previously in a previous debate about affecting real people's lives, there are children who were *in utero* or one, who are now at primary school and they are still in a position where both their parents are not legally on their birth certificate and when everything is going hunky-dory in relationships, that is probably okay.

3025 It probably does not sit well with the parents but, from a legal standing, things are okay. But I am sure almost everybody here has been through some sort of family scenario, whether it be a divorce, the breakdown of a relationship when there are children involved, whether it be death, illness, *etc*, legal standing becomes very important in those situations. It might be decisions about healthcare, moving away these are really important decisions and, at the moment, there are certain people, generally non-heterosexual couples, that are not afforded the same protection as heterosexual couples.

3030 So, that is something that I just felt needed highlighting. I am grateful to the current P&R, as I say, for starting to move it along, but the work is going to have to be phased, *etc*. So, we are still looking at a long time, probably, until this actually gets rectified. How old will those children be then, adults, maybe?

3035 So again, I wanted to highlight the point because I think it is an important issue. It does affect real people's lives, but I do think it goes back to the system and how we prioritise things. We have a real struggle on our hands the way we do that. To me, I have like a roast dinner analogy, the thing that is going to take the longest is the joint of meat so you put it in first if, indeed, you are a meat eater, so you get started first.

3040 So, I think it has been disappointing that work like that did not start earlier. I am grateful that it is now but I do agree with many of the comments around how we prioritise work. Sometimes things are really simple, I know the case that I have highlighted here is not, but sometimes things are really simple but because they are so simple and they are so small, they just sit around on the slate forever.

3045 I really feel there needs to be a way of bumping those things up. I do not know is it an intern in the Law Offices over summer that does all the little jobs? I do not know, but I do think there needs to be a way of making sure that we end up with less just hanging around on the slate that eventually we get to, as Deputy St Pier said, oh, this has been around so long it has been superseded, let us just get rid of it. **(A Member: Hear, hear.)**

3050 Thank you, madam.

**The Deputy Bailiff:** Does anybody else wish to speak on general debate? In that case I understand Amendment 3 is just about to be published and so in order that hard copies can be circulated, we will have a short recess.

*The Assembly adjourned at 4.07 p.m.  
and resumed its sitting at 4.16 p.m.*

**POLICY & RESOURCES COMMITTEE**

**9. Reporting Progress on Extant States' Resolutions –  
Propositions (as amended) carried**

3055

[Amendment 3](#)

*To insert at the end of Proposition 1 the following:*

*"except for item 31 – 2022/X: Government Work Plan 2022: Investing in Islanders, our Island and our Future".*

3060

**The Deputy Bailiff:** Members, circulated in that brief recess was Amendment 3, which you should have before you. Unfortunately I understand gov.gg is not functioning properly at the moment so what you have on the back is the wrong explanatory note. The explanatory note on the back is actually for the previous amendment. The actual amendment is correct but if you need to remind yourself what is in Item 31 you will need to look at the very helpful booklet that I understand was circulated.

3065

But, hopefully, from the debate you will have picked up what this is about in any event. I also understand that as a consequence of gov.gg not working properly this has not actually been published but, nevertheless, we in the Chamber do have this copy.

Deputy Inder, do you want to formally lay this amendment?

3070

**Deputy Inder:** I do, madam, thank you very much.

It does not necessarily need to be read out because it is so short. I will try and explain it. Unfortunately I am disadvantaged, again, in as much as explained by the Deputy Bailiff that we do not have access to the internet and, importantly, the amendment I am about to refer to. So, Deputy Falla, I am sure will help me, I know Deputy Roffey is going to help me because he read it and confirmed that it was not him that signed it.

3075

But this is to keep in Item 31, inasmuch as this was the Inder and Ferbrache amendment whereby back in 2022, from memory, we added to the Government Work Plan a direction to what was then the ESS, Employment & Social Security and E&I, which the E&I bit is probably going to move to the new Housing Committee, to give some consideration to selling some of the States' housing, possibly, to existing tenants the value being up to 75% value and giving the States other options.

3080

Simply, I just do not think this should be rescinded. I believe, even though it mentions the ESS and E&I, which the E&I bit has now moved to the new Housing Committee, whoever takes that off, it is just one of those things that got substantial support at the time. I know Deputy Roffey, at the time, really did not like it at all, it was probably one of the worst amendments he had ever seen. I was really quite told off for even thinking that you might be able to sell off dilapidated products and use that money to build new housing elsewhere.

3085

I think this should still be retained and hopefully Members will agree. It is just as simple as that and if you agree that it should be rescinded then do not vote for this amendment. If you think there should be hope for a new Housing Committee to give that some consideration and direction already sits there from 2022 to work with, potentially, ESS then just vote for it. It is as simple as that.

3090

**The Deputy Bailiff:** Deputy Dyke, do you formally second this amendment?

3095

**Deputy Dyke:** Yes, madam, I am pleased to second this amendment and I may speak later. Thank you.

**The Deputy Bailiff:** Who wishes to speak in debate on this amendment?

Deputy Roffey.

3100 **Deputy Roffey:** I wonder if it will save time if I say that I intend to vote against this for reasons I will explain, but I am really quite laid back about what happens, because I think the nature is whatever instructions are given, we are setting up a new department called the Housing Department, Housing Committee.

They will look at a whole range of options from scratch. They will certainly, well not from scratch, 3105 because they will certainly take on board the housing plan that has been worked out. They may not adopt it all, but they will take it and look at it. Deputy Inder actually left out one of the three Committees that were supposed to be driving this, which was Policy & Resources as well.

I think the two reasons that we have not taken it forward so far are one, that there was a flaw in that it instructed that this should apply to the existing housing stock of the GHA, who have no wish 3110 to do this and we have absolutely no power whatsoever to compel them to do it. But secondly, and more importantly, in the current situation, I am not against philosophically the idea of ever selling off social housing in order to reinvest, but it is absolutely a supremely bad time to reduce the pool of social housing.

So, I will vote against it but if other people feel the opposite way I do not think we need to 3115 re-debate the whole of that again. We probably know the way that we feel and I suggest we move fairly quickly forward to either voting to take this out of the list of rescindments or not.

