OFFICIAL REPORT

OF THE

STATES OF DELIBERATION OF THE ISLAND OF GUERNSEY

HANSARD

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Present:

Ms J. E. Roland, Bailiff and Presiding Officer

Law Officers

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People's Deputies

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

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 S. T. Hansmann Rouxel (*relevé à 10h 13*) ; Deputy A. D. S. Matthews (*relevé à 9h 32*) ; Deputy S. R. Rochester (*absent de l'Île*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS
The States' Greffier

EVOCATION

Billet d'État XVI

The States' Greffier: Billet d'État XVI. Article 5, continuation of debate.

The Bailiff: Deputy Matthews, do you wish to be relevéd?

Deputy Matthews: Yes, please, madam.

Procedural –
Motion for shorter lunch break

The Bailiff: Before we continue debate on this amendment, can I just mention two things? The first is, at one o'clock today there will be a short service to dedicate the Field of Remembrance at the War Memorial. Everybody is very welcome to attend; it lasts about 15 minutes.

The second thing I wanted to mention was, I think everybody will be aware that the storm is coming tomorrow. Something to think about in the efficiency with which we deliver today's meeting. Because of the service at lunchtime, and I think there is also a CPA meeting, it is not possible to shorten the lunchtime by much, but can I put a motion to the Chamber that we at least start at 2.15 rather than 2.30?

I have to say the luxury of a full two hours yesterday felt very luxurious; it was wonderful. But if we could start at 2.15 so that we go forward with the hope that, if possible, we finish matters today. If we do not, we do not. At the moment, I understand the advice is that States' buildings will be open tomorrow, but it would be good not only for the Members here but also for the staff, if there are going to be any issues, that we minimise any risk.

So I will put the motion then, can we start after lunch at 2.15? Those pour; those against?

Members voted pour.

The Bailiff: We will be starting at 2.15.

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

5. Long-term Care Insurance (Amendment) (Guernsey) Law, 2026, P.2026/54 – Debate continued – Propositions carried

The Bailiff: Who wishes to speak in debate on the amendment?
Deputy Gollop.

Deputy Gollop: I thought we had an interesting debate yesterday and I am glad, pleased and proud that Deputy Ozanne has actually brought this forward as a leading Member, indeed the Vice-President of Employment & Social Security. Particular speeches I would commend; on one side Deputy Oswald, on the other side I think Deputy Dorrity and Deputy Matthews.

But I think some Members, including Deputy Inder, spoke about the fairness underlying all of this. I am probably one of the only Members left – Deputy Laine, I think, was not in that term – when we actually made the decision to adopt the Community Care Long-Term Care Insurance Fund.

I remember coming back from a health holiday and picking up the debate at public meetings. There was very little opposition then to the scheme, except, ironically, from very senior States' Members, like the redoubtable Advocate John Longlois and former Conseiller Berry, who were, as I recall, thinking that we could not really afford the scheme, inasmuch that the figures were a bit too low and would put a burden on later communities. In a way, they were right. Because the way the scheme was drafted, it probably was drafted in such a way to go through the States, and the public generally supported it, unlike the Health Insurance Fund a little bit earlier.

But the problem with it was that not only were the rates of payment, the contribution that the public made, really too low to build up the right size of nest egg, hence SLAWS – Supported Living and Ageing Well – began, in another one of my terms, when I think the late, great Deputy Jones was President of Housing.

It began, weirdly enough, more focused on hubs and care villages and designing the right kind of accommodation, lifetime homes for people. It mutated into a cost-saving exercise and a rescue for homes. It was a kind of mission creep. When Members yesterday allude to it being fair or unfair, I would say there is nothing fair at all about SLAWS. Nor is there much fair about the way it was amended last term, where possibly I had a slight nuance of point with Deputy Ozanne. She said everyone in the last term was really of one mind on the broad outlines but differed on the particulars. I was never that keen on changing it at all for five years.

I remember going to many presentations given by erudite civil servants and advisers, and all Members seemed to be thinking about, apart from whether they would seize people's homes or not with the worst kind of package in their view, was this business about the tenure of how long you needed to live in Guernsey. I saw that actually as a sign of a growing patriotism, nationalism, even – well, because inevitably the changes affect incomers more than they do locals. That is pretty obvious. You could argue, and I do not know if it will come up today from our esteemed Alderney Representatives, but it disproportionately affects Alderney, which has had a tendency of people moving there in mid or later life, having perhaps had holiday or home connections or other connections with the Island when they were younger. I think it spoke to that.

When we got advice from our officers, one got the impression they did not think it would make a huge amount of difference to the sustainability of the fund whether it was 10 or 20. I think, to a degree, the advice we had on more of a legal nature was a bit of that way as well.

I do think that if we stick with 20 years, the chances of a judicial review at some point are heightened because sooner or later somebody would make the point. I think one Member pointed out that, generally speaking, 10 years is a more normative idea of how long you need to be in a community. We see that in the UK discussions about nationality post-Brexit. We certainly see that

when we discuss on Home issues of population management. Sometimes we are told that you need to avoid short-term workers staying up to the five-year mark or beyond it.

We are going not in that distance. We are going for 10 years. I know it does not directly affect our reciprocal relationships with the UK or in the Common Travel Area because of course we have always been ahead of the game. The Long-Term Care Fund was almost a national care service for Guernsey, at least in its initial development. Now the latest Prime Minister, the Right Hon. Andy Burnham, is actually talking of a national care service several prime ministers later than when that kind of thing was suggested.

In the UK it is very ad hoc in the different countries, counties might apply different rules. We have a system that was actually very generous, more so than Jersey. Not only did we set the rates too low back in 2003, and in my view we should have encouraged employers to give a contribution. Now, I suggest, that I am extremely unpopular. I am not just Mr GST, I am Mr Extra Social Security for employers.

The Bailiff: Deputy Gollop, whilst I am sure the Members appreciate you going back over the history of this, please could you focus on the amendment?

A Member: Hear, hear.

Deputy Gollop: I think the amendment is much fairer. I think it minimises the possibility of judicial review. I think my larger argument is that 10 years is considered in many other areas to be much more of a suitable limit rather than 20 years. I think that it will lead to unfairness. I also agree that a potential unforeseen consequence is that decisions will be made along the lines that people who wish to go into residential homes but have not the money – I appreciate the point Deputy de Sausmarez made, that there is a difference between entitlement for a bed and an entitlement to the co-payment from the States.

I think it will create issues whereby people are more likely to be so-called bed-blocking rather than moving into the right bed. It could actually stifle the very thing this policy was meant to do, which was to give a more stable and sustainable basis to the residential and nursing home sector. So, for all of those reasons, from a variety of human rights perspectives, to an elimination of discrimination, to avoiding really hard decisions and people coming here in good faith and us losing the ability to attract people.

Deputy Matthews made an outstandingly good point about we do not necessarily want to compete with attracting older people, but it is not quite like that. I think people come here in mid-life and make a decision to settle, and in some cases their parents or relatives will settle here, and that is part of the attraction of living here.

If we wish to minimise our appeal to professionals, well, then adopting the policy, as stated, is not fair. I could go in, but I cannot, to other reasons why the policy is unfair on a financial basis.

The Bailiff: Deputy Collins.

Deputy Collins: Thank you, ma'am. Good morning.

I shall be brief as it is my birthday tomorrow and I desire to get out of here today. Yay. No surprise I will not be supporting this amendment. Having been a member of ESS for the first year of this four-year term, this was a hot topic debated on several occasions. My position remains unchanged. Twenty years to me is about right for all the valid reasons set out by my colleagues, and £10,000 as a starter.

Jersey was mentioned, madam. Just to mention on that, currently Jersey's paying contribution is £80,694.90; so about 80,000. I can see the proposers are not proposing that. They are sticking with the £10,000. Perhaps if they would have proposed £50,000 in 10 years, they might have convinced me, but just moving one dial was not enough.

I also wish to thank the President of P&R for her schooling comments last night, and our colleagues in the Chamber. But for me, with respect to her, I will not bow down to her experience on ESS, given the term last year decided not to bring forward savings that they had tabled by officers two or three years into that term and really delivered not very much affordable homes. Anyway, madam, that is another issue.

But I just said I will not be supporting this amendment, so I ask the Members to soundly reject this.

Thank you.

The Bailiff: Deputy Niles.

Deputy Niles: Madam, before I start, I would just like to make a note for those people that are counting speeches, watching manifestos, and maintaining promises kept or not. In my manifesto I said that I would like to see good decisions made quickly.

Now turning to this amendment that I think is a good amendment, and I think that 10 years is reasonable, and it does allow me to hark back from when I was a youth in Guernsey. At Pembroke Bay, that there was beautifully sprayed in graffiti across one of the walls that says *Guernsey pour les Guernésiais*. I think that there is a danger that we hark back to those heady days in the 1970s.

I will give you some of the reasons as to why I think that this is relevant. Our family has lived here for a few years. The Niles are relatively new incomers. We only came here in the late 1700s as quarrymen. But the Le Prevosts, on my mother's side, we get a little bit more difficult to trace when we go past 1400. So we have been here for a while. I was born here. I paid tax all my adult life, even when I lived overseas when I had a career, which I do not anymore, *(Laughter)* (**A Member:** Hear, hear.) and I have been permanently and properly resident in Guernsey for a full 32 years.

But despite 600 years of provenance for my family, at least 40 years of tax and 31 or 32 years of residency, the engineering of this legislation means I am ineligible for this current. And that is why I think that when we look at our population as a whole, not just those people who are recent incomers, but those that were incoming less recently, madam, I think that 10 years is more than reasonable.

Thank you.

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you.

I apologise to Deputy Blin, who was desiring to speak, and I know is in some discomfort, so I got to my feet more quickly.

Madam, I will not be supporting this amendment. I supported the original variation to 20 years, and I just want to briefly explain why my position has not changed, and to respond to some of the comments that have been made in debate.

The table in paragraph 7 of the explanatory note helpfully sets out, as indeed Deputy Ozanne did when she laid the amendment, that the saving to the fund will be – the difference is half a million pounds overall saving to the States by moving to 20 years versus 10 years, identified as a relatively modest sum.

The point that I wish to emphasise, though, is the burden does fall in a different place, and that is important, I think. The burden, if with a 20-year hurdle, is that it falls on the Long-Term Care Fund, and indeed that is where the savings are accrued. Therefore, we need to keep in mind that the contributors to the Long-Term Care Fund are different to the contributors to general revenue.

There is a Venn diagram, and a lot of contributors will also be paying tax. But it is very easy for us to fall into an easy and lazy assumption that there is a perfect overlap, and it does not really matter where funds come from because everybody is ultimately contributing to both. That is simply not the case. There are many taxpayers who will not be contributing to the Long-Term Care Fund.

It is therefore important that the burden should – in my view, it is important that the burden should sit in the right pot, as it were.

Deputy de Sausmarez made the point that somebody lying in a bed in the PEH, if they cannot afford a care bed, then ultimately the taxpayer will pick up the responsibility through general revenue by needing to fund it through income support. I think everybody accepts that, and that is why there is an additional cost burden to general revenue.

But the argument fails in the sense that if somebody is lying in the PEH and they cannot afford any kind of top-up, then it does not really matter whether they have contributed or they have not contributed. They will still be needing to wait for a States' rate bed to become available. The real issue is the lack of capacity in the long-term care sector, which is what is bed blocking, is nothing to do with who is paying for it, whether it is the Long-Term Care Fund or general revenue.

Now I can understand – I am not going to give way. Deputy Oswald has had his opportunity to speak and Deputy Ozanne will have an opportunity to respond to the debate.

I do understand the position of some members of the Committee *for* Health & Social Care because clearly this will put pressure in the medium to long term. It will put pressure on the general revenue budget of the Committee *for* Health & Social Care and therefore this, in that sense, is a logical move to help protect the increasing strain on those budgets for which we know there are plenty of pressures. But that in itself is not a good reason for supporting this amendment alone.

Deputy Oswald also referred to 34 delayed discharges and the fact that there is a considerable problem at present. Well, that problem exists with a five-year rule. That has got nothing to do with changing to either 10 years or 20 years. The problem again that the bed-blocking identifies is the lack of capacity in the long-term care sector. That is not going to be solved by moving from 20 years to 10 years.

The final point I wish to make in relation to Deputy Oswald's speech is he, in essence, said that the original amendment was presented by Deputy Brouard as a sort of heart-over-head analysis, it was an emotional feeling, it was sticking a dart in the dartboard of 20 years, and actually it was not backed by science. He sought to justify the position of seconding this amendment as being a science-based analysis.

But again, I would suggest, madam, with respect, that that too is flawed because it must – whilst he was able to support and sustain his argument for moving from 20 to 10 years on that basis, the logic of where he was headed was actually he would not change it at all from where we are or even you would go lower still, if indeed we were following the science and the logic of that.

So I am afraid I was not convinced by that. I was not convinced by Deputy de Sausmarez's argument. Nothing has caused me to change my view behind the rationale that was presented and agreed by the States earlier.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, ma'am. Thank you for your kind words, Deputy St Pier.

I will keep mine at a high level; I think we are coming to the end of this. I would like to start on reflecting why we find ourselves revisiting this particular issue so soon after the previous Assembly made this decision in February 2025. The States considered the residency requirements – I was there – the long-term care support, and made a deliberate decision to establish this 20-year qualifying period. But I remember as well the decision was not taken lightly. It was made against the background of increasing financial pressures on the Long-Term Care Insurance Fund, as has been highlighted, an ageing population and the need to protect the longer-term sustainability of the scheme.

Yet here we are, less than two years later, being asked to reconsider that decision. Of course, every Assembly has the right to review decisions made by its predecessor, maybe it is a pre-sequel of GST, but surely we would expect clear and compelling reasons for reversing the decision of this significance, particularly when the underlying financial pressure have not disappeared.

So, through you, ma'am, there is also this one question of personal responsibility and forward planning. When people choose to relocate to Guernsey, they consider many factors: housing, taxation, employment, healthcare, education for their children, pensions, and particularly for those moving later in life, their future care arrangements.

Every jurisdiction has its own rules governing eligibility for publicly-funded services. These are matters that people should reasonably consider when deciding where to live. Of course, nobody can predict when they may need that care, and there will always be exceptional circumstances that deserve compassion and appropriate support. But surely there is a balance to be struck between individual responsibility and the obligations placed upon the wider community.

I also want to pick up on the comparison with Jersey, raised by my colleague Deputy Matthews and I think also by Deputy Gollop. Are we really suggesting that Guernsey should be competing with Jersey over which island offers the most attractive package of publicly-funded care in later life? Because I really hope not. We should certainly learn from Jersey's experience but we must make decisions that reflect Guernsey's own circumstances, finances and long-term responsibilities.

Our care system should not become a competition between islands, who offers the most; but then also we have the financial implications. We have heard arguments that the overall financial difference may be relatively modest because some costs would otherwise fall upon income support. But transferring costs from one part of the public purse to another does not make those costs disappear. So if there are genuine cases of hardship arising from the 20-year requirement surely we should examine how best to address those circumstances directly rather than changing the qualifying conditions for everybody.

We regularly talk in this Assembly about financial discipline, sustainability and the importance of long-term planning, and these are the principles we must apply the decisions we make here. So having considered the arguments, I still, like last time, remain unconvinced that a sufficiently compelling case has been made to reverse this decision. For those reasons, I cannot accept this amendment.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, Madam Bailiff.

During the debate on the policy letter in February last year – I am talking to the point now Deputy Oswald was talking about if we do not accept this amendment that it is going to have a negative effect on the delayed discharge of care in the PEH. The problem is, we have not got the beds and we have not been building the care homes.

I looked at the figures for back then and we needed to build – we needed 350 beds in a 15-year period. So that is a GreenAcres every two years. So in February this year we would have needed to build a GreenAcres to be on top, be on track, and we have not built a GreenAcres, and we are not likely to build a GreenAcres. So our focus on relieving the issue of the delayed discharge of care is not by not accepting this amendment, it is about building more beds. (**Several Members:** Hear, hear.)

We have got a housing crisis, we have got a care bed crisis coming down the tracks at a rate of knots, and unless we do something about it that is where the pressure is going to be on the PEH. That is where we are going to have entire wards taken out by people because we have got nowhere else for them to go. They cannot go home because their houses are probably not suitable. We have not got the resources to be able to support them in their own home. We cannot put them anywhere because we have not built any beds. We have not built any care homes.

We need a concerted effort right the way across the board from Planning, ESS, HSC, P&R. We have to get together and address this problem because we are going to end up in the same situation that we are with housing, and it is going to happen very soon.

I do not really know what the answer is. Public-private partnerships, obviously we have got stuff going on at the King Edward, which is welcome news potentially, but we need more. You look at sites, you drive past St Margaret's Lodge and I think that could be a perfect – another example of a

GreenAcres. You have got a huge big car park at the back there, you could build staff accommodation up there as well. It might be under the flight path, but most of the residents would be tone deaf anyway so it does not really matter. *(Laughter)* It is a bit of a flippant comment. I apologise for that.

But it is the thing, we have got these ideal sites, they are just left there dormant. That would be a cracking site to actually start to chip away at this problem. So we have to do something about it. We have to be creative and it has to be on our radar and we need to be talking about it.

I am not going to support this amendment whatsoever. This is not what our problem is. I think the arguments were all made – Deputy St Pier is nodding away. The arguments were all made last time that we discussed this, when it was brought by Deputy Brouard and Deputy Cameron last time. We do not need to go over it again. We need to get our finger out and we need to address the bigger problem that we have got in this area, and it is not by fluffing around with all this stuff and pretending it is going to make us less competitive compared to our neighbours, because it is just nonsense.

The Bailiff: Deputy Sloan.

Deputy Sloan: Thank you very much, madam, and hopefully this microphone is working today. If it is not, let me know.

I agree with Deputy Blin's points that actually this is the law bit of the debate and it is not the policy debate. The policy debate has been had but since we are, by proxy, having a policy debate I am going to contribute to it.

I think the word Deputy Gollop was looking for is 'parochial', because a lot of the debate has been that way. I have got question for everybody. I have been here 18 years. If I leave at the end of the year, do I get my insurance contributions back, please, if it is 20 years, if we pass this today? My daughter needs her 61E, which the Population Management Office do not actually automatically send out anymore, so she has got to apply for her residential certificate. But we have been here quite a while.

But to me, when I remember the issue, we used to have the issue about human rights when residential, when you actually had the right to a home. The best legal advice was, back in the day when we were looking at the changes to the Local Markets, was it was about seven to eight years. That was what the legal profession said. That is probably the break-off. So 10 years is quite clearly you are a resident, so by the time you are here. This 10, 20 years is like a – it seems to be a bit of a mean-spirited conversation. Particularly as the numbers as presented, if I am to take them as in the aggregate, it makes no issue.

I hear Deputy St Pier's point, it comes out of the Long-Term Care, it comes out of income support. It is all a cost on a taxpayer or social security payer today. That is how it works; the money goes in, the money comes out, whether it is deferred and comes out in 20 years' time or it comes out immediately, the cost is the same. Except I have a question, which I would like to be answered in the summing up, is there a difference to the individual? Is there a difference in terms of Long-Term Care Fund that is a more cost-effective way for them to receive – sorry, for the income support do they manage to – is there a loophole that is being exploited for the individual? Other than that, it is mere agar about how it is paid for, particularly if residentials, you have already got it at 10 years.

Now, to Deputy Leadbeater's point; yes, the supply, I get it. Absolutely. It is a supply issue. My mum went through care this year and you should see the expansion of care there has been in the UK over the last 10 to 15 years. SLAWS, I was momentarily the senior officer in charge of that in 2013. That is 13 years ago. Supply has hardly moved. In fact, people are worried about we are about to lose supply, which is a bit of a concern of mine. But that is a different issue.

The issue in front of us is 10 or 20 years. If we have a problem with residential care tourists, people coming here in their early 60s then somebody let me know and I would appreciate – I will give way to Deputy Inder, but he has to have the evidence for the answer to this question.

Deputy Inder: Yes, I will –

The Bailiff: Deputy Inder.

Deputy Inder: I genuinely do, Deputy Sloan. I can give you evidence and I will not do it here, but I will do after this of –

Deputy Sloan: If you cannot give me the evidence then –

The Bailiff: No, I am sorry. You do not get to choose when he steps down from his give way, Deputy Sloan.

Deputy Inder: I think I said it was about – what Deputy Sloan is missing, really missing, is it is not just people that are coming to Guernsey and working fully for a period. What he is missing is – am I allowed to finish?

The Bailiff: Deputy Inder.

Deputy Inder: Thank you.

What he is actually missing is that bringing immediate family as well. People have come to Guernsey and brought their ailing parents for a period of time, and that is a significant point that he has missed.

The Bailiff: Right, now you can stand, Deputy Sloan.

Deputy Sloan: My understanding –

The Bailiff: Can I just remind everybody what happens with the give way, and I will not count this towards your 15 minutes, Deputy Sloan. If you give way – you do not have to, by the way – but if you do give way, the person who is given way to has to be given their opportunity to make up to two minutes of speech. That is what you have allowed them to do. You do not have to allow them, Members, as demonstrated by Deputy St Pier; you can just say no.

Deputy Sloan, do carry on.

Deputy Sloan: My apologies.

My nuance and knowledge of the Rules is still on a learning curve, but my understanding was that if I gave way it was to the person to make an argument in support of what I was saying.

The Bailiff: No, it is not.

Deputy Sloan: Is that not correct? In that case, my understanding of the Rules has been wrong. Thank you for the clarification.

The Bailiff: No, it is not. They can be completely opposed to it.

Deputy Sloan: But to the point that Deputy Inder made. I saw him on the stump in St Martin's during the election. I saw him play to the gallery with these people, not to disagree but that particular point is relevant. People are aware of that issue, but that is a different issue. We are talking about people coming here for long-term care, not to get their 10 years. It is not bringing somebody on a short-term licence with a family with them. I came here on licence, and I absolutely agree. I find

it strange that I am able to bring a whole host of elderly relatives with me on the get-go, and I would agree with that. I do not think that is parochial at all. But that is a different issue.

The issue here we are talking about is long-term care, 10 or 20 years. You hear 10 years; in my book you have got residency. Unless there is an issue, and I will defer to the professionals on this about the bed-blocking issue, and it is not about the overall supply. I agree, that needs to be fixed. It is on us.

I will say I am ashamed that it has been 15 years and we still have not actually got to even thinking about addressing this issue. But, it is not the issue facing us today. Is it 10 years or is it 20 years? Twenty years seems parochial and mean-spirited.

The Bailiff: Thank you.

Deputy Camp.

Deputy Camp: Thank you.

I think twice now we have had referred to the risk under human rights legislation, Deputy Gollop referred to the heightened risk potential for judicial review under the 20 years. Now I can only presume that that has been addressed as part of this drafting, because it seems an obvious question to answer in terms of human rights when we are talking about residency. We clearly have historic examples in Guernsey where residency became issues and Law has been changed as to them. So I do wonder if perhaps, either in summing up or if perhaps HM Comptroller might be able just to respond about the sort of legal argument that has been put into this Chamber by non-lawyers about whether that has any sort of credibility to it.

Thank you.

The Bailiff: Madam Comptroller, are you in a position to give an opinion in relation to human rights on the 10 and 20 years' question?

The Comptroller: I am as in a good as position now as I will be later on, madam. But in relation to the human rights issues, I do understand the point being made but, as I understand it, and this is not from a position of authority, I can confirm I have not advised on this previously, if it is 20 years that will not stop people from providing the necessary care. What we are talking about is where the funding comes from not the fact that they are having care. So I do not see therefore that ECHR is engaged on this point.

The Bailiff: Thank you.

Deputy Curgenven.

Deputy Curgenven: Thank you, Madam President, my lady. *(Laughter)*

Apologies to Deputy Van Katwyk there. That is my favourite address for you.

Using you as a conduit, madam, I would like to ask the proposer of this amendment a few straightforward questions, if I may. First, the February 2025 decision set a 20-year aggregate residency test. The amendment seeks to reverse that and to restore the 10-year figure originally proposed by the Committee. Can the proposer explain why the Assembly's decision of February 2025 is no longer appropriate and what new evidence has emerged since then?

Second, the financial table shows that most of the apparent saving to the Long-Term Care Fund is offset by higher income support costs falling on general revenue. Under the 20-year rule, the net saving is about £0.7 million a year. Under this amendment, it falls to £0.2 million. Does Deputy Ozanne accept that the main effect is cost-shifting rather than the material overall saving to the States, and is that trade-off justified?

Third, the note refers to the unintended consequences for Health & Social Care and acute treatment at the Princess Elizabeth Hospital. Can Deputy Ozanne give us the actual numbers, how

many additional delayed discharges or extra bed days are expected under the 20-year rule compared with the 10-year rule, and what is the estimated cost of the hospital?

Fourth, the original argument for 20 years was that people accessing a high-value benefit should demonstrate a clearer connection and contribution history, which I believe Deputy Inder and a few others have touched upon? Does Deputy Ozanne believe 10 years is sufficient for that purpose, particularly for people who arrive later in life?

Finally, the assumption is that 70%, 75% of those who lose entitlement will claim income support. How confident are we in that figure and what provision is being made for the remainder who may not qualify for support but still need care? I ask these questions so that the Assembly can understand the real practical and financial consequences before we change course on a decision already taken.

Thank you, madam.

The Bailiff: Thank you.

Alderney Representative Snowdon.

Alderney Representative Snowdon: Thank you very much.

I think there are just a couple of points from the Alderney side that we would like to – firstly, thank you for putting this amendment because I think this is an important debate, and I think it is good use of our time actually to review this again.

But Alderney did support the 20 years before when we had former Deputy Al Brouard, who was very passionate. We had a lot of conversations between Alderney and Al Brouard about it. But just from the Alderney perspective, we do not have population management. Maybe it is something that the Bailiwick Commission will look into, or how we can transfer population management to have a little bit more protections with people that are coming into the Island. Also, we have not sorted out long-term healthcare insurance, so I think the resolution is still outstanding, though it was going to be deleted but it is still there.

I think this is a short way that Alderney can actually come to the table a little bit more and actually go to the original of the 20 years. I think that is where those arguments were made before, because there was quite some concern in the past about a lot of people potentially coming into Alderney and accessing that have not paid into the system. I think this really comes back to, from my point of view, and I am sure Mr Hill would back this up if he talks as well, about what is fair. I think at the moment, because Alderney does not have the population management, we have not got the compulsory health care insurance, I think this is fair.

We know – it has been touched upon – there is an ageing demographics bubble and it is going to be very difficult and having the support and infrastructure for the ageing demographics coming up. But I think at the moment, potentially it should stay at the 20 years. However, like all policies, they should be reviewed in the future. So maybe this may come back at a later date.

But thank you for bringing this amendment, we will not be supporting it.

Thank you.

The Bailiff: Deputy Goy.

Deputy Goy: Thank you, ma'am.

Ma'am, I just wanted to address the – we talk about fairness here. Some people might say, 'I have been here for 20 years, it is not fair for somebody who is just here for 10 years to receive that kind of care'. But then equally, somebody who has 25 years in Guernsey could say to the person who has 20 years, 'It is not fair for me because I have been here for 25 years'. And somebody who has been here for 30 years could say, 'It is not fair for the person who has been just here for 20 years to receive the same care as I do'.

So to be honest, at the end of the day, it really boils down to the cost of this funding, is it not? If we put aside the fact that some people who are here for 10 years may actually contribute more than somebody who is here for 20 years financially.

If it boils down to the cost of funding, the difference between 10 years and 20 years is a mere £500,000, Members. So it is not a big difference. But having that safety net psychologically for people who are here for 10 years, that means a lot more. Nobody wants to be in long-term care, it is not something that people choose to. But if there is a need, and that need arises, somebody who is here for 10 years, that could be a lifeline for them.

I think at the end of the day, for me, it is very simple. It is a matter of compassion. The cost, £500,000, is very small; the difference between 10 years and 20 years. So I would support this amendment just because, like I said, it is so much more compassionate, the cost is so little. We spend so much more on other things, we have wasted much more money in other things, half a million in the grand scheme of things to provide that safety net for people who have been here for 10 years or more, I think that is worth it and I will be supporting this amendment.

Thank you.

The Bailiff: Thank you.

Deputy Hansmann Rouxel, do you wish to be relevéed?

Deputy Hansmann Rouxel: Yes, please, madam.

The Bailiff: Deputy Malik.

Deputy Malik: Madam Bailiff, I will be supporting this amendment because a 10-year qualifying period strikes a better balance between protecting the Long-Term Care Fund and ensuring that the residents can access the care when they need it.

Ten years is a substantial commitment to the Island. It is not immediate access nor is it an invitation to arrive in Guernsey and claim support. It recognises a meaningful period of residence while maintaining a clear qualification requirement.

But my principal concern is a practical one here. What happens to the people who do need care and they do not meet the 20-year threshold? Their care needs do not disappear and the costs do not necessarily disappear either. They may simply move somewhere else into the public system. A resident who is medically fit to leave the hospital may still need nursing care or specialist dementia care. If the access to funding becomes another obstacle to arranging that placement they can remain in an acute hospital bed, not because the hospital is the right place for them but because the next stage of their care has not been resolved. That is an unsatisfactory outcome for the individual, their family, and the health service.

The delayed discharges, they have several causes, and we should not pretend that this amendment will solve all of them. It will not create the specialist care beds overnight, but we should be removing the avoidable barriers, not adding another one. We have also been advised that around three-quarters of those excluded from the Long-Term Care Fund by the qualifying requirement would need to seek separate financial assistance through ESS. If that is the case, we must ask what the longer qualification period actually achieves. Are we making a genuine saving across the States or just transferring the costs from between the budgets, while introducing another assessment, another application, another potential delay.

The relevant test is an overall consequence for the public finances, for hospital capacity, and above all, for the person who needs that care. I understand the argument about fairness to long-standing contributors. It deserves respect. But fairness also means recognising residents who have made their lives here for 10 years and now face circumstances which they cannot manage without support. We must protect the fund. We must also protect the effective functioning of our health and care services. Those responsibilities belong together.

A 10-year qualifying period retains a substantial safeguard without imposing the additional barriers of 20 years. I therefore urge the Members to support the amendment.

Thank you, madam.

The Bailiff: Does anybody else wish to speak on this amendment?

Deputy Le Brun.

Deputy Le Brun: Thank you, madam.

I just wanted to say to Deputy Goy, I really liked his speech. It is nice for listeners to hear that sometimes we are compassionate in here.

Deputy Leadbeater has a very serious point, that there is a fundamental problem with care provision on the Island. It is not the most profitable business and care for those who have worked and contributed all their life, should have that comfort and dignity when they need it, and potentially when we come to debate the Child's Hub, the sites at Perruque House and potentially even Swissville, which would be an ideal site for a care home given its proximity to St John's and on main routes for workers and families. But we need to be looking at more things like we are doing at the King Edward site with the 33-bed care home, which we are facilitating, because there is a serious need for it and it is going to get worse as things go on. So I will be supporting this because it frees up the hospital.

Deputy Collins's point about nothing being built last term affordable; about half of the 250 to 300 homes is coming from last year through the CI Tyres site, Oberlands and the Mallard sites.

Thank you.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Just to make a declaration under Rule 17(15), madam. A very close relative is in hospital awaiting a care home bed.

The Bailiff: Thank you.

Does anybody else wish to speak in debate on the amendment? In that case I will turn to Deputy Bury.

Deputy Bury: Thank you, ma'am.

Covering a few points that were brought up in debate, specifically Deputy Leadbeater's point. He is absolutely right, and I could not agree more, that capacity is a major issue facing our long-term care system. But, as I explained in my laying of the legislation, last term the SLAWS work did not progress to where it needed to, and this legislation falls out of a policy letter that was a response to that. So we were going in a direction last term, the three Committees. When the P&R changed, that direction changed, HSC then stepped back and that left us at ESS with a decision to make.

So the policy letter we brought about stabilising the care home market and trying to promote investment is where we are. It was a sticking plaster, and that was very clear at the time. So he is absolutely right, but it is not what is in front of us today.

However, the SLAWS 2 work that HSC, P&R and ESS continue to work on and the policy letter that was referred to yesterday regarding the King Edward site, all move in the direction to address that capacity issue.

But moving on to the matter that is in front of us; 10 years or 20 years, that is what we are talking about. I do find it slightly difficult. I feel like I am trying to be Switzerland, because the States directed ESS to bring legislation of 20 years, so that is what we have brought. However, it is not what I agree with. Like Deputy St Pier, but in different positions, my position has not changed since last term either. The 10 years was a carefully considered policy proposal that we worked on within Committee and brought to the States. I agreed with it then and I agree with it now, and by a majority the Committee does as well. So we believe that struck the right balance.

I think Deputy Inder used the phrase 'health tourist'. I do not think 10 years can be described as a health tourist. That is quite a significant commitment. I do believe that this – there has been a lot of talk about fairness, which is subjective. I think it depends on how you view where we are in the world now. The world moves, people move. It is not the same as 10, 20, 30, 50 years ago when people stayed in one place all the time. I think, and the Committee thought last term, that 10 years was the right balance.

I think it is also worthwhile touching on a few personal examples people have given of their own circumstances. Just to be clear, the transitional arrangements for this legislation are significant. So most of the examples that have been given, while, if you were talking about them in future times would be correct, almost everybody that qualifies now under the current legislation, will still qualify despite this change. This is a future-looking legislation. That was agreed by the States last term because it would be entirely unfair to suddenly pull the rug out from people who have been expecting to qualify without giving them a chance to plan for that. So the transitional arrangements are very significant and everyone who qualifies now – almost everyone – will be protected. This is very future-looking. It is about new people coming in, essentially.