**The Deputy Bailiff:** Deputy Dyke.

3120 **Deputy Dyke:** I will just make one point on this as to why we should not lose this particular proposal is that in the figures that have gone between E&I and Planning, we have seen that we appear to have a considerable surplus of three-bedroom social housing but a shortage of smaller houses and a shortage of bigger houses for our clientele with more lavish families. So, we have a surplus of the three bedrooms, so looking at the option of selling those to help finance other types 3125 of houses would be a benefit to the market generally.

So, it is a very good route to look at, to my mind, and we should not lose that proposal and the proposal can go on the agenda for the new Housing Committee as one of the things that has been approved by the States and they should look hard at. So, I would suggest that everyone votes for this amendment to put this item back; keep this item in.

3130 Thank you.

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

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

3135 I was rather hoping Deputy Roffey's wise words might be adopted. I do feel as though I need to just respond to the point that Deputy Dyke has made, because the slight flaw in his otherwise sound logic is, because he is quite right there is a mismatch this is something that ESS has been talking about quite considerably, so I am glad that message has got through, slight flaw and the problem is that there is not anywhere to move the people currently living in those homes out while we sell 3140 the homes from under them in order to create some new ones.

So, that is why I just do not think it matters either way, I am with Deputy Roffey, I am going to vote against it but it just does not make any difference. A new Committee will have to work with P&R because it has got implications for DHA and all the rest of it. But I just do not think that any Committee of whatever flavour, of whatever inclination is actually going to be able to act on this 3145 while we have got so much more demand even than in the private market for affordable homes, I just do not think it is a realistic option.

So, I very much suspect there will not, actually, be any way of actioning it even in the next fiscal year, given how much pressure there is for new affordable homes because you cannot decant people out of their homes in order to free up some money or create some money to build them 3150 some new ones a couple of years down the line. So, I just do not think it matters either way, but I will be voting against this.

**The Deputy Bailiff:** Deputy Matthews.

**Deputy Matthews:** Thank you, madam

3155 I am going to support this amendment. I am glad Deputy Inder read it out because I did not actually have it on paper, I did not have it on the system to go over it, but it seemed like sensible. I have often thought that it would be very sensible for people to be able to buy States' owned houses.

I know that Deputy Roffey noted that there was a flaw in it and that it mentions GHA homes, which it does, but it mentions both. So, it says managed or owned by the GHA and any homes  
3160 managed by the Committee for Environment, Employment & Social Security under its Housing Department function. So, that includes States' houses as well.

I think quite often when you have a Resolution that has perhaps got a flaw, so the GHA part might not be able to be progressed, that is not a reason to just rescind the whole resolution and not do anything. If you can progress one half of it, the States' housing part of it, then progress that  
3165 part and while you are bringing it back say we were not able to do the other half with the GHA –

I will give way to Deputy Roffey.

**Deputy Roffey:** The trouble was that we cannot progress the bit in relation to States' houses. The reality is that virtually zero of our tenants are in a financial position to buy States' houses. So, it  
3170 would be other people that would have to buy them, which as Deputy de Sausmarez says, we would have to vacate houses just at a time when we do not have enough of them. So, it has not been a philosophical reluctance, it has just been a practical impossibility at this time.

**Deputy Matthews:** I thank Deputy Roffey for his intervention which actually brings me on to the part that I was going to mention next, responding to Deputy de Sausmarez and also Deputy  
3175 Roffey saying that there would be no other housing where tenants could be decanted to in order to be able to sell the houses which I think, actually, might have been referring to a different proposal.

I know Deputy Ferbrache, at one stage, was looking at selling off the entire States' housing stock to the GHA and it went through various stages and actually came back as not being the positive  
3180 proposal that it was thought to be initially. As far as I can see, this proposal is for tenants to be able to buy their own houses and so there is in that case no need to decant anybody anywhere because they are buying the house that they already live in –

I give way to Deputy de Sausmarez.

3185 **The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I am grateful to Deputy Matthews for giving way because I think this is a really important point and I think this did feed into the debate. There was this misconception that  
3190 this was about enabling people to buy their own homes. As Deputy Roffey explained, by the nature of people who are eligible to live in States' rentals, social rental properties, it is vanishingly unlikely that any of those people would be able to. We place certain limits on income and capital and that really affects the economic dynamics.

So, I appreciate that is a very lovely aspiration that may be shared by a number of people within the Assembly but, in practical terms, it is incredibly unlikely to work that way. It would mean selling  
3195 States' property to other people, people who are other than the people currently living in them and, therefore, you would need to decant the people who are currently living in those homes and until you have got a greater supply of social rental, it is just not practical.

**The Deputy Bailiff:** Deputy Matthews.

3200

**Deputy Matthews:** I thank Deputy de Sausmarez for that. I was referring to that, partly because that was the proposal, of course, famously in the UK, where council homes were sold off to their existing tenants and many council tenants were able to buy their own homes, partly because

3205 people's circumstances change and I know that this is the case in Guernsey, that people may well suffer some unfortunate circumstances where they are not able to accommodate themselves and move into States' accommodation but may then be able to recover from that, to some extent, and then may well be in a position where they are able to buy their own homes.

3210 That was the basis of the council house sales in the UK, it does not mean we have to copy it in the same way, I do not think that Resolution directs that. But it certainly seems like even if it is unlikely that it would be reasonable to be able to offer that as a possibility. I do not think it is prescriptive in terms of that, I do not think it specifies the price or anything like that, it just says to look into the possibility of it and, for that reason, I would support it.

Thank you, madam.

3215 **The Deputy Bailiff:** Thank you.  
Deputy Leadbeater.

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

3220 Deputy Inder said in his opening that the drafting of the original amendment was based upon the realisation that there was a problem with housing, but this does nothing to solve the problem with housing; nothing whatsoever. This does not add to our housing stock one bit and as articulated by Deputy Roffey and Deputy de Sausmarez, it just would not work. I am not giving way.

3225 The people that are living in States' houses, the tenants in States' houses, they cannot afford to buy their own home, that is why they are in social housing because otherwise they would be trying to get on the ladder. This just would not work. We have a new Housing Committee that is going to be formed in four months' time, what is going to happen in these four months' time? Nothing. It is a waste of time. It is a waste of time that we are debating it now.

3230 I am sorry the intentions are absolutely spot on and really worthwhile but, in practice, it is just a nonsense. Let us kick this out, the new Housing Committee will come along and they will come up with some ideas. Maybe in the future, once we have got enough housing stock, we can look at to start doing some more things. The GHA are doing partial ownership.

3235 Deputy Matthews refers to schemes in the UK where people have bought their own council houses, but they probably go for about £20,000. You cannot compare it with Guernsey. It is absolutely ridiculous. This does nothing. Please do not hammer down that this is a part of our solution to the housing problem because it certainly is not. Let us just kick this out and rescind the Resolution.

Thank you.

3240 **The Deputy Bailiff:** Deputy Taylor.

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

3245 Accepting there are a few difficulties with the internet access to know exactly what this amendment is, it may have explained in the explanatory note whether Deputy Inder and Deputy Dyke had any discussion with the American Larry Connor, it is not clear, but the reason I mentioned him he is US real estate billionaire.

That is probably not why they would have spoken to him. Probably the more likely reason they would have spoken to him is that he is building a submarine, which he intends to take down to the *Titanic*, of all places and, perhaps, Deputy Inder and Deputy Dyke thought they could go down with him and rearrange the deck chairs. (*Laughter*)

3250 They would probably have more luck doing that, or more success doing that, than they would with this amendment because the deck chairs on the *Titanic* will not have anyone sitting on them, madam. (*Laughter*) But all of these States' houses that they are hoping to sell are absolutely full of people. So this is not going to go anywhere whether we vote for it or not. So let us just get on.

Thank you, madam.

3255

**The Deputy Bailiff:** Deputy Mahoney.

**Deputy Mahoney:** Just quickly. Sorry, I am on the side of Deputy Matthews here. I do not think anyone was trying to solve the housing crisis with this amendment, as was originally. I do not think anyone tried to pretend it was solving the housing crisis, either. Certainly when we tried to run with this, I think the number is out there, I believe it was Savills who did the valuation,

Now, of course, they valued it as social housing, so came up with a ridiculous number of £97,000, I think it was, per house which clearly is ridiculous value-wise. So, certainly I am not sure where £20,000 comes from Deputy Leadbeater. Maybe when my parents bought their council house in England in the seventies, perhaps, but certainly I am sure they are more than that now.

It does solve the problem in that, a, if the States decided to be the mortgagee, if you like, you could reverse engineer how much they pay so that it is no more than the rent they are paying at the moment. It just might be the length extended for the repayment. Or else, as Deputy Matthews says, circumstances change. Also, I am not entirely convinced that some people could not afford it, in any event, especially, of course, depending on the value that we put on those houses.

If we start valuing houses for a start, sorry, just had to consider showing the relevant property to be offered for sale qualifying purchases at 75% of market value. So, if we decided they are not worth £97,000, it is worth £250,000 for a nice two- three-bedroom house, that is still an incredible discount, of course, to actually what Joe Public has to pay.

Of course, you can put caveats in there about no resale for five years, 10 years, whatever it is, a tapered scale for profits that are realised. This is eminently doable, just the Committee does not want to do it. It is as simple as that. We heard Deputy Soulsby earlier say, yes, vote it through. We are not doing it.

So that is the situation we have got here. If we vote this through, I will be voting for it I voted for it first time and I will vote for it this time, if we vote this through then the reply will be, yes vote it through, but we are not going to do it. But, anyway, that is not to say we should not, because I think we should.

**The Deputy Bailiff:** Deputy Vermeulen.

**Deputy Vermeulen:** I am somewhat surprised that it has taken us this long to get this far and that this has not been looked into before and there have not been any actions taken on that. I was helped though, for the reason why, by Deputy Helyar's excellent speech on how to stymie any progress in doing something you do not really want to do and the excuses to come up with and give.

Madam, I said yesterday, this Assembly is looking very tired and it is time for some new blood, some new thinking, some new ideas. I am going to support this amendment and I would urge other Members to support it, because it might just be that people fill positions that are currently filled and there is some new, new ideas and some new blood there, full of life, and off we go. So, there you go, that is it. But we must get a bit of a wriggle on because (*Laughter*) quite shortly it is going to be 4.55 p.m. and it will be *Crackerjack*!

Thank you, madam.

**The Deputy Bailiff:** For anybody who is under 50, *Crackerjack* was a programme that used to be on Friday! (*Laughter*)  
Deputy Queripel.

**Deputy Queripel:** Well, this is a well-intended amendment, I get that, but it is fundamentally flawed for one of the reasons set out by Deputy de Sausmarez very eloquently. When former PM Margaret Thatcher set this in play in the UK, it was absolutely wonderful for the people who could afford to buy their own home from the councils. It was a complete disaster for people on the social

housing waiting list because, obviously, it removed properties from the property portfolios of the councils. So, removed opportunities for those on the waiting list and the same will happen here –

3310 **Deputy Mahoney:** Point of correction, please, madam.

**The Deputy Bailiff:** Deputy Mahoney, what is your point of correction?

3315 **Deputy Mahoney:** This was tenants buying their house so it did not remove a property. That property was not available on the list in any event because that tenant was living in it. So, rather than being a tenant they were just now the owner. There was no change –

**The Deputy Bailiff:** I think he was talking about the flow through for the people standing behind. But anyway, Deputy Queripel, please carry on.

3320

**Deputy Queripel:** I will give way to Deputy de Sausmarez, madam.

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

3325 **Deputy de Sausmarez:** I am grateful to Deputy Queripel for giving way because, actually, the point that he raises is really a point that I meant to make when I spoke earlier, was that actually at the at the most recent British Irish Council Ministerial on Housing, this very issue is still one of the chief challenges that different jurisdictions with that scheme are still trying to address to this day.

3330 He is absolutely right that what happened was it reduced the overall housing stock within the social rental sector and it did then have a negative impact on other people who needed that housing. So, he is absolutely right and I just wanted to reiterate that it is still very much a live issue for those jurisdictions.

3335 **Deputy Queripel:** I very much appreciate Deputy de Sausmarez's intervention and clarifying the situation which, to me, madam, blows Deputy Mahoney's claim out of the water. I am just going to read from the relevant section in the policy letter:

The Island cannot afford to lose any affordable housing stock to the private market while the waiting lists are so long and the construction of new affordable housing stock is so challenging ...