Absolutely, the nature of the social security system, it is – I think I have described it before as a Picasso painting. It has developed over time and evolved and tweaks that were relevant to the circumstances at the time. When you look back, you think, 'Why is that like that?' But it is. The nature of the system is often, when you turn one dial or pull a lever somewhere, it has an impact somewhere else. That is what is being explained regarding the shift of cost from the Long-Term Care Fund to general revenue. It is often wooden dollars.

There have been some questions around should we be discussing this again? The decision was made fairly recently. That is the nature of our system. If we do not like the fact that there is the opportunity at the legislation stage to lay amendments and make changes, we should change that. But Deputy Ozanne and Deputy Oswald are perfectly within their rights to bring this amendment, and I do support the opportunity to do so as it is a new Assembly. So that gives this Assembly the opportunity to either reaffirm the 20-year decision or change it.

On the subject of fairness, and again, as I said, I believe it is very subjective, right now, most people accessing the Long-Term Care Fund have not contributed to the Long-Term Care Fund because it only started in 2003. Most people that will be accessing the long-term care benefit at this moment in time will likely have finished working before the fund was created. And potentially, under this 20 years, comparatively, we will get to the point where people who have been here and contributing for 19 years will not be able to access the fund. So that is a comparison of fairness. But as I said, I do think it is very subjective.

While Deputy Oswald has done a very good job of bringing in some of the science, I think former Deputy Brouard was very honest. There was not much science behind it. I think it is a matter of principle. And whether Guernsey is for Guerns, and that is 20 years, or we recognise that the world is in a slightly different place and 10 years is still quite a significant contribution to a community in this day and age. That is what I think.

I have been here 20-odd years. I count myself as local now, but it took a while. I think I really became local that time we had to import milk and I was really inspecting the carton. That was when I felt like a proper local. So I think that about sums it up.

As I said, I do not think the ESS are going to die in a ditch about this. It is a matter for the States to decide, and obviously we will implement whatever comes forward but, as I said, I remain of the view that the carefully considered proposal last term of 10 years by the Committee remains the right balance to strike for both the fund and residents.

Thank you, ma'am.

The Bailiff: Thank you.

Deputy Ozanne.

Deputy Ozanne: Thank you, ma'am.

I would like to thank, through you, Members for an informed debate that shows just how complex and nuanced so many matters we have to deal with within ESS actually are. Indeed much of what we have to decide in Committee comes down to how we approach differing risks. This debate is absolutely no exception. Indeed it seems to me that we are having various debates within this debate due to our various differing concerns about immigration, healthcare provision, bed capacity, contributory benefits, residency rights, and what Deputy Sloan I think has called parochialism.

To reiterate what was said during the debate, this is not a question, as I know all Members appreciate I think now, of whether an individual of whatever age is eligible to long-term care. In Guernsey, if you have lived here for a year or more and require care, you will be cared for, no matter what you may or may not have paid in terms of social security contribution. This amendment makes no difference at all to the number of people that will need and be provided with long-term care. It simply affects how that care is funded. It is most likely that if you have fallen ill or had some other incident that has brought matters to a head, then your care bed will initially be in the Princess Elizabeth Hospital, at considerable cost to the taxpayer and none to yourself or indeed to the Long-Term Care Fund.

The problem becomes more acute when you are medically fit to leave hospital but not fit to return to the community. You will need a care package put in place, and the key question will be who funds that care. That is whether you will be eligible for the care funded by the Long-Term Care Fund, or whether, if you cannot afford that, or indeed you cannot afford a States' rate bed, you will be funded through income support provided by general revenue.

Whilst this is being assessed and worked out, you will stay in hospital, again at the taxpayer's expense, until a safe solution is found. As Deputy Oswald has highlighted, we have recently had someone who has been in this position for 250 days – that is a considerable cost – naturally meaning that those requiring acute care could not use that bed.

By 2045, it is estimated that at least 50 people will fall between the 10 and 20-year residency test. That is one of the answers to Deputy Curgenven's questions, meaning around 50 additional people may well need to stay longer in hospital because they are not eligible for long-term care funding, but do need help from income support. Deputy Oswald, I give way.

The Bailiff: Deputy Oswald.

Deputy Oswald: Thank you, Deputy Ozanne, for giving way.

I am standing up now specifically to answer Deputy Curgenven's points, which raises another couple of other general points. As Deputy Ozanne has just pointed out, that the actuarial figure is about 50 patients who are not eligible for the Long-Term Care Fund will be applying – will be in a situation where they should be applying for the Long-Term Care Fund assistance at some particular point at any time after the inception of the new system.

We do not know when that will be. It could be very shortly after the new system is introduced, or it could be as modelled in the mid-2014s. Nevertheless, that is what they will be doing and they will be doing it on the basis that they will need that care at that particular time. We have not modelled, apart from the figures I have already quoted of the difference between 20 and 10 years, but the fact that they are actually applying under the terms of Long-Term Care Fund at that particular point means that their needs will be high and likely to be complex.

I refer to Deputy Sloan's comment, would the Long-Term Care Fund be more efficient in meeting these costs than ESS-supplied care from general revenue? My view is, and remains, that it will be, because it removes any barrier to consideration of extra funding that ESS will have to consider before actually a place can be actually sought and obtained. From that point of view, this is one of the main reasons why I support this amendment.

Thank you.

The Bailiff: Thank you.

Deputy Ozanne.

Deputy Ozanne: Thank you, Deputy Oswald.

As he has mentioned I just want to stress it is not just the additional care in Swissville across the (**A Member:** Microphone.) care, it is also that anyone who has not *[Inaudible 10.29.42*] costs that even a States' rate bed, it is the taxpayer who funds their care, even after they have moved into a care home.

From listening to the debate, I have picked up various specific concerns, which I will turn to in a minute, but there is a more general point I would like to make. Our current care system, whatever we think about it, is not based on contributions, i.e. how much you have paid in, but on residency. This was a conscious decision by previous States, as it meant that many pensioners who relied on contributions paid by their spouses could get care. Today, it is possible to have someone who has lived here all their life and not paid a penny in contributions to the Long-Term Care Fund, who would qualify for long-term care benefit. Whether we consider that fair or not, that is our current system.

We are therefore proposing a newer system that embraces both prudence and manages risk. Prudence because we are being guided by our actuarial advisers who have modelled the most likely future scenarios for us based on data that they have access to and, as experts, they have analysed and warned us that the price tag for a 20-year residency test is an additional £1.5 million of income support that will be required from general revenue. That is significant on risk management because, added to this significant sum, we have the known risk as a major cost of having delayed discharges for those who really ought to be in long-term care.

Yes, of course we need more beds, we need to build more beds, but we know that that takes time, and this amendment is one of the ways we can mitigate that risk, which is why Deputy Oswald and his majority of colleagues on HSC support it so strongly.

I will now turn to key points that Members have raised. Deputy Inder is totally correct to stress that this is not just about the elderly but about anyone of any age who requires long-term care. These are obviously extremely few in numbers, and strict eligibility criteria still apply. However, that is why we have had to change the lower-age limit so that those who sadly are young and require this care can access it.

He raised the question about fairness. We obviously differ in our views as to what we believe is fair in this situation, given how we perceive the differing risks and who bears that risk. Deputy Cameron shared his mother's experiences, who, like my own, spent much longer in hospital than was needed due to the problems with ensuring appropriate ongoing care. This can often be for a variety of reasons, including a lack of social workers able to do the assessments. However, it is a harsh reality that funding is for many one of the primary reasons they have to stay.

I agree with Deputy Cameron that we do need a plan to deal with that shortage of beds, but this will not happen quickly, as I have said, and that this amendment is one of the ways of dealing with it. He is also right to flag that we ought to be concerned about the sustainability of the fund, a point raised by many others, but this is precisely why this 10 years' proposal still delivers a saving of £0.7 million versus the five-year proposal. Deputy Dorrity also mentioned his concerns about the size of the fund and was not too keen, I think, on our actuarial modelling.

Prudence says, though, that we should trust our professionals, our actuaries, and to recognise the risk of a significant increase in general revenue of £1.5 million.

Deputy Matthews fears we are placing too much reliance on our financial projections and asks does policy influence behaviour. He questioned whether we should be competitive with Jersey. Personally, I think we would be unwise to be significantly different to Jersey. That is the point I think we are trying to raise here. It is not whether who has the best. It is about whether we have a very significant difference that our international finances and businesses that we are seeking to attract will perceive as a problem.

Deputy Collins; well, we have debated this quite robustly in Committee, and I respect that we have a different view. He did talk about Jersey and about the £85,000 threshold. I would remind him

that someone can live here for 19 years and with the contribution rates, if they are an upper earner, they will pay well over £85,000 into the fund and not benefit from it under a 20-year rule.

Deputy St Pier; you ask who the burden falls on. I would remind him that this still creates a saving of £0.7 million to the Long-Term Care Fund, so I am not sure I agreed with his analysis there. He talked about the lack of capacity and questioned Deputy Oswald's science and logic. Deputy Oswald has just kindly repeated his views on that.

Deputy Blin, I think you would say that legislation – I think I would say to you that legislation should never be beyond reconsideration. We are looking at this again because it is obviously coming back to the States. That is the process we have, and I think it is an important one to revisit when we know the impact on our care bed system is so critical at the moment.

Deputy Leadbeater, I would suggest it is not either or, it is both, and we need to have a plan to build more care beds, but we also need to do what we can to mitigate the risk. That is what this is doing. That is what Deputy Le Brun pointed out.

Deputy Sloan; does it impact the individual? Yes, it makes a very big difference to some. Some who can afford it can get a bed immediately, those who are eligible for the Long-Term Care Fund will also get a bed immediately, if one exists. However, if you are waiting for income support, you have to often wait for a States' rate bed to become available. That is a capacity issue, but often you are literally in hospital waiting for someone to die in order to take that place, and that can take a very long time.

Deputy Camp, I am grateful to you for seeking clarification on the human rights argument, which is not one I raised, just to be fair.

Deputy Curgenven, you characteristically gave a very long list of questions. Many of them were actually answered in my initial speech. I do encourage you to go back and read that. And Deputy Oswald picked up some of the others.

Alderney Representative Snowdon, I appreciate that Alderney is different. You do not have some of the legislation you need, and I understand the logic with which you are having to support for 20 years. But I would suggest we need to look at your case and ensure you have got the mitigations and protections that you need.

Deputy Goy, you are right. This is a matter of compassion in many ways. So I am grateful.

The Bailiff: Deputy Ozanne, can I remind you to address your comments through me?

Deputy Ozanne: Sorry, ma'am. Yes, it is difficult; I am learning the hard way. Well, ma'am, I think compassion is a very important value and I believe this is what this is about.

The Bailiff: No doubt it is, but you still need to address your comments through me.

Deputy Ozanne: Deputy Malik, thank you for reminding us of the challenges that HSC currently faces and how this will impact it.

Deputy Gollop has said that this is a question of fairness and it looks to balance, in my mind, various risk factors. I believe this is by far the fairer option, as Deputy Niles explains in his own family situation.

Madam, the majority of ESS and HSC members support this amendment. It represents better value for money, both in terms of the Long-Term Care Fund and for general revenue, and it better mitigates about the known risks that HSC has advised us on. Please do not confuse apples with pears when deciding on this. It is about who pays for the care, not whether they will get it. The most sensible and prudent approach, I still believe, is that we spread the financial burden across the general revenue and Long-Term Care Fund, which requires a 10-year residency test.

Thank you.

The Bailiff: Thank you, Deputy Ozanne.

There are still a couple of Members who have not signed into their SEV yet. Members, you should now have on your screens Amendment 1. I will ask the States' Greffier to open the voting, please.

There was a recorded vote.

Not carried – Pour 19, Contre 19, Ne vote pas 0, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Burford, Yvonne	Blin, Chris	None	Vermeulen, Simon	Rochester, Sally
Bury, Tina	Cameron, Andy			
de Sausmarez, Lindsay	Camp, Haley			
Falla, Steve	Collins, Garry			
Gollop, John	Curgenven, Rob			
Goy, David	Dorrity, David			
Hansmann Rouxel, Sarah	Gabriel, Adrian			
Kazantseva-Miller, Sasha	Helyar, Mark			
Laine, Marc	Hill, Edward			
Le Brun, Ross	Humphreys, Rhona			
Malik, Munazza	Inder, Neil			
Montague, Paul	Kay-Mouat, Bruno			
Niles, Andrew	Leadbeater, Marc			
Oswald, George	Matthews, Aidan			
Ozanne, Jayne	McKenna, Liam			
Parkinson, Charles	Snowdon, Alexander			
Rylatt, Tom	St Pier, Gavin			
Sloan, Andy	Van Katwyk, Lee			
Strachan, Jennifer	Williams, Steve			

The Bailiff: There voted in relation to Amendment 1: pour 19, contre 19, and 1 Member was not in the Chamber at the time of the vote. Therefore, the amendment has not been passed.

We will now go to general debate. Who wishes to speak in general debate?

Deputy Gollop.

Deputy Ozanne: Ma'am, can I ask for a recount, please?

The Bailiff: You want a?

Deputy Ozanne: A recount. I cannot remember the –

The Bailiff: I will just want to remind myself of the Rules in relation to the SEV which changed. I just want to remind myself of the Rules in relation to the –

Deputy Ozanne: Thank you.

As somebody was not in the Chamber.

The Bailiff: We will allow one re-vote. States' Greffier, would you put the – yes, please. Thank you very much, States' Greffier.

Members, you now have the Amendment 1 again on your screens; please vote.

Carried – Pour 20, Contre 18, Ne vote pas 0, Did not vote 1, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Burford, Yvonne	Blin, Chris	None	Vermeulen, Simon	Rochester, Sally
Bury, Tina	Cameron, Andy			
de Sausmarez, Lindsay	Camp, Haley			
Falla, Steve	Collins, Garry			
Gollop, John	Curgenven, Rob			

Goy, David	Dorrity, David
Hill, Edward	Gabriel, Adrian
Hansmann Rouxel, Sarah	Helyar, Mark
Kazantseva-Miller, Sasha	Humphreys, Rhona
Laine, Marc	Inder, Neil
Le Brun, Ross	Kay-Mouat, Bruno
Malik, Munazza	Leadbeater, Marc
Montague, Paul	Matthews, Aidan
Niles, Andrew	McKenna, Liam
Oswald, George	Snowdon, Alexander
Ozanne, Jayne	St Pier, Gavin
Parkinson, Charles	Van Katwyk, Lee
Rylatt, Tom	Williams, Steve
Sloan, Andy	
Strachan, Jennifer	

The Bailiff: There voted pour 20, contre 18, and 1 Member was still not in the Chamber at the time of the vote, so the amendment has passed.

We will now go to general debate.

Deputy Gollop.

Deputy Gollop: The vote makes it more likely that I will –

The Bailiff: Members, I know it is all very exciting but I do need to be able to hear, as do those members of the public who are listening, Deputy Gollop's words.

Thank you, Deputy Gollop.

Deputy Gollop: They might not want to hear me, madam.

The Bailiff: They are gripped, Deputy Gollop.

Deputy Gollop: I did stray a little bit earlier. But the point I would make is, Deputy Bury summarised the situation very effectively when she said that when this scheme was started back in the day, the crazy thing was – I suppose it was because it was new and it included virtually everybody living on the Island for five years, and there was not, as I recall much rationale for that, and so everybody was included who had not paid into it, and we will eventually, after the transitional process, now it is 10 years, which is better, but it is still rising from five years, we will get to the point where people who have paid in it for many years do not qualify. So there is a lack of fairness there.

Deputy St Pier made fascinating arguments about the whole financing of this, and most of us would agree. I was the SLAWS lead member for a time at Social Security and then P&R, and I did not agree with most of it, so I was a bit on a limb there again. But most of us would agree that the real issue is about building capacity in the residential sector, whether it be nursing, residential, for Elderly Mentally Infirm (EMI) or whatever, and that is the goal. Indeed, much of SLAWS revolves around that.

But I remember Deputy Bob Murray, when he was in the Chamber, making the point very vividly, which I entirely agree with, Deputy Soulsby made the same point, that the issue, as Deputy Goy has pointed out, is not just about compassion, it is about funding. If we want more of a care service, or we are arguing about the parochial side, as Deputy Sloan said, about who qualifies or not, surely it would be better, in the context of a tax and revenue debate. We could, for example, in the context of GST, have wondered whether it would be more effective to pay for care out of that, with a higher rate, say, than have all of these issues.

I will come to another point. Obviously I am very grateful for what His Majesty's Comptroller said in relation to human rights, and perhaps I used the phrase –

The Bailiff: Yes, Deputy Bury.

Deputy Bury: Apologies to Deputy Gollop, ma'am, but conscious of your words earlier about the incoming storm and efficiency. The legislation, I am calling 17(6), relevance to debates, the legislation is about a user care cost contribution and the residency eligibility, and I do not feel that is what Deputy Gollop is speaking to.

The Bailiff: Thank you.

That is a fair point, Deputy Gollop. Please, would you keep on in relation to – there are obviously general points that can be made, but it is important to focus on the legislation that you are being asked to vote on today.

Deputy Gollop: My general point, as you have seen in other areas, from third party appeals to other areas, Housing Law, is you never know how judicial review can go. I may not be a lawyer, but I have sat on legislation for 20 years.

Where I would disagree with Deputy Bury's intervention just now is that the other part of this legislation is all about the £10,000 contribution, and I happen to think that is semi-aggressive and unfair, because the £10,000 is delivered from somebody with net assets, apart from their principal residence, of £26,000. It is the same £10,000, whether it is £26,000, £260,000, £2.6 million or £26 million.

What we did in going from effectively nothing to that barrier has made a situation much less fair on middle Guernsey, and for those reasons I will not support this, and I am surprised that debate has not been more often made.

The Bailiff: Thank you.

Deputy Leadbeater: Can I call a 26(1) please, madam?

The Bailiff: Yes. Deputy Leadbeater has asked for a guillotine motion. Those who still wish to speak in debate, stand in your places. Do you wish me to put the motion to the vote?

Deputy Leadbeater: Yes, please, madam.

The Bailiff: Members, we will start *aux voix*. Those who support the motion to guillotine the debate, please say pour; those against?

Members voted Pour.

The Bailiff: The pours win; therefore the debate is guillotined.

So I will go straight to Deputy Bury.

Deputy Bury: Thank you, madam.

There is little to respond to, although Deputy Gollop made the point about the £10,000 care cost contribution. It is what was decided. There have not been any amendments or proposals to change it, so I will just urge Members to support the legislation and we can move on.

Thank you.

The Bailiff: Thank you very much.

States' Greffier, if you could put the long-term legislation as amended up. Yes, it is there.

Members, you will see on your screen the Proposition as amended by the amendment proposed by Deputy Ozanne. I will now ask you to start the voting.

There was a recorded vote.

Carried – Pour 30, Contre 7, Ne vote pas 0, Did not vote 2, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Cameron, Andy	None	Curgenven, Rob	Rochester, Sally
Burford, Yvonne	Collins, Garry		Vermeulen, Simon	
Bury, Tina	Dorrity, David			
Camp, Haley	Gabriel, Adrian			
de Sausmarez, Lindsay	Gollop, John			
Falla, Steve	Helyar, Mark			
Goy, David	McKenna, Liam			
Hansmann Rouxel, Sarah				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
Matthews, Aidan				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Van Katwyk, Lee				
Williams, Steve				

The Bailiff: There voted in relation to this Proposition: pour 30, contre 7, and 2 Members were not in the Chamber at the time of the vote. I therefore declare that the Proposition has passed.

States' Greffier.

POLICY & RESOURCES COMMITTEE

6. States' Register of Contact Details (Guernsey and Alderney) Law (Amendment) Ordinance, 2026 – Proposition Carried

Article 6.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The States' Register of Contact Details (Guernsey and Alderney) Law (Amendment) Ordinance, 2026" and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 6, the Policy & Resources Committee, States' Register of Contact Details (Guernsey and Alderney) Law (Amendment) Ordinance, 2026.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

I do not think this is going to set any worlds on fire here. It is not the most exciting, but it is just an example of a fairly technical amendment that just puts in place solid foundations and makes things more efficient and ultimately sets us up for greater efficiency in future as well.

The Register of Contact Details is the States' repository of customer data across Government, a master database to support the co-ordination and communication of Government services. Currently, we have verification processes around that data, but they are not as robust or efficient as they could be. So, as I explained, this is a technical change, really, but it does underpin that more robust long-term approach and provide better data quality stewardship.

The proposed amendments will allow the data to be shared with a central team who will maintain and update the data in one place. Updates will then flow automatically to these entities, creating an equal, accurate source of information. As the Register of Contact Details (ROCD), as it is known, is mobilised, customers will also be able to view, update, and manage their own data directly.

So the amendments will establish a clear statutory basis for His Majesty's Greffier and the Alderney Greffier to share specified data with and access specified data kept on the ROCD. By granting access, the data in the ROCD can be verified against the original documentation, which strengthens the data process by other designated authorities across the States.

Further work is required to ensure that the legislation is fit for purpose across all relevant Government service areas going forward. P&R have directed a review of the Law to determine how we can further realise that potential in supporting digital adoption. The review will enable the legislation to be future-proofed, reducing the need to bring legislation back to the States for every minor change, and the intention is to bring policy proposals on those suggested changes to the Law next year.

The States' approval of this legislation in the meantime will improve the provision of Government services and end-user access to their own data in future, which over time will reduce the duplication of effort across Government in collecting, storing, and maintaining multiple datasets.

Thank you.

The Bailiff: Does anybody wish to speak in debate on this one?

Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, I just wanted to briefly comment that while this may seem quite a little and innocuous policy letter, but this is quite important and fundamental to the provision of public services and for us to have this digital spine of effectively a digital citizen ID, which will underpin the whole Government's digital transformation programme. So, this is quite important and the foundations that are being set in terms of the control of the data, access to data, is really fundamental to what the Government is doing with digital transformation. So, this is quite small, but quite big in the bigger scheme of things of what we will be able to do.

The Bailiff: Does anybody else wish to speak? Have you got anything to say in reply?

Deputy de Sausmarez: No, other than I completely agree with Deputy Kazantseva-Miller's comments.

Thank you.

The Bailiff: States' Greffier, would you open the voting on this Proposition, please?

There was a recorded vote.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	None	None	Curgenven, Rob	Rochester, Sally
Burford, Yvonne			Matthews, Aidan	
Bury, Tina			Vermeulen, Simon	
Cameron, Andy				
Camp, Haley				
Collins, Garry				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Van Katwyk, Lee				
Williams, Steve				

The Bailiff: There voted pour 36, and 3 Members were not in the Chamber at the time of vote. Therefore, the Proposition has been passed.

States' Greffier.

DEVELOPMENT & PLANNING AUTHORITY

7. Planning Exemptions for Dower and EV Chargers – Proposition Carried

Article 7.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Planning Exemptions for: (1) the Rental of Existing Associated Independent Living Units (2) the Installation of Electric Vehicle Charging Points by the States' dated 5 June 2026, they are of the opinion:-

To approve the following exemptions from the requirement for planning permission:

a. the rental of an existing associated independent living unit (colloquially referred to as an annex or a dower unit); and

b. the installation of EV chargers by the States, in designated car parks or areas with marked perpendicular parking bays without obtaining prior planning approval.

2. To approve and make the Ordinance entitled 'The Land Planning and Development (Exemptions) (Amendment) Ordinance, 2026', as set out in Appendix 1 to the policy letter.

The States' Greffier: Article 7. The Development & Planning Authority, Planning Exemptions for Dower and EV Chargers.

The Bailiff: Deputy Inder.

Deputy Inder: Thank you, madam.

Members, I am pleased to present the policy letter on behalf of the Development & Planning Authority. As Deputy Kazantseva-Miller has just reminded me, it was started in the previous Assembly and we are just basically hopefully striking the goal at the end. So, passed by the previous DPA and forwarded by this DPA.

The Proposition seeks approval for two specific planning exemptions. The first would allow existing associated independent living units, often referred to as annex or dower units or wings, to be rented to unrelated third parties without requiring planning permission. Well, that was easy.

The second would exempt the installation of public electric vehicle charging points by or on behalf of the States in designated car parks and areas with marked perpendicular parking bays from the requirement to obtain planning permission.

Alongside these exemptions, Members are also asked to approve the accompanying amendment, the Land Planning and Development (Exemptions) Ordinance, 2026, which provides a legal mechanism for these changes.

Madam Bailiff, Members, the States approved the Planning (Exemptions) Ordinance in 2023. It established a sensible list of developments that could proceed without requiring a formal planning application because impacts were considered limited or could be adequately managed through conditions.

Turning to the first, associated – I am just going to say 'wings', it is just easier. Members will be well aware that Guernsey continues to face significant housing pressures. The availability and affordability of housing remains one of the Island's greatest challenges. We all recognise that increasing housing supply is not something that can be solved by a single policy. It requires actions on many fronts.

One opportunity lies within our existing housing stock. Across the Island, there are associated wings and units that already exist. Close to services, electricity fitted, no extra development, and I am sure that makes Deputies like Deputy Gabriel very happy indeed. At present, if the owner wishes to rent one of these units to someone who is not a family member, they must first obtain planning permission because it constitutes a material change of use. That is the current position.

The Authority believes that the requirement is no longer justified. These units already exist, so let us use them. They do not require new buildings, additional land, or significant changes to the built environment. Allowing them to be rented represents a pragmatic way of making better use of accommodation that is already available.

Our preliminary research suggests that there are around 65 units that could potentially become available. No one is suggesting this will solve Guernsey's housing shortage overnight, but sometimes the best solutions are not the largest ones. They are the ones that make better use of what we already have.

Importantly, this proposal is not a free-for-all. Property owners will still be required to notify at least the Development & Planning Authority when the unit is brought into the rental market, and that notification will allow us to monitor how effective the exemption is and assess whether it delivers the benefits we anticipate.

Now moving on to EV charging points. The second proposal concerns electric vehicles and charging infrastructure. Members will know that the Island's transition towards lower emission transport depends not only on people being willing to purchase electric vehicles, but also on having confidence that they can conveniently charge them. Public charging infrastructure is therefore an essential part of that transition.

Currently, while charging points installed at homes or commercial premises may already benefit from exemptions, public charging points do not. The proposed exemption would remove that unnecessary step but only in clearly defined circumstances. It applies only to charging points installed by or on behalf of the States, effectively on States' land. It applies only in designated public parking areas with marked perpendicular parking bays.

The proposals support the housing supply by making better use of existing accommodation, sustainable transport by enabling more efficient delivery of public EV charging infrastructure, and they also reduce unnecessary bureaucracy while retaining appropriate safeguards.

Madam Bailiff, Members, these are sensible, carefully considered amendments to the Planning (Exemptions) Ordinance. They reflect consultation across Government, maintain appropriate protections, and respond to two genuine challenges facing our Island.

I thank you and look forward to some debate.

Amendment 1:
At the end of proposition 2, insert –
", subject to the following amendments –
a. in section 1(3), in the proposed Item 4 in Class 3 of Schedule 1 (residential change of use), for "31st July, 2026" substitute "30th September, 2026", and
b. in section 3, for "1st September, 2026" substitute "1st January, 2027".

The Bailiff: Thank you.

Deputy Inder, you briefly mentioned the amendment, which we need to deal with first. Is there anything you want to say in your general debate?

Deputy Inder: No, not at the moment. I will have to lay the amendment after. I am okay about that.

The Bailiff: Deputy Van Katwyk, do you second that amendment?

Deputy Van Katwyk: Yes, ma'am.

The Bailiff: Does anybody wish to speak in debate on the amendment?

Yes, Deputy Laine.

Deputy Laine: The first thing I want to do is say that I am a Member of the DPA and I want to declare an interest that I have a dower unit, and I did not participate in the work on the Committee on this subject, but I heavily support it. With regard to my own dower unit, it is occupied by family and that is not going to change. However, this is a very sensible step and an incremental, something we can do now to address the housing crisis.

Thank you.

The Bailiff: Does anybody else wish to speak on the amendment?

I presume you do not want to reply, Deputy Inder?

Deputy Inder: Yes, madam.

The Bailiff: You do want to speak on the amendment?

Deputy Inder: Sorry, the amendment?

The Bailiff: Amendment.

Deputy Inder: Not on the amendment.

The Bailiff: Yes. In that case, we will go straight to the vote. Members, you will see the amendment to the amendment on the screens. It is effectively date changing. So I am going to ask the States' Greffier to open the voting on that now.

There was a recorded vote.

Carried – Pour 29, Contre 0, Ne vote pas 2, Did not vote 8, Absent 1

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Burford, Yvonne	None	Hill, Edward	Blin, Chris	Rochester, Sally
Bury, Tina		Snowdon, Alexander	Curgenven, Rob	
Cameron, Andy			Helyar, Mark	
Camp, Haley			Matthews, Aidan	
Collins, Garry			Niles, Andrew	
de Sausmarez, Lindsay			Sloan, Andy	
Dorrity, David			St Pier, Gavin	
Falla, Steve			Vermeulen, Simon	
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
McKenna, Liam				
Montague, Paul				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Strachan, Jennifer				
Van Katwyk, Lee				
Williams, Steve				

The Bailiff: There voted in relation to the amendment: pour 29, there were 2 abstentions, and 8 Members were not in the Chamber at the time of the vote. I therefore declare that the amendment has been carried.

Who wishes to speak in general debate in relation to the Proposition?

Yes, Deputy Burford.

Deputy Burford: Madam, I simply stand to declare an interest. I have an inhabited but not rented independent living unit.

Thank you.

The Bailiff: Deputy Camp.

Deputy Camp: Thank you.

Yes, it was just to raise a discrepancy in respect of the notification requirements. So the policy letter at 3.5 says:

> Landlords will notify the Authority before renting the unit.

However, the draft Ordinance allows notification within one month following the change of use. If the purpose is to monitor the policy, this discrepancy in the intention of the policy letter and the drafting of the Ordinance appears to matter.

Thank you.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, I wanted to just stand briefly to say this is a really good success story and shows how Government can be responsive and quickly responsive to suggestions that arise.

The suggestion around the dower units was something that I picked up on social media, and you can see that social media can be quite useful for ideas. This was a while ago, but I just checked back my social media on X and it was in April last year. This was a suggestion raised by someone called GSYBlue:

> So I have an unused three dower unit. It cannot be rented. It is sitting empty. Can something be done?

I brought this idea to the former DPA and I must say, at the beginning, I faced quite a bit of opposition from officers who were saying, 'Oh, this is too complicated', etc., but I am very pleased that this was continued to be progressed and was picked up by the current DPA.

As Deputy Inder did say, sometimes there are other small ideas that we can pursue. We can be pragmatic. We can take away this exemption down the line if we do not need it anymore. But 65 units that could be brought forward, this is fantastic. So I really applaud this.

Just to say, from idea to legislation, it was just over a year. Again, we keep saying how slow, etc., the Government is, but this is a good story that we should celebrate, really endorse, and get on with solving our housing.

The Bailiff: Deputy Williams.

Deputy Williams: Thank you, Madam Bailiff.

From a Housing Committee perspective, anything that can potentially add to the rental market, providing more homes for local people without having to build them, is a really positive step.

So all the Members of the Housing Committee are fully in support of this proposal. Lots of small improvements, as has been said, can help the housing market. And if this change means that 60-plus households find somewhere to live, then that is great news. It all helps.

There are undoubtedly some dower units or wings that stand empty and could be rented out to give the owner some income and offer non-family members somewhere to live. I recommend the Assembly supports this, bearing in mind all Deputies had housing as a major issue in their manifestos. I am sure you will all remember that.

It can only be a benefit to the housing supply and without having to be building those properties. So please support this proposal.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, Madam Bailiff.

Yes, I echo the words of Deputy Williams just there. Any adding to the availability of rental property is something we have to snatch up.

Just looking at it, just a comment I want to make as an observation is just that we are saying that we are going to make an exemption order so the States can be exempt from the requirement to apply for planning permission for EV chargers on States' land, when I just thought it was odd with the position from Deputy Gabriel yesterday that said that States had no interest in putting charging on States' land. So I am just wondering why the necessity to create this Ordinance when we have no appetite for creating a States' offering in this regard.

So, yes, I would encourage everybody to support this and certainly from the dower unit point of view, and I just thought I would make that observation. But it is still not going to stop me from supporting the Proposition.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, madam, for allowing me to speak.

I wholeheartedly support these exemptions, notwithstanding my comments yesterday in question time to answering Deputy Leadbeater's question. The provision should be there in case we need it, but currently it is not a planned workstream for this term for the E&I Committee to instal the EV chargers on public land, because it is certainly my view that the Open Market can respond better, although this does not touch the Open Market at all. Anyone wanting to instal an EV charger on commercial land will still have to apply for planning permission, that is my understanding, but I wholeheartedly welcome the exemptions.

Certainly on the housing, on the dower units, the wings that everyone has mentioned, all of the same reasons resound soundly in my heart that we should be doing all that we can and, even though it is only 65 units, it is 65 units. One unit is helping get someone from a sofa into an accommodation, and even if it is only one unit then we should be approving this.

I hope I have clarified the position as far as EV chargers goes, and that I and my Committee wholeheartedly support the exemptions to allow this to happen in the future if there is a change of tack or additional resources become available.

Deputy Sloan: 26(1).

The Bailiff: Yes. Deputy Sloan has sought a guillotine motion, those who wish to still speak in debate on this matter, stand in your places.

Do you wish me to put the motion to the Chamber? Those who wish to guillotine debate on this Proposition please say pour; those against?

Members voted Pour.

The Bailiff: Therefore we will guillotine.

Yes, Deputy Collins.

Deputy Collins: Just to stand up, just to declare an interest, my family do have some.

The Bailiff: Sorry, you do have what?