As I said, madam, I am sure this is a well-intended amendment, but I cannot support it because I am well aware of the ramifications and I ask everyone else to be well aware of the ramifications. This will be a negative impact.

3340 Thank you, madam.

**The Deputy Bailiff:** Thank you. If nobody else wishes to speak on this amendment, I will ask Deputy Soulsby to reply on behalf of P&R.

3345 **Deputy Soulsby:** Thank you, madam.

3350 I was just thinking about summing up, but no, I have got another amendment! Clearly P&R have not had a chance to discuss this amendment, so we have not got a view. I think what Deputy St Pier said in his comment in what was general debate about so many Resolutions just being stuck there over decades and decades, which is true, this will be an example of another one. So, if anybody is here in 10 years' time, I think, if Deputy St Pier is here in 10 years' time, he will be able to say I told you so. So, it is as broad as long. However people want to vote, it is fine by me, but anything is not going to change any time soon.

**The Deputy Bailiff:** Deputy Inder.

3355 **Deputy Inder:** Do you know what, I did not want to say it but I am going to. I really do think this is a tired Assembly. All I hear is people who have been here a very long time who are expecting nothing to happen. I have heard it from Deputy de Sausmarez, I have heard it from Deputy Roffey, I am now hearing it from Deputy Soulsby. It is really quite depressing and I am looking forward to an election because I genuinely think this Assembly needs a clear out. I did not want to say it, but I am saying it today. (*Interjection*) (*Laughter*)

3360 Now what happens, of course, is those Deputies who have been around too long always take history back as far as they want to prove their point and great store was made in, oh, we cannot sell the houses, it is disgusting, we cannot do it, I am not supporting it. That is because from 2020, no one has built a house. That is the single identifying problem. This Assembly has failed to deliver on any housing.

3365 That is the problem and it is entirely possible, and I am sorry, Deputy Taylor, as funny as he thinks he is, well, I did swim down to the *Titanic*. I still saw his great grandmother walking around the decks trying to find the door (*Laughter*) and I think the problem is what we see in this Assembly, people try to be too smart; they are trying to be clever, they are trying to outwit people.

3370 This is not Law, this is Resolutions. This is about a direction of travel. This is about the right people in the right place having a bit of a vision to try and get on and do something. But if you want to stick in one's little minds that there is a word out of place or a comma in the wrong place, I guarantee nothing will happen.

3375 Deputy Taylor, if you do nothing, I guarantee nothing will happen, but if you try and do something, something might happen. So try and stop, try and be clever, but I am afraid the Deputy is wrong and the previous speaker said that, and it came from Deputy de Sausmarez before, let us give up hope on the tenants, none of them can afford it, no one will buy it. Well, I am afraid they are incorrect. Before Deputy de Sausmarez gets up and corrects me, which I will let her do because she is about to correct me before I finish the sentence, I will get up and give way for something I have not said.

3380 **Deputy de Sausmarez:** I was not going to correct Deputy Inder for something he has not said, just for the bit that he did. (*Laughter*) But the point that I was making is that it is about the eligibility criteria for States' housing. Now, as a Member and indeed Vice-President of ESS, I am very aspirational for people living in social housing and I think it is actually rather patronising and unhelpful of Deputy Inder to suggest that he knows my view better than I know it myself.

3385 But Deputy Roffey and I were simply trying to explain some of the practicalities around. We have eligibility criteria and that applies to people living in social rental accommodation and it is just a practical consideration. But no one is more aspirational for everyone in that sector than I am.

3390 **Deputy Inder:** I generally do not think ESS and E&I are aspirational for that sector, I genuinely do not. I think they want to keep them in a box and I do not, I want them in better accommodation and I really do want them to aspire. But I will give an example where the Deputy, who knows far more than me, might be wrong.

3395 Relatives do die; people do have windfalls and people do get inheritance. It is entirely possible for someone who whose parents well, again before Deputy de Sausmarez, and this is an example, I will sit down, I have not finished my sentence and Deputy de Sausmarez already wants to correct me.

3400 **The Deputy Bailiff:** Deputy Inder, you do not have to give way if you do not want to give way.

3405 **Deputy Inder:** Well, it usually turns into a point of correction, madam. But it is entirely possible. So, this is a scenario where it could happen. You could have tenants in social housing, they could have a windfall, they could have an inheritance and they could have an opportunity. But if you want to talk them into the ground, they will stay in the ground. That is exactly what will happen and I am not giving way. (*Laughter*) So, I would ask Members, quite simply, to vote for this amendment and



allow a future positive Housing Committee, not Committees of the past, to get on and move this housing programme on and move the people of this Island on.

Thank you.

3410

**The Deputy Bailiff:** Deputy Inder.

Ladies and gentlemen, you should have before you the amendment, which is Amendment 3 and I will ask the States' Greffier to open the voting.

*There was a recorded vote.*

*Amendment 3*

*Not carried – Pour 18, Contre 19, Ne vote pas 1, Did not vote 2, Absent 0*

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

3415

**The Deputy Bailiff:** In relation to Amendment 3, there vote, Pour 18; Contre, 19; there was 1 abstention and 2 Members had left the Chamber at the time of the vote. Therefore, the Contres have it.

Deputy Soulsby, you were just about to start to respond in to the general debate.

3420

**Deputy Soulsby:** I am just checking that Deputy Inder is not going to have a heart attack any time soon. I think he is alright. But, actually, on that I do feel that some of the comments are very much, oh, this is the States, the States are rubbish, as if it is someone other. But we are all part of the problem and we have got all these Resolutions; we are all part of the problem.

3425

What, I would say though, is that this Assembly has managed to rescind a heck of a lot of Resolutions this term and we are in a far better place than we were at the beginning of the term (**A Member:** Hear, hear.) when we had a Policy & Resource plan which was exceedingly long, I think at one point it got to about 600 pages with every other thing that was attached to it and everything was included in it and we had, also, the Rules that were extremely long which, I think, I was probably partly to blame for that one. But anyway, they were really long and we have managed to rescind that and change the Rules.

3430

So, we have now got Rule 23 and people commenting, well they do not like that, as we are because we always like to talk about how what our Rules are, but those Rules, we had 14 amendments to, I believe, the Rules of Procedure debate over the last few days, but nobody raised an amendment to change that rule at all. So, we have what we have.