Deputy Collins: Just to declare an interest, ma'am, my family members do have some units.

The Bailiff: Okay, thank you.

Right, then as we guillotined debate, I will then turn to Deputy Inder to respond.

Deputy Inder: I do not think there is an awful lot to respond to, with the exception of a minor apology to Deputy Camp, she is absolutely correct. What we said in the policy letter does not entirely concur with the Ordinance, but will effectively, if this is approved, default to the wording of the Ordinance. So that is how it is.

Thank you very much for your support. That was relatively easy. What has gone wrong?

The Bailiff: Deputy Inder, we have not taken the vote yet. *(Laughter)*

States' Greffier, would you open the voting please?

There was a recorded vote.

Carried – Pour 35, Contre 0, Ne vote pas 3, Did not vote 1, Absent 1

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	Burford, Yvonne	Vermeulen, Simon	Rochester, Sally
Bury, Tina		Hill, Edward		
Cameron, Andy		Snowdon, Alexander		
Camp, Haley				
Collins, Garry				
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
St Pier, Gavin				
Strachan, Jennifer				
Van Katwyk, Lee				
Williams, Steve				

The Bailiff: There voted in relation to the Proposition: pour 35, there were 3 abstentions, and 1 Member was not in the Chamber at the time of the vote. I therefore declare that the Proposition has passed. You may now declare a victory, Deputy Inder.

States' Greffier.

8. Legislative Changes to Enable Streamlining the Plan Making and Amendment Process – Proposition Carried

Article 8.
The States are asked to decide:
Whether, after consideration of the policy letter entitled 'Legislative Changes to enable Streamlining of the Plan Making and Amendment Process' dated 5 June 2026, they are of the opinion:
To agree to the adoption of the draft Land Planning and Development (Plans) Ordinance, 2026 set out in Appendix A of the attached policy letter.
2. To agree to repeal the existing Land Planning and Development (Plans) Ordinance, 2007 and the Land Planning and Development (Plans) (Amendment) Ordinance, 2017.
3. To agree to the related and consequential amendments to the Land Planning and Development (Guernsey) Law, 2005, and the Land Planning and Development (Environmental Impact Assessment Ordinance), 2007 and the Land Planning and Development (General Provisions) Ordinance, 2007, as set out in Part V of the draft Ordinance.

The States' Greffier: Article 8. The Development & Planning Authority, Legislative Changes to Enable Streamlining the Plan Making and Amendment Process.

The Bailiff: Deputy Inder.

Deputy Inder: Madam Bailiff, Members, thank you again.

Maybe this is a bit more complicated than the last one. I am pleased to present this policy letter on behalf of our Authority. This policy letter and accompanying legislation represents the next stage in a process that Members have already endorsed.

The Assembly asked the Authority to prepare legislation needed to give effect to those principles. That work has now been completed, together with some further policy developments, which has refined and improved the original proposals. They were the resolutions of 10th April 2025.

Today's debate is therefore about putting those agreed principles into law, ensuring that our planning system is more proportionate, more efficient, and more responsive, while maintaining appropriate safeguards. Where we have come from, Madam Bailiff, Members, under the current legislation every amendment on a change to the IDP has to follow exactly the same statutory process as producing an entirely new development plan. You will have seen – those who have read it – elements of that in the focused review, which is coming next month.

It makes no difference whether the proposed amendment is a simple administrative correction or a major change in planning policy. Every amendment requires a full planning inquiry. They are lengthy, resource intensive, expensive, and inevitably delay changes that may be needed to respond to changing circumstances. We all know that circumstances have changed since 2016 when the Island Development Plan was put into place.

The current system makes even relatively modest changes unnecessarily difficult, and this is what the legislation seeks to address. What the attached legislation does, the central principle is a very simple one. Not every amendment is the same. Therefore, not every amendment should follow exactly the same process. The proposed Ordinance introduces a more proportionate framework by distinguishing between minor amendments and material amendments.

This distinction is fundamental. Minor amendments, they are essentially administrative. Typical examples include correcting errors, improving wording, or updating terminology. Indeed, Members will see examples of these kind of amendments during the focused review next month. Minor changes do not justify the time and expense of a full planning inquiry.

However, that does not mean that they escape scrutiny. There will be a public consultation, they will still be published, submissions will still be considered. The difference is the adoption of a planning policy will not require a full planning inquiry, nor an interim-focused review, and of course

States' Members will retain their scrutineering powers as all amendments will come before the States.

Material amendments, the big ones. Now, these are different. These are amendments that generally alter planning policy or have material effect on what development is permitted. For those amendments, there remain robust safeguards. The difference is there will now be possible review pathways. The first is a traditional planning inquiry, including an independent planning inspector and a public oral hearing.

The second pathway is an examination in writing. This is still undertaken independently by a planning inspector, but without the need for a public hearing, again reducing cost and time. That could be appropriate where the policy principle has already been agreed but the detailed application of that principle into planning policy requires independent consideration. Examples include several new affordable housing allocation sites, using an already agreed policy approach, creating a new local centre, that is possible, or updating visitor policies following a new States' Tourism Strategy.

At the moment, if Deputy Kazantseva-Miller wanted to make any changes to where accommodation or planning should live, ultimately it is main centres, local centres, and if we do get a new policy at some point, I would like to assist Government and our companion committees to affect their policies. This is where the streamlining would help. Although those primary examples are about housing, those are not all that the IDP does, and I made reference to one there.

We now understand that some work needs to be conducted on Agricultural Policy in light of world changes and changing demands. Deputy Gabriel gave a commitment to review the Agricultural Policy and those changes will, depending on the extent of those changes, likely require a material change to policy, inserting this into the new IDP we would welcome.

I have touched on the work that I am aware that the Committee *for* Economic Development is considering around tourism and there may be other areas among other committees.

One question Members may naturally ask is what decides which pathway is appropriate? The Authority will make that determination, but importantly it cannot do it arbitrarily. The draft Ordinance sets out the specific statutory criteria which must be considered, and these include whether a proposal is likely to be contentious, impact on overall planning strategy, whether it reflects an urgent strategic priority of the States, its effects on priority rights, whether the independent perspective of an inspector would be beneficial, and whether a particular process is necessary to ensure fairness and compliance with human rights obligations.

These are clear statutory safeguards. We will not be doing anything random; the States always gets the last vote on it. Ultimately, the States, these 38 of us, are the final scrutineers on everything. The streamlined process changes how proposals are examined, that is all, it does not change who ultimately makes a decision. That remains with you, the Members of this States.

There are a number of areas, which are a little bit more down in the weeds, but we propose removing the outdated requirement to publish notices in *La Gazette Officielle*. This reflects a wider States' decision in 2022 to stop using the *Gazette*. We also propose repealing 77 of the 2005 Law relating to strategically essential developments. That provision has never been used. Rather than maintaining unnecessary third category amendments, strategy priorities will instead become one of the factors considered when selecting the appropriate review pathway. It creates a simpler, more coherent legislative framework.

Thirdly, we propose repealing section 75 of the 2005 Law. The legal advice is that this provision is no longer practical and is unlikely to be compatible with modern-age human rights requirements. In practice, it has not been relied upon for many years. The proposal simply brings the legislation into line with the existing illegal reality.

We also propose to remove two procedural steps, which experience has shown add delay for little value. The first is mandatory early pre-planning consultation. The second is a requirement for a further Committee *for the* Environment & Infrastructure comment after consultation but before the States' debate. Importantly, liaison with Committees will continue, as I have outlined. Yes, the

SLUP, consistency certificate remains mandatory. The safeguards therefore remain while unnecessary duplication is removed. Finally, we no longer propose mandatory statutory guidance.

During drafting, it became clear that the legislation itself provides sufficient clarity, avoiding unnecessary complexity, while saving both time and public money. In conclusion, madam, Members, it creates a planning system that is more agile, more efficient, better able to respond to changing circumstances, retains a public consultation, retains independent scrutiny, retains human rights protections, and importantly this House will get the last word on everything that we do in the future.

That, Members, hopefully opens debate.

The Bailiff: Deputy Sloan.

Deputy Sloan: Thank you, madam.

I have part of a question, this is an Ordinance, this is legislation. My understanding, this has not been through the Legislative Review Panel (LRP), in my understanding. I have just checked with the President. I appreciate that these you have, but that seems to be a curious process.

The reason why it came to mind is I completely agree with the sentiment of this, and in fact in terms of the substantive, absolutely, yes, completely. But then I looked at the definitions of material amendments and it says:

> A material amendment to a plan is a material amendment if it represents a material change to an existing policy set out in the plan or the brief.

I am sorry, that is circular. You cannot say something is material if it is material. We need to have some sort of definition of material, would have been my first initial question, madam.

That is why I queried whether this has been through the LRP, because it is an Ordinance and I do not believe it has. So I do not understand how we are debating it today. The reason why I raised that is because I do think that is a material – if you will excuse the pun – issue with the legislation as it is drafted.

The Bailiff: Deputy Gollop.

Deputy Gollop: As I remember, there was an issue about it coming before the Legislative Review Panel in that there was an attempt to bring them together, and we did not want that. They have come together ironically because there has been such a delay, but Deputy Camp can speak to that in more detail.

I am going to support this but there are some elements of it I am not too keen on. *La Gazette Officielle* is perhaps a historical remnant, but it is still read by many of us, it is still useful to the media as it contributes to the offer of the media. That is a change.

I do not understand removing the pre-consultation, it does not need to be in the Law, but the last time the plan was completely reviewed was in 2011 to 2016, and what was it called, Guernsey Together, Future Guernsey, the Vision for Guernsey, something like that. But you do need to get a sense of what stakeholders and the public think, so to a degree pre-consultation is useful. How you do it is more questionable.

Probably one area that is curious is there is a little bit of word salad in a strategically essential amendments part, and as we hear, for example:

> The DPA accordingly concluded that the third category of amendments will result in unnecessary legislative complexity. Instead, the DPA proposes to integrate the question of whether a proposal reflects a strategic policy priority of the States as one of the mandatory considerations in determining the appropriate review process for material amendments. Strategically essential amendments will be very similar to that for material amendments.

Then the current proposal includes a repeal of 77 of the 2005 Law:

The provision has never been used despite having been on the books. If a strategically essential development needs to be accommodated in the future, the matter could be addressed through an amendment to the plan.

Well, there is an override to the plan. I am not quite sure, clearly, even though I did three years hard labour at the DPA, five years including my period as a Member before I was President, it did not come up.

One area though, which did come up, and I already alluded to the judicial review and human rights in a different debate, perhaps I was off the beam, but here human rights are specifically cited as a concern. On page 7 at 3.16 and 3.17, the DPA proposed repealing section 75, a so-called privative clause intended to prevent anyone from challenging a planning decision.

What is interesting is I know of a recent case that I have just read about in the media whereby persons who lived in the Vale successfully objected to the scope of a planning inquiry to do with a loss of landscape by a new development. That struck me as an unusual example of where people who are not applicants can seek court review. Here we allude to Groucutt v. Minister of the Environment Department (2015), that would have been Deputy Burford, and I was on the Committee at the time. The Royal Committee commented that the restriction on challenges is likely inconsistent with the European Court of Human Rights.

In recent applications for judicial review involving planning decisions, the litigation team of the Law Officers of the Crown has no longer been relying on this provision. This will not affect statutory appeals but it will mean that future judicial review proceedings will have to take place in accordance. In light of the jurisprudence on the issue, legal counsel is recommending the probation appeal.

Now, as I understand it, and it is not written in a particularly accessible way, effectively it is possibly possible now, and will have a gateway for it to be possible with the repeal, that anyone can challenge a decision, not just through the appeal process set out in the legislation. So that opens it up I suppose to a wider scope of judicial review, which will be interesting.

But I know from when I was on the DPA, many people, including officer advice, was wary of allowing a gateway into third party appeals, because that of course would tend to not only slow up proceedings considerably, but lead to opposition from residents and Not in My Backyard (NIMBYs) and environmentalists and parish authorities to get stronger, and we would run the risk of not having infrastructure created by Economic Development and housing sites, as we will see next month, are already questioned by people. If they had the legal mechanism, then we might be seeing very few new houses in future in Guernsey.

So I am open-minded, but all these things will have to be kept under review, because they may have unforeseen consequences.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, madam.

I am a little concerned about when Deputy Sloan mentioned about the possible omission of the LRP and I wonder if Deputy Inder would like me to give way to him to explain.

The Bailiff: Deputy Inder.

Deputy Inder: I have just had a note from officers, I was not at the LRP, but the Head of Planning and the Principal Forward Planning Officer, along with our legal counsel, attended the LRP in June this year.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you.

The Bailiff: Deputy Collins, do you wish to speak in debate?

Deputy Collins: Thank you, ma'am, yes.

As I recall, reviewing this in detail line by line on 1st June, which the Committee had full attendance by five political colleagues, Deputy Sloan maybe – I give way happily.

Deputy Sloan: My apologies, Deputy. I did ask the question, so that is why I was curious.

The Bailiff: Thank you.

Deputy Collins, do carry on.

Deputy Collins: Thank you, ma'am, yes.

As I was saying, we went through it line by line, an excellent piece of work. My congratulations to the DPA.

Thank you very much.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: I am pleased we have sorted this confusion and it did go through a legal process.

I am absolutely delighted that this has come forward and I know that someone else would be very delighted and I hope is hopefully listening to this debate, and this is former Deputy Dyke, who this policy letter, now legislation, very much originated through increasing deep frustration that the former Committee for the DPA, that Deputy Blin was also part of, had in relation to the current process of amending the IDP.

As Deputy Inder outlined in his opening speech, basically whatever amendment you wanted to bring to the policy letter would have to go through the proper inquiry process with an independent inspector. Just to give you an outline of how long the current narrow IDP review process has been taking, is that the first work that was started on the IDP narrow review started at the end of 2022. We had some of the senior officers went on maternity leave in 2023, but the issue is that it is nearly four years, and hopefully we will approve the IDP in November, but it is nearly a four-year process of what is supposed to be something that responds to the emerging needs of the housing crisis that has taken nearly four years to complete. That is completely unacceptable and unworkable and it is exactly the type of bureaucracy we have to really deal with.

The second frustration that was quite pronounced last political term was surrounding the policy GP11, the infamous policy GP11, and so it was really through that frustration that former Deputy Dyke looked, and he is a lawyer by background, looked at whether we could be amending the plan review process to make it faster. We ended up, through an amendment, figuring out a very convoluted zero-rating approach to the GP11 policy. But the right way to really do something like that would be through a policy amendment stage.

Deputy Inder is absolutely right, there are lots of interesting policies that certainly Economic Development would like to look into, we talked about visitor accommodation, tourism products as well, and I know of several cases of entrepreneurs struggling to progress the development of interesting propositions because effectively development is largely, right now, limited to main centres and local centres.

But I was also thinking, and we talked previously about long-term care and the need for new care homes, well care homes will be facing exactly the same problems. If you want to bring new care homes, that is only going to be limited right now to local centres and main centres. As we know, care homes are quite substantial developments potentially, so we may need a real call for sites for care homes.

But I am not aware of any of that thinking or policy development being progressed. This will really require a new policy change. Care home beds are not included in the Strategic Housing Indicator as far as I know, which means that the demand that is required for care homes and the

beds, and potentially the land required, is not currently in scope of the current IDP. So, if we need more care home beds, as we know, we have right now no specific planning policies to be able to enable potentially a real significant increase in care home construction, so this is a real challenge.

So, in a nutshell, this is very pragmatic. I know Deputy Burford had issues previously with the approach being undertaken, but hopefully what is today in front of us really strikes a good balance in terms of minor amendments, material amendments, and the real innovation is around the pathways that are being proposed for material amendments, which range between continuing with what we have, which is the proper inquiry with an independent inspector, face-to-face with the community, or through the examination or through a DPA-led consultation. That flexibility is excellent, is extremely pragmatic, and it is exactly more of the kind of things we should be doing as Government.

Again, I applaud the efforts of the new DPA in concluding this process.

The Bailiff: Deputy Camp.

Deputy Camp: Thank you.

I thank this debate for reminding me that the Legislation Review Panel did indeed look at this Ordinance and I did chair that meeting; the minutes are quite clear on the fact that I was indeed there. So thank you for the reminder.

It is important to recognise the role of the LRP. The role of the LRP is to ensure that legislation is drafted in accordance with the policy set within this Chamber. We are not legal drafters; we do not get to hold the pen on legal drafting. I am reminded that when we did look at this matter, the 2005 Law already contains a definition of material amendment, and so the LRP would not have highlighted that this does not exist, it would not have been in the LRP's necessary remit to have done this as part of this particular communication.

But I do think there is potentially, outside the LRP's remit, because Members of the LRP are also politicians and we get to talk about political stuff as well. I do think there is an issue where we talk about minor and material amendment under this new potential process, because I suppose my question comes, is what the risk about a series of minor amendments becoming material, but then never considered material because they have been done in a minor way.

So it is really about some of these changes, how do we safeguard that the cumulative effect of these planning changes made, because we are moving away from this big overarching process into something that is more flexible, which I agree with. I am sure Deputy Inder will agree. I understand the idea for flexibility, but it is about the safeguards about those cumulative changes and what monitoring is being done there to ensure that we are not necessarily changing the character of the IDP through minor amendments that become, in and of themselves, material.

Thank you.

The Bailiff: Deputy Curgenven.

Deputy Curgenven: Thank you, madam.

Through you to Deputy Inder, it is mainly just to reiterate what Deputy Camp said. I am also on the LRP. Please correct me if I am wrong, anyone on the LRP at the time, I did bring up this issue, as you did, probably predictably should we say. I do not really like that kind of wording, what is minor, what is material, so rather than just repeat what Deputy Sloan and Deputy Camp has just said, maybe you can give some clarity on that when you are summing up.

Thank you, madam.

The Bailiff: Does anybody else wish to speak? In that case I will turn to Deputy Inder.

Deputy Inder: Thank you, Members, for what was a relatively short debate.

The first thing I am going to say to Deputy Camp and Deputy Curgenven, the LRP plays an extremely important role in our system of Government. It is another scrutiny process, as Deputy Camp said; it is basically a check and balance. The other scrutiny role we have is ensuring that the legislation effects the policy.

So I am grateful for the work that the LRP do because it is something I could not do, because you would have to read things and I am not very good at that. I am also glad that Deputy Camp has remembered that she was in the room when she signed off the work, so that is not just me.

Deputy Kazantseva-Miller, thank you for the support. Of course, she reminded all of us that she started this, which is fair enough. I will remind her about many things –

Deputy Kazantseva-Miller: Point of correction.

The Bailiff: What is your point of correction, Deputy Kazantseva-Miller?

Deputy Kazantseva-Miller: It was the hard work of all Members or most Members of the last DPA. *(Laughter)*

Deputy Inder: Wow, meow.

Yes, and it is a statement of fact. I think you are going to see next time ... whatever happens is these last two policy letters and the focus review have all come from the previous hard work of previous Committees, some of which are not with us now, and ultimately we are just carrying on the work. So, thank you, previous Committees, and hopefully thanks to us as well.

Deputy Sloan, possibly Deputy Gollop, maybe Deputy Curgenven, the process of determining the difference between material and minor is exactly that. I think I explained this in my speech, and touched on within appendix B, minor is just purely wording changes, terminology. I had not thought of what Deputy Camp mentioned about almost mission creep, whereas eventually you get so many words that get changed and you get a policy that has not come into consideration. All I can assure her is that, while I am in position, however long, that simply will not happen. It simply will not happen. That may not give her much comfort, but again in her Scrutiny role, and other people, there is no intention there, there is no evil intent by policy to start changing words that we come up with something completely different.

I personally thought Deputy Gollop answered his own question, not for the first time, but we will keep under review 3.16. But the advice is the advice, as he read out. It appears not to be human rights compliance, never been used, so I carry on with it.

Deputy Collins, again, thank you for your report. I have not really got much more to say on the matter, but I would refer Members to appendix B that gives Members the idea of what the plan review process will be. I genuinely look forward to working with Economic Development, definitely E&I on matters of food policy and agricultural policy, and as soon as we can get that out we will bring it back to the States, we will make some changes and just move this Island on again.

I said, when I took this presidency, I am here to help and I genuinely mean that.

Thank you.

The Bailiff: Thank you.

States' Members, you now have before you the Proposition. I will ask the States' Greffier to kindly open the voting.

There was a recorded vote.

Carried – Pour 35, Contre 0, Ne vote pas 3, Did not vote 1, Absent 1

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	Burford, Yvonne	Vermeulen, Simon	Rochester, Sally
Bury, Tina		Hill, Edward		

Cameron, Andy
Camp, Haley
Collins, Garry
Curgenven, Rob
de Sausmarez, Lindsay
Dorrity, David
Falla, Steve
Gabriel, Adrian
Gollop, John
Goy, David
Hansmann Rouxel, Sarah
Helyar, Mark
Humphreys, Rhona
Inder, Neil
Kay-Mouat, Bruno
Kazantseva-Miller, Sasha
Laine, Marc
Le Brun, Ross
Leadbeater, Marc
Malik, Munazza
Matthews, Aidan
McKenna, Liam
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
Sloan, Andy
St Pier, Gavin
Strachan, Jennifer
Van Katwyk, Lee
Williams, Steve

Snowdon, Alexander

The Bailiff: There voted in relation to the Proposition: pour 35, there were 3 abstentions, and 1 Member was not in the Chamber at the time of the vote. I therefore declare that the Proposition has passed.

COMMITTEE *FOR* HOME AFFAIRS

9. Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) (No. 2) Law, 2026 – Proposition Carried

Article 9.
The States are asked to decide:
Whether they are of the opinion to approve the draft Projet de Loi entitled "The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) (No. 2) Law, 2026", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

The States' Greffier: Article 9. The Committee *for* Home Affairs, Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) (No. 2) Law, 2026.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, Madam Bailiff.

This is a technical amendment to the Customs Law that was identified by the Law Officers' chambers. The main purpose of the amendment is to align the summary penalties for importation and exportation of controlled drugs in the Customs Law with the summary penalties for other corresponding drug-related offences in the Misuse Of Drugs Law.

The amendment also adds a cross-reference in the Misuse Of Drugs Law to the Customs Law and creates the power to make future consequential amendments by Ordinance to ensure that the two legislative frameworks remain consistent.

HSC were also consulted on this amendment. The proposed amendment is covered by a 2022 Committee *for* Home Affairs policy letter agreed by the then Assembly relating to legislation relating to financial crime and related matters, which led to changes in the drug-related penalties, therefore the Law Officers' chambers have advised that this amendment does not require a further policy letter.

Following approval of that policy letter, the Misuse Of Drugs Law was amended by the Criminal Justice (Miscellaneous Amendments) (Bailiwick of Guernsey) Ordinance, 2022, which increased the penalties on summary conviction for other corresponding drug-related offences under the Misuse of Drugs Law, for example production, supply, and possession with intent to supply offences to two years or three times level 5 on the uniform scale, or both.

However, the penalty set out in schedule 3 of the Customs and Excise Law for the importation and exportation of controlled drugs were not amended as part of this in 2022 and now are out of step. This Amendment Law seeks to address that gap, so, madam, I ask the Assembly to approve this Proposition.

Thank you.

The Bailiff: Does anybody wish to speak in debate on this? In that case we will go straight to voting.

There was a recorded vote.

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

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	None	Van Katwyk, Lee	Rochester, Sally
Burford, Yvonne			Vermeulen, Simon	
Bury, Tina				
Cameron, Andy				
Camp, Haley				
Collins, Garry				
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				

Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
Sloan, Andy
Snowdon, Alexander
St Pier, Gavin
Strachan, Jennifer
Williams, Steve

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

POLICY & RESOURCES COMMITTEE

10. The Guernsey Financial Services Commission – 2025 Annual Report and Accounts – Proposition Carried

Article 10.
The States are asked to decide:
Whether, after consideration of the policy letter dated 16 June, 2026 of the Policy & Resources Committee, they are of the opinion:
1. To note the Annual Report and Accounts of the Guernsey Financial Services Commission for the year ended 31st December 2025.

The Bailiff: Deputy Niles, I believe you are dealing with the next one, but I have rather pre-empted the States' Greffier announcing it, so I will ask him to do that.

The States' Greffier: Article 10. The Policy & Resources Committee, The Guernsey Financial Services Commission – 2025 Annual Report and Accounts.

The Bailiff: Deputy Niles.

Deputy Niles: Madam, this Proposition asks the Assembly to simply note the Annual Report and Accounts of the Guernsey Financial Services Commission for 2025, as Commission Law requires.

Members will recall, or they may recall, that they were given the opportunity to attend the Commission's offices quite some time ago when the report was first published in May. I am grateful for those that did make the effort to go along and ask questions. 2025 was a year of transition for our Regulator, it moved them from a period in which it was quite rightly ensconced in Moneyval to one in which it is now considering the balance between proportionate regulation, innovation, digital finance, and growth. These are the right questions for the Commission to be asking and ones the Assembly will want to follow closely.

On behalf of the Committee, I thank the Commission and staff for their work and I ask Members to note the report.

The Bailiff: Deputy Sloan.

Deputy Sloan: Thank you, madam.

Madam, last year I noted the Director General had referenced the Old Testament in his opening statement in the report, and I had rather cheekily referred that I was a bit of a New Testament guy.

So this year I am delighted to see that the Director General in his annual statements take us from the Garden of Eden to Thomas Hobbs in just a single paragraph.

Madam, I am not sure whether we are being invited to regard the Commission as the serpent, the sovereign, or merely the institution that decides how much paradise we may enjoy. I should confess, that particular witticism comes courtesy of ChatGPT. I thought I ought to acknowledge my source, given the Commission's newfound enthusiasm for AI.

But turning to more serious matters, I want to raise two issues. The first concerns enforcement. Reading the Annual Report, I was struck by still how extensive enforcement activity remains, and particularly by the volume of commentary regarding the Royal Courts, the Court of Appeal, and the senior decision maker process.

At the end of 2025, there were 10 investigations outstanding, with another six cases in the decision-making or appeals process. Four appeals against the senior decision-maker decisions were active during the year. Now, madam, I fully accept that robust enforcement is essential to maintaining Guernsey's reputation as a well-regulated international financial centre. I also recognise that some of these cases are exceptionally complex and involve serious misconduct. Nevertheless, the extent of the activity, together with the apparent complexity and duration of some proceedings, raises questions in my mind about the effectiveness, efficiency, and proportionality of the enforcement process.

Enforcement is not an end in itself. Its purpose is to secure compliance, deter misconduct, and protect the integrity of the financial system. We should therefore be interested not only in the extent of enforcement activity, but also how efficiently cases are resolved, the resources consumed, the outcomes achieved, and whether the process is proportionate.

There is something else in the report that particularly concerns me. The Director of Enforcement makes some pointed observations about individuals approaching States' Deputies in connection with enforcement proceedings, apparently failing to disclose their circumstances fully. I found that a rather disturbing passage. I certainly would not want to see any Deputy improperly interfering in regulatory enforcement. Equally, Deputies have a legitimate representative role and individuals have every right to raise their concerns with elected representatives. There is an important distinction between improper attempts to influence regulatory proceedings and the legitimate exercise of democratic representation.

Now, if the Commission believes there is a significant problem in this area, I would have expected those concerns to have been communicated directly and formally to Members of this Assembly. I am not aware of having previously received such a communication before the report was published, and I am uncomfortable to discover that for the first time in an Annual Report what appears to be a serious concern regarding interactions with elected representatives. I would therefore welcome clarification of precisely what concerns the Commission has and whether these relate to particular cases or a wider problem, and whether it intends to engage formally with the States on this matter.

My second point, madam, concerns the Commission itself. We have of course had this year the Oliver Wyman review, which examined the competitiveness of Guernsey's financial services sector and set out a strategy for future growth. Indeed, that work identified the GFSC responsiveness, efficiency, and commercial awareness as a key competitive advantage for Guernsey.

That is welcome, madam, and it is right that we acknowledge those strengths. But Oliver Wyman was examining the financial services sector and its growth prospects, not conducting a comprehensive institutional review of the GFSC. I wonder whether the time is approaching where we should consider precisely such an exercise. The most recent comprehensive independent institutional review of the Commission that I am aware of, madam, was conducted by Ernst & Young and it was reported in November 2011. I was involved towards the end of that process and it was a substantial exercise that examined the Commission's organisation, operations, and regulatory processes. It led the way to significant changes to the Commission's structure and the way it conducted its business. Madam, that was almost 15 years ago.

Now, the Commission has of course been subject to numerous international assessments in the intervening period, including evaluations by Moneyval and the International Association of Insurance Supervisors (IAIS), the international insurance supervisory body. These assessments are important and meeting international regulatory standards is fundamental to Guernsey's reputation. But they are not the same thing. International assessments primarily examine whether our regulatory framework meets the required standards and whether those standards are implemented effectively.

An independent institutional review asks a different set of questions, whether the Regulator is organised efficiently, whether its resources are deployed effectively, whether its supervisory and enforcement processes are proportionate, and whether it delivers value for money. These are complementary exercises, not substitutes for one another.

There is a further reason why the question is worth asking. Looking back over the period from 2013 to 2025, the Commission's expenditure rose from approximately £12.2 million to £20.7 million, a 69% increase in nominal terms, around 15%-20% in real terms, and full-time equivalent staffing increased by around 35%. Now, I recognise fully the growing complexity of international financial regulation and particularly the demands of international standards evaluations, but the figures nevertheless provide useful context for assessing whether the Commission's current organisation and resources, supervisory approach, and enforcement processes remain as effective, efficient, and as proportionate as possible.

This is an important distinction. The question is not whether Guernsey needs a strong, credible, and independent regulator; of course it does. Nor is the question whether the Commission has made an important contribution to Guernsey's international standing. It clearly has done so. The question is whether we have periodically subjected the Commission to the independent examination of effectiveness, efficiency, governance, and value for money that we would expect of other significant public institutions.

Such a review might assess the balance between supervisory and enforcement processes, the efficiency of regulatory processes, the allocation of resources, the costs borne by regulated businesses, and the extent to which the Commission's operating model remains appropriate for the challenges ahead.

It would also examine how the Commission benchmarks its performance against comparable regulators and how it demonstrates that it is achieving the best possible regulatory outcomes for the resources it uses. None of this should be interpreted as an argument for weaker regulation. On the contrary, effective regulation is among Guernsey's most important economic assets. But precisely because it matters so much, we should be prepared to assess its performance objectively.

So, madam, nearly 15 years after Ernst & Young, with the Commission having grown considerably, and the regulatory environment having changed substantially, I wonder whether it is time for another independent evaluation of the GFSC itself. Perhaps, returning to Hobbs, we might remember that establishing the necessity of a sovereign does not entail that every exercise of sovereign power is necessarily efficient, proportionate, or beyond scrutiny.

Madam, and Deputy Niles, I would be interested in the Commission's views on whether it feels it is time to conduct such a review.

Thank you.

The Bailiff: Deputy Camp.

Deputy Camp: Thank you.

Not wishing to repeat a lot of what Deputy Sloan has just said, but the report makes a clear statement about the Commission's purpose. Regulation must be carried out in a way that encourages businesses to grow profitably and attract new entrants. I welcome that commitment. The question is how we assess whether it is being achieved.

It is difficult to look at statistics issued by the Commission to answer that question. The GFSC itself says there is no meaningful correlation between things like fund numbers and licensee

numbers, but together they show why growth in one indicator does not necessarily mean growth across the sector. So I am still left asking how we assess whether the Commission's purpose is being achieved.

Set alongside the Commission's accounts, which show fee income rising from £17.6 million in 2024 to £18.9 million in 2025, these figures raise a fair question. Are the costs and demands of regulation keeping pace with the value and development of the industry it supervises? I could bring lots of my own experience of working in this sector to that question, but I will not, because I feel sometimes it is unfair. However, the question remains.

The report also describes a significant number of appeals following enforcement decisions by senior decision makers, and while the Court of Appeal confirmed the enforcement process is human rights compliant on their interpretation, it did remit some points concerning sanctions for reconsideration. This is an important safeguard, but procedural compliance does not by itself answer whether the use of personal fines and prohibition orders is proportionate.

My comparison of the published Guernsey and Jersey report suggests that Guernsey makes more frequent use of those measures. The figures and categories are not perfectly like-for-like, but the difference merits transparent examination to understand whether this apparent trend towards penalising individuals sets us out as an unhelpful outlier when we talk about business choices such as location.

The accounts also record £533,000 of penalty income in 2025. I do not suggest that the Commission acts to generate revenue, but where penalties are recorded as income for the Regulator and any benefit to the sector through lower fees is discretionary, there is a reasonable question about transparency and public confidence. In general, this is an increasingly unusual treatment of penalty income. For instance, the latest accounts of the Financial Conduct Authority (FCA) show that, of £128.6 million in penalties collected in 2025-26, £55.7 million was paid or payable to Treasury and £72.9 million was returned to the fee payers through lower fees in 2026-27. The FCA describes these as penalties collected on behalf of HM Treasury. That does not happen here.

Government has a role here, I suggest. Section 7 of the Financial Services Commission (Bailiwick of Guernsey) Law, 1987, provides for policy guidance and directions. Its safeguards are clear. They must be in the public interest, must not influence particular cases, and must preserve the Commission's operational independence. A published direction setting expectations for proportionate, innovation-responsive, and growth-conscious regulation would therefore not require Government to interfere in individual decisions, and yet Government does not use these powers.

To my mind, this has become even more notable given the proposed Economic Growth Fund, which is intended to support competitiveness and productivity. The GFSC is named as one of the limited number of proposed named stakeholders who would be invited to contribute proposals. Indeed, my impression from a Scrutiny hearing on the upcoming Budget left me feeling that, in the main, this fund is intended to support the Finance Growth Forum's work, the Oliver Wyman report, perhaps even exclusively. So this distinction particularly matters.