3435

I think I will just comment on, Deputy Prow referenced in, what seems like ages ago now, well it was ages ago now, that we should be having this with the Government Work Plan. Well, the reason

why it is separate now, as was the policy letter on legislation, is because it was separated out because we were not having another Government Work Plan to debate this term but the Rules had not been changed when it came to the legislation and the Resolution. So, that has still come forward and that is why it is separate and that is why we are doing what we are doing now. So, we are not really changing anything much from that point of view.

But on that kind of clarity Deputy de Sausmarez was talking about how we could talk about how Resolutions are dealt with so we know if they have been discharged and I do think, I would take this away as something I think might be worthwhile to see if at least Members if not, we could have the activity tracker publicly available.

I can hear the civil servants in the background going, oh, no, but I do think it would be really helpful and the public then will not be bothering Committees with wanting to know where something is. It might help Question Time when people are not asking, well, I want to know what has happened here. That activity tracker, if that was updated, that might really help here and it will help the public have that sense of understanding and that clarity and that transparency. I will see what I can do but I am sure that whether that is easily done or not, in the first instance, I will find out, because I do feel that is something that we have missed.

Deputy Bury on the birth registration work. This is something that has been close to my heart since when I was HSC President last time and was pushing for it, so before it became a resolution it was definitely something we were working on and she is absolutely right, the comment back has been, and it is absolutely valid, it is very complicated, it includes various Laws that need changing including the Adoption Law, which is, itself, really old going back to 1961, I believe, and it needs work.

But the work was actually agreed in 2020 and resolved under what was, I understand, Resolution 17B, to return to the Assembly with proposals by December 2021. However, as part of the Government Work Plan, in the 2021-25, the Assembly resolved to repeal that resolution, replace it with a new deadline of quarter one 2025 and that is because there are other priorities, such as the Children Law amendments and they required the same people, effectively, to do the work.

So, the focus was on the Children Law which has been longer ongoing and, as we know because we debated it, was very involved. So it was not and is not part of the Government Work Plan but I would say the work is under underway. I am the one that is nominally leading on that work. We have had letters of consultation going out to various Committees, to Sark and Alderney as well.

We are hoping to get this in by the end of this term but, I think, part of the reason it has been difficult is because Alderney, with all their changes, we have been waiting for a response from them and because of their changes that slowed things up a bit. But I am totally on board with Deputy Bury, it is so outdated we really need to resolve the issues there and get it into the 21st Century. So, I thank Members for the debate. We have had some interesting, being sidetracked on various issues, which is great but I just ask Members to support the policy letter as amended.

**The Deputy Bailiff:** Is there any desire to have the Propositions separated out?

Yes. States' Greffier, are you able to separate out the separate Propositions, please?

**The States' Greffier:** Yes, madam, four Propositions will be voted on.

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

Members, you should have on your screen now Proposition 1, as amended by Amendment 2. States' Greffier, would you open the voting, please.

*There was a recorded vote.*

*Proposition 1 (as amended).*

*Carried – Pour 29, Contre 9, Ne vote pas 0, Did not vote 2, Absent 0*

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

3485

**The Deputy Bailiff:** There voted Pour, 29; Contre, 9; and 2 Members had left the Chamber at the time of the vote. I therefore declare the Proposition has been passed.

Proposition 2 should now be on your screens. States' Greffier, would you open the voting, please?

3490

*There was a recorded vote.*

*Proposition 2.*

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

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Haskins, Sam	None	Hill, Edward	None
Blin, Chris	Helyar, Mark		Snowdon, Alexander	
Brouard, Al	Mahoney, David			
Burford, Yvonne	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				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				

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

**The Deputy Bailiff:** There voted Pour, 34; Contre, 4; and 2 Members had left the Chamber at the time of voting. I, therefore, declare the Proposition has been passed.

Proposition 3 is now on your screen. States' Greffier, would you open the voting, please.

3495

*There was a recorded vote.*

*Proposition 3.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

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

**The Deputy Bailiff:** There voted Pour, 38; and 2 Members were not in the Chamber at the time of voting. I therefore declare the Proposition has been passed.

Now the final Proposition, please, States' Greffier. This is Proposition 4, as amended by Amendment 1. Would you open the voting, please.

3500

*There was a recorded vote.*

*Proposition 4 (as amended).*

*Carried – Pour 31, Contre 5, Ne vote pas 1, Did not vote 3, Absent 0*

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

**The Deputy Bailiff:** There voted Pour, 31; Contre, 5; there was 1 abstention and 3 Members did not vote. I therefore declare the outcome as passed.

States' Greffier before you announce the next item of business, I am mindful of the time. I want Members to start thinking if they are going to want to go on a bit longer this evening, if they want to put any motions to the Chamber but, in the meantime, we will progress with the next item.

3505

**APPENDIX REPORT**

**COMMITTEE FOR ECONOMIC DEVELOPMENT**

**The Public Trustee's Annual Report and Audited Accounts  
for the year ended 31st December 2023 –  
Proposition carried**

*The States are asked:*

*To note the Public Trustee's annual report and audited accounts for the year ended 31 December 2023.*

3510 **The Greffier:** Committee for Economic Development. The public trustees annual report and audited accounts for the year ended 31st of December 2023.

**The Deputy Bailiff:** Thank you. In accordance with Rule 25, this is the second stage of the motion to debate an appendix and, therefore, I will ask Deputy Inder, on behalf of Committee for Economic Development, to open the debate.

3515 No, it is you Deputy Inder, the President of the Committee concerned shall open the debate on the appendix report and he or she shall reply to the debate.

**Deputy Trott:** I think he wants to call a Rule 26(1), madam! *(Laughter)*

3520 **Deputy Inder:** Sorry, I am putting the mic on. Still flustered from the spanking I had before; this may be the second one.

The Office of the Public Trustee, the OPT, acts as a trustee of last resort to support the positioning of the Guernsey finance industry, as well as the regulated trust sector. The Public Trustee can be appointed to act as trustee of particular assets, where there is no other trustee either able or willing to act. The Public Trustee is there to protect the trust on behalf of its beneficiaries.