If approved in November, P&R and Economic Development would retain the selection and funding decisions. But if a regulator is to help shape growth policy, Government should be equally clear about the outcomes it expects from the Regulator itself. While we have a national risk assessment, which records our appetite in respect of anti-money laundering (AML) and associated risks, we do not have a national competitive framework underpinning our expectations and approach to commercial growth and sustainability.

This is not an argument for weaker standards. The Moneyval assessment shows that strong safeguards and international recognition are vital to our position as a respected international finance centre, and nothing I am saying would weaken that. It is an argument for asking whether we can maintain those standards while also expressly restoring our regulatory approach to be proportionate, timely, and conducive to responsible growth and competitiveness.

The 2025 report gives us a welcome account of the Commission's work. It should also prompt Government to set clear expectations and the Commission to report more fully on how its approach affects new entrants, existing businesses, and the future growth of the sector.

Thank you.

The Bailiff: Deputy Ozanne.

Deputy Ozanne: Thank you, madam.

I do welcome this report but there is one section tagged right on the end, which rather alarmed me, and I would like to focus on because I believe it may show problems for us as an Island and not just for the Commission. That is to do with cyber security on page 37. It is almost the last point in the report.

It outlined that the Commission had had an increasing number of attacks on its firewall – 115 in 2025 – that there are bad actors pretending to be the Director General, one of whom approached a new licensee on LinkedIn. There have been various emails to licensees purporting to be from the Commission. They note that this is an area of developing risk, which it is for so many. We saw the problems on so many large websites yesterday with attacks.

The problem is Guernsey, I fear, has often thought that we are outside the risk of cyber security because we are so small, but I would suggest the complete opposite. We are potentially at a greater risk because we are seen as an easy target, and the reputational risk, let alone the financial risk, is huge.

So, my question, and I do not know if this can be answered, is what are the Commission doing in terms of working with the States of Guernsey to monitor cyber security attacks across our various financial institutions, and whether we need a pan-Island response to what I perceive will be an increasing risk over the next 10 years from malicious bad actors who are seeking to undermine.

I am waiting to see if a certain Deputy Laine might want to intervene, but perhaps we could have a response on that, please.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, ma'am.

First of all, I would like to acknowledge the report and compliment them on the amazing work and particularly how it is developing, growing, and particularly how they are embracing on to the Virtual Asset Service Provider (VASP) and, with the times, but with the risk, obviously, of the cyber security, as my colleague expressed.

However, previously – and there had been a conversation I had with Deputy Niles – I had intended to raise the issue of accumulated surpluses held by the GFSC and whether there may be an opportunity for some of these funds to contribute towards general revenue, as we are seeking all opportunities for improvement. Now, this does happen in other jurisdictions, including the Isle of Man. There are calculations based on keeping a reserve, keeping contingency funds for cases, and for, in effect, a rainy day fund.

So what I would like to do is to ask Deputy Niles if he can recall in the matter and also see if there is any further work, because with others we did discuss it, but we reverted to Deputy Niles. So I would be grateful if that could be added at the end.

Thank you, ma'am.

The Bailiff: Deputy Laine.

Deputy Laine: Just responding to Deputy Ozanne's comments around cyber security, the States did, in fact, put something like £1 million a year into the development of the Guernsey Cyber Security Centre, which is States' funded and it is in partnership with Jersey, and it is closely allied to the UK National Cyber Security Centre and, in fact, it was working yesterday with this global threat

and advising both the States and businesses on the steps that they should take, and are doing this on a daily basis.

So, through their links with the National Cyber Security Centre, they get intelligence and they disseminate that, both to States' IT and States' bodies, but also the corporate sector. So there is threat advice going on with the specific threats, but there is also volumes of advice on their website and they are engaging with businesses, running and participating in seminars, working with businesses like the GFSC, and others. The whole *raison d'être* for the Guernsey Cyber Security Centre is to educate businesses and Islanders on the ever-increasing risks associated with cyber-attacks.

The Bailiff: Does anybody else?

Yes, Deputy Curgenven.

Deputy Curgenven: Pardon me, madam, I was just checking something in the Financial Reporting Standards (FRS), a bit rusty on my accountancy standards.

So we are asked to note the Commission's accounts, and I do so with respect for the work. There is a lot gone into it. I respect that and I thank the Commission for that. But noting it is not the same as asking questions. I am not going to go over the same ground that Deputy Camp and Deputy Sloan went over before, madam.

First, the headline. Just a few factual points. I understand that, through you, ma'am, Deputy Niles might not be able to answer these right now, so maybe he might commit to giving answers later on, if that is okay.

First, it is just the headline. We have a surplus of about £1.9 million in 2024, which has now become a deficit of £216,000. Fee income of £18.9 million no longer covers the costs of £20.7 million, a gap of £1.8 million before penalties. The deficit was also softened by £461,000 of unrealised investment gains. So, without the unrealised investment gains, it would have been closer to £700,000.

Second, just some questions over costs. The legal expenses are up 56% and professional fees are up 41%. The Commission itself says Royal Court costs awards will push its cost base up 'considerably' in 2026 and beyond, yet the accounts recognise a claims provision of only £110,500, which is, as you can imagine, not material, that is not classed as considerably, or at least I would not, and it puts no figure on the wider exposure.

I just think that this Assembly and the licensed sector that pays the fees should know that. Apologies for my delay earlier, I was checking the FRS, it is FRS 102, section 21, requires a provision or disclosure of the best estimate in relation to the operations reports, as the commissioners will have to pay Royal Court costs awards in the Providence matter, and again I am just repeating myself, that these will raise costs considerably in 2026 and beyond. If those awards existed at the year end, and I cannot find out whether they did or not, it would have triggered FRS 102, section 21. I can expand on that outside of the debate later if you want.

Third, the staff loan scheme of £470,000. The terms, the interest rate, and the amounts forgiven are not disclosed. £920,000 sits with key management. I believe that a public body should be transparent about that, we should have some more disclosure on that.

Fourth, the accounts hold £231,000 of forestry assets. I believe it is biological assets in Scotland. It says land bought to offset the Commission's carbon emissions, which is fair enough, I make no judgement on that. I am just wondering if we were getting really good value for money of pumping nearly £250 million into a forest in Scotland when we could put it elsewhere. Sorry if I got the numbers wrong, roughly.

There are just some other small inconsistencies, but I will not bother with them now, those were just my main points. Again, madam, I do apologise for thrusting them on Deputy Niles without any prior warning. I will of course put them in writing if he feels it necessary to answer later.

Thank you.

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

Yes, Deputy Collins.

Deputy Collins: Thank you, ma'am, I will be very brief.

I did attend the briefing session at their offices, so I have asked these questions, and one thing I always find very interesting when there is a note that does not link back into the financial statements, 4.3 notes they have four flats. I remember asking them at the time and they just echoed the fact they are struggling to recruit staff in this Island, so the sooner we can get on building some homes that that might help.

It is a really good point that Deputy Blin has raised; they have about £17 million in assets – I have lost the page now – but perhaps that could be reduced down a little bit, maybe.

Thank you.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, I just wanted to stand to address some of the comments being made.

First of all, it is important to outline that the Commission is an independent body that is ultimately run by a board of commissioners. Yesterday, we have approved – the States has the ultimate approval of commissioners and the chairman, but we do not run the GFSC. So some of the questions being asked about what they decide to do about their carbon footprint is very much an operational matter to the Commission and to the board of commissioners.

The States has also made a decision to transfer the fee-making powers back to the Commission. This was a recommendation throughout the Moneyval process, so the decisions around revenue raising and effectively fee-making powers have also been transferred to the Commission. So again they consult, and they also consult with the States, and they are going through a final round of consultations right now before issuing their proposed fees for next year. But this is also, in terms of fee setting, a matter for the Commission in which we ultimately do not have a say, but we can submit recommendations in terms of the income generation of the Commission.

Some of the points that Deputies Camp and Sloan raised in terms of P&R has the mandate over the regulatory policy, and that is quite important. Through that policy and legislation, this is where we do have the levers in terms of potentially setting the direction of travel, etc., so those are the policy levers we have in relation to the GFSC and enforcement. As Deputy Camp would be aware, it is one of the workstreams that the Committee is working on together with Policy & Resources.

It is important to just also speak about the bigger picture in terms of where we are with the Finance Sector Growth Strategy. As I mentioned previously, the Finance Sector Growth Strategy was a joint project for the first time between the Government, so through the Committee *for* Economic Development, the Regulator, the GFSC, also Guernsey Finance and the Guernsey International Business Association (GIBA). This is for the first time we had set out a process through which the strategy was both funded, but also –

Deputy Sloan: Point of correction.

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

Deputy Sloan: It was not actually for the first time. The first time it was done was in 2018. If you look at the policy framework on the States' website, it will make that point for you.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: I believe it was the first time the strategy was certainly co-funded and commissioned through a joint project group, and that really helped create a really strong collaborative framework through which the project was developed and commissioned. We are very

proud of the results that has achieved and the tone it is setting for us to be able to work together in this unified approach to help deliver against the strategy.

Having said that, it is absolutely important, and the points that Deputies Camp and Sloan are raising in terms of our responsibility in relation to the financial sector regulation, that we absolutely maintain that. I can just confirm that this is something we are continuing to work on and will remain a priority.

Just to highlight some of the areas that are really encouraging from the Commission's report, and it is, from my perspective, in relation to their real step change in their approach to digital finance, and a real focus that they have developed and the resources they have dedicated to looking at digital finance, digital assets in particular, over the last nine months or so. So that is really encouraging and there has been really thorough consultation undertaken in that space in relation to a number of initiatives, including stablecoins, we are keen to see fruition with.

It is also important to say that the project, one of the recommendations of the Oliver Wyman report, which is the establishment of a pilot concierge service, is a joint project with the GFSC and is also part funded by the GFSC as well.

So there are all sorts of really positive examples through which we are working very constructively with the Regulator, notwithstanding continuing our work as Government in holding them to account in terms of proportionality of regulation.

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

Deputy Niles to respond.

Deputy Niles: I would like to thank all the Members that contributed to this brief debate on the GFSC accounts. It has been worthwhile and it is useful to do this in this Chamber.

If I could just address some of them that were raised, in no particular order. I think that Deputy Collins's comments in relation to accommodation that is being provided by them is a useful pointer to show that there are some entities taking matters into their own hands and to ensure that they can employ the people that they want to and provide accommodation when necessary.

I thank Deputy Curgenven for his comments, and they are detailed, and I am not going to try to deal with them on my feet, but I will promise to liaise with him and take them away. But just a brief point of correction that it is £250,000 that they have invested in forestry and not millions. *(Laughter)* In relation to Deputy Ozanne and her comments around cyber security, I think that we all appreciate and know now that it is a clear and present danger for all of us that we need to address. And I thank very much Deputy Laine and Deputy Yvonne Burford, who is not here now, for their work that they are doing diligently to ensure that we have the right preparations in place.

To Deputy Blin, your note on accumulated reserves – and I do note them well – this is something that I have discussed with the Chair and with the Director General as to how we can collaborate in the future and lean into some of those reserves and to ensure that all parties are contributing. I think that the work that we did around the Finance Sector Growth Strategy demonstrated that the Regulator, together with Government, were able to come together and contribute, not equally, to a broad development of their work that they do with us.

I will work toward closing on this, but to note Deputy Sloan's and Deputy Camp's points that they make around enforcement, around proportionality, around the appeals process and individual penalties but also the maintenance of standards and integrity of our finance sector, which I think is incredibly important, some of the comments that came from the work that Oliver Wyman did on our behalf came from industry directly and talked to some of these issues. That is why they came through in the report to encourage engagement with our Regulator to ensure that we all agree when we talk about integrity, proportionality, growth and competition, we all talk about and mean the same things.

I thank Deputy Kazantseva-Miller for her comments. She alluded to there is work ongoing in this area. I would thank her and also for Deputy Humphreys and their work with the Growth Forum because now, on an ongoing and enduring basis, they sit in the same room as the Regulator

together with industry and ensure that we are moving towards an alignment. On that, I will close, but I thank everybody for their comments and I would like them to note the accounts.

The Bailiff: Thank you. States' Members, I will ask the States' Greffier to start the voting on this.

There was a recorded vote.

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

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	None	Burford, Yvonne	Rochester, Sally
Bury, Tina			Hansmann Rouxel, Sarah	
Cameron, Andy			Vermeulen, Simon	
Camp, Haley				
Collins, Garry				
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Van Katwyk, Lee				
Williams, Steve				

The Bailiff: There voted in relation to the Proposition: pour 36 and 3 Members were not in the Chamber at the time of the vote. I therefore declare that Proposition has been passed.

States' Greffier.

LEGISLATION LAID BEFORE THE STATES

The Plant Health (Preserved Phytosanitary Conditions Regulation) (Amendment) (Guernsey) Regulations, 2026;
The Parochial Elections (St Andrew) Regulations, 2026;
The Immigration (Bailiwick of Guernsey) (Amendment) (No. 3) Rules, 2026;
The Damages (Guernsey and Alderney) (Discount Rate) Regulations, 2026;
The Customs and Excise (Inbound Passenger Information Reports) (Bailiwick of Guernsey) (Amendment) Regulations, 2026;
The Public Highways (Temporary Road Closures) (Fees and Penalties) (Amendment) Order, 2026;
Banking Deposit Compensation Scheme (Amendment) (Commencement) (No. 2) Regulations, 2026; The Family Allowances and Social Insurance (Guernsey) (Amendment) Law, 2026 (Commencement and Amendment) Regulations, 2026;
The Control of Poisonous Substances (Fees) (Guernsey) Regulations, 2026;
The Health and Safety (Fees) Order, 2026;
The Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 (Amendment) Regulations, 2026;
The Public Highways ('Al Fresco' Licences) (Fees) Regulations, 2026.

The States' Greffier: The following legislation has been laid before the States: The Plant Health (Preserved Phytosanitary Conditions Regulation) (Amendment) (Guernsey) Regulations, 2026; The Parochial Elections (St Andrew) Regulations, 2026; The Immigration (Bailiwick of Guernsey) (Amendment) (No. 3) Rules, 2026; The Damages (Guernsey and Alderney) (Discount Rate) Regulations, 2026; The Customs and Excise (Inbound Passenger Information Reports) (Bailiwick of Guernsey) (Amendment) Regulations, 2026; The Public Highways (Temporary Road Closures) (Fees and Penalties) (Amendment) Order, 2026; Banking Deposit Compensation Scheme (Amendment) (Commencement) (No. 2) Regulations, 2026; The Family Allowances and Social Insurance (Guernsey) (Amendment) Law, 2026 (Commencement and Amendment) Regulations, 2026; The Control of Poisonous Substances (Fees) (Guernsey) Regulations, 2026; The Health and Safety (Fees) Order, 2026; The Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 (Amendment) Regulations, 2026; and The Public Highways ('Al Fresco' Licences) (Fees) Regulations, 2026.

The Bailiff: I have no motions to annul any of that legislation that is duly laid.

LEGISLATION FOR APPROVAL

POLICY & RESOURCES COMMITTEE

11. Routes, Rues et Chemins (Amendment) Ordinance, 2026 – Proposition Carried

Article 11.
The States are asked to decide:
Whether they are of the opinion to approve the draft Ordinance entitled "The Routes, Rues et Chemins (Amendment) Ordinance, 2026" and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 11. Policy & Resources Committee, Routes, Rues et Chemins (Amendment) Ordinance, 2026

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

This is a strong contender for the most easy tariff item on our agenda today. *(Laughter)* Tempting though it is to regale the Assembly with the ins and outs since 1840 of this wonderful item including a substitution in 1921 and the much more recent work of the Parochial Legislation Working Party in about 2013, I will not. I will simply explain that this is addressing a historical oversight and all of that shenanigans.

And the problem that it seeks to address is that because of this historical oversight, unless this amendment is made, it is still a requirement to go to the Royal Court for anything involving a steam engine on whatever it is. Members might not think that is terribly relevant until they are trying to put in a steam boiler at Vale electricity station or such like, so there are these things that still catch us out, and this is the problem that it is seeking to address.

It is obviously not something that is engaged terribly often but when it is, it is annoying and unnecessary and this amendment simply seeks to remedy that, so I ask Members to support it.

Thank you.

The Bailiff: Does anybody wish to speak in debate? Gosh, there are two. *(Laughter)* Is anybody wishing make a motion to guillotine debate? No? *(Laughter)* Deputy Collins then.

Deputy Collins: No, just to say, ma'am, the LRP discussed this on 7th September. That meeting started at 9.30 a.m. and all seven Members were present. *(Laughter)*

The Bailiff: Deputy St Pier.

Deputy St Pier: Yes, very briefly, madam, it is really to simply note that this particular Ordinance is in pursuant of a resolution of the States of Deliberation of 30th June 2010, so that is 16 years ago our predecessors – I think probably only Deputy Gollop was present and Deputy Parkinson – felt that it was essential to rescind this 1840 Ordinance and the 1954 Ordinance and here we are 16 years later finally dealing with what is, in essence, a two-sentence piece of legislation.

In a sense, I am jesting, but I think it does say something about our processes (**Several Members:** Hear, hear.) that this has sat in the system for that period of time for something that should have been capable of being turned around probably by 30th July 2010 rather than 30th June. So, yes, it sounds as if the President is itching to provide an explanation for a 16-year delay. But I do not feel she should feel a necessity to defend it.

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

Deputy Gollop.

Deputy Gollop: Thirty seconds. We looked at the legislation, as Deputy Collins has pointed out. I think 'steam engines' sounds odd but I think it also refers to steam quarry engines and steam ovens perhaps in commercial bakeries. So the faster it goes, the better.

The Bailiff: Thank you, Deputy Gollop.

Deputy de Sausmarez in response.

Deputy de Sausmarez: Thank you.

To Deputy St Pier's point, I think I am right in saying that actually it was actioned much sooner than that in terms of the 2010 direction. He is quite right. There was a direction in 2010. It was dealt

with I think in 2013 by the Parochial Legislation Working Party and I actually had a very gratifying message ahead of this meeting from one person, and the only person I think in the Island in any way interested about this. He said this is indeed his favourite Ordinance, this 1841, but the point is that I think most of it was actioned in 2013.

But there was an oversight that meant that this particular provision was not picked up at this time and it is to do with the fact that there was a substitution in 1921, which did not repeal this particular article. Then when that was changed, it meant that this was still sitting in the statute book, so it is a historic oversight. It was actually dealt with much sooner and it is just the fact that this slipped between the slats that we are now having to pick it up.

The only reason that we were alerted to this was because it materialised in a problem where Guernsey Electricity wanted to install a new steam powered bit of kit and found, probably to their immense surprise, that there was a bit of legislation that required them to go to the Royal Court to seek permission to do so, so I hope that gives him some assurance.

I am as vocal as anyone, and probably more vocal than most, about the length of time that certain things take to get through our system but I hope I can assure him that, on this occasion, it was an oversight rather than a whole body of work that has failed to progress.

The Bailiff: Thank you.

States' Greffier, would you open the voting on this Proposition?

There was a recorded vote.

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

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	None	Hansmann Rouxel, Sarah	Rochester, Sally
Burford, Yvonne			Vermeulen, Simon	
Bury, Tina				
Cameron, Andy				
Camp, Haley				
Collins, Garry				
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Helyar, Mark				
Hill, Edward				
Humphreys, Rhona				
Inder, Neil				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				

Strachan, Jennifer
Van Katwyk, Lee
Williams, Steve

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

States' Greffier.

COMMITTEE *FOR* HOUSING

12. Open Market Housing Register (Guernsey) (Amendment) Law, 2026 – Debate commenced

Article 12.
The States are asked to decide:
Whether they are of the opinion to approve the draft Projet de Loi entitled "The Open Market Housing Register (Guernsey) (Amendment) Law, 2026".

The States' Greffier: Article 12. Committee *for* Housing, Open Market Housing Register (Guernsey) (Amendment) Law, 2026.

The Bailiff: Deputy Williams.

Deputy Williams: Thank you, Madam Bailiff.

As a reminder to my fellow Deputies, over the last 18 months, policy and legislation has been approved by this Assembly regarding the Open Market and this amendment is here to finetune a small part of the legislative detail. This legislation amends the Open Market Housing Register (Guernsey) (Amendment) Law, 2026 in three ways.

First, it provides the Committee with the power to make regulations to prescribe how it will determine applications submitted for new Part A inscriptions in oversubscriptions circumstances, i.e. where more valid applications have been received than there are Part A inscriptions available. For an application to be valid, it must be a prospective new build property. This includes one for one replacement dwellings for which planning permission has been granted and, at the time the application is submitted, construction has not been completed. The Committee has determined it will use a ballot to grant new inscriptions.

However, over time, it may emerge that a ballot is no longer the most appropriate mechanism for determining applications in such circumstances. Importantly, the scope of the inserted provision (8A) therefore does not limit the Committee to using its current intended award mechanism of a ballot and provides the Committee with the necessary flexibility to prescribe an alternative mechanism, if required. If it does later emerge that an alternative method of determining applications in oversubscription circumstances will work better, the Committee will engage with stakeholders to determine what a more appropriate mechanism might look like.

It also makes amendments to section 3B of the 2016 law pertaining to the transfer of Part A inscriptions to development properties. The changes will allow existing Part A inscriptions to also be transferred, with the owner's consent, from a property the applicant does not own provided that property is not on the Fort George estate, is unoccupied or is occupied by an unrestricted qualified resident, i.e. someone who is an established or permanent resident under the Population Management (Guernsey) Law, 2016. This is because these residents do not have any restrictions as to where they can and cannot live under the Population Management Law.

This will mean that developers will not necessarily have to own the donor Open Market units for the time it takes to complete the whole of the development site so this is to assist the development

industry. As part of the changes to section 3B, the Amendment Law provides for separate but concurrent applications to be submitted to transfer a Part A inscription and delete the donor property from the register so it can be sold as a Local Market dwelling. Hence, it does not have to sit unoccupied.

Finally, the Amendment Law introduces the power for the Committee to make regulations to introduce a fee for transferring an inscription from Part D – that is houses in multiple occupation – to Part A – that is private family dwellings – which is permissible under the existing Law. The inserted provision allows the Committee to introduce a fee up to that which can already be charged for completely new Part A inscriptions. But, just for absolute clarity, the Committee does not intend to impose the fee to transfer from Part D properties that were on the register before 1st September 2026.

Lastly, there are some minor consequential amendments to the Open Market Housing Register (Deletion of Inscriptions) Ordinance, 2019 and the application form appended to that Ordinance.

Thank you very much.

The Bailiff: Thank you.

We will leave it there for lunch. Whilst you are at lunch – remember we are returning at 2.15 p.m. – think about whether or not we should sit until we finish this evening. I understand the schools are now closed for tomorrow due to the weather and that the main issue is between 7 a.m. in the morning and 11 a.m. in the morning. So I just leave that for you to think about, and we will deal with that motion first when we get back from lunch but, at the moment, we are returning at 2.15 p.m.

But please think about the length of time you are able to or prepared to sit this evening. It might be an idea if we sit until we are done. Hopefully, we should not be too long but that is a matter for you.

Deputy Leadbeater: Madam, I was just wondering – prompted by Deputy Inder – if we are going to be sitting late, I cannot stay. I have got the debate on the Police Complaints Report so is there is any option of reordering the business, if that is possible?

The Bailiff: Yes. We can do that, yes.

Deputy Leadbeater: Thank you.

The Bailiff: So if we do sit late, we will reorganise. We will deal with the Open Market Housing now and then we will move up the Police Complaints but, anyway, we will put that motion when we get back from lunch.

The Assembly adjourned at 12.29 p.m.
and resumed its sitting at 2.16 p.m.

Procedural –
Motion to stay until business is completed

The Bailiff: Before we adjourned for lunch, I suggested that, over the lunch period, thought was given to whether or not rather than coming in tomorrow, we stay until business is dealt with this evening. I suspect many of you will have seen this already but, at the moment, in terms of customer counters, I understand the policy in the States of Guernsey is that they will be closing in the morning and they will reopen at midday.

I do not think that changes the principle behind my motion that, if we finish today, that means that we do not pose any risk in terms of coming in tomorrow but, ultimately, it is a matter for you.

Deputy Leadbeater, do you want to say something about the Police Complaints?

Deputy Leadbeater: Yes, please, madam. During the lunchbreak, I spoke to Deputy Curgenven and Deputy St Pier just to ask if it was okay if we could put a motion to defer to debate on the Police Complaints Report until a future meeting because it is not time critical and we can deal with the important business today.

The Bailiff: Deputy Curgenven, it was your original motion. Is that something you agree with?

Deputy Curgenven: Yes, ma'am.

The Bailiff: Yes.

Deputy Curgenven: Yes, that is fine.

Deputy Leadbeater: Yes, thank you.

Deputy Ozanne: Ma'am, I wonder is one of the options to come tomorrow lunchtime after lunch rather than in the morning?

The Bailiff: Well, that is an option, Deputy Ozanne.

Deputy Ozanne: Are you putting that to us?

The Bailiff: I am going to put first the staying late because that was the original option. Also, we do not know what is going to happen tomorrow morning. Deputy Vermeulen, what did you want to say?

Deputy Vermeulen: Ma'am, last meeting, you very successfully shortened the speeches.

The Bailiff: I did not do that. That was the decision of the States. I merely put the motion to the States, Deputy Vermeulen.

Deputy Vermeulen: You did, and you did not run out of time and you were commended for that.

The Bailiff: We did actually go over the time, Deputy Vermeulen, but I think if you remember, I said we were going to stay here until it was done *(Laughter)* (**Several Members:** Hear, hear.) and the States agreed with me. Ultimately, in terms of these debates, I think it is up to the Members to be disciplined on the length of their speech (**Several Members:** Hear, hear.) and to think about whether or not they need to speak or not.

Deputy Vermeulen: It was only three days.

The Bailiff: And whether or not they are adding to the debate or merely to the noise within the room. I will say no more than that. We will do it two parts because one leads to the other. I put the motion to the Chamber that we stay this evening in order to finish this meeting for as long as it takes. I think everyone can read the room that is not going to be a very late one but it could be, say, up to seven o'clock I could imagine.

So on that basis, those who support the motion that we continue the meeting until the work of the meeting is done, please say pour; those against?

Members voted pour.

The Bailiff: Then I will also say, given that those who support the motion to debate are willing for that debate to be deferred, that matter will now be deferred until the November – States' Greffier, can you remind me what date? The 24th meeting, is that the Wednesday?

The States' Greffier: The 25th.

The Bailiff: The 25th. So it is 25th November States' Meeting, the day before being the special meeting and early in November being the Budget. We are going to spend a lot of quality time together next month. So on that basis, that matter is now moved from our list to do.

Open Market Housing Register (Guernsey) (Amendment) Law, 2026 – Debate continued – Proposition carried

Amendment 1.
To insert at the end of the proposition the following words:
", subject to the following amendments:
After section 1(9), to insert -
"1(10)For section 33 (power to amend Law by Ordinance for specific purpose), substitute –
"Power to amend Law by Ordinance for specific purposes.
33. The States may amend this Law by Ordinance, but only for the purposes of –
(a)providing for a committee, authority or like body of the States of Guernsey, however called, to perform one or more of the functions of the Committee under this Law, or
(b)varying one or more of the maximum fee sums set out in sections 3A(8)(b), 3A(8)(c), 3B(10)(b), 3B(10)(c), 3C(7)(b), 3C(7)(c), 16(2A) and 22A.".""

The Bailiff: Deputy Williams, you have an amendment to your Proposition. Do you wish the States' Greffier to read the amendment?

Deputy Williams: Yes, please, ma'am.

The States' Greffier read out Amendment 1.

The Bailiff: Well done.
Deputy Williams.

Deputy Williams: Thank you, madam.
I will keep this short. With regard to this amendment, it is changing basically from Ordinance to Projet. The credit goes to Deputy St Pier who originally brought this suggestion to our attention. This amendment seeks to enable the fees for applications and inscription to be amended by Ordinance rather than Projet. It is right and proper that there is some constraint on the Committee's power to vary fees by regulation.
However, given that fee limits are quite likely to change during the lifetime of this legislation, it seems also reasonable to simplify the route to do so while keeping proportionate checks and balances coming back to the States. This strikes me as a pragmatic approach and I thank

Deputy St Pier for highlighting it. It is supported by the Committee *for* Housing and I hope it will be supported by this Assembly.

Thank you.

The Bailiff: Do you formally second that, Deputy Collins?

Deputy Collins: I do, ma'am.

Thank you.

The Bailiff: Does anybody wish to speak on this amendment?

Yes, Deputy St Pier.

Deputy St Pier: I am grateful to Deputy Williams for acknowledging my role in this and, indeed, for the Committee's consideration of it and adoption of it. I just think in light of the previous item, which took 16 years to bring to fruition, I think it really does emphasise the need to ensure that we do have enabling provisions within the legislation that perhaps enables change more easily and that perhaps proves the point, so of course I endorse the amendment.

Thank you.

The Bailiff: Does anybody else wish to speak on this amendment? On that basis, Deputy Williams, do you want to exercise your right to reply?

Deputy Williams: I would just say, thank you very much.

The Bailiff: States' Greffier, would you kindly open the voting in relation to Amendment 1?

Deputy Kay-Mouat: Ma'am.

The Bailiff: Sorry.

Deputy Kay-Mouat: Can I declare an interest as an Open Market owner?

The Bailiff: Yes, you may indeed. Sorry, I did not hear what it was.

Deputy Kay-Mouat: Sorry?

The Bailiff: I did not hear what your –

Deputy Kay-Mouat: Sorry, under Rule 17, can I declare an interest?

The Bailiff: Yes, what is your interest?

Deputy Kay-Mouat: As an Open Market owner.

The Bailiff: Yes, thank you very much, Deputy Kay-Mouat.

States' Greffier, would you open the voting, please?

There was a recorded vote.

Carried – Pour 30, Contre 0, Ne vote pas 4, Did not vote 5, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent

Blin, Chris	None	Hill, Edward	Cameron, Andy	Rochester, Sally
Burford, Yvonne		Kay-Mouat, Bruno	Inder, Neil	
Bury, Tina		Snowdon, Alexander	Kazantseva-Miller, Sasha	
Camp, Haley		Strachan, Jennifer	Matthews, Aidan	
Collins, Garry			Sloan, Andy	
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Humphreys, Rhona				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
St Pier, Gavin				
Van Katwyk, Lee				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: There voted in relation to Amendment 1: pour 30, there were 4 abstentions and 5 Members were not in the Chamber at the time of the vote. I therefore declare that the amendment has been passed.

Who wishes to speak in general debate in relation to this Proposition?

Deputy Camp.

Deputy Camp: Thank you.

Yes, as we have given the Legislation Review Panel a bit of a starring role in today's meeting, I would just highlight that, in respect of this Ordinance when it came before us, we did note that there is a slight sort of deviation perhaps from the policy letter which at 2.2 spoke about a ballot mechanism and spoke about regulation-making powers to prescribe that and that this should be done through a ballot.

Obviously, the Ordinance is drafted. It says:

> Regulation powers to make different provisioning which may include a ballot.

I think Deputy Williams has referred to this slightly. I just wanted to make it more obvious and that we felt it was correct that the Assembly is aware that this Law does technically go a little bit further than perhaps the policy letter asks to and we wish that to be in everybody's awareness when they are voting for it.

The Bailiff: Does anybody else wish to speak? No, in that case, Deputy Williams, if you wish to reply.

Deputy Williams: Thank you, madam, and thank very much for Deputy Camp's feedback and comment on that.

It has been highlighted to me in discussion with the Law Officers that the point may well be made that Deputy Camp has brought forward. The Law Officers interpretation of it is that it is a matter of interpretation, which is not shared by the legislative drafter. The Proposition resolution did not specifically set out that a ballot would be used to determine applications for new Part A inscriptions but, instead, that the Law would be amended in line with the relevant section of the policy letter.

That section of the policy letter explained that the Law would need to be amended to enable the Committee to specify the method that it would use to determine the applications, and that the Committee intends now to use the ballots, so I hope that tries to clear some of that up. It was always the intention for the Law to be amended to give the Committee the power to make regulations prescribing how it would determine applications and in such circumstances and that this would not be prescribed on the face of primary legislation.

It is important that the provision remains as drafted to give the Committee the flexibility it needs to change the mechanism it will use to determine applications in oversubscription circumstances. Thank you very much for the comments made, and I would recommend everyone supports this. We just want to tidy up the last few elements of the Open Market legislation and we can actually then get on with it and actually start getting it going, so thank you very much.

The Bailiff: Thank you.

Members, you should have, very shortly, the Proposition on your SEV. It is now there. States' Greffier, would you open the voting, please?

There was a recorded vote.

Carried – Pour 30, Contre 0, Ne vote pas 4, Did not vote 5, Absent 1

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	Hill, Edward	Cameron, Andy	Rochester, Sally
Burford, Yvonne		Kay-Mouat, Bruno	Goy, David	
Bury, Tina		Snowdon, Alexander	Inder, Neil	
Camp, Haley		Strachan, Jennifer	Matthews, Aidan	
Collins, Garry			Sloan, Andy	
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Humphreys, Rhona				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
St Pier, Gavin				
Katwyk, Lee Van				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: There voted in relation to the Proposition: pour 30 and there were 4 abstentions and 5 Members were not in the Chamber at the time of the vote. I therefore declare that the Proposition has been carried.