3525

The non-rechargeable aspects of the OPT's work are funded by the provision of an annual grant from the Committee which totalled £14,000 in 2023. The OPT recharges any costs and disbursements it incurs in association with administering specific trusts to the trusts in question there, either as fees or through the sale of the assets of the trust.

3530 Members of the Assembly will note from 2023 audited annual accounts that the OPT has received significant loans from the States, totalling just under £6 million at the end of 2023. These loans are in relation to the management of the IXG Scheme, an extremely complex and lengthy case that the OPT was tasked with administering.

3535 This case, as you are aware, is still the subject of ongoing legal proceedings and its resolution is yet to be reached. I must reiterate that, as I informed the States last year, I cannot provide further commentary at this time. It would be improper for me to speculate on the outcome of such a sensitive and unresolved matter.

3540 However, I can assure the Committee is taking all necessary measures to navigate this case with utmost due diligence and respect for legal processes. Confidentially, as per both statute and order of the Royal Court, is paramount. The funding policy has been jointly agreed by the Policy & Resources Committee and the Committee for Economic Development. Based on the work currently underway, my Committee is confident that there is no reason why it should deviate from this policy. I ask Members to support the Propositions to note the accounts of the OPT and order this report for the year ended 31st December 2023.

3545 Thank you.

**The Deputy Bailiff:** Thank you, Deputy Inder.  
Deputy St Pier.

3550 **Deputy St Pier:** Madam, this matter is before us because of the successful motion several months ago obviously discussing the accounts for 2023. The penultimate page of the account sets out the accounts, page seven, sets out the accounting policies in respect to grants and it says that grants from the States of Guernsey Committee *for* Economic Development are included on a received basis. Grant to be recognised as revenue items where they are not expected to become repayable, where grants have been received and the corresponding amount is considered  
3555 recoverable in respect of the underlying transfers to which they relate, the potential liability has been recognised.

So, taking that accounting policy into account, on page five of the accounts we see that the grant was recognised as a revenue expenditure, in other words is not recoverable and amounts to £14,000, a little over £14,000, in 2023 and just under £17,000 in 2022. So, not a great burden on the  
3560 Public Exchequer at that point.

However, as Deputy Inder indicated in opening the debate, the grants which are considered to be recoverable appear on page six of the accounts, the balance sheet at 31st of December 2023 which shows nearly £5.9 million, which is an increase of pretty well £900,000 on the previous year, 2022.

3565 The assets of the Public Trustee appear above that, £5.9 million, however, the ability for the Public Trustee to repay all the potential liabilities to the Committee *for* Economic Development who has provided that grant of pretty well matching £5.9 million is, of course, dependent on the proceedings to which Deputy Inder referred and there is a reference to that in the accompanying report from the Public Trustee, paragraph seven, which says two necessary applications were made  
3570 in the English courts for recovery and vesting of IXG assets in PT.

One resulted in successful release to the PT's control of assets of approximately £800,000 and the other is continuing and likely to be concluded during 2024.

So, that is good news, clearly the Public Trustee has now got control of £800,000. However, that still, of course, does leave an exposure or the need to get control of the remaining £5.1 million of assets which appear on the balance sheet, assuming that most of that does relate, indeed, to that complex case.

3575 So, the first question to Deputy Inder in responding to this debate is whether he is in a position, either now or subsequent to this debate, to provide any further update to that paragraph seven, in other words, the reference to the other case in the English courts that was expressed by the Public Trustee to be likely to be concluded in 2024. Has it been concluded and, if so, to what outcome?

3580 So, the real reason, of course, for asking for the Assembly to have a debate on these accounts is to acknowledge that there is a significant public exposure to the costs of the Public Trustee, as I said amounting to potentially £5.9 million. Very real questions were asked at the time that these cases were taken on whether they really needed to be taken on because of the fact that the only connection with the jurisdiction was the fact that the trusts were subject to the proper Law of Guernsey and there was no other connection at that time, but that is all water under the bridge. The  
3585 fact is, the Public Trustee did take those cases on and has created the situation that we are now faced with.

Madam, the last time this was debated, there may be a sense of *déjà vu*, because you were in the in the Chair, I think it was last March, so nearly a year ago and I concluded that speech with the following:

3590 Finally, madam, I wish to draw attention to an Economic Development update from August last year. So, that would have been August 2023, which said –

... one of thorns in the side of the Committee has been the funding of the Office of Public Trustee'. Although extremely grateful for the work conducted by the Office and the Law Officers on the single great matter –

Which we know is IXG.

... it has on its books and which will, in due course, be brought to conclusion. This is all being funded by the taxpayer in the interim, which means that they are carrying the risk and I consider that unacceptable. This month the Committee will receive a paper –

This month being August 2023.

... on the matter and that will set out a short consultation looking at alternative funding models. The Committee will explore new funding options for the OPT by the end of this political term.

3595 So, the obvious question I said at the time to the Committee in replying to the debate is, what progress has been made towards presenting alternative funding options for the OPT before the end of this political term which, of course, is fast approaching.

Now, informally, I understand that some progress has been made and that there are alternative funding options and obviously the Committee are to be commended for progressing that and I am grateful to the Assembly for allowing this, I imagine, relatively short debate in order that these issues can receive appropriate scrutiny in this place, given the sums at stake.

So thank you, madam.

**The Deputy Bailiff:** Deputy Ferbrache.

3605 **Deputy Ferbrache:** Madam, I am grateful for the points well made by Deputy St Pier but the States has got to be realistic in relation to a Public Trustee. You cannot have a major finance centre like ours without a Public Trustee facility because we operate in trusts. Trusts form a significant part of both the legal and financial offering that we give and sometimes trusts go wrong and where they go wrong, they could go horrendously wrong and, therefore, there has to be a Public Trustee to pick up the cudgels.

3610 I have got no idea whether the £5.1 million, or whatever is currently outstanding, will be recovered in whole or in part. I have no idea in relation to it, but often you get a very small percentage back of such a debt, but I have got no idea whether that is the case here. I am not saying it is.

3615 So, going forward, and I am grateful to the efforts made by Economic Development, I do not mean that in any pejorative term, but they had this foisted upon them, this particular situation, and I think they have dealt with it very well. But if we are being realistic to the public of Guernsey, we have got to be saying that this is a facility that we had to offer, it is going to cost money and there is a likelihood that it could cost the taxpayer significant sums in the future.

3620 So, it may not be that all the bad things are behind us. I have not an idea if there are any bad things in front of us, but life tells me that the graph is not always going upwards, we do not always go to the sunny up-lit lands or whatever the phrase was by the great man. We sometimes have dips and turns, so we could have another dip in turn.

3625 These show that the actual grants are modest £16,000 one year, £14,000 the other year, 2022 there was a surplus of a few hundred pounds and 2023 there was a deficit again of a small amount. But I am glad Deputy St Pier has raised it because it gives us the chance to turn the headlights really on issues such as these. We take on the responsibility, it is part of the cost of running the kind of business that we run in Guernsey and we could have significant costs in the future.

3630 **The Deputy Bailiff:** Thank you.  
Deputy de Lisle.

3635 **Deputy de Lisle:** Madam, my understanding was that this, last term anyway, was to be moved to the Senior Committee P&R and I just wonder in that the cost could mean significant sums in future to the States and it is all bound up with trusts, whether this should not be moved to the Senior Committee, P&R?



**The Deputy Bailiff:** Deputy Dyke.

3640

**Deputy Dyke:** Just a couple of quick comments. Are there some lessons to be learned from this? The first one possibly being that where the only connection with Guernsey is a choice of governing Law, I cannot see how we are actually under an obligation to take on a trust if there is no other connection and that seems very curious.

3645

Secondly, and ideally, if we are taking on one of these if it is a mess or whatever it is, that ideally it should not be taken on and expenditure should not be made unless there is some security for our expenses. I guess, hopefully, if those lessons are learnt then this will not happen again, because it looks a bit ominous to me.

Thank you, those are the only points I wanted to make.

3650

**The Deputy Bailiff:** Deputy Trott.

3655

**Deputy Trott:** I think lessons have to be learnt in relation to Deputy Dyke's point and I think Deputy St Pier has been very careful with the language he used, but it is highly debateable whether this should have been taken on by the Public Trustee at the time. I will leave it there. Suffice to say that I hope Deputy Dyke will take some reassurance that the lawyers have all been paid, (*Laughter*) albeit it would appear at taxpayers' expense.

3660

**The Deputy Bailiff:** If nobody else wishes to speak on this matter, I will ask Deputy Inder to respond.

**Deputy Inder:** Thank you and as Deputy St Pier will know, I have never really objected to a debate on the on this matter, I said yes, in fact, I almost encouraged him.

3665

It is true, I will use my words carefully, but the Committee is certainly confident that there are enough assets within IXG to be recovered that will eventually pay back the taxpayer and I will just leave it at that because, almost certainly, I am going to get 5,000 emails because someone will be listening tonight. That is the way this business goes. So, I can give him some assurance on that.

3670

Deputy de Lisle mentioned that, well it should go up to P&R, the senior Committee; what does that achieve? We just move it somewhere else and it just is not being sorted by Economic Development. But I promised a review, in fact, I wanted a review when we were sitting together on the Committee back in 2018 through to 2020 with Deputy Dudley-Owen.

3675

It did not happen but, thankfully, and there is a lesson here, employing very good MSMs who have got solid industry knowledge has helped this Committee immeasurably and I will remain eternally grateful to Mr Andrew Niles who has helped this Committee get to a much better point than it was when we started.

To assist Deputy Ferbrache, we cannot dismantle it. That is my first option to everything, if you cannot teach a dog new tricks well shoot the dog and get another one. That is generally my view on everything. (*Laughter*) Well, I was disabused of that fairly quickly; I could not shoot the dog.

3680

But the options are, maintain the *status quo* that is not going to happen, convert to an industry led model or introduce a hybrid model. Well, somewhere between two and three is going to happen. I will assure Members that should another case like this turn up, the taxpayer will not be funding it in the way that it has done in the future. It will look entirely different.

3685

I think P&R have got an indication of where this is likely to go but, again, until I have got my i's dotted and my t's crossed, I have got to be fairly circumspect in this debate to give some reassurance. We will update the States before the end of term to show you where the new OPT is going to land. But it is in a much better place than when we started.

Thank you.

3690 **The Deputy Bailiff:** Thank you. Members, you should see on your screens the Proposition, which is to note, the Public Trustee's Annual Report for 31st December 2023. Can you open the voting please, Greffier?

*There was a recorded vote.*

*Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 3, Absent 0*

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

3695 **The Deputy Bailiff:** There voted in relation to this Proposition, Pour 37 and 3 Members were not in the Chamber at the time of the vote. I, therefore, declare the outcome is passed. Next item of business, please.

**COMMITTEE FOR ECONOMIC DEVELOPMENT**

**10. The Spectrum Licensing Framework to Deploy 5G and Successive Technologies –  
Debate adjourned**

*Article 10*

*States are asked to decide: -*

*Whether, after consideration of the policy letter entitled 'Spectrum Licensing Framework to Deploy 5G and Successive Technologies' dated 19th December 2024, they are of the opinion:-*

- 1. To endorse the policy principles and objectives outlined in Section 11.*
- 2. To direct the Guernsey Competition & Regulatory Authority to develop and implement a spectrum licensing framework to deploy 5G and successive technologies to the Bailiwick of Guernsey taking into account the policy principles and objectives endorsed in proposition 1.*
- 3. To direct the Guernsey Competition & Regulatory Authority to report to the Committee for Economic Development on how it has exercised its functions and powers in accordance with the States Directions in proposition 2 in its Annual Report & Accounts.*

3700 **The States' Greffier:** Article 10, the Committee for Economic Development – the Spectrum Licensing Framework to deploy 5G and successive technologies.

**The Deputy Bailiff:** Deputy Kazantseva-Miller, I believe you are leading this one.

3705 **Deputy Kazantseva-Miller:** Madam, I just wanted to test whether it would be okay if we sit late to conclude this debate? I hope that, actually, it is not going to be a big debate or otherwise that maybe we adjourn early because otherwise just opening and then moving it to another Meeting would not be beneficial, I would say. So, I just wanted to test the motion if we could seek to conclude, which I really hope is not going to be late anyway.

**The Deputy Bailiff:** Yes, thank you. The motion is that we sit until we complete this item of business. Those in favour; those against?