COMMITTEE *FOR* ECONOMIC DEVELOPMENT

13. Proposed Enactment of an Ordinance to Empower Guernsey's Courts to Compel the Use of Electronic Transactions – Propositions Carried

Article 13.
The States are asked to decide:
Whether, after consideration of the policy letter entitled 'Proposed Enactment of an Ordinance to Empower Guernsey's Courts to Compel the Use of Electronic Transactions' dated 3rd August 2026, they are of the opinion:-
1. To agree that a statutory power should be provided to empower Guernsey's courts to compel the use of electronic transactions, and that this may be best achieved by Ordinance as provided for under section 9(2) of the Electronic Transactions (Guernsey) Law, 2000.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

The States' Greffier: Article 13. Committee *for* Economic Development, Proposed Enactment of an Ordinance to Empower Guernsey's Courts to Compel the Use of Electronic Transactions.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, the Electronic Transactions Law was enacted in 2000 to facilitate the use of electronic documents and processes in Guernsey and was a pioneering legislation of the time. The Electronic Transactions Law provides certainty and clarity as to the legal effectiveness of processes completed in electronic form. Under the Electronic Transactions Law, information, declarations, statements, contracts, signatures and documents are given legal effect, validity and enforceability.

Section 11 of the Electronic Transactions Law gives the Committee power to exclude matters from the Law. For example, documents submitted digitally to the courts might not be given legal effect, validity and enforceability. Exemptions that were previously used under the Electronic Transactions Exemptions Order included affidavits and court documentation. The recommendation was to repeal the two exemptions, which would help provide certainty and clarity of the Law, and to facilitate the digitisation of the Guernsey Court's process and this was a matter that the Bailiwick law enforcement and the Royal Court sought clarity on. The Committee made an Amendment Order on 14th April of this year repealing the two sections in relation to exemptions to the Electronic Transactions Law in respect of affidavits and court documentation. The repeal of this exemption brought certainty to the validity of electronic signatures, facilitating the submission and provision of affidavits and sworn declarations along with court documentation in electronic form. This policy letter builds on the repeal of the exemptions made previously, recommending that a new provision is made within the Electronic Transactions Law that empowers the courts to compel persons to use and submit the court's documentation in electronic form only.

This Proposition is in response to the digital transformation of the courts, which requires the uploading of documentation for consideration by the courts in electronic format through the case management system called the Case Centre. Currently, the courts cannot enforce this requirement. Once empowered by such a provision, the courts will have flexibility to issue Rules of Court giving

general or judicial directions in respect to the format of the documentation submitted to the court and to enforce this.

Madam Bailiff, through you, I ask Members to support this policy letter.

The Bailiff: Does anybody wish to speak in debate on this? In that case we will turn straight to the vote, please, States' Greffier. Sorry, please start the voting.

There was a recorded vote.

Carried – Pour 33, Contre 0, Ne vote pas 0, Did not vote 6, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	None	None	Cameron, Andy	Rochester, Sally
Burford, Yvonne			Hill, Edward	
Bury, Tina			Inder, Neil	
Camp, Haley			Matthews, Aidan	
Collins, Garry			Sloan, Andy	
Curgenven, Rob			Snowdon, Alexander	
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Helyar, Mark				
Humphreys, Rhona				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Leadbeater, Marc				
Malik, Munazza				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
St Pier, Gavin				
Strachan, Jennifer				
Van Katwyk, Lee				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: In relation to the Proposition, there voted pour: 33; 6 Members of the Chamber were not in the Chamber at the time of the voting. I therefore declare that the Proposition has been passed.

COMMITTEE *FOR* ECONOMIC DEVELOPMENT

14. The Extension of the UK's Contracting Party Status to the International Convention for the Conservation of Atlantic Tuna to the Bailiwick of Guernsey – Propositions carried

Article 14.

The States are asked to decide:
Whether, after consideration of the policy letter entitled 'The Extension of the UK's Contracting Party Status to the International Convention for the Conservation of Atlantic Tunas to the Bailiwick of Guernsey', dated 11th September 2026, they are of the opinion:
1. To agree that the Committee for Economic Development shall implement such measures as it sees fit for the purpose of ensuring that Guernsey may comply and remain in compliance with obligations that arise from the extension of the UK's contracting party status to the International Convention for the Conservation of Atlantic Tunas ("ICCAT") to the Bailiwick of Guernsey, including but not limited to the measures listed in section 6 of the policy letter.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decision, including consequential amendments to other legislation.
3. To delegate authority to the Policy & Resources Committee to take the necessary steps to extend ICCAT to Guernsey (or the wider Bailiwick, subject to Alderney and Sark's consent), subject to the Committee for Economic Development's confirmation of future compliance with the above, in line with practice already agreed by the States of Deliberation.

The States' Greffier: Article 14. Committee *for* Economic Development, The Extension of the UK's Contracting Party Status to the International Convention for the Conservation of Atlantic Tuna to the Bailiwick of Guernsey.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam Bailiff, I know that this policy letter will make some Members of our Assembly, and especially Deputy Leadbeater, very happy. I am pleased to present this policy letter seeking the States' approval to enable the extension of the UK contracting party status to the International Commission for the Conservation of Atlantic Tuna, known as ICCAT, to the Bailiwick of Guernsey and would also apply to Guernsey, Alderney and Sark.

This is a relatively technical topic but it is one with potentially significant strategic benefits to our fishing industry, our marine economy and our future fisheries management arrangements. Over recent years, Atlantic Bluefin tuna have returned to our waters in increasing numbers. This recovery is one of the fisheries success stories of recent decades and presents new opportunities for commercial fishermen, charter operators and recreational anglers. However, tuna are a highly migratory species which move across international boundaries, and under international fisheries arrangements access to these fisheries must be managed collectively through regional fisheries management organisations. For the Atlantic, that organisation is the ICCAT.

If Guernsey wishes to participate legally in a tuna fishery, whether commercial or recreational, we must operate under the ICCAT arrangements. The practical means of doing so is through the extension of the UK's existing ICCAT contracting party status to the Bailiwick. The principal benefit of this is that it gives Bailiwick fishermen access to the UK Bluefin tuna quota. Without the ICCAT extension, that opportunity simply does not exist. The proposal would place our fishermen and charter operators on a level playing field with counterparts in the UK, Jersey and France. This is particularly relevant at a time when our local fishing sector continues to face severe challenges, including escalating costs and the recent octopus bloom and its decimation of the shellfish in particular. Diversification of opportunities are therefore important.

The policy letter notes that the extension of the ICCAT to Guernsey will provide for recreational catch-and-release opportunities that could support our visitor economy through charter activity, hospitality spending and marina tourism. It will also give our commercial fishing industry a chance to participate in the competitive commercial quota system.

The Propositions do not create a large-scale Atlantic Bluefin tuna fishery overnight. Instead, it puts in place the framework necessary for the Bailiwick to become compliant with ICCAT requirements. Specifically, it will allow us a permit regime for recreational tuna fishing on a catch-and-release basis, measures to protect certain shark species managed under the ICCAT,

controls on transhipment activities, measures aimed at preventing illegal, unreported and unregulated fishing, and appropriate licence conditions for commercial operators. This is the reason why we needed a policy letter in the first place rather than simply instruct P&R to negotiate an extension on our behalf.

It is important to emphasise that ICCAT is fundamentally a conservation and fisheries management organisation. Membership carries responsibilities as well as opportunities. ICCAT's role is to ensure the sustainable management of valuable migratory fish stocks through science-based measures and international co-operation. The Committee therefore considers it entirely appropriate that any access to tuna fisheries should be accompanied by robust monitoring, reporting and conservation obligations. The measures proposed in this policy letter are proportionate and broadly mirror those already adopted elsewhere.

The financial implications are modest. The annual contribution attributable to the Bailiwick following extension is currently expected to be approximately £4,000 to £5,000 per year. The intention is that these costs will be recovered through permit fees, meaning the arrangement should operate on a cost-neutral basis to the States. Administration and compliance activities will be undertaken within the existing sea fisheries resources.

Members should also note that the extension of the ICCAT status does not automatically guarantee the Atlantic Bluefin quota allocations to the Bailiwick operators. Commercial applications are expected to be administered through the UK-wide process and allocations will be determined under the Department for Environment, Food and Rural Affairs (DEFRA) arrangements. Madam, it is important that we manage expectations here that the quotas for the commercial fishing will remain limited. Nevertheless, without the ICCAT extension there would be no opportunity to participate at all. This Proposition therefore secures access to the future opportunities as quotas may rise, given the level of the stocks, while ensuring the Bailiwick remains a responsible and compliant fisheries jurisdiction.

Madam, this Proposition is about putting in place the foundations to be a responsible member of the ICCAT. They support the development of our blue economy, provide potential additional income streams for fishermen and charter operators, align the Bailiwick with internationally recognised fisheries management arrangements, and do so in a way that promotes sustainability and responsible stewardship of marine resources. (**A Member:** Hear, hear.) For these reasons, I commend this Proposition to the Assembly.

The Bailiff: Thank you.

Does anybody wish to speak in debate?

Deputy Leadbeater.

Deputy Leadbeater: Thank you, Madam Bailiff.

I feel a little bit isolated today because normally I have the Crown to the left of me and the joker to the right. *(Laughter)* But today, madam, I am stuck in the middle with you. *(Laughter)* (**A Member:** Nice.) I would just like to take you through the chronology and my interest in this subject. Back in the early 1990s I did a stint after I qualified as a carpenter on the fishing fleet working on the *My Josephine* and the *Josephine Marie* for the late Francois de Garé, a great fisherman. A brilliant industry. My first trip I went out on I earned 400 quid and that was what I would earn in a week as a chippie at that point. Then a storm blew for two weeks and I earned not a penny. So it is a tough old game. I only did six months in it. It is a tough old game.

Anyway, that was my first interaction with a fishing fleet. I have loads of friends down the harbour still in the fishing fleet, ex-fishermen. A lot have come ashore now because of obviously the problems associated with earning a decent crust in that industry now. About 2014, tuna started returning to British waters. In 2017, 2018, friends of mine reported to me seeing them out on the Channel. It was not the amounts that we are seeing now but they were there and they had not been seen there for a while.

Then March 2022 I was on a Commonwealth Parliamentary Association (CPA) trip, the only CPA trip I have been to, actually, so far, which was in the Isle of Man. I was in conversation with a Minister from Gibraltar. Because we had been getting these fish into our water I asked him about Gibraltar's tuna fishery because I had seen they had one. Gibraltar did not sign up to ICCAT. They have done something completely different. I am not for a minute suggesting that we should go down the same road as them because I do not think we should, but I think they had 30 tonnes of quota he told me; 30 tonnes of quota or 30 days, whichever came first. That was how they had set it up. It was really interesting to think Gibraltar are not a Crown Dependency but they have a similar constitutional relationship as us with the UK. They are a small jurisdiction. If they can have a tuna fishery, why can we not? Our industry was starting to experience the problems, the change in the marine environment. The cost of fuel keeps going up, mooring fees keep going up; more challenges for this dangerous occupation.

I think it was later on that year, September 2022, was my first question to Deputy Inder about tuna quota, asking if the Committee had considered it, but they had not considered it. Then I started asking consistently questions over the intervening years until the last question I asked was Deputy Kazantseva-Miller before I joined the Committee. Then I joined the Committee and now we have a policy letter. *(Laughter)* It is a coincidence. I wish I could say it was not, but it is a coincidence. I would just like to say thank you to the members of Economic Development that were on the Committee before I was there and the officers involved for all the work that has got us to this stage.

Our marine environment is changing. Atlantic bonitos is another fish I do not know if Members will be aware of. It is in between a tuna and a mackerel. They go to big ones about 10 kilos in length. They are supposed to be really nice to eat. They are a good sport fish and people go out to target them for sport fishing and recreational excursions. A couple of years ago there were bonitos being caught down by the Écréhous and I know at the moment from Stevenage right the way across to Cornwall they are catching these fish. So they are going to be in our waters soon. This is just a demonstration of the changing nature of our marine environment.

Our marine environment is evolving and we have to evolve with it. I think this is an absolute no-brainer. It is strange because I have been speaking to people; a friend of mine actually works on the Sark ferries at the moment but he used to be a fisherman. He phoned me last night to talk about something and I said, 'I cannot speak to you. I am trying to get my head around what I am going to say on this tuna policy letter tomorrow'. He said, 'What do you mean, tuna?' He had not really cottoned on to it. Half of our fishing fleet are not aware we are having this debate today, which is quite strange.

Anyway, I think this has been a lot of the problem last term. Because when I was consistently asking Deputy Inder about it, he said the fishing fleet are not coming to us; they are not coming and saying anything to us. Unlike the farmers, they are not as organised, the fishermen. They are not as together and they have not since – I think I mentioned it recently in a previous debate – the late former Deputy Barry Paint was their last President, and he has not been replaced. Dougal Lane is the current Vice-President. They are a disparate bunch of fishing fleet so they need Government to be proactive on their behalf. They need a Government to go out and do these things.

I will give way to Deputy Van Katwyk.

The Bailiff: Deputy Van Katwyk.

Deputy Van Katwyk: I apologise for interrupting Deputy Leadbeater's flow, but just to add a little bit of colour to what he is saying, we have dedicated to having two meetings with the commercial fishing industry and also separately the recreational fishing industry every year because they cannot really come together in a room. We are having our next meeting in November when we are going to update them on what happened in this debate. So we are trying to bring the fishing industries together.

Thank you.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam. I thank Deputy Van Katwyk for his intervention there; his handy intervention.

So basically I am not going to bang on about this too much. I have done it enough for the last four years or so. Everybody knows how I feel. This is something that we are giving – this is a token we are giving to our fishing industry. It is not going to change everything. It is not going to stop a lot of these vessels from going out of business, but what it does do is provide a little bit of boost for some of these fishermen to be able to invest into this and give us another offering, whether that be on the catch-and-release side or we want to try and maintain our own quota.

I know we have to go through DEFRA and get part of the UK's quota at this point. I would like to think in the future we could go on our own or with Jersey and get a Channel Islands' quota so we do not have to go and bid for quota that has been divvied up all over the UK. That is just my personal preference; I have not mentioned that to the Committee. Because this policy letter, one of the first things I had to do was agree a change to it, I think, over email, which was quite refreshing to see the tuna policy letter for the first time at that point.

So I would just like to give a bit of story to Members about my interests in this and how we have got to the stage we are at now from my point of view and this Assembly's point of view, and I urge everybody to support this great piece of work and vote for the Proposition.

Thank you, ma'am.

The Bailiff: Alderney Representative Snowdon.

Alderney Representative Snowdon: Thank you very much.

I just want to start by saying thank you to the Committee *for* Economic Development here. I think you have done a really good job and it is actually nice to see some positive news coming forward.

This is a really important subject for Alderney and I know we have been dealing with it for quite some time. I actually have a document from one of the people very interested, quite a vast document which I am going to share with Economic Development, about how it would work and the opportunities for Alderney. This does actually give a big opportunity for the whole of the Channel Islands and the Bailiwick to get fishing going again, because unfortunately we have lost so many fishermen over years and years and years.

It is probably important that I do give a plug to the Alderney angling fishing community that just had the week up there, but they are saying that the fishing is changing and they are seeing different species coming. So this is a real – well, probably a golden opportunity to actually regenerate the industry and have the impact that it has for the economy, with people coming over for fishing holidays, people exploring the Islands, money into the community, making those reasons to come to the Bailiwick.

So I think this is a really good news story and thank you very much. I am going to get permission to try and share more of the detailed paper from one of the stakeholders with the Committee because I think it would help you guys as well.

Thank you, and thank you for the good news.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, Madam Bailiff.

I rise and will be very brief, but it would be remiss of me not to mention the work that has been put into this because quite often the Environment & Infrastructure Committee gets questioned about why tuna cannot be caught in our waters. They put two and two together and come up with four quite reasonably, as you would expect, and want to know why we have not been progressing this, especially with the links with DEFRA, which of course we have plenty of links with our environmental hat on rather than the infrastructure hat.

I welcome this, and first of all I welcome the inclusion and doing it in a responsible, licensed and sustainable manner. Because whilst sport fishing is not for everyone, whilst commercial fishing is not for everyone, it is, as we have heard from Deputy Leadbeater, a lifeline for some people and forms a natural part of our economy, being an Island. So I welcome the licensing regime and I welcome the whole inclusion in ICCAT and the quota system that goes with it, which will end up being the catching in a responsible, sustainable manner rather than carte blanche and ending up with destruction or moving on of the species again.

Yes, we have to adapt. Perhaps we could adapt in a faster and better way but we have adapted and we are now on a level playing field or even a choppy sea with our counterparts in Jersey and the UK. I implore Deputy Leadbeater and the rest of the Committee at ED to, if we can, go it alone and have an extension in our own territorial waters made available and have our own quota, if that works. If they need any help, I certainly will help and ask my officers with any engagement they have with, of course, sea fisheries officers reporting into E&I, and also any engagement at DEFRA as well. So I welcome it and will support it.

Thank you.

The Bailiff: Deputy Helyar.

Deputy Helyar: May I ask for a 26(1), please?

The Bailiff: You may ask for one. Who wishes to speak in debate? Would you like me to put the motion to the Chamber?

Deputy Helyar: Yes, please. Could we have an electronic vote, please?

The Bailiff: Yes. I have been asked for an electronic vote on this motion. So this is to guillotine debate on this Proposition.

It is not on my screen yet. Yes, mine is now up. Members, you should now have it on your screen. This is a motion to guillotine debate on the Proposition. States' Greffier, would you open the voting, please? Do try refreshing if it has not popped up on your screen yet.

There was a recorded vote.

Carried – Pour 18, Contre 14, Ne vote pas 3, Did not vote 4, Absent 1

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

The Bailiff: In relation to the guillotine motion, there voted: pour 18, contre 14, there were 3 abstentions and 4 Members were not in the Chamber at the time of the vote. Therefore, we will return to the reply by Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, thank you.

I suspect that Deputy Leadbeater gave up hope that we were actually progressing work so he decided to join the Committee to make sure we did. *(Laughter)* So as the Committee we just made sure we were ahead of him, so that was the reason why we – no, I am joking.

It has taken probably longer than we were expecting but this is what happens with negotiations with DEFRA. I just want to give some data around the UK quota. It is 230 tonnes, yes, which has actually gone up from 66 tonnes not long ago. So it is because the stocks are so healthy there is a real chance that those quotas will be proportionately increasing.

As to Deputy Gabriel's suggestion about our own quota and extension, mindful of how long it has taken to be negotiating with DEFRA, I think I am very happy for us to just hopefully extend our participation via the UK and see how it goes. Just to manage expectations, we will – I will give way to Deputy Ozanne.

The Bailiff: Deputy Ozanne.

Deputy Ozanne: Thank you.

I am very grateful to the President for giving way. I am just wondering if she could clarify how the convention is called. Is it ICCAT? It just seems quite funny that it is ICCAT and tuna or is it ICAR or how do we pronounce the ICCAT?

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Yes, it is ICCAT, which stands for the International Convention for Conservation of Atlantic Tuna. I almost know it as well as the CPTPP. *(Laughter)*

So just to manage expectations, we obviously still have to complete the process and with P&R and External Relations leading that. With a fair wind we really hope it is going to be ready for the next season but this is not yet the done deal and we are continuing to finalise all the steps necessary ahead of the next season.

Thank you.

The Bailiff: Thank you.

Members, you should have the Proposition on your screens now and I will ask the States' Greffier to kindly open the voting.

There was a recorded vote.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	None	None	Cameron, Andy	Rochester, Sally
Burford, Yvonne			Inder, Neil	
Bury, Tina			Matthews, Aidan	
Camp, Haley			Sloan, Andy	
Collins, Garry				
Curgenven, Rob				
de Sausmarez, Lindsay				
Dorrity, David				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				

Hansmann Rouxel, Sarah
Helyar, Mark
Hill, Edward
Humphreys, Rhona
Kay-Mouat, Bruno
Kazantseva-Miller, Sasha
Laine, Marc
Le Brun, Ross
Leadbeater, Marc
Malik, Munazza
McKenna, Liam
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
Snowdon, Alexander
St Pier, Gavin
Strachan, Jennifer
Van Katwyk, Lee
Vermeulen, Simon
Williams, Steve

The Bailiff: There voted: pour 35 and 4 Members were not in the Chamber at the time of the voting. I therefore declare the Proposition has passed.

COMMITTEE *FOR* HEALTH & SOCIAL CARE

15. Children's Services Hub – Propositions carried as amended

Article 15.
The States are asked to decide: -
Whether, after consideration of the Policy Letter entitled 'Children's Service Hub', dated 11th September 2026, they are of the opinion:
1. To agree that the Committee for Health & Social Care should progress plans to refurbish and extend Raymond Falla House to deliver a Children's Services Hub and, to the extent that any direction is required, to direct them accordingly.
2. To authorise the Policy & Resources Committee, following its consideration and approval of the Full Business Case, to increase the existing capital vote for the delivery of a Children's Services Hub to a maximum of £22 million, and to approve the release of such funding of up to that amount, from the General Revenue Reserve.

The States' Greffier: Article 15. Committee *for* Health and Social Care, Children's Services Hub.

The Bailiff: Deputy Oswald.

Deputy Oswald: Thank you, Madam Bailiff.

It is my pleasure to present this policy letter seeking approval to progress plans to develop a Children's Services Hub through the refurbishment and extension of Raymond Falla House. Earlier this year, this Assembly approved a Government Work Plan for 2026 to 2029 agreeing five super priorities for the political term. One of the super priorities was to shape and strengthen the focus on early years and families, and it is with this in mind that the Committee brings this project forward for consideration.

Children's Services currently operate across a number of locations, including Lukis House, Swissville, Perruque House and Le Carrefour. To access services, some families can therefore find themselves moving from one site to another, while staff work across multiple buildings that were never designed to support a modern, integrated service delivery and multidisciplinary team working.

The scientific case for investment in the first 1,001 days of a child's life is well established. Brain development is at its most rapid in the first two years of life, with over 1 million neural connections forming every second. I carried out a literature search looking for an evidence-based approach to rationalise why providing early days support would be more effective in what is essentially a one-stop-shop than in the scattered service we currently provide.

Two seminal studies from Australia from 2016 provided an answer. Essentially, optimal results for children's development depend upon teamwork and joint working in an appropriate setting. The Anna Freud Foundation, which is referred to in the policy letter, and I would also say the Princess of Wales' Royal Foundation for Children's Development Services have taken a keen interest in the development of the children and families hub, and indeed we were pleased to receive a visit from the Royal Foundation earlier this year, courtesy of Deputy Falla, where we had significant consultation regarding this.

Although the proposed model is not strictly a family centre, bringing Children's Services together in one location will improve integrated working and strengthen the effectiveness of preventative and early health intervention. Co-location can make that integration much easier in practice. It enables closer communication between professionals, more effective, responsible and flexible joint working, and better co-ordination and early intervention. Most importantly, it offers children, young people and their families a more joined-up and accessible service, reducing the need to navigate different services between multiple sites. Co-location is not the same as integration, and that ethos which is already well developed in children's services will be further developed and planned for during the process of co-location.

Children who receive good early support have better physical and mental health outcomes throughout life. By age three, children from disadvantaged backgrounds can be 18 months behind their peers in language development. A 2016 analysis estimated that the cost of late intervention in England and Wales was around £17 billion per year. It is for this reason that the UK Government has committed over £800 million to the Family Hubs and Start for Life Programme 2022 to 2028. Our children on Island deserve the opportunity to benefit from the experience gained elsewhere. Option 3 in the policy letter does not represent a light touch refurbishment of Raymond Falla House. The proposals involve the demolition of parts of the original building and associated outbuildings, the complete stripping out of internal fittings and services, significant remodelling of the retained structure, replacement of windows and doors, upgrades to insulation, acoustics and building services and the creation of a new extension integrated with retained building fabric.

The concept designs for the hub have been developed through extensive engagement with operational colleagues and have been tested and refined to ensure they meet service requirements in an efficient, flexible and cost-effective manner. Once complete, the hub will provide a wide range of modern clinical, therapeutic and support accommodation within a single integrated setting. This will include clinical rooms and multidisciplinary consultations and interventions, therapy spaces for young people who have experienced trauma, family meeting and contact rooms, training facilities, case conference rooms and dedicated indoor and outdoor therapeutic environments.

A balanced approach has been taken to maximise the use of multipurpose spaces, providing flexibility to accommodate a wide range of services and future changes in service delivery. The office accommodation has similarly been designed to promote collaboration while making efficient use of space, recognising that many of the approximately 200 staff who will be based at the hub spend much of their time working directly with children and families in the community.

Importantly, whilst designs remain at a concept phase, further refinement will take place. The proposals demonstrate how services currently spread across a number of sites can be accommodated within a facility that is approximately 40% to 50% smaller than the combined floor

area of the buildings it replaces. This reflects a conscious effort to challenge requirements, maximise flexibility and ensure spaces use effectively.

Significant thought has been given to ensuring the hub provides a welcoming, accessible and therapeutic environment. The design seeks to create child-friendly and family-centred spaces that support wellbeing, reduce anxiety, and provide an atmosphere conducive to assessment, treatment, therapy and support. The hub will support the delivery of a broad range of services including health visiting, school nursing, community paediatrics, children's community nursing, community midwifery, speech and language therapy, occupational therapy, psychology, family support and safeguarding services.

By bringing children's health and social care teams together within shared clinical, therapeutic and family support facilities, the hubs will promote closer multi-agency working, enabling professionals to make every contact count when supporting some of our most vulnerable families.

This proposal presents the Assembly with a unique opportunity. During the development of the Committee's proposal, the Committee has engaged with the Committee *for* Housing as it is recognised that the benefits of co-locating children's services at Raymond Falla House extend beyond the delivery of health and care services.

Members will be aware that increasing the supply of housing is one of the Assembly's highest strategic priorities and a matter of considerable concern for our community. The Committee understands that a number of the current Children's Services sites present a significant opportunity to support future housing delivery. It is rare that a single investment has the potential to deliver benefits of this scale across so many of the Assembly's strategic priorities simultaneously.

While placing service users at the forefront of our priorities, we cannot forget the duty of care we owe to our staff. Ahead of this debate, Members were invited to visit the existing Children's Services accommodation and I would like to place on record the Committee's gratitude to those Deputies who attended. The distressed and inadequate state of the properties that Children's Services currently operate from will no doubt have come as a shock to many of my fellow Members. Members also heard news stories about experiences of vulnerable pregnant care leavers and of the inaccessibility of some buildings for children with disabilities.

Members will have noted the cage outside Perruque House, installed in an area where this was considered acceptable practice for containing children in a secure unit. This is hardly a welcome sign for a very small number of those seeking help now for their own children when they may remember this feature from their own contact with Children's Services in their youth.

The Committee considered a comprehensive range of options through the outlined business case process. Several potential solutions were identified and assessed, then evaluated against a range of criteria including strategic fit, service outcomes, affordability, deliverability and value for money. A summary of the options appraised can be seen in table 5 of the policy letter starting on page 14.

Following the options appraisal, option 3, with refurbishment and extension of Raymond Falla House, emerged as the Committee's preferred option by a majority. In making that determination, the Committee carefully considered whether a complete redevelopment could be justified. However, while a new build solution offered some additional benefits, the analysis demonstrated that the same service outcomes could broadly be achieved through the refurbishment and extension at significantly lower capital cost.

Option 3 represents a balanced and proportionate response. Members should be aware that doing nothing does not remove future cost. Ageing buildings require continual investment in repairs and maintenance.

I wish to address the possibility of vacating sites ahead of a permanent solution, as has been suggested by some. While understandable, the Committee does not consider this to be a practical alternative. Those buildings currently house operational children's services and, as such, any temporary relocation simply risks perpetuating the fragmented service model we are seeking to address. Sixty staff would have to be co-located. It would involve multiple moves for staff and service

users with associated disruption and risk to service delivery, whilst failing to realise the benefits of integration and co-location that underpin the whole process.

Major capital investments should attack robust scrutiny and the Committee welcomes that scrutiny. Members will know that considerable work is being undertaken to strengthen project governance, assurance and oversight arrangements across the States of Guernsey. This project has been developed within these enhanced and new frameworks and has been subject to challenge and review throughout the outline business case process.

More importantly, I believe that the Committee's actions over recent months demonstrate a willingness to address issues directly, take decisive decisions where it is required, and strengthen arrangements where improvements can be made. I would like to conclude by reiterating that this investment has the potential to deliver three important outcomes for the Island. First, better service and better facilities for children, young people and family. Second, more efficient and sustainable use of the States' property estate. And, third, the opportunity to support future housing delivery by making sites available for consideration as part of the Island's wider housing plans.

I would like to thank both the Policy & Resources Committee and the Committee *for* Housing for their letters of support and interest shown by Members of this Assembly to date. This support reflects the broader strategic value of this proposal and recognises that investments of this nature should be considered not only in terms of immediate benefits but also in terms of their contribution to wider Government objectives.

I ask Members to support the Committee's Proposition.

Thank you.

The Bailiff: Thank you.

Amendment 1.

To insert an additional proposition as follows:

"SHOULD PROPOSITION 1 AND PROPOSITION 2 CARRY

3 (a) To agree that the Committee for Housing shall have the right of first refusal over the future use of the land at Lukis House, Swissville and Garden Hill for the delivery of Affordable Housing and mixed tenure housing, with such use to be given priority over alternative uses of the sites, subject to the Committee for Housing confirming the suitability and viability of the land for housing development;

(b) To direct the Committee for Housing, in consultation with the Policy & Resources Committee, to identify the land required for housing development at these sites and undertake an outline viability assessment in order to identify preferred development strategies;

(c) To direct the Committee for Housing to confirm its intentions for the use of such land no later than 31 December 2028 or 18 months before the planned opening of the new Children's Hub, whichever is earlier;

(d) To direct the Policy & Resources Committee to reserve the land identified by the Committee for Housing under sub-paragraph 3(b) for housing purposes and, subject to any necessary statutory and property approvals, to make the land available for housing development following its vacation by the existing Health and Social Care users;

(e) To direct the Policy & Resources Committee, not to allocate or commit any of the land at Lukis House, Swissville or Garden Hill to alternative uses until the Committee for Housing has had the opportunity to exercise its right of first refusal under sub-paragraph 3(a) unless the Committee for Housing has failed to confirm its intentions within the timeline specified in sub-paragraph 3(c)."

The Bailiff: We will deal with the amendment first. Deputy Williams, do you wish the States' Greffier to read your amendment?

Deputy Williams: Thank you, ma'am.

The States' Greffier read out Amendment 1.

The Bailiff: Deputy Williams.

Deputy Williams: Thank you, madam; and also thank you to the Greffier there for reading that through.

The Committee *for* Housing have put forward this amendment on the basis that if the HSC Propositions 1 and 2 are carried then our Committee wishes to have the first right of refusal on the three sites that are within the Island Development Plan for development namely Swissville, Garden Hill and Lukis House.

This is to establish a future a potential pipeline of States'-owned land for new housing to help address the pressing housing problems that are facing a large proportion of the Island's residents across all ages. We cannot have a stop-start approach to providing homes and we should prioritise States'-owned land where we can rather than spending taxpayers' money on buying land.

Swissville, Lukis House, and Garden Hill are all within the IDP developable areas and would provide ideal locations for new housing near facilities. The HSC Children's Hub policy letter refers to the potential on these sites for housing. We are purely trying to strengthen our position that we get first right of refusal to assess the viability and the housing need at a time prior to them being vacated.

The need to address the housing problem was in every Deputy's manifesto last year, and therefore the Committee *for* Housing welcomed the Assembly's support for this amendment to help us secure a pipeline of land for new homes for the future, to help our local people find suitable and affordable homes. I welcome your support.

Thank you.

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

Deputy Kazantseva-Miller: Yes, I do.

The Bailiff: Who wishes to speak on this amendment?

Deputy Oswald.

Deputy Oswald: Thank you, madam.

The HSC Committee did not have the time to discuss at Committee level the Housing Committee's amendment, but certainly from my personal point of view, I fully support it and I am sure my fellow members of the Committee will take a similar view. But can I just ask, this morning we spent quite a lot of time considering the care support needs of people at the other end of the housing – at the elderly end of the housing spectrum and the Committee *for* Housing has recently released a paper, which I had sight of last week, about the problem coming at the other end of the age spectrum with complex care children leaving care or their parents outgrowing the ability to look after them with essentially a wave of such people coming down the line who will need also housing at some point.

Not that I am directing or asking Deputy Williams and his Committee to look at that specifically, but I would ask them to bear that in mind when considering development plans for the sites that we may release.

Thank you.

The Bailiff: Deputy Humphreys.

Deputy Humphreys: Madam, the principle of having a high quality Children's Hub to support our young people who are our future, is compelling. Deputy Oswald set that out plainly and clearly. The cost, perhaps less so. The case to undertake the work to create the hub set out whilst –

The Bailiff: Deputy Humphreys, sorry to interrupt. Are you talking to the amendment or are you talking to general debate?

Deputy Humphreys: I will be talking to the amendment, sorry.

The Bailiff: Okay, you are going to get there, okay.

Deputy Humphreys: Yes, sorry. Is a good one. That does not stop the cost being eye-watering, however. What does help is this amendment, which gives Housing the right of first refusal for use of the land at Lukis House, Swissville, Garden Hill for housing. You may not all know that that land has been roughly valued at £8 million. If anyone has not worked out we need housing, we need housing of all sorts and of all types.

If we cannot use this land for housing, we will need to find other land for housing. Accepting that I have oversimplified the maths and this matter, the set off of the value of the land for housing makes the cost of the Children's Hub far less eye-watering and far more compelling.

I will therefore be supporting the amendment to enable me to support the creation of the Children's Hub.

The Bailiff: Thank you.

Deputy Bury.

Deputy Bury: Thank you, ma'am.