*Members voted Contre.*

**Procedural –  
Motion to reorganise Order of Business –  
Proposition carried**

3710 **Deputy Trott:** Madam, might I suggest that we do the matter relating to the bank resolution item. I suspect that matter will be concluded briefly.

3715 **The Deputy Bailiff:** Members, the motion is that we reorganise the business slightly and that we deal with what is Item 12, the Bank Resolution Authority, which is a matter brought by the P&R Committee. So the motion is we sit until this matter is completed. Those in favour; those against?

*Members voted Pour.*

3720 **The Deputy Bailiff:** There we are. So we will reorganise business. The Committee for Economic Development, Spectrum Licensing will be deferred to the next meeting. Inevitably, as will the Employment & Social Security matter, the need to stabilise private care, that will also be deferred

to the next meeting along with the amendments and we will deal now with the Bank Resolution Authority. Deputy Trott.

## **POLICY & RESOURCES COMMITTEE**

### **12. Bank Resolution Authority – Propositions carried**

*Article 12.*

*The States are asked to decide:-*

*Whether, after consideration of the Policy Letter entitled "Bank Resolution Authority", dated 26th November 2024, they are of the opinion:-*

- 1. To approve the establishment of a bank resolution regime, as described in the policy letter.*
- 2. To note that there will be further consultation, and a supplemental policy letter in due course, regarding the detail of the proposed Resolution Fund described in section 8 of the policy letter.*
- 3. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.*

**Deputy Trott:** Madam. Thank you.

3725 There are three questions that the Committee posed itself when determining this matter, I suspect the Assembly will want to know what they were. The first is what is bank resolution? Well, it is the restructuring of a bank to safeguard the public interest, maintain financial stability and, where necessary, ensure the continuity of critical services, i.e. payments and, importantly, minimise cost to taxpayers.

3730 The second question we asked is why do we need this? Well, it is to protect Guernsey's interests and to meet international standards, to ensure that in the worst case scenario of a bank failure in Guernsey there is a seat at the table that can represent the interests of the Bailiwick and affected customers if another jurisdiction conducts any resolution activities in respect of the bank which operates in Guernsey and, as I have said, to protect taxpayers' and public money against  
3735 unwarranted intervention and this is particularly important as without effective resolution there may be a temptation to intervene, putting tax money at risk.

Now I think this is key so I will mention it. Really, it is a repeat of the important message I am giving, who pays for the resolution? Well it will not be taxpayers. The Commission, the GFSC, will cover the day-to-day costs of the Resolution Committee and provide appropriate staffing through  
3740 the secondment / assignment as necessary.

The cost of any resolution action will fall on the assets of the failed bank as a priority creditor. A separate resolution fund raised from the banking sector similar to the deposit compensation scheme that we already have in place, will cover various administrative costs and these costs will then be recovered in time from the assets of the failed bank. There will be no recourse to the States  
3745 or taxpayer money. I think this falls into the no-brainer category, madam, and I very much hope the Assembly will agree.

**The Deputy Bailiff:** Does anybody wish to speak on this matter? No. Well, in that case, I do not think you are required to reply then, Deputy Trott and we will put all the Propositions in as one. So,  
3750 Members, you should see on your screens before you the three Propositions in relation to the Bank Resolution Authority.

Would you kindly open the voting, please?

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

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

3755      **The Deputy Bailiff:** There voted Pour, 38 and 2 Members were no longer in the Chamber at the time of the voting. I therefore declare that the Propositions have all been passed. We will now move to the Schedule for Future Business. Deputy Trott or Deputy Soulsby?

**POLICY & RESOURCES COMMITTEE**

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

*Article 13*

*The States are asked to decide: -*

*Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 19th February 2025, they are of the opinion to approve the Schedule.*

*(For consideration at the Ordinary Meeting of the States commencing on the 5th February 2025)*

*Items for Ordinary Meeting of the States commencing on the 19th February 2025*

*(a) communications by the Presiding Officer including*

*(b) in memoriam tributes;*

*(c) statements;*

*(d) questions;*

*(e) elections and appointments;*

*P.2025/6 - Committee for Employment & Social Security – Appointment of the Director of the Employment and Equal Opportunities Service*

*(f) motions to debate an appendix report (1st stage);*

*(g) articles adjourned or deferred from previous Meetings of the States;*

*(h) all other types of business not otherwise named;*

*No.1 of 2025 – The Marriage (Bailiwick of Guernsey) (Amendment) Regulations, 2025;*

*P.2025/2 - The Advance and Super Polling Station Ordinance, 2025\*;*

*P.2025/3 - The Postal Voting (Amendment) Ordinance, 2025\*;*

*P.2025/8 - Policy & Resources Committee – Major Projects Portfolio Review\*;*

*P.2025/5 - Policy & Resources Committee – Independent States' Members' Pay Review Panel – Final Report 2024\*;*

*P.2025/7 - Committee for the Environment & Infrastructure – The Future of the Guernsey Dairy Industry\**

*Amendments to the proposed meeting dates and order are permitted only for those items marked with an \*.*

*Items for Ordinary Meeting of the States commencing on the 5th March 2025*

*P.2024/105 - Policy & Resources Committee – Rectories in Plurality\**

3760 **Deputy Soulsby:** Madam, I have got nothing more to comment on this schedule, but just to advise Members, I think I raised it briefly when we were covering extant Resolutions, we are having a lot of policy letters that are likely to come by the end of this term, or Committees want to come to the States by the end of the term, and it is over 50. Policy & Resources – *(Interjection)* exactly – are now looking at that to see how best those outstanding potential policy letters are dealt with.

3765 Thank you.

**The Deputy Bailiff:** Thank you very much. Members, you have the Schedule for States' Business on your screens. Would you open the voting please, States' Greffier?

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

**POUR**

Aldwell, Sue  
Blin, Chris  
Brouard, Al

**CONTRE**

None

**NE VOTE PAS**

None

**DID NOT VOTE**

Hill, Edward  
Snowdon, Alexander

**ABSENT**

None

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

3770

**The Deputy Bailiff:** There voted Pour, 38; and 2 Members were no longer in the Chamber at the time of the vote. I therefore declare that the outcome was Pour.

Thank you very much, everybody. Enjoy the rest of your birthday, Deputy Murray, and let us close the Meeting.

*The Assembly adjourned at 5.23 p.m.*