Just briefly because I am sensing the room. I am very grateful to the Committee *for* Housing for bringing this amendment. Had they not, I would have wanted to be part of bringing it myself. That really is because of some experiences last term in this area, when I was a member of the Committee *for* Employment & Social Security and we had housing in our mandate. There were some properties in States' ownership that potentially would have been prime for key worker housing. But to have housing in your mandate but have zero control about what happens to States' property is a very difficult situation to be in. (**A Member:** Hear, hear.) You are held accountable without having any control.

So these properties last term were primarily Beaucette Place and Sunnybrook and despite former Deputy Roffey's continued and quite strong pleas to the P&R at the time, we were not given any sort of first refusal or opportunity to utilise those for housing and they were sold for, I am sure, reasons that were good to P&R at the time, but it goes to the fact that the States' Property Unit (SPU) under P&R feels like a bit of a dark arts, that none of the rest of us, possibly the odd one, but none of the rest of us really have much of a handle on.

So while I am not necessarily suggesting that this P&R would do similar, we should design for the system, not the people. I think that probably covers why I very much support this, and I hope other Members will as well because, as an Assembly, we will be held accountable for what we do with housing this term. Ultimately, in addition to the Committee *for* Housing we should all have a say as well and this is our opportunity to do so.

Thank you.

The Bailiff: Deputy Curgenven.

Deputy Curgenven: Thank you, madam.

I will be brief. Just really to support what Deputy Bury said, and I will be supporting this amendment.

Thank you very much.

The Bailiff: Deputy Camp.

Deputy Camp: Yes, as the Committee *for* Housing know, Deputy Bury and I had drafted up a very similar looking amendment, had the Housing Committee not stolen our thunder, but actually it was the right Committee to bring it, clearly.

The reason why I felt compelled to ask the question and to put pen to paper in that was that part of this is that it is sold – perhaps the wrong word – but it is being sold as a joined-up approach to an HSC answer with a housing solution, but I think as has been highlighted, including in the – perhaps part of the inference from the Scrutiny letter of comment, is that the policy letter cannot have set that trajectory for the Housing Committee to have the first dibs or anything over that property because it clearly does not have that authority to do so.

So why I felt compelled to, and I will support this amendment for obvious reasons, is that I think if we are going to put proposals to this Assembly and they allude to something that could be done as a secondary consequence of a decision, then I think we ought to find ways to make those real, as opposed to vague promises for the future.

Thank you.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, madam.

This amendment did go through several iterations, and I would like to thank the Committee *for* Housing and Deputy Williams for engaging in that process, because I think it has arrived at a position that certainly Policy & Resources feels much more comfortable with.

I think for me there is only one very small part and it is in a Proposition so I accept that as written is what will carry, but I would like to seek in Proposition 3 in the first part of it, (a), Deputy Williams's assurance perhaps that the way he would interpret the penultimate line in the first paragraph, where it says:

> Subject to the Committee *for* Housing confirming the suitability and viability of the land …

that that confirming is interpreted in such a way as evidencing or demonstrating. If that is the sense in which the Housing Committee – in fact, Deputy Williams, I realise it is not a Committee amendment as such – is interpreting it then I am comfortable with the rest of the amendment.

Thank you.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

I share Deputy Bury's frustrations as a former Member of the former ESS with affordable housing in our mandate. I would just go one step further back than she did and actually say the reason that we are still very much playing catch-up in terms of the development of affordable housing units, bringing more units into the market, is because the pipeline supply of land was interrupted.

It was that, the failure to keep that pipeline topped up with available land, which meant that when we took over in 2020 we had to start from square zero in terms of identifying sites, let alone, making sure they were in the right ownership and then going through all of the different stages to bring them through to development. We are only now starting to see some of the fruits of those efforts, and they have been very long in the making.

Really this is just to reinforce the importance of that pipeline supply of land, and Deputy Williams is quite right, as we always felt very strongly at the time, it makes very good sense to start with the land that we already own. I would just like to add that if this is successful as a substantive Proposition, everything goes through, and if the sites in the IDP review are agreed next month, then hopefully that should bring around 10 sites that will actually be in the Committee *for* Housing's gift to bring forward at a rapid pace.

I am just hoping they have got the capacity to hit the ground running in that respect. Yes, I think I will leave it there.

Thank you.

The Bailiff: Does anybody else – yes, Deputy Collins.

Deputy Collins: Thank you, ma'am.

I will be very brief. Being a Member of the Committee *for* Housing, I was one of those that went on the tour and I thank HSC for arranging a tour for Housing members so we went together. So thank you very much for that.

We have done some initial works. I know the President has mentioned it publicly. I do not know if he has mentioned it today but we have definitely identified at least 80 to 150 units could be over these three sites. So just in reply to the fact there are definitely units that can be built there in quantity and we are very keen to get on with it if this Amendment passes. Believe me, we will ensure a future pipeline for the next term, picking up the comments from the top benches, to make sure that we are not left in a vacuum again, there are pipeline projects for the next term and terms to come.

Thank you.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: To help address some of the questions Deputy Oswald mentioned. I think he is referring to specialised needs housing, right. Specialised needs housing is supposed to be included in the strategic housing indicator so should form part of the demand profile that we are looking at when we have obviously seen some of the more recent demand estimates, which are quite high, and there is clearly a need for – increasing need – specialised housing. I think those considerations are included and will continue to be included.

To some extent this is an amendment that we should not need to lay because, in theory, housing is the most important strategic priority surely you would think that – I give way to Deputy de Sausmarez.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I completely agree and I am sure she would agree with me that with this P&R that is absolutely unquestionable, but I think it was for the assurance of the wider Assembly and indeed the wider community. I would like to think that she does not believe for a moment that this is necessary in terms of P&R's enthusiasm for supporting affordable housing.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Well, I hope so but I think we may have some areas of disagreement on certain sides where we would perhaps like to have more control and ownership, such as the Coutanchez Campus. So we did feel we had to bring this amendment because I think it is increasingly important that policy direction by this Assembly is given to the States' Property Unit, and I think this gives us the security and the right to actually look at those sites in the timeframe indicated.

I think it is probably also important to mention that we have only included Lukis House, Swissville and Garden Hill in this amendment but not Perruque House and Carrefour because they form part, once the IDP hopefully is approved and amended, of the wider Castel development area, and that requires a development framework. There are still a couple of barriers before we can commit to that site. That work is to be done. That is why the amendment is just focusing on those on those – well, two sides largely basically.

The Bailiff: Thank you.

Does anybody else wish to speak? Deputy Oswald has already spoken, so I turn to you then, Deputy Williams.

Deputy Williams: Thank you, Madam Bailiff.

Thank you very much for everybody's comments. Going through the pecking order, thank you, Deputy Oswald. Yes, we are looking at the complex needs area and we do have information on that and have recently been looking at the various properties that are around the Island already and what is not suitable, and we do have collectively – as in we the States – a lot of properties that are really not at all suitable for their needs now.

It is an area that is complicated and will need a lot of careful scrutiny in terms of what we do and how we address that need. Undoubtedly, there will be conversations between ourselves and Health very shortly about that, I am sure. Yes, we appreciate those needs and we have got some information on it.

Thank you to Deputy Humphreys for your support as a fellow Housing Committee member. Deputy Bury, thank you also for your support on this matter, and Deputy Curgenven. Deputy Camp, I appreciate we slightly stole this but thank you for proposing to come forward with it and spending some time over your weekend drafting a proposal. We just had not gone public on our intention at that time, but thank you very much and very proactive.

Deputy Burford, yes, with regard to the point you mentioned on the wording in subsection (3) we will be looking at the suitability, the viability and in discussions undoubtedly with P&R as well about the full availability. Well, just generally how suitable those sites are in terms of making them work and making them progress financially viable.

Deputy de Sausmarez, yes, we have needed a pipeline of land and you discussed that. This is very much about the future because obviously if Propositions 1 and 2 go ahead, the hub is not going to be built next year, it is a few years off, but this is about us securing a pipeline. Also mindful that we are not all necessarily going to be here. This will be a new future P&R, a new future Housing Committee. We want to establish that pipeline and, as I mentioned previously, overcome the stop-start approach such that we know that there is something there identified.

Deputy Collins raised that in terms of also the number of homes potentially that these properties, these sites, may produce. Deputy Kazantseva-Miller covered the potential as well and, again, the issue about dealing with the potential future P&R and future Housing Committee.

Actually, it was a point that was raised overnight with me by Deputy Le Brun about Perruque in particular. I tried to respond to him in an email. It may not have come over fully, but because it is not actually zoned yet for housing, because it is still in the IDP review, subject to the debate on 24th November, it is a sort of who knows, but it also floats within a bigger site. What we do not want to do is tie down the use of that as an Island within a bigger site. But we have flagged up in our amendment that we would like to be coming back on Perruque and Carrefour in the future as a potential for housing as well. That is not going away and we will revisit it, depending on the decisions.

So thank you very much, everybody, and I hope you will support this amendment.

The Bailiff: Thank you. Members, now on your screens is Amendment 1. States' Greffier, would you kindly open the voting?

There was a recorded vote.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	None	Sloan, Andy	Cameron, Andy	Rochester, Sally
Burford, Yvonne		Snowdon, Alexander	Inder, Neil	

Bury, Tina
Camp, Haley
Collins, Garry
Curgenven, Rob
de Sausmarez, Lindsay
Dorrity, David
Falla, Steve
Gabriel, Adrian
Gollop, John
Goy, David
Hansmann Rouxel, Sarah
Helyar, Mark
Hill, Edward
Humphreys, Rhona
Kay-Mouat, Bruno
Kazantseva-Miller, Sasha
Laine, Marc
Le Brun, Ross
Leadbeater, Marc
Malik, Munazza
McKenna, Liam
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
St Pier, Gavin
Strachan, Jennifer
Van Katwyk, Lee
Vermeulen, Simon
Williams, Steve

Matthews, Aidan

The Bailiff: In relation to Amendment 1, there voted: pour 34, there were 2 abstentions and 3 Members were not in the Chamber at the time of the vote. I therefore declare that the amendment has been passed.

Now back to general debate on the Children's Services Hub. Who wishes to speak in debate? Deputy Falla.

Deputy Falla: Thank you, madam.

In my view, HSC makes a very strong case for combining Children's Services under one roof, not least to improve the best practice approach to the first 1,001 days of a child's life. Why would we not choose to give those benefits to our Island children? There are proven benefits as to child development from this approach.

Like others, I did go on the tour of the buildings to be made available if this goes ahead. It is exciting to hear what the possibilities may be there, and I am grateful to Deputy Humphreys for giving us that further information about the value of the Swissville and Garden Hill site. Personally, I had never been through those gates before and I was pleasantly surprised by the scale and size of that particular plot; it is crying out for use and it is in a really good central area for potential housing, too.

It supports the super priority. I think it is really good that we, at this stage in the political term, are already ticking little ticks alongside some of those priorities, and this could be the beginning of that particular one. So again fully behind that, yes, fully supportive and would ask fellow Members to do likewise and vote in favour.

Thank you.

The Bailiff: Deputy Bury.

Deputy Bury: Thank you, ma'am.

I sound a bit like a broken record but, as a former member of HSC, I entirely support this initiative as well. It has been quite long in the tooth; I was quite involved last term. But I do have a few questions. I do understand that we are not at the fully detailed proposal time yet, but it would be interesting to know if Deputy Oswald is able to answer some of these questions at this time.

So at 5.2 and 5.3 of the policy letter, I picked up, similarly to the Scrutiny Committee, comments around families will no longer have to repeat their story to multiple professionals and the opportunity for improved collaboration and joint working between the multidisciplinary teams, that kind of thrust throughout the policy letter. That sounds great, but that will not be achieved simply by putting everyone in the same building. Of course, water cooler conversations, hallway conversations, those sorts of things do happen. But to really fundamentally change that interdepartmental working requires operational changes.

So I did want to understand from Deputy Oswald, has the Committee and the officers begun to talk about how that could work? Because I think it would be slightly misleading to suggest that merely putting everyone in the same building would achieve that.

I was very grateful to go on the tour. I actually had a one-to-one, because I missed the first one. So I was very grateful for that. Again, there are some of those spaces I had never been in and it was very interesting to see some of them. I think the highlights had to be the kitchen in the cupboard and the fire escape where you have to climb across a roof through another window and into another building. I think that highlights the real age and inappropriate settings that many of our teams are currently working in, and certainly does well to dispel the narrative of civil servants in ivory towers, for sure. They are far from it.

A benefit of improvement of those workspaces for HSC's team members, I think is a real positive. While I know that that can be possibly contentious for the public, we are in competitive employment markets here, and working for the States may not always be the most appealing. Making sure that they have appropriate and safe workspaces is a fairly low bar, I would say.

But having gone around those spaces, obviously I am aware of where Raymond Falla House is. One of the questions I asked on my tour, which I know will be further in the making though, is that road that goes to Raymond Falla House – it is a tight lane and we did discuss the potential opportunities, but what I wanted to establish was that within – would any work or possible improvements to that space be included in the £22 million or would that be additional? Might it be Traffic and Highways, Environment & Infrastructure. I think that is quite important because improvements absolutely will need to be made if we are going to be sending more families down a narrow busy lane.

The tender process, 8.2, I think it says something about a competitive tender process; a full and competitive tender process. Deputy Leadbeater is not here but I know that he would agree with me. *(Laughter)* He is behind me, like being the pantomime.

I know we have had conversations on this and this is not really directed for HSC but it is quite difficult to know how we will have a competitive tender process when we have told the world how much we are going to spend. But that is a wider question for the States.

Yes, unsurprisingly similar happened to me when I was getting a quote for a kitchen. They asked my budget and it came in a few hundred pounds underneath. That is how it works. We need a better process as the States as a whole, but I understand that is not really for Deputy Oswald to address.

Lastly, and possibly most spikily, but I am sure Deputy Oswald has to expect that questions of this nature will come, how can Deputy Oswald offer us reassurance in light of recent HSC projects, which I fully accept that I was a part of in a previous term – how can Deputy Oswald offer reassurance to the Assembly that this project will be better managed and delivered within the funding that is proposed?

Those are questions because I am genuinely interested and supportive of this project and asking those questions really are about ensuring success rather than trying to tear it down in any way.

Thank you, ma'am.

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you ma'am.

I am brought to my feet by that excellent speech there and you would have to be a very brave person to give HSC a sum of money for a building project given their past track record. Whether you actually use the building once it is finished and built, I do not know.

I come from a family of builders, ma'am, and I can tell you that it is a shame so many people in this Assembly are so keen to get more houses built and more things built and developed, yet they are the same people that seem to put barriers to progress in place. I say that sometimes repetitively, but we have just passed the GST, have we not? That is ultimately going to push up the cost of construction on the Island. It is not just those things, it is the minimum wage, secondary pensions, it is increases in social security, budget increases in fuel, electricity, the list is endless. The cost of construction now is eye-wateringly high.

I do not know what the Budget will bring us next month, but I suspect there will be a little respite for construction in that Budget that is coming our way, or even any deliveries of materials on the Island, even your stuff on Amazon, which gets delivered. It is eye-wateringly high. I think this is one of the barriers, why we have nor built as much in the past, because over a period of years, certainly the last six years that I have seen, these costs have been going up and up.

So I can see the need and, yes, I am keen to see more houses built and more construction and better facilities provided, but I am very nervous to entrust a large sum of money and expect that to come in on time, on budget, or, worse still, even get spades in the ground within a workable period. All the things that we would do on our own projects when we built them ourselves.

So I am very concerned. I hope Dr Oswald can either give me some tablets or give me some reassurance with this.

Thank you, ma'am.

The Bailiff: Deputy Strachan.

Deputy Strachan: Thank you, madam.

When I spoke in debate on the Tax Reform debate, I explained that one of the reasons I was going to vote for the reform was that we needed more funds to support those of our young people who are falling between the cracks. As Deputy Oswald pointed out, what is frustrating about the escalation of our young people's poor mental health and wellbeing is that some of this could have been headed off at the pass. We can and should engage better at the outset. Integrated working within our Children and Family Services is a key step to providing that early support and the Children's Services Hub will be a critical step on the way to providing that support that our children and families deserve.

This should be seen as a spend-to-save initiative. Each Guernsey child is worthy of this investment to ensure that they can grow and thrive. Personally, and I hope I can speak on behalf of the HSC Committee, we are committed to supporting early years and families, including the first 1,001 days of a child's life. Should this initiative pass, this is one of the key pillars of that support.

I would also like to say that having met many of those professionals in our children's and families' services, working at the coalface, delivering support for those who are struggling at this vital time, I would like to thank them for their heroic work. This facility will improve their working environment and, in particular, will help with recruitment. The fact that this initiative will then release land for housing is the cherry on the cake. However, I would say that it would have been better if we could have kept these properties more up-to-date so that the cost for renovation did not need to be so high.

I will also say that there is more that can be done in terms of support for families and children. This is just the beginning and the HSC Committee is already working on more initiatives, not least as part of our sustainable health and care strategic work. I would urge Members to support this proposal.

Thank you.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: I just want to speak to Deputy Bury's points before that she made, because this is something which is important to me, the way that we procure our projects or certainly the way that we have done in the past and the way that we stand up in here and we talk about whatever budget we have got before we have tested the market. Often I have found that the figures that we have been presented with are overinflated (**A Member:** Hear, hear.), so we are already giving a message to the market that we are prepared to spend more than we should do on this project.

Now there is a project that we have got ongoing at Home Affairs, I will not speak too much to it, but I just say that we had a similar project that is going on and figures were presented to us, then more figures were presented to us and then it went on the rise and it went on the rise, and we got to the stage where we have actually got everything we need to go to market, we do not need to do any more of this work, we do not need any more professional fees. We do not need anything except to go to the market. So I kicked up a stink and we have managed to change the process.

Deputy Vermeulen is nodding away. He said, 'No, we are not doing anything, we are going to market now'. He said, 'I am not going to stand up in the States and say X, Y, and Z, we are going to go to market, we are do things properly. We are going to advertise it in *The Guernsey Press*. We want everybody out there that is capable and wants to tender for this project, given the opportunity'. (**A Member:** Hear, hear.) Then we can provide actual proper figures and value for money and we know what the market actually tells us, rather than us telling the market. Because the figures that we were given in our papers, I went away and I costed that drawing myself. There was a massive difference between the figure that I arrived at and the figure that was presented to us.

As part of this process I had to go through a Gateway Insurance review and be interviewed by a reviewer, and it was a brilliant process from my point of view because it gave my argument credibility and backed up what I have been saying all this time. I told the reviewer what we do, I told him that we went through and we go out – this is the way we do it, we go out – we set a budget and then we go out and we tell everybody publicly what we are going to spend and then we go to market. And he said, 'Why on earth would you do that?' I said, 'Exactly, this is what I have been saying for a considerable period of time'.

Also the points raised by Deputy Vermeulen about projects, not just in HSC but across the States of Guernsey, which drift and then suddenly they go over time, and they go over budget. But the problem we have got is we are making the SRO – we are just giving somebody who is high up in whatever Committee it is, the job of being the senior responsible officer of that project. They probably never built a sandcastle *(Laughter)* but we are asking them to manage a big construction project. We are setting them up to fail. It is not the individual's fault, the SRO's fault, it is the fact that we are giving them work that they are not set up to do. We have to change this.

The message came back from the reviewer, who was involved in the build of the Scottish Parliament, which started at £35 million and ended up at £350 million. He said, 'Well I agree with you, I have encountered similar things before. An SRO of the project should not be there because they have not got the skills to do the job'. So what you need to do is take somebody within the organisation, out of SPU, that has got the construction project management skills, they become the SRO and they feed into what would have been the SRO in the Committee as the client, and that is a far better framework and process.

I have had meeting with the Chief Executive, with someone from Treasury, with the Director of Change Management, or whatever it is called, I am not quite sure, and they agree that they are looking at the process. So the process is currently being looked at. I will give way to Deputy de Sausmarez.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I thank Deputy Leadbeater for giving way. Just to confirm, it is not just being looked at, it is absolutely changing. It has been one of the priorities and he is absolutely right in identifying that problem.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam.

I thank Deputy de Sausmarez for giving me that reassurance because it is something that we have needed to address for a long time. Once we can get our process ironed out, we can start getting better value for money for these projects, and we can start managing these projects properly and delivering them on time and on budget, and hopefully not getting the issues that we faced on some of the larger projects at HSC and elsewhere over the last few decades. I just wanted to clarify that point.

As regards to the project itself, I was in the inception of this last term on HSC with Deputy Oswald. I am a big supporter of this project. The infrastructure constraints that we have with Burnt Lane being very tiny, I walk up there every weekend with my son and we dodge cars on a regular basis so I know exactly what it is like. There is some scope in that road for some improvements to be made I think. Deputy de Sausmarez will know far more than me because she has probably studied every inch of that for the School Streets initiatives, etc.

I do think there is potential to be able to improve that road network. It is going to be a figure on that. Whatever that is, I do not know. But anyway, this is a great initiative. I thank HSC for coming to the stage we are at now, and good luck. Good luck.

The Bailiff: Deputy Curgenven.

Deputy Curgenven: Thank you, ma'am.

Really off the back of Deputy Leadbeater's speech, which I 100% agree with. I think it was last term, was it not, the hospital over ran, and apparently the civil servants knew and they did not tell the Deputies, and then when the Deputies knew it did not come to the Assembly. It appears, on the face of it, and in my opinion – so I do not get corrected there, madam – it appears that the exact same thing has happened again with the hospital overrun.

I, as Deputy Vermeulen said, would not really be comfortable giving HSC at this point £22 million, and of course what Deputy Leadbeater and others have said is we are actually advertising, we are going out and saying, 'Look we want to spend £22 million' and just like Deputy Bury's kitchen, although I hope she does not spend £22 million on a kitchen, obviously the – you are going to go out to the market and say we have got £22 million and it is, 'Okay, it is just going to come in just under that, you are getting a deal for that'.

Also I hope, madam, that Deputy Sloan will be getting up because I would just like to point out that – and I hope, obviously I am sure they have, I am sure Members have read the letter from the Scrutiny Committee, the letter of comment. I would just like to point to the end paragraph and just to say, in principle I do not think anyone in this room, madam, is against helping children and getting better services at all. (**A Member:** Hear, hear.) It is not that at all, it is just how do we go about that and is what we are being presented with today, right now, the best way to do that, the most efficient way to do that, the most affordable way to do that. Just my personal opinion I do not think it is, especially given the mishaps of HSC when it comes to infrastructure projects.

I would just like to finish, madam, very briefly with the last paragraph of the Scrutiny letter:

> However, at a cost of up to £22 million, the Committee believes that the States' Assembly firstly needs sight of evidence that this particular development is the necessary, proportionate and best value means of achieving it. It is the Committee's strongly held view that the Committee *for* Health & Social Care has not yet sufficiently demonstrated this fact.

I would agree with that and I do wonder, madam, again using you as a conduit to Deputy Oswald, whether he would consider delaying this in some small way or in part or in whole and coming back to the Assembly with more information and more evidence to maybe satisfy Scrutiny and other Members who do have questions.

Thank you, madam.

The Bailiff: Deputy Sloan.

Deputy Sloan: To be clear, I am speaking as President of SMC but not on behalf of it in this speech, because I have not cleared what I am going to say with the other members of the Committee. Clearly, we wrote a letter of comment, which is agreed by all of the Committee, because we had concerns. And I want to thank the Deputy Oswald and the Health Committee for engaging with us and providing the outline business case.

I appreciate, madam, that we might have come across as the institutional killjoy. The person who turns up at the party, declines the champagne and just asks to see the bill. But somebody has to look at these proposals dispassionately to consider whether they are worthy of the cause and whether the numbers actually stack up.

I want to begin – not quite begin, I have already started – by making something absolutely clear, I am not opposed to bringing children's services together. Indeed, there are very good arguments for doing precisely that: better co-ordination between professionals, improved safeguarding, easier access for families, earlier intervention, more effective delivery of services to vulnerable children are all entirely sensible objectives. But supporting the consolidation of children's services is not the same thing as accepting that we need to spend £22 million on a building to achieve it. That fundamentally is the distinction I want to draw this afternoon.

I have another difficulty with the business case. While the benefits of bringing the services together are described in positive terms, I have seen very little attempt to quantify them. We are told that integration will improve outcomes, facilitate earlier intervention and deliver more effective services, but by how much? How many additional children will receive this support? What reductions in waiting times are anticipated? What improvements in outcomes are expected? Are there identifiable savings from reduced duplication or more efficient use of staff? And critically, how much of any improvement depends upon bringing the services together in this particular building, rather than simply changing the way those services are organised and delivered?

I recognise that not every benefit can be expressed in monetary terms, particularly when dealing with vulnerable children. But that does not mean benefits cannot be measured, targets established and alternative approaches compared. Without analysis, or without that analysis, as you said, madam, we have been asked to approve £22 million of expenditure without a clear understanding of what additional benefits that investment is expected to deliver. That is not a satisfactory basis for a capital investment decision.

There is a further distinction between bringing people together in one building and actually changing how services work together, as Deputy Bury mentioned. Simply putting professionals under one roof does not necessarily mean that families will no longer have to repeat their stories to different people or attend multiple appointments on different days. That requires changes to working practices, information sharing and how services are co-ordinated.

I can see the argument for informal collaboration, the so-called water-cooler culture, but that comes from working alongside colleagues. If that is an important part of the justification, I do wonder why the proposal apparently envisages halving the number of desks available to staff. Co-location may help integration, but it is not a substitute for it.

There is a danger of debates of this nature that would confuse the merits of the policy objective with the merits of the particular capital project proposed to deliver it. A good policy objective does not automatically make for a good investment decision.

Madam, I recently had a very constructive lunch with the President of Health, and I appreciated the opportunity to discuss the proposal. But I came away still struggling to understand precisely

what it is about the accommodation requirements that makes this a £22 million project. We are talking about offices, consulting rooms, therapy rooms, interview facilities, meeting rooms, reception areas, waiting rooms, appropriate spaces for children and their families. All important facilities clearly, some requiring specialist design and careful consideration of confidentiality, safeguarding and accessibility.

But these are not, for the most part, facilities unique to children's services, and I find myself asking a very straightforward question: what exactly is it that costs £22 million? What is the specialist element that makes this development so expensive? How much of that expenditure is genuinely necessary to deliver the service improvements and how much is associated with the particular property solution selected? I have been looking, madam, at how similar services have been brought together elsewhere. One example is the Lighthouse Children's House in Camden, London. This brought together medical, therapeutic, investigative and safeguarding services for children who had suffered sexual abuse or exploitation. It was designed to serve five London boroughs, with an anticipated 700 children and young people receiving support annually. It required medical examination facilities, counselling and therapy rooms, specialist interview accommodation, links to the courts and an environment carefully designed around the needs of vulnerable children and their families. In other words, a genuinely specialist facility.

And how did they deliver it? They refurbished an existing building; two floors were dedicated to the children's house, with shared ground floor facilities. I have obtained the actual decision approving the expenditure, signed by the Deputy Mayor of London for Policing and Crime in February 2018. The approximate refurbishment budget was £1.5 million. The annual rent was £250,000 plus service charges and rates.

Now, madam, I am not suggesting that Camden and Guernsey are identical projects. Camden's facilities have a much more specialist remit, and these are 2018 figures. Nor does the refurbishment budget represent the entire cost of the service. But it is a real example of specialist children's services being brought together through the adaptation of existing premises. The consolidation of children's services does not necessarily require the construction of an expensive new building. And if it can be done elsewhere, it is reasonable to ask why a comparable approach cannot be considered here.

I anticipate we will hear about accessibility, about parents arriving with pushchairs, access for people with disabilities, appropriate waiting areas, and creating a welcome environment for children. I accept all that. I am in favour of all that. But I struggle with the Proposition that these requirements make adapting existing accommodation impractical. Of course, some buildings will be unsuitable, and some adaptations are economic. But that is precisely why we do options appraisal. It is not sufficient simply to assert existing accommodation is unsuitable.

It brings me to a wider concern. As President of the Scrutiny Management Committee and with the Committee, I have been involved in our review of the States' Property Unit. I do not attempt to pre-empt the findings of that review. It will be published in due course. It has been submitted, I believe, this week to P&R for fact-checking. But it is legitimate to ask whether we are generally managing the States' property holding as a single estate, looking strategically at how best to accommodate the public services, or are we approaching individual projects by looking principally at the accommodation immediately available within the existing estate, and then deciding whether we need another building?

There is an enormous difference between the two approaches. A proper strategic exercise would examine whether existing buildings could be used differently, whether services could be relocated, and whether rationalisation could release suitable accommodation for other purposes. It would consider the private market leasing refurbishment and alternative configurations of services before committing to a major new development.

I have yet to see evidence that the full range of alternatives has been examined. This is not a criticism of those working to improve children's services. They understandably will have a particular vision of the accommodation they would like, but that vision needs to be tested against the wider interests of the taxpayer.

Madam, I also want to say something about the role of Policy & Resources in this. I recognise P&R has an enormous range of responsibilities and cannot be expected to revisit every detail of every proposal brought by the Committees. But it does have a particular responsibility for the stewardship of public money.

I have to say I was rather surprised by the apparent ease with which an additional £5 million support was provided for the project. £5 million is a substantial amount of money. It is not a minor adjustment to a budget. Yet I struggled to identify from P&R's letter of comment quite what examination was undertaken of the accommodation requirements, the alternatives available or the additional benefits that this expenditure would secure. I would have expected there to be some fairly searching questions.

I am not suggesting that P&R failed to consider this proposal, madam. I am suggesting that its explanation to the Assembly does not demonstrate the degree of challenge I would have expected. And there is a wider point here. If Committees come forward with perfectly understandable ambitions for better facilities, and P&R's role principally becomes one of finding the money, we risk losing sight of the distinction between what is desirable and what represents value for money. At a time when we are discussing additional taxation and pressures on public expenditure, I think it is entirely reasonable to expect something more.

Since I spoke about this proposal on the radio, madam, I have also received quite a number of calls from members of the public, or rather emails I should say, questioning the proposed location. Several have suggested that if this is intended to be an all-Island facility, then surely somewhere in town or on the Bridge would have been a more logical location, particularly in terms of accessibility and public transport.

What I have to say is that that strikes me as an entirely reasonable point. But I do not intend to pursue that question of location in any detail today, madam. I have deliberately sought to keep my comments relatively bounded. My principal concern is not where we put the building, but whether we have adequately demonstrated the need to spend £22 million on it in the first place.

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

Deputy Goy: Thank you, ma'am.

First of all, I would just like to say that I really like the idea of combining all the children's services into one building; it is a very logical thing to do and also there are so many benefits to it. Travel time between places that are eliminated and then of course the various issues of the old buildings that Members have raised, all of that will be eliminated as well as we have the new facility. Also having infrastructure is something that people can see with their eyes and so it is something that is very tangible, and so I really support that whole idea.

However, my concern, and I want to echo the concerns of a number of Members here, which is the value of £22 million. Not just that, the public and as well as many Members here have been scarred by the past major failures costing millions upon millions of taxpayers' money. We have the IT fiasco, the failed MyGov and Revenue Service project costing £42 million. Then recently we have the cancelled Hospital Modernisation 1 costing £60-plus million. These are a lot of money for an Island of 65,000. We have to remember that we are only 65,000 people, that is like a thousand times less population than the UK.

So if you were to, say, make it a bit more proportionate, we are talking about, for example, £42 million down the drain, it is like £42 billion for the UK down the drain per capita. So that is a lot of money. This is why in the tax reform I brought in the amendment, the public project tracker dashboard, and this is the reason why I brought it there, is because if we have a project like this, there is a lot more confidence if that kind of project is actually going to be in the public eye, as well as for Deputies' eyes as well, so we can see and know how well the project is going. Unfortunately, that amendment, as you know, ma'am, was torpedoed before even it was debated. That brings down the public trust level and the confidence level.

I really want to support this endeavour, the Children's Hub; I believe in its vision. I think it is a really good idea. I am just very worried about the fiasco that we have seen over the last few years being repeated and when it happened we would get a report and say, 'Oh, sorry, it has happened, we might have to cancel it'. By that time we might have lost a few million again. That public project tracker dashboard amendment that I brought in the Tax Reform amendment was meant to prevent that, it is meant for the people and for Deputies to be able to see those numbers in real time and intervene before things go wrong.

So this is a dilemma for me, and I think it is a dilemma for a lot of Members as well, as I can see that they express that they really support this idea but there is a fear, and rightly so, that another fiasco could happen.

So my question is: is it possible for the proposer of this amendment to basically return to the Assembly with a bit more reassurance that we are not going to see something like that happening? I know we have basically decided not to do the public project tracker dashboard way of reporting, but if there is a voluntary with HSC to be able to say, 'Okay, to increase the public trust and the confidence of the Assembly, we volunteer to make sure that we are not just going to report on the progress of this project once, twice every year, but give it something a bit more real time so people can see and make sure that the fiasco that we have seen over the last few years and last few months, they are not going to happen again.

The other thing that I wanted to say as well is something that Deputy Leadbeater was saying earlier, and I think when it comes to government projects, it is true, people think that – and especially some businesses think Government is paying for it, we should be maximising it. So, something that would have normally cost maybe £15 million suddenly costs £20 million, £30 million when it comes to Government. So this is another thing that we want to make sure it does not happen to the States.

I have heard stories of it happening; hearsays, people saying things like that happen. I have not seen the evidence of it, but it is not abnormal and it does not just happen in Guernsey. It happens around the world as well when it comes to government projects, especially when the Government is saying, 'We are willing to spend X amount of money'.

So if you go to a business and you say, 'I am willing to spend X amount of money', they are going to tell you, 'Okay, it is going to be X minus 1, X plus 2, minus, plus, £1 million to £2 million'. You are going to get very close to your value. The thing is that it might not be X, it might be a lot less. I do not know what is the –how we can overcome this, but this is something that we should look at as well. Not just for this project but for other projects going forward, I think we need to do something to make sure that we are not giving targets to vendors and suppliers to provide it so close to what the target is.

We need to maximise the value for money that we spend, because we are all saying that we are having a funding gap. The States in some ways are splitting poverty and it is wanting to bring in GST. It behoves us to then make sure that we are not wasting the money that we have and we are maximising everything that we have to gain maximum value.

In conclusion, what I am trying to say is I really like the idea of this project, I am just a bit worried of the failures, and I think it is not completely unjustified and unreasonable. So if HSC could go back and possibly come back with a more reassuring proposition, I think it will be a lot more palatable, not just to this Assembly but also to the public.

Thank you.

The Bailiff: Thank you.

Deputy Gollop.

Deputy Gollop: I was not going to speak in this debate because I have taken soundings, but what you have to say is essential. I would be agreed with much of the first hour, but I feel that speeches in the last 20 minutes run the risk of taking us down a rabbit hole. *(Interjection)* Yes, Deputy Sloan, Deputy Goy, etc., Deputy Curgenven. Because I have been around long enough to see how all the issues about States' projects going over budget are a reality. This is a £5 million

optimism bias in it, which is quite high, and I accept that Scrutiny and many of the newer Members are making excellent points that people in the private sector would make.

But we are not the private sector. We are not Camden either. We know that, for whatever reason, States' projects tend to go over budget or are inflated from the start. They are more expensive. They are sometimes more specialist. And the worst thing to do is to delay. The last few speeches seem to be suggesting to Deputy Oswald and his Committee that we should go back and delay and have a think about it. I have certainly had that view from the public. They have made the point Deputy Sloan made about, 'Would it not be better if it was in the centre of the Island, or the town, or St. Sampson's'. I accept that. I think the argument that Burnt Lane would have been better as housing is a strong one in St Martin's. It is not ideal, I agree with Deputy Bury there. But we are where we are, and it has gone through the process of numerous Policy & Resources and Health boards, and officer time, and it has come up with this. It is priced at what it is. We hope it will be £17 million. It will succeed in sorting out the dangerous areas that Deputy Bury and others highlighted, the curious kitchens and cupboards and fire escapes.

What is my crucial point on this? That although the arguments that this is the wrong project at the wrong time in the wrong place have a certain validity, we cannot chuck away five to 10 years of work on this. I think the really important point that Deputy Oswald has stressed, but I think it could be stressed even more in joined-up Government, and we do not really have that in a way, but yes, this may be overpriced as a children's project, but as a member of the Corporate Child Parenting Group, for two terms now, I do support the need for co-ordination.

I accept that co-ordination, as Deputy Bury said, of people is a different matter than just in the same building, but it is more likely to be encouraged. Like when we meet together, we have more useful conversations than me just sitting at home playing with Facebook.

So I think it gives a springboard for professionalism and for nicer atmospheres. The atmosphere in the Camden, the atmospheres we were talking about, we can make better improved areas for children with special needs and conditions and vulnerabilities.

But the crucial point is do not keep on thinking of this project as a Health staff project for customers and for the Children's Hub. It is also a kickstart to release free sites for property development. Lukis House, I am sure, will be very attractive to law firms or other places; Swissville and in the Castel. Think of it as a good way of getting good sites for free that we can make an infrastructural difference on. So I support the project.

The Bailiff: Deputy Matthews.

Deputy Matthews: Thank you, madam.

Madam, I take on board the criticisms of Deputy Sloan, and I think that it is a genuine weakness of the policy letter that it could have – and actually of the project, that it could have stated more the anticipated benefits, and there could be more expectations there about what it is to deliver.

But actually, my frustration with this – I will, of course, be supporting the policy letter, it is from my Committee *for* Health & Social Care. I have been around and seen the sites, and I have seen the conditions, and I know how much needed it is for an upgrade for those facilities. But I think we have done that through visits, through going and seeing the conditions. We have not really quantified that and put that down on paper. I think that Deputy Sloan's points are valid, that that would be a useful thing to be able to do.

But I do have a broader concern. I am very happy that the previous amendment was successful – I was not able to be in the Assembly when that was voted for – because all through this project my biggest observation has been that the real impetus for this project should be the release of the sites potentially for other uses, particularly for housing. So when you go and visit Lukis House in Swissville and Garden Hill, Perruque House, and Le Carrefour, it is obvious that these are some very large sites with some very great potential.

I think that we could have done a lot more in terms of working with the Committee *for* Housing. The Committee *for* Housing, I think, only got to see this for a fortnight before the policy letter was

lodged. What I would like to see, and I think it is a criticism of how these types of projects have been presented, is that within the mandate of the Committee *for* Health & Social Care, we do not have a responsibility for delivering housing or for the maintenance of buildings in general across the estate. But it is obvious, as you go and see these sites, that they have got a huge potential when released. And I am sure that the Committee *for* Housing will now be able to go away and investigate that and to come back.

What we should have been doing, in my view, is placing that at the top of this policy letter. It should have been done beforehand, and the Committee *for* Housing would have probably been the right place to do this, would be to go and look at these sites and say, 'Well, this is what could be achieved with these houses once they are released because I think the way it has been presented, it is really leaving it to the imagination of Members to imagine that there is a great benefit here that could be realised rather than being quantified. I would like to think that that is something that could happen going forward. As it is, I think the policy letter stands alone as there is a case made to improve our facilities, but it could have been such a stronger case had that been done beforehand rather than that following on afterwards. I think that that is perhaps a lesson learned for the future and I think that the amendment that has passed will greatly aid that for the future.

For those reasons, I think that it is an excellent a policy letter for Members to vote for, and I commend Members to do that.

The Bailiff: Deputy Helyar.

Deputy Helyar: May I 26(1) please, madam, and request an electronic vote?

The Bailiff: States' Greffier, if you would not mind putting the motion on the SEV. Members, you have on the SEV the motion to guillotine this debate now. I will ask the States' Greffier to open the voting. Apologies, I should have allowed you to stand in your place first and then put the vote.

Deputy Collins: Ma'am, are you suggesting that as I stood up and you called me, you should have allowed me to speak before doing 26(1)?

The Bailiff: No, when somebody indicates to me that they are going to do a motion to guillotine debate, I think it is important that I listen to that motion first. I was aware that Deputy Helyar had been for some time trying to get my attention.

Deputy Collins: I did not quite hear what you said.
Thank you.

There was a recorded vote.

Carried – Pour 11, Contre 20, Ne vote pas 4, Did not vote 4, Absent 1

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

Montague, Paul
Niles, Andrew
Ozanne, Jayne
Rylatt, Tom
Sloan, Andy
Strachan, Jennifer
Vermeulen, Simon

The Bailiff: There voted in relation to the motion to guillotine debate: pour 11, contre 20, there were 4 abstentions, and 4 Members were not in the Chamber at the time of the vote, so we continue. Deputy Collins.

Deputy Collins: Thank you very much, ma'am.

After the last couple of speakers, I will be very brief, talking numbers. I love to talk numbers as the Finance Lead on the Committee *for* Housing. As I mentioned before, 150 units, I am sure we could get that built for about £45 million, ma'am. I could sell them for £75 million, make about £30 million, so we get the Children's Hub for free, if you like, or we could rent them out, ma'am, 150 units at £300 a week, about £2.5 million over the long term would be great.

I am sure someone is going to jump to their feet and remind us that ESS probably pay 86% of that bill, ma'am, for the rental. I would also counter that argument by saying that current tenants in the housing that we have at present, but at the moment we know lots of people being supported in the private rental that come at a much higher bill.

All in all, I am supportive of this. I understand what Members are saying, but for me, when it comes to capital, I am a bit spend-crazy. Perhaps when it is revenue, I have other viewpoints, but capital projects – I have seen and been in this place – delay costs us lots of money. We just need to get on with capital, whatever it costs, because if we delay a year, add £5 million, add £10 million. We really have just got to get on with these projects. It may not be perfect, but we have to start doing them.

I agree it may not be the perfect location and now that Housing has been given a green light that we want these sites, for me I will certainly start looking for other places they could be because if it is going to be out next year, we will start building them, ma'am. For me, I am just really echoing that we are starting to look at this and even today some officers have sent us some details on these sites and we are starting to work that up. I am really keen just to say that Housing are really focusing on trying to deliver this term.

Thank you, ma'am.

The Bailiff: Deputy Laine.

Deputy Laine: Thank you, madam.

The concerns that have been raised have largely been around the lack of confidence in the ability of the States to manage projects, and some of the past performance has been mentioned. I will look to the Head of P&R, Deputy de Sausmarez, to cover that because, of course, our Chief Executive has done comprehensive reviews of these disastrous projects, as many have said. They were complete disasters, and one would hope that we learnt from them. Consequently, the Chief Executive has reshaped and changed the approach to projects under the auspices of P&R. To my mind, it is incumbent on P&R to tell us why we should be confident about the new approach to projects, or perhaps we will not be convinced.

There has been comprehensive change, and I am hoping that they can give us the assurances that give us the confidence to vote in favour of this and that projects are going to be approached differently. I think one of the issues with reporting, neither HSC or anyone central can manage this project without some kind of dashboard. Foundations between August and the following September, whatever. Everything is there. If we think back to what Deputy Goy was talking about in terms of those KPIs, they exist. You cannot do a project like that. Now, it may not be available for

public consumption, and it might be a massive document and all the rest of it, but the point is those KPIs, or whatever you want to call them, will exist.

The problem, though, is in surfacing them either at the board or publicly. Once you are six months into a contract, if it is going bad, you can attempt to rectify it, but the cost of stopping and restarting again will multiply the cost of the project many times, and it is way too late. If it is going wrong in the contract, it is going to be a disaster. If you see it going wrong very early on in a contract, then maybe you will be able to do something about it and you can switch. Once you sign contracts with builders and everything else and you see things are failing, you know you are likely to be heading for a courtroom and a five-year delay on a project.

I am going to listen to what Deputy de Sausmarez says and hopefully she can convince me that the new approach to these kinds of projects has learned from the past and is going to alleviate my fears.

The Bailiff: Deputy Ozanne.

Deputy Ozanne: Thank you.

I am reminded of what Deputy Niles said earlier, that we need to make good decisions and make them quickly. I believe that the right decision is to press ahead with this quickly. The people who bear the greatest burden of our delay are vulnerable young people. I do believe that no plan is perfect, but I think we have to move forward with speed at this point because the cost of not doing so is the continued impact on some of our most vulnerable Islanders.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

Deputy Laine has teed me up quite nicely. There are a few themes that I would like to address, if that is okay, and the management of projects is one of them, and it is really important. Something that goes hand in hand with that is this open sore that is the tender process and being public about the figure.

To Deputy Sloan's point, I can assure him that the Committee *for* Health & Social Care engaged early and often on this and there was, I am sure they will affirm, a lot of challenge. Options were looked at very thoroughly. Also, one of the options that was looked at was keeping services in situ and refurbing whatever was required, but that was a very high-cost option as well as being very suboptimal in terms of service delivery. I think Deputy Bury touched on some of the limitations of the existing locations and it is, frankly, amazing that the services managed to get delivered out of some of them at all.

I think that does really underscore the need to keep at the forefront of our minds, as Deputy Ozanne has just reminded us, why this project is coming before the States and what Deputy Falla said earlier, which is actually this is all about what we have agreed as this Assembly's super priority, which is our children and young people. I think this is an excellent way to progress that.

In terms of being public about the cost envelope, a couple of points. Of course, it is perfectly possible to bring a policy letter forward without any costings at all but that would require the Assembly essentially to delegate authority to P&R and give them a bit of a blank cheque. I know that certainly historically, and I have been one of these people that has been quite vocal about this, it is the Assembly's responsibility to make or be involved in those kinds of decisions.

In terms of some reassurance, apart from the processes around the tender processes, it is also worth pointing out that it is not like it is a single lump sum that usually goes to one developer. There would be various different parts, and no one would necessarily be aware of what part of that cost envelope would be apportioned to each individual bit. Hopefully that can assuage some Members' fears on that point.

To Deputy Laine's point and, indeed, Deputy Leadbeater's before him, they are both quite right to point out that this is a tanker that needs turning, and it is very much in the process of being turned. We are overhauling the system. They and others are absolutely right about the shortcomings of the processes that we have previously used. I have been quite vocal on some of those myself and, indeed, it has been this Policy & Resources Committee's priority to make sure that we do deliver on projects that this Assembly decides needs to happen.

To Deputy Goy's point, I think the comments about the cost of delay are very pertinent. That is always the case, but I would also just ask him to maybe consider what the alternative is because the alternative, as Deputy Oswald touched on when he opened on this policy letter, is not cost free. We are running services in expensive buildings and buildings that are expensive to maintain, and they are not even safe necessarily. I really would urge him to maybe keep what the alternative to moving forward is in mind when he makes a decision on how to vote.

I do think in terms of providing reassurance to the community, we need to be able to demonstrate that we can do these things. Just saying, 'We are a bit worried it is not going to be perfect, we will not bother doing anything', is not going to be that kind of reassuring message that I am sure our community wants to hear, that we are capable of tackling projects and managing them competently. We are very keen to be able to demonstrate that that is indeed the case.

A couple of other issues that have popped up. The proposal is, of course, a refurbishment, an extension of an existing building. All of the options are very thoroughly explored, including new buildings in their entirety and using existing buildings, as I mentioned. This did represent the best value for money and meet enough of the objectives, and I think we can improve upon that as the process continues. There was a lot of challenge provided by P&R.

The issue of transport. Deputy Leadbeater is right, this is a matter very dear to my heart. I found when I was going through some old files the other day a proposal for reconfiguring the transport network in this part of the Island about 15 years ago, before I was even in the States, which will surprise no one who knows me. It is part of the network very close to our biggest primary school, and it is an area I know very well. There is indeed some scope which has already been thought through, in fact, to improve the transport network in the area. I would say it is fairly well-served by public transport, and that is one of the things that lends itself to this proposal.

The other thing I would say to hopefully reassure some Members who are worried about traffic impact, that in terms of the traffic impact of this new use, we are not anticipating it is going to be particularly great at all. In fact, probably equivalent or maybe even slightly less than its previous use. It is already very well used as an active travel hub for the nearby primary school, but if anyone needs any reassurance, it is a matter I have always been very keen on and I will continue to be.

I give way to Deputy Laine.

The Bailiff: Deputy Laine.

Deputy Laine: Just before the Deputy ends, she mentioned the turning of the tanker in regard to projects. I wonder if she could give us any kind of example that would give us the confidence that things have been done. I mentioned the work that Boley has done, but turning the tanker, not quite enough for me.

Deputy de Sausmarez: Yes, that is a fair challenge in several different respects. First of all, how the costs are arrived at in the first instance. We now have a much more robust process around the options analysis part of the whole process. Previously there was a tendency to decide on what the solution was, then develop it up and present it to the States without having necessarily gone through the options analysis, addressing the original objectives or problems that need to be addressed. That part of the process has been radically overhauled already. I do think we are able, because of the way we have now got the pipeline into delivery – I think through that process we can, or we will, have increasing confidence in the costings around projects in the first instance.

Another one is the specific issue that Deputy Leadbeater referred to. He is quite right that historically we have made senior responsible officers for very significant construction projects the job of people whose day job and experience is nothing related to that. It is such an important thing to get right. It is something that I have commented on many times before, and it was one of the main issues that I wanted to resolve and so actually the whole structure of how those projects are managed is changing. We are getting more expertise into the States itself to be able to manage projects like that and give it the dedicated expertise and resource that these kinds of projects require.

I will not be able to do it justice on my feet right now. It is a really important question, and I will commit to providing a bit more detail on that for Deputy Laine and other Members. I think that was really all I wanted to cover except that I am very supportive of this and commend HSC for bringing it forward and hope that it gets strong support from the Assembly.

Thank you.

The Bailiff: Just before I turn to Deputy Montague, can I just remind Members it is the general policy not to refer by name to civil servants' names, so refer to their role rather than their name. Please carry on now, Deputy Montague.

Deputy Montague: Thank you very much, Madam Bailiff.

First of all, can I thank HSC for putting together that tour? I do not know how many Deputies were able to take advantage of that. It was incredibly informative, and in the future one thing I have taken on board over the next few years is, as those opportunities come available, I think we all should embrace them because it was incredibly informative for me. One thing I have discovered in our Committee area, that across all three aspects of our mandate, education, sport and culture, on a small Island we must be as efficient as possible. Any step towards that efficiency is something I think that we need to embrace.

I would like Deputy Oswald, madam, in his summing up, to refer directly in a little bit more detail to the phrase he used about co-location is not the same as integration. I have been sitting here reflecting on the issue with the Guernsey Institute. We have a build going on at Les Ozouets Campus. It is absolutely crucial that rather than just focusing on the building getting done, we remind ourselves we are going to be bringing together units from Les Coutanchez, from Delancey, from the hospital, from the GTA. We are going to be bringing them together on one site. It is not about the co-location; it is about how those organisations work together.

I wonder if in his summing up, he can do a little bit of detail to give us some more assurance, because it was an issue that was brought up in the letter of comment from the Scrutiny Committee. I thought it was a really important observation that it is all very well saying, 'They are all in one setting', but are we going to make that work? There is obviously a limit to what Deputy Oswald can say this afternoon, but I would imagine in the full business case, were this to be approved by the Assembly this afternoon, that is really thoroughly evidenced.

Another very important element that came from the letter of comment from the Scrutiny Committee was about the lack of quantitative data about how are you going to measure the benefits, things like collaboration, outcomes, retention of staff and so forth? The difficulty there is some of these things are actually very hard to measure. One could always criticise qualitative judgements in favour of quantitative judgements, especially if you are an economist, but I think in these cases we need to be really clear. I would like you to speak – sorry, I beg your pardon, madam. I would like Deputy Oswald to speak directly to that, if he can, in his summing up.

I would like to speak personally from my own point of view. Over the last 16 or so months, I have had the opportunity and the obligation to look very closely at some of the things that are happening with our young people. I have spoken time and again in this Assembly and outside that our teachers at reception are observing that young people are arriving in school with a real lack of readiness for that level of learning. Time and again, as my colleagues and I have visited early years providers, we

are hearing the same thing. This early intervention is absolutely crucial. I do believe that the benefits that will accrue, not just from the HSC, but from our Committee point of view, will be dramatic.

Let us take the single issue of communication skills. I was very fortunate about this time last year to attend an online meeting with people from the British-Irish Council Early Years, a workstream. Across all jurisdictions, governments are discovering a real rise in communication problems for young children. If this can be a step towards the early recognition of it, the early intervention, in a really coherent and holistic way, it can only benefit those young people and of course begin to solve the problem that we are dealing with, which is the massive rise in additional learning needs and the rise we have for individual pupil support. That is why we need to see this thing holistically. I fully accept what the letter of comment from the Scrutiny Committee was saying about the lack of measurability, but I do see benefits here.

I would like to pick up on what Deputy Bury said about these need to be better managed. I am really surprised that we have an estimated cost of £7.1 million and the upper – sorry? £17.1 million, is that what I said? I beg your pardon. £17.1 million and then there is a £4.9 million uplift to a ceiling of £22 million. That does worry me. In terms of the full business case, I think those things really need to be looked at. How we organise and manage these projects in the future is absolutely crucial.

I think I have said what I need to say. I was very impressed not only by the letter from the Scrutiny Management Committee, but also Deputy Sloan's speech a short while ago, and there are really elements there that we need to be concerned with. However, I am convinced that this is a project that we need to continue with. We cannot keep complaining about infrastructure in Guernsey not being up to scratch. We have to sooner or later put the money where the mouth is and get on with it.

Thank you, ma'am.

The Bailiff: Deputy Niles.

Deputy Niles: Madam, I would like to build on Deputy Montague's remembering of the visit to the site. I went with him together with Deputy Oswald. It was highly informative and it demonstrated to me really clearly that whilst I had grown up in Guernsey with these institutions around me, I had never actually visited them. It left me with the impression that they are woefully inadequate to deliver what we need. When I think about that need, our need is all about children in order to build our future. I often stand here and talk about the economy, and I talk about the success of projects and our ability to be able to deliver them, but if we do not have children in the future, we have no success, and that is it. We have no success in Guernsey without investment in our children.

I know that my colleague, Deputy Goy, next to me, is always very conscious about KPIs and our ability to be able to demonstrate that we can deliver projects and we can make good decisions. I think about two different component parts. Both of them came from the last term of Government actually, and both of them have learnt lessons along the way.

I was in a meeting with HSC when they were deliberating and understanding and listening to some of the lessons that they have learnt about their recent Our Hospital Modernisation (OHM) project that they made the very difficult decision to cap out and close down. Now to me, that is a very difficult decision that they made with informed information and they made it wisely. Some of those lessons that were learned from that failed project were taken into the project that then has delivered us Les Ozouets Campus and is now a great spectacle of what we can actually deliver, a £70 million project that will deliver for children, students and our tertiary education in the future.

When I think about the buildings and the component parts of this, and when I read the policy paper, I was drawn to the fact that over 30 years, the life cycle costs are estimated to be £15 million cheaper by making this move than trying to retain the sites that we have that are spread. (**A Member:** Hear, hear.) Not only is it going to be £15 million cheaper to do this over that 30-year period, it frees up another £8 million in sites that we are able to deploy into much needed housing. I think that the choice – and again, this is about choice. It is about demonstrable decisions that HSC is making continually. They have chosen to refurbish and extend an existing environment rather

than rebuilding or building a new one. I think that that is equally a very sensible decision that they have made, and I will absolutely be supporting that.

I will finish as I began and think about, for the care of our community and the future of Guernsey, we have to demonstrate – and if we want children and our community to trust us, and I know that Deputy Ozanne talks about this often, we need to build that trust. We need to trust in the children that are going to come before us, and if we do not, they will not, and so I will be voting for these Propositions.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, ma'am.

Mine will be short. You cannot see it, I have hidden away my little crystal ball I carry for these votes, and I know this is going to be successful, but why is it that we are all speaking on the subject? I think it is because we are all trying to demonstrate the importance of what it is. I will revert to my colleague, Deputy Goy, as well with always wanting to have the information shared by the public. To be fair, everyone is saying that, Deputy Sloan as well, etc., but we all agree one thing, we just have to look across the waters to France and we see what is going on with education over there, and that has just escalated now to a level beyond belief.

The other one, today is one of these odd ones, it is strange where you have a policy letter win and then you have an amendment win and it is strange that poor Deputy Williams must be thinking, 'What happens here now?' The reality is we are all ready to go. We all want this to work. We all want to see it happen and we all want us to remind ourselves about the bronze, silver, gold. We are trying to do it the best way. We are not trying to do an overkill. We just want to share and get something right. We have all sat here, and some of us are new Deputies here, because we watched what happened in the last term of wanting an improvement.

I am very, very pleased this has been brought forward. Very, very pleased by the way the amendment was brought forward as well with the back, but it shows that the direction is right. I would like to add one more thing through you, ma'am, is that from our Chief Minister talking about the ways we are going to improve things and do things better, this, to me, correlates and it just gives us a stronger chance. I will be supporting.

The Bailiff: Thank you.

Deputy Williams.

Deputy Williams: Thank you, madam.

Just a few quick points that I would like Deputy Oswald to cover in his roundup. Could he give us some reassurance about the location of the proposal rather than it be just building-led as an opportunity and a bit more detail about the level of design detail that has been gone into which then creates the cost estimates? Can he give us some confidence about the design consideration and the cost estimates that are in there? Similarly to Deputy Montague, I had questions about how benefits will be measured in terms of bringing everyone together and the measurements of such. That would be very helpful.

Thank you very much.

The Bailiff: Thank you.

Deputy Camp.

Deputy Camp: Thank you.

I was not sure whether I was going to speak on this or not, but obviously I am, I am up. *(Laughter)*

For me, I think the problem that we have is that nobody would stand up in here and say, 'Children should not have the best of everything', and I think it is really unwise to base people's decisions based upon that premise, because that is such an obvious premise. The difficulty that we have is

that in doing so, we consistently commit other people's money to the wish that we make things better and we do not evidence it. That was really the thrust of the Scrutiny Management Committee. There is lots of good intention, but how do you actually evidence that good intention can be achieved?

I am really surprised during this debate we have not had the tried and tested trope of, 'Do not let perfection be the enemy of the good'. I wrongly foresaw that that would be used, but I am going to talk about the opposite problem that I think we still continue to have here, that when imperfection is accepted so often it becomes the baseline. You are dealing with a phenomenon known as creeping normalcy or the normalisation of deviance. This shift moves a cultural project away from healthy pragmatism and into systemic dysfunction.

I quite like the slippery slope of good enough, which is Voltaire. I do not normally quote lots of very clever people. I leave that to the other people, cleverer people than I, in this Assembly. However, he warned that demanding perfection halts progress. Modern quality control warns against the opposite extreme. Shifting goalposts, when you constantly accept good enough without a plan to iterate or fix underlying issues, the definition of good degrades over time. I worry that that is where we are.

We look at this as something that is good, but I do not think we often consider that perhaps our definition of good has fallen well below the standard of what we should expect. I do believe we ought to have better due diligence around these projects, we ought to have better constructed business plans, and we ought to be very cognisant when we do, that we are not spending our money. We are spending everybody's money on this Island and it is incumbent upon us to ensure that we get good value from that and that we do not allow the tried and tested trope, 'Do not let perfection be the enemy of good' to somehow be the counterargument about spending public money wisely.

Of course, I support the thrust of this. I do not like the idea – I was supportive of the amendment, but I do not think that Health should ever bring a policy letter that puts housing at the top of its agenda, which I think was suggested during another speech. That, to me, felt pretty perverse actually, but I think what it ought to do is come with everything that Scrutiny has identified. That comes from a place of proper dispassionate consideration of when you are spending other people's money, spend it wisely.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, madam.

I was not going to speak on this, but it shows the power of debate because I think I have changed my mind, which Deputy Oswald will probably enjoy my change of mind. When I first read this and the headline Proposition, I thought to myself, 'Wow, £22 million for an existing building. That is a lot of paint on it or a lot of insulation, or even perhaps a lot of plasterboard' (**A Member:** Hear, hear.) but the beauty of debate has come out in that Deputy Humphreys has helped me with understanding the value of the land that is going to be realised from the three sites. Deputy Collins, with his accounting head on, about what the rent could bring from those houses or even the resale value if we went down that route as well. I wholeheartedly endorse that we are changing the procurement processes as well, which Deputy de Sausmarez described.

What I would like to understand from Deputy Oswald in his summing up, similar to what Deputy Montague asked, is whereabouts in RIBA stage does the £22 million come from? RIBA, we have used before in the States and has various stages, one to eight, I understand. Maybe forgive me for not recalling correctly, but I certainly understand there is one to seven of them. What does this estimate get us to in that sort of staging?

I also wanted to comment on the transport infrastructure. If there is going to be an increase or different peaks, then certainly we should take the School Streets into consideration. There may need to be tweaks to public transport as well, although that site is that area, not that specific site. That area is well served certainly by the scheduled bus service at the moment, recognising the fact of the

physical constraints of the lane. Again, something different might need to be done there. P&R, I might be knocking on your door for additional resource if we need to make some changes up there too. *(Laughter)*

Thank you.

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

In that case, I will turn to you, Deputy Oswald, to respond.

Deputy Oswald: I thank all the Members – and I think most Members have spoken on this – for the level and intensity and the high level of cognition of the processes we face.

In my response, I want to make it absolutely clear that vulnerable young people on this Island are at the centre of this process. I am not shroud waving or anything like that, but we are aware that we have got a real problem with – even though our birth rate has dropped, the complexity of the issues that Deputy Montague has to face in education is rising. A lot of the origin of this is in the early years and there is significant – if we are looking for evidence, one of the real pieces of evidence which actually shows intervention in the early years is very advantageous is in the costs, which have been estimated by England and Wales, if we do not actually go down that route.

Initially when we started this, I was going to split my responses into themes, and I thought we would probably have four or five themes. At last count, it is up to about 13. Clearly, there is going to be some cross cover between these themes. I apologise for that. If I miss anything out, then I am sure somebody will remind me, but I am not going to name each Deputy with each theme. I am going to mention a few Deputies by name as having particularly, in my view, important and interesting contributions, and these will be Deputy de Sausmarez, Deputy Montague, Deputy Sloan, Deputy Ozanne and Deputy Niles.

If I start going down the themes, although I have not put them in any particular order, but at the top of the list is confidence in delivery, which clearly was a recurrent episode. We are in the unfortunate position, as it were, as being the Committee which has had to cancel a project because it was vastly overrun and over budget, and bringing another project back to the States just when we have done that and probably the first new major capital project to present to the States in this political term. Not surprisingly, in view of what has been going on, we are going to face a lot of stick about this.

In terms of reassurance, there are two aspects here. The first is I was a non-voting Member on the Committee *for* Health & Social Care at the origins of the Our Hospital Modernisation Project and one of the themes was the role of the senior responsible officer. I remember sitting in the Committee at the time seeing the then senior responsible officer, who had a full-time day job at a time when that was under significant pressure, trying to manage and start the Our Hospital Modernisation Project off. I thought at the time that was wrong, and obviously subsequent events have shown us to be correct.

Also, as Deputy Montague alluded to, I was privileged to go on a tour of Les Ozouets Campus yesterday. Here we have a project which is being delivered on time and on budget and is very impressive. The reason why it is being delivered on time and budget is because of close supervision of the process by his Committee but also involvement of the Rules about how we manage major capital projects, which started with the Thornton Report which, as I remember, came after the so-called black hole episode, which led to the initial hiccup in the delivery of OHM1.

Yes, I think the States have to be confident that they can deliver these major projects. Clearly, the history, particularly with our Committee, is not good. I would just point out, of course, that much of the generation of those particular episodes were in previous terms. I am not attributing blame, but we have had to pick up the pieces, and we have picked up the pieces. When we were presented with the evidence produced by the same process, which is actually reviewing Les Ozouets Campus build at the moment, i.e. a proper POG, skilled staff who know what they are talking about, who have been brought in to oversee the process, then we made the appropriate decision to stop it. Now clearly, this new project will be governed in exactly the same way as Les Ozouets Campus is

and in exactly the same way that our current hospital programmes are endeavouring to follow, following the Thornton Report and the subsequent bits thereof.

Next themes are costs, tender process and GST. I am not going to go down the GST route. I am aware there is an issue about GST in building through whatever project we do, and it is not within my remit to discuss that. The tender process, Deputy de Sausmarez addressed that. Yes, I thought, 'Could we bring a policy letter to the States without quoting costs?' and I felt if we did not, people would say we are trying to hide behind it, and so we had to bring it. I totally accept the fact that making those costs public is probably a bit of a commercial liability.

The cost in terms of the £22 million, which is the upper limit, and the actual provision at the moment is £17.1 million. I am not a surveyor. I am not a builder. I do not have any building experience. I cannot sit here and say, 'Those costs seem high', albeit any building costs associated with anything health-related, similarly to when we have a boat, any costs related to the boat seem out of the sky. I am not in a position, in myself, to question those costs, but I take the point. In the full business case, which will come subsequently and the possible value engineering exercise in due course, those costs will be very carefully looked at by people who know what they are talking about.

In terms of the road, yes, that is a question I raised myself. I have driven up and down that road several times and had to stop and make way for traffic coming the other way. Clearly, Planning will have a view on this, but I will just remind you that the Burnt Lane site used to house 300 civil servants on it, who used to come all at the same time in the morning and go all at the same time in the afternoon and the road coped then. Now, with the Children's Hub there, yes, there is going to be increased traffic on that road, but we think it will be spread out during the day.

The impact may not be as bad as we may think it might be, but I totally accept the fact that we will need – but in a later stage of the process, if it is approved, we are going to have to have significant discussions with E&I and other interested bodies about how we cope with that. I am not qualified to comment on how we would go about improving that road. Clearly, much of the road fronts on to private properties, which undoubtedly would have an impact, but quite a large section fronts on to States'-owned land and that area can be widened, I would have thought.

In terms of ongoing public communication about how the project is going, and particularly in reference to Deputy Goy's point about a dashboard. As Deputy Goy pointed out, at this Assembly we turned down the use of such dashboards in major capital projects, but I am totally of the view that the public need to be informed. We have learnt the lesson when the public is not informed, and I think going forward in this new project we will endeavour to keep the public informed at every stage. Bearing in mind the next big public stage, were the outline business case to be approved, will be when we bring the full business case back to the Assembly for further debate.

Co-location not integration, which I mentioned in my speech and Deputy Montague reminded me of the portents thereof. Medicine is moving in a way now, and not just medicine but social care services are moving in a way now, where all decisions are made in the multidisciplinary team approach. The ethos for multidisciplinary team working is already ingrained in most of the – well, all of the clinical services I have ever had contact with. Admittedly, because of my background, I have had fewer contact with children's social services than, for instance, adult social services, but I know that is the way it works.

I do agree that just putting people around the same table does not mean to say they all work together, but I truly believe that the ethos is there. One of the big examples of how that works is the Multi-Agency Support Hub (MASH) process, which deals with some of our youngest and most vulnerable people, and is sited at Perruque House, behind a cage, probably, at this very moment. There we have representation from Education, Health, Social Care, ESS and the police, all working round in one forum working together, which means that actually there is hard evidence to show that the turnover of cases, as a result of the introduction of the MASH process, is significantly better than it was beforehand. Nobody is suggesting we should turn back the clock on that.

Which brings me a little bit on to Deputy Sloan's comments about hard facts, and obviously echoed by Deputy Camp. I am aware that Deputy Sloan and Deputy Camp come of strong economic background, where it is quite easy to count pennies. I am afraid in the social services and social

sciences it is much less easy to count pennies and produce hard deliverables. I referred to in my speech that I did a literature search looking for the evidence base for putting everything under one roof producing an improvement in outcomes as can be determined. I have to say, even though wherever I looked it was strongly advocated, the approach we take, to find the actual evidence was difficult.

I did find a couple of studies from Australia which supported it. For instance, if you look at the Princess of Wales Royal Trust, they are absolutely in favour. They think this is the only way to go in delivering children's services and that has been taken up by the UK Government, as a result of which £800 million is being invested in the UK in exactly the sort of service we want to replicate here. I think we have to learn from other people's experience.

I would love to be able to say, 'Yes, we can do a project over a year and show that children turning up at school who cannot potty train, or whatever, is reduced as a result of having an integrated hub working together where people talk to each other'. Maybe that is a project we can go down or something similar, but that is not easy to do in the social sciences. I am a trained clinical scientist. I know exactly the reason why you are suggesting this, 'Okay, we need to form a hypothesis and test it', and maybe that might be quite an interesting use for when we hopefully move into our new hub. Form a hypothesis, 'Is this working?' and test it and come back to this Assembly and report on that.

Recruitment and retention, which Deputy Bury returned to. I do not know what other people felt, but I have to first make an admission; my tour of the current service provision was the first time I have ever been in those buildings, despite the fact I have been on this Island for 40 years and in medicine for 34 years of that. Although, I have heard horror stories of what was going on down there for many years. I thought, 'How does anybody work for us? Why should they come and work for us?' If you are a highly trained community specialist, say, for learning disabilities, why should you come to Guernsey and work out of a garret where you have to get out of the window to get out of the building in case of a fire?

I think the reason why people do work for us – and the turnover in healthcare staff is running at about 10% to 12%. I do not think in community services it is any different as compared to other areas. I thought it would be much higher than that. I think the reason why the turnover is where it is, is because there is good leadership and people like their work and they enjoy their work and are committed to their work. As they are committed to their work, they will be committed in this new building to deliver the best service available for the children of Guernsey.

Yes, hard evidence for outcomes; done that. Refurbishment and location. I cannot agree with Deputy Sloan that we should be looking at a building elsewhere and refurbishing. I enjoyed his account of the Camden process. I was stunned by the cost even five or six years ago, which seems remarkable in London. I would have to query that, but I am not going to go down that route.

From experience, Medical Specialist Group (MSG), when I was on the board there, we talked about moving properties into town at some point or a more central location. We toured a number of properties, most of which were posh office blocks with marble façades and steel glass windows and wonderful. Not a single one of those were suitable for clinical use. Not a single one. If we were to actually say, 'Okay, we are going to abandon our current buildings because clearly they are past their sell by date and look for somewhere else that we can refurbish', in five to 10 years' time, we would be having exactly the same conversation, even if we could find somewhere which suited, which I very much doubt.

In terms of location, which is a point and was raised to me during the tour, 'Should not our service hub be situated somewhere in the centre or the north of the Island, where two-thirds of the population live?' I think that is a good argument. I raised that question specifically. The problem is sites up there are few and far between. There are brownfield sites, all of which would cost a great deal of money to develop. At a time of fiscal straightening, we took the pragmatic approach to build on a site already owned by the States and develop that at a cost which may be high but would be a lot less high than building a new site somewhere else.

Housing release. I disagree with my colleague, Deputy Matthews. I did not think housing release should be at the top of our priorities. At the top of our priorities, as I mentioned before I started talking, was vulnerable young people who clearly, if we do not intervene, we will see the same sort of results that the UK reported in terms of delay and intervention at that number.

What exactly does £22 million, or £17.1 million with the optimism buying of £5 million, produce? I produce a long list of services. I know it is a long list of services but, again, can be provided. I think it is quite right that we will question the costs and we will do that at the full business case procedure. I would just caution, and I think this is true, as I said earlier, anything with a health label attached to it unfortunately comes at a higher price than would otherwise be expected.

I was stunned, but very pleased to hear Deputy Gollop saying, 'We must not go down rabbit holes', and I thought, 'Absolutely wonderful'. RIBA stages for – I cannot remember who asked this one. This is an outline business case. I am very much aware of RIBA stages, having had them drilled into my head over the OHM process. From memory, and to be fair, it is a while since I read the whole 130 or 140 pages of the business case, I cannot remember RIBA stage being quoted there, but I am probably wrong. If it is, it is going to be at a very early stage. Clearly, when you come to the full business case, then the RIBA stage will be defined and will be mentioned.

I think that is it. Thank you very much. My final comment is – hang on, I have a bit of an end speech, but I do not think we need to do that, quite honestly. If Madam Bailiff is happy, I am quite happy to wind up this debate now, unless Madam Bailiff thinks I should actually deliver my end speech, because I think it is just repeating a lot of what has already been said.

The Bailiff: Matter for you, Deputy.

Deputy Oswald: Okay, so I will not. I am quite happy. We have taken on board the comments. I thank the Deputies for their educated comments and we have listened. I very much hope that the States will have the confidence to allow HSC to develop this project with appropriate public and States' supervision, and I look forward in due course to informing you of progress on this matter.

Thank you very much.

The Bailiff: Thank you, Deputy Oswald.

I have had a request that we deal with the three Propositions separately, so they are going to be put on your SEV separately. We deal first with Proposition 1. The States' Greffier has anticipated me saying this and you will see on your screen Proposition 1.

I will ask the States' Greffier to open the voting, please.

There was a recorded vote.

Carried – Pour 31, Contre 4, Ne vote pas 0, Did not vote 4, Absent 1

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

Laine, Marc
Le Brun, Ross
Malik, Munazza
Matthews, Aidan
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
Snowdon, Alexander
St Pier, Gavin
Strachan, Jennifer
Van Katwyk, Lee
Vermeulen, Simon
Williams, Steve

The Bailiff: In relation to Proposition 1, there voted: pour 31, contre, 4, and 4 Members were not in the Chamber at the time of the vote. I therefore declare the Proposition has been passed.

Members, Proposition 2 is now on your screen. States' Greffier, would you kindly open the voting?

There was a recorded vote.

Carried – Pour 28, Contre 6, Ne vote pas 1, Did not vote 4, Absent 1

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

The Bailiff: There voted in relation to Proposition 2: pour 28, contre, 6, there was 1 abstention, and 4 Members were not in the Chamber at the time of the vote. I declare that the Proposition has been carried.

Proposition 3, please. Yes, kindly open the voting, please.

States' Greffier.

There was a recorded vote.

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

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	Helyar, Mark	None	Cameron, Andy	Rochester, Sally
Burford, Yvonne			Dorrity, David	
Bury, Tina			Inder, Neil	
Camp, Haley			Leadbeater, Marc	
Collins, Garry				
Curgenven, Rob				
de Sausmarez, Lindsay				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Hill, Edward				
Humphreys, Rhona				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Van Katwyk, Lee				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: There voted in relation to Proposition 3: pour 34, contre 1, and there were 4 Members not in the Chamber at the time of the vote. I therefore declare Proposition 3 has also passed.

COMMITTEE *FOR* EMPLOYMENT & SOCIAL SECURITY

16. Contributory Benefit and Contribution Rates for 2027 – Propositions Carried

Article 16.
The States are asked to decide:
Whether, after consideration of the policy letter entitled 'Contributory Benefit and Contribution Rates for 2027', dated 14th September 2026, they are of the opinion:
1. To set the contributions limits and rates as set out in Tables 4, 5 and 6 of the policy letter, from 1st January 2027.
2. To set the standard rates of contributory social insurance benefits as set out in Table 7 of the Policy Letter, from 4th January 2027.

3. To set the contribution (co-payment) required to be made by the claimant of care benefit, under the Long-term Care Insurance Scheme, at the rates set out in Table 12 of the policy letter, from 4th January 2027 and 5th July 2027.
4. To set the weekly long-term care benefit at the rates set out in Table 13 of the policy letter, from 4th January 2027 and 5th July 2027.
5. To set the weekly respite care benefit at the rates set out in Table 14 of the policy letter, from 4th January 2027.
6. To note the Committee's intention to use the power conferred on it under section 24(5) of the Social Insurance (Guernsey) Law, 1978 to reduce, by Regulations, the maximum aggregate period for which a person can receive unemployment benefit from 210 days to 150 days.
7. To amend section 32 of the Social Insurance (Guernsey) Law, 1978 to reduce the "relevant period" for bereavement allowance from 52 weeks to 26 weeks, and to provide that individuals already receiving bereavement allowance when the amendment comes into force will retain entitlement for up to 52 weeks under the existing provisions.
8. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

The States' Greffier: Article 16, Committee *for* Employment & Social Security, Contributory Benefit and Contribution Rates for 2027.

The Bailiff: Deputy Bury.

Deputy Bury: Thank you, ma'am.

This policy letter for the 2027 contributory benefit and contribution rates relates to the uprating of the contributions to and benefits from the Guernsey Insurance Fund and the Long-Term Care Insurance Fund. The Committee is recommending a 4.3% increase in the full rate of the States' Pension and all other benefits funded through the Guernsey Insurance Fund. This is in line with Guernsey RPIX as at 30th June 2026.

This will help ensure that pensions and benefits continue to keep pace with the cost of living for those who rely on them. Members may note that this is not the usual uprating policy for pensions, which is to use median earnings as an anchor point, but due to well-publicised continued issues at Revenue Services, this data is not available to us and therefore aligning with RPIX is the most sensible approach. In addition, the Committee proposes that the sum of the co-payment and the long-term care benefit be increased by 5.3%. This is in line with the uprating policy approved by the States reflecting Guernsey RPIX plus 1%.

The Committee is taking responsible action to improve the financial resilience of both the Guernsey Insurance Fund and the Long-term Care Insurance Fund. As such, the Committee recommends that the sixth step of the States'-approved 10-year plan to increase percentage contributions to the Guernsey Insurance Fund is continued for 2027. Although this is the agreed plan, part of that resolution was that each annual step be subject to States' approval, hence its inclusion.

It is prudent to continue the 10-year plan at this time, despite the approval of the GST-Plus package, which includes changes to social security contribution rates, as those changes will not be implemented until 2029. As such, in 2027, contributions to the Guernsey Insurance Fund would be increased by 0.1% for employees and employers, and by 0.2% for self-employed and non-employed people under pension age. This is expected to generate around £4.1 million in additional revenue. These measures are particularly important as our population ages and demand for pensions grows.

On a slightly different note, supporting long-term sustainability of the funds requires not only prudent contribution and benefit policies, but also effective stewardship of the fund's investments. The Committee notes that although the States' Investment Board has set an ambitious long-term return target of the UK Consumer Price Index plus 5%, investment performance has fallen short of

expectations. Returns in 2025 were 7.2% below both the target of 8.5% and the policy benchmark of 9.1%, while 10-year annualised returns also remain below the long-term objective.

While the States' Investment Board sits under the P&R mandate and so is largely out of ESS's control, its performance impacts funds under our mandate and so this longer-term underperformance is of concern. Therefore, the Committee has requested that an ESS Committee representative attends future States' Investment Board meetings in an observer capacity to strengthen oversight, transparency and accountability. We are grateful to P&R for their agreement.

Maintaining sustainability is not simply about increasing income. It also requires us to ensure that available resources are used effectively. As mentioned in my Update Statement, to support this objective, the Committee continues an invest-to-save initiative in the Work and Wellbeing Strategy and has also established the Savings Working Party to identify savings across the Committee's mandate.

While it is important to protect those who rely on social insurance benefits, it is equally important that Guernsey Insurance Fund is able to continue meeting its obligations in the years ahead. That in mind, there are some policy changes before Members today. These proposals are proportionate, targeted and designed to deliver savings while maintaining a strong safety net for those most in need.

The first policy change is to reduce the maximum duration of unemployment benefit from 210 days to 150 days by way of regulation made by the Committee. (**A Member:** Hear, hear.) The Committee believes this reflects the reality of Guernsey's current labour market, where unemployment remains low and many employers continue to report recruitment difficulties. Analysis shows that most claimants return to work before reaching the current 210-day limit, meaning the change will affect only a relatively small number of people. It will nevertheless continue to provide up to five months of contributory support while encouraging earlier engagement with employment opportunities.

The measure is expected to generate savings of approximately £100,000 per year, helping to reduce pressure on the Guernsey Insurance Fund while preserving access to means tested income support – income support, not capitalised – for those who are unable to secure work within that period.

The second policy proposal concerns bereavement allowance; a weekly benefit paid for up to 52 weeks to people under pension age following the death of their spouse. The Committee recognises that the loss of a spouse is one of the most difficult experiences a person can face, and bereavement allowance will continue to provide important support during that period of adjustment. However, the benefit was introduced at a time when many households depended on a single income, whereas today it is much more common for both partners to participate in the workforce.

The Committee therefore considers that bereavement allowance should focus on providing support in the immediate period following a bereavement rather than acting as a longer-term income replacement. Reducing the maximum duration of bereavement allowance from 52 weeks to 26 weeks is expected to generate savings of approximately £250,000 per year, representing the largest component of the savings package before Members today.

Importantly, existing recipients will not be affected by the change and those experiencing ongoing financial hardship will continue to be able to access means-tested income support where eligible. Together, these two measures are expected to deliver recurring savings of around £350,000 each year.

Whilst modest in the context of overall expenditure, these savings form an important part of the Committee's wider programme to strengthen the long-term sustainability of the Guernsey Insurance Fund. As I mentioned in my Update Statement, there is more work to be done in this area but it does need to be considered.

Madam, in conclusion, this policy letter strikes an important balance between supporting people today and preparing responsibly for the future. It proposes a cost-of-living increase in pensions and social insurance benefit rates to help Islanders meet rising living costs, provides continued investment in long-term care, strengthens the financial position of the Guernsey Insurance Fund

through modest contribution increases and introduces carefully targeted saving measures designed to have limited impact on those in need. Taken together, these proposals are responsible, balanced and forward-looking. They support pensioners, working families, those experiencing ill health or disability and those requiring care, while recognising the financial challenges created by an ageing population, increasing demand for services and the need for stronger long-term financial performance.

The Committee therefore believes these measures are both necessary and prudent, and I ask Members to vote in favour of the Committee's Proposition.

Thank you, ma'am.

The Bailiff: Who wishes to speak?

Deputy Hansmann Rouxel.

Deputy Hansmann Rouxel: Thank you ma'am; and I thank the President for Employment & Social Security for the presentation of the contributing benefits and rates for 2027.

There are a few minor things that concern me about the policy letter. I will, however, support it but I just wanted to put these on record. I appreciate that the Committee has made some awkward and difficult decisions. They have looked at where they can possibly find savings, and I recognise the position they are in, but I do worry about the unintended consequences. The policy letter acknowledges that some of the savings, and the Committee seems almost reticent to call them savings, will be absorbed by increases in income support payments in some of the areas. I think we need to look carefully at what that actually means.

The proposed reducing of unemployment benefit from 210 days or 30 weeks to 150 days or roughly 21-and-a-half weeks. The justification given by the President is that unemployment is low at around 1%, the employers are reporting difficulties recruiting and that very few people go beyond the 151 days. Claimants are already required to be available for work during this period, actively seeking employment and demonstrate that they are doing so. So my question is, what evidence does the Committee have that reducing the entitlement period will actually accelerate someone's return to work when they are having to look for work anyway rather than simply removing the financial support for people who are already doing everything that is required of them. I appreciate most people find work before the 210 days, but what do we know about those who do not? What are the circumstances of those people and are we potentially just moving costs from one part of the system to another.

The other thing is the concerns around the proposal to reduce bereavement allowance from 52 weeks to 26 weeks. Again, this is a contributory benefit and it is not means-tested. What evidence does the Committee have that the actual financial circumstances of those receiving bereavement allowance supports the conclusion that six months is sufficient. How many surviving spouses are themselves employed? I appreciate that the evidence is that when it was first introduced, there was only single-salary households. But how many of those who would lose their entitlement between 27 and 52 weeks, would the Committee expect to move to income support? Because, and this is from paragraph 6.16:

> Individuals experiencing ongoing financial hardship may be eligible for means-tested income support alongside bereavement allowance or after entitlement to the allowance has ended.

The word 'may' concerns me, because income support is substantially different and has substantially different eligibility criteria. It considers household income, savings and capital and there can be work requirements. Someone can be experiencing genuine financial hardship and still not qualify for income support. It is that group of people that I think we need to be really cognisant of because the whole point of bereavement support is to support somebody going through the worst point of their lives. They might have savings above the capital limit, they might have income support or lost a substantial part of their household income following their spouse's death.

I do not want to extend this any longer because I can see that Members are being less than generous with my contribution. However, I just wanted to put it on record that I feel that we do, as an Assembly, need to recognise the cumulative effect of all of these small, little savings that we are asking each and every Committee to do. The cumulative effect is being felt by the members of the public, and they are constantly telling us they cannot take any more.

I just want to make sure that when we are considering these policy letters, we are considering them in the round. I believe that the Committee has done a lot of work to look at these. I just wanted to highlight that those are the decisions that we are making, and that just voting through all these savings cuts might be ticking a box that there is a lot of thought and impact that has to be thought about when designing these cuts.

Thank you.

The Bailiff: Anybody else wish to speak?

Yes, Deputy Collins.

Deputy Collins: Thank you ma'am.

Deputy Rylatt reminded me yesterday, my former colleague, I was probably going to bring a number of amendments this debate. But, in frankness, I decided not to. For me, I am desperately keen to see that actuarial report, which we know is probably due at the end of the year. As Members know, I have been passionately talking about several parts of this. Maybe when we get the report and we may be needing to do some things, things, I may be a good ally for the Committee because I am certainly not afraid to make some tough decisions when it comes to some of the benefits in here.

As I always point out and something that always reminds me that, as we said, 31% of pensioners are not on this Island. The value of that is 13% of the fund and, as we know, the value is now going to hit £199 million. So we are talking about sizable monies.

When I look at somebody in the UK, their pension per week would be £250.70. They could be living next door to a Guernsey resident that has moved there on full pension who is going to get £304. So they are going to get an extra £54 but their baskets of goods every week is going to be the same. That is the point that I was making, the whole thing itself does need to be thought about and looked at.

So for me it is unfortunate that – and again I know I have had lots of interesting conversations with former Deputy Roffey through *The Guernsey Press*, I mentioned pensions, he very kindly published 40% of what I said and then criticised me for not commenting the other 60% which I did, which I found very amusing. But, of course, he mentioned the investment returns that, as has been pointed out, are actually far too low and actually would have crept the fund up to be much higher than it is.

As the Treasury Minister pointed out in, I think, the hearing the other day, we either have a user pay scheme or we have a savings kind of scheme. As I said before, we have got three and a half times a year's worth of funding in that, a user pay scheme as we were told by the actuaries when I was on the Committee – we asked them – generally three to six months. So we are in a really good position but long term we have got to make sure that there is not this intergenerational fairness.

My generation have been and will have to work to 70 and, for me, I think there are lots of things we could look at, maybe not popular decisions but I was also waiting for a decision today about long-term care. We have agreed, thanks to one Member, now that it is going to be 10 years, ma'am. Perhaps the pensions currently – you can work for nine and a half years you get nothing from it but work to 10 years you start getting pensions and it works up to 43 years. Maybe we need to change some of that. Maybe we need to freeze pensions and start generating a Guernsey allowance, therefore allowing people not on the Island to create a bit of difference. Possibly.

There are lots of things we can do. As I said, ma'am, I am fully intending – I would like to have brought some amendments but it just was not in me because we did not have the evidence to present good amendments to it.

Just on that, I am delighted that the investment panel shadowing is going to happen. That is something that I think we discussed when I was on the Committee and we met with the panel. I think that is really good, because that is one of the three stools that investment returns to this fund is very important and the Committee should certainly keep focus on that even though it is delegated to P&R to do so.

From me, I am not going to say much more than that. I thank the Committee for bringing forward some savings. There definitely seemed to be comments that the two Members that left ESS was all about savings, but I think we left for slightly different reasons. I was not complaining that the Committee was not doing savings, just the manner in which they were doing it, which did not sit with me. But I did not want to make too much comment about that. I have left. I am focusing on other work I want to really focus on.

So I do thank the Committee for bringing this policy letter. I will be very supportive of it. I look forward to working with them over the next year, depending on what that actuarial report says, about maybe some hard decisions and hard thinking. So I do hope they will let me come in and have some conversations with them. We can perhaps work on a few things for next year's Budget.

The Bailiff: Deputy Ozanne.

Deputy Ozanne: Thank you.

Members are getting a slight insight, I think, into how some of our previous ESS meetings were quite interesting, because we held very different views, particularly on pensions. Some of us felt it was actually a good thing that many people left the Island in their older age, so we were not burdened with them for long-term care reasons. But we have gone around that wheel a few times.

I really rose to say, if I may, through you, ma'am, to Deputy Hansmann Rouxell, that she raises issues that we also, in Committee, have spent some time struggling with. But as my President may well touch on, I think one of the things that we looked at was the untargeted nature of some of the benefits and that, in a sense, they are not means-tested. We have been trying to find new ways of ensuring those who need them most get the benefits that they need. A terrible plug but that is why I am bringing an amendment to the Budget that will look to do just that that she may want to support me on.

Thank you.

The Bailiff: Deputy Sloan.

Deputy Sloan: Thank you, madam, I appreciate it is 5.30 and everyone is looking to go home before the weather and stuff like that. But I have got a couple of comments to make because Deputy Bury does lament the fact that we do not really debate the contribution rates, and she has always spent all that time arguing about them. So I thought I would help her and make some comments.

We had a really good hearing with Social Security the other week. One of the points that we are looking to develop and report on – we will share that with ESS before it is published and get their comments – in our preparation for that hearing was we looked at the numbers previously. I make this reference sometimes to controllable and uncontrollable rises in benefits. If you go back to 2011, I think it was with Professor Wood – it might be 2012 – and we did this assessment of what had been the controllable and uncontrollable rises in the pensions payments over the previous 10, 15 years. At the time, I think it was about 30% or 40% of the rises in pension costs had been what you call controllable. It had been due to rises in benefit rates as opposed to rising numbers of pensioners.

Now, if you do the same exercise over the last 10 years, in actual fact, the controllable element had reduced. In actual fact, the 90% of the rise had been due to uncontrollable costs. So in terms of when it comes to ESS expenditure, what we are finding is that in actual fact it has mainly been driven by the demographics. It is not being driven by an extra public sector largess.

One of the other points that we found was, in terms of the income support in other areas, in fact the increase in claimant costs there have been driven by economic circumstances and are worsening the economic circumstance. The reason I want to make this point and to raise it with people is that, while I go on about the economic circumstance of the Island, we talked about projections going forward and when we did the long-term care projections and stuff there were various different assumptions, a 2% rise in real average earnings and maybe a 1% rise in population. It varies with all those different assumptions.

If you go back over the previous 10 years, 15 years I think it is, and say, 'Look, if average earnings had risen by 1% in real terms over those last 15 years, the counterfactual would be there would be £50 million more going into the Social Security Fund today'. That is a real loss due to our anaemic economic performance over the last 15 years. These are the real costs of what has been the underlying problem facing the Island going forward, in that our long-term economic performance has worsened over the last 10, 15 years.

I just wanted to make those points because I got the opportunity to do so. You are all listening, you are all waiting to go home, I get that, but in terms of the benefits and such, it is an important point because the burden of social security falls on the same people with the burden of taxation. An extra 0.1%, or 0.2% or a 1% over five, seven years period is still taking that 1% out of that person's pocket, whether it is tax or whether it is social security. So to minimise the burden on people, what we need to be doing, and Deputy Kazantseva-Miller will be nodding her head furiously in agreement if it was not for me saying it, is to ensure that the long-term economic performance on the Island improves over the next 10 to 15 years. Because as bad as it has been over the previous 10 to 15 years, we really will be in a sorry state.

That is it and I hope you enjoy Storm Austen. Thank you.

The Bailiff: Does anybody else wish to speak in debate on this?

Deputy St Pier.

Deputy St Pier: Thank you, madam.

I think Deputy Collins makes some interesting points about the funding levels, particularly in the Guernsey Insurance Fund, of whether it is indeed a pay-as-you-go scheme or something else. That is an issue which has concerned me for a little while, and I think it is worthy of further examination. Deputy Collins may be encouraged to know that, and indeed he may wish to participate in this, that we have been in discussion with some Members with a view to, again, possibly a Budget amendment with some directions to P&R in relation to some work around that ahead of the Medium-Term Financial Plan, which I think would be an appropriate place to look at it.

But in relation to this operating report, madam, of course, as a relatively new member of the Committee but one that has participated fully in this policy letter, I do endorse all its Propositions and will be supporting them all.

However, I want to draw attention to one matter which again does cause me some concern, and that is in relation to paragraph 3.1, which draws attention to the contribution rate journey which the States has been on since October 2021. So on the basis of that advice from the UK Government's actuary in relation to the performance of the funds, a journey of increasing contribution rates over a 10-year period. Of course, what the States in October 2021 did not know, because it does not have a crystal ball, was that Russia was going to invade Ukraine, that the US President was going to embark on a war in the Middle East, that there were going to be at least two, possibly now three, significant spikes in inflation, that interest rates having gone up and come down, appear to now be going up again, and our own economy and the developed economies around us continue to experience low growth. All the while, we have continued to sail those fairly choppy seas with this policy.

Turning the page to paragraph 3.2, the Committee reminds the Assembly that the proposal in November 2024, of course, was to introduce tax reform from the start of next year. Of course, the States has now made those resolutions, but to introduce it from the start of 2029. So a delay of two

years. That, of course, is a delay of two years in terms of the introduction of social security contribution annual allowances and the benefit that will bring to many contributors.

The net result is that over the period since 2021, there has been a significant increase in the contribution burden. Particular concern would be the employee contribution rate and the self-employed contribution rate. Now given the timing of this debate in relation to the Budget Report in a couple of weeks, it is difficult to know what the final shape of the burden on the community will be until we have seen all the resolutions which emerge from that debate and, of course, we do not know what resolutions will emerge until we know what amendments emerge and succeed. But as a Government, certainly at the moment what is on the table is no real attempt to recognise the significant cost-of- living pressures and burdens which have been on the community and remain on the community at the present time. Unlike other jurisdictions around us, we are not making any attempt to address that.

Again, that is no criticism of really either the Committee *for* Employment & Social Security and Policy & Resources who are operating parallel pieces of work in relation to the demands on the community through taxes and social security.

But I really rise to draw attention to the fact that certainly we at Forward Guernsey are giving consideration to potentially bringing in an amendment to the legislation at the end of the month to introduce a temporary reduction in the contribution rate for employees and the self-employed for 2027 to recognise those cost-of-living pressures. But the final determination of that can only really take place once we see the full output from the Budget.

I do not think it would be appropriate to stay silent on that matter through this debate and going into the Budget debate without at least having drawn attention to the fact that it is in our thoughts, and we are giving some consideration to that. Again, we will be very happy to engage with other Members to share our thinking on that as we go through the next few weeks heading into both the Budget debate in two weeks and the legislation which will emerge from this policy letter at the end of November.

The Bailiff: Deputy Gollop.

Deputy Gollop: I am a bit concerned about the direction of travel. We seem to be going down a few rabbit holes. I do entirely support and empathise with what Deputy Hansmann Rouxel has been saying, and will not support those efficiencies or cuts. I think we have heard quite interesting ideas from Deputy St Pier, Deputy Sloan and Deputy Collins, but they worry me because they go deeper than this. I do think we are in danger of moving away from the concept of universal benefits for people who are in vulnerable situations.

For example, if we start to investigate whether 43 years' qualification to get a full Guernsey pension is there, well I think the UK is 35 years. That is one instance, and if we started to query whether you should have a local rate or not, then you might have to do that for every country in the world because people will argue that they have paid in for it.

I think, given the fact that people who are bereaved or people who are unemployed do have problems, and I sympathise with what Deputy St Pier says about the cost of living but I am not sure either reducing contributions from the more successful – or in particular cutting to certain elements that have been in place for years is the way forward but generally I support the package.

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

Deputy Bury.

Deputy Bury: Thank you, ma'am; and thank you to Members for their contributions.

I probably do have time to go through them all briefly. So starting with Deputy Hansmann Rouxel, thank you for your, as usual, interrogation of the policy letter. Unintended consequences and cumulative effects. I do not think that we could be more cognisant of those, but we are under direction to make savings and we are looking at how we do that. And

because of the nature of those in receipt of benefits, whether that is unemployed, elderly, unwell, all the usual categories that we mention, none of them are going to be particularly palatable. All the savings that we bring forward will impact some particularly vulnerable groups of our community negatively, and that is why we are taking quite some time over it. We want to make sure that they are considered and where the impacts do occur that we hope they are manageable. So we can look forward to more of this, is basically what I am saying.

In terms of the specific questions. Reduction of unemployment benefit, what evidence do we have that this will, I suppose, speed up people's approach? I am not sure that we do have that specific evidence, to be honest. Like a lot of policy, it is about promoting behavioural change, hopefully. So if that deadline is looming closer, then we hope that will create that change.

Again, sorry, I feel like I am being a bit picky, I am not sure that we have actual figures about how many spouses are employed. To be clear, bereavement benefit is available to those under pension age, and so the likelihood of employment is quite high. But obviously, I suppose there will be some data looking back, and officers are on the case, but the very nature of death is not particularly robust in what the circumstances might be around that. So 80% of working-age adults are in full-time education, employed or self-employed at the end of December 2023. That gives a broad indication of how many people are employed and therefore might be entitled to the benefit. But I do absolutely accept Deputy Hansmann Rouxel's comments, as I said, around cumulative effects and unintended consequences. That is why the working party are taking a very careful approach to this. These were some of the, I suppose, quicker wins that we could bring as part of this uprating.

Deputy Collins, the actuary report. Yes, as I said in my statement, we anticipate that that will be with us by the end of the year and have pressed the Actuary's Department on that recently. As he said, yes, we know that that will then give us a stronger basis to be making future decisions on. I think some of the rest was some therapy, so I do not need to act in that capacity.

But as I assured at the not so recent now presentation from ESS to States' Members around our savings work, we have not forgotten the contribution that Deputy Collins made around pensions while he was on the Committee and nor do we intend to. But referring to my previous comments, everyone will know if we start touching pensions it is going to be a sticky wicket for everyone. So we are taking it very carefully. But we did not throw Deputy Collins's suggested papers out of the window as he went out the door. They remain under consideration.

Thank you, Deputy Sloan, for his contribution. I am not sure there was much for me to respond to there, but I am grateful for his observations.

Deputy St Pier, again, I think his speech might be more of a teeing up for future debates, but the mention of the 10-year plan, it was introduced again by ESS as a response to other policy areas not progressing, as they might have done. It was a backstop to GST or GST-Plus not being approved, and it has proven to be necessary. Did I say we are on the seventh step of a 10-year plan? That is all about shoring up the fund in lieu of any other action.

Obviously, we now find ourselves in the situation that something has been approved, and so it may well be that the rest of the plan is superseded, but that will not be until 2029, as we know. I think the rest of his speech was for others' benefit.

So, on that note, ma'am, I thank Members for their contribution and patience – I will give way to Deputy Gabriel.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: I did not speak in debate, ma'am, but one Member contradicted another, and I just wanted some clarification, which might help me with the way I will vote, which I see they are already separated out, so that helps me. Proposition 7 is a bereavement allowance, and I think I heard Deputy Bury say that it was not means-tested, but Deputy Hansmann Rouxel said it was means-tested. I would like to understand if it is means-tested or not.

Thank you.

The Bailiff: Deputy Bury.

Deputy Bury: Bereavement allowance is not means-tested. It was one of our considerations when looking at the benefit, but we decided as a matter of, I suppose, compassion and practicality, that perhaps if someone was in financial need, having just been bereaved, asking them to fill out yet another form for some financial support might not be the most appropriate way to make that saving. So the shortening of the duration was the preferred approach.

Thank you, ma'am.

The Bailiff: Thank you.

Members, there are eight Propositions. I picked up from Deputy Gollop that he might wish to have Propositions 6 and 7 dealt with separately. Is there any appetite for Propositions 1 to 5, sorry – 1, 2, 3, 4, 5 – to be dealt with separately or can they be put forward as one Proposition? We will do it as one Proposition then. So we will put – when the States' Greffier has had a chance to do this. Members, you have Propositions 1 through to 5, which is now ready for voting. States' Greffier, would you start the voting? Thank you.

There was a recorded vote.

Carried – Pour 33, Contre 0, Ne vote pas 0, Did not vote 6, Absent 1

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	None	Cameron, Andy	Rochester, Sally
Burford, Yvonne			Dorrity, David	
Bury, Tina			Helyar, Mark	
Camp, Haley			Inder, Neil	
Collins, Garry			Leadbeater, Marc	
Curgenven, Rob			Van Katwyk, Lee	
de Sausmarez, Lindsay				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Hill, Edward				
Humphreys, Rhona				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: There voted in relation to the first five Propositions: pour 33 and 6 Members were no longer in the Chamber at the time of the vote.

Members, you now have Proposition 6 on your screens. States' Greffier, would you open the voting, please?

There was a recorded vote.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Blin, Chris	Gollop, John	None	Cameron, Andy	Rochester, Sally
Burford, Yvonne			Dorrity, David	
Bury, Tina			Helyar, Mark	
Camp, Haley			Inder, Neil	
Collins, Garry			Leadbeater, Marc	
Curgenven, Rob			Van Katwyk, Lee	
de Sausmarez, Lindsay				
Falla, Steve				
Gabriel, Adrian				
Goy, David				
Hansmann Rouxel, Sarah				
Hill, Edward				
Humphreys, Rhona				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: There voted in relation to Proposition 6, pour 32, 1 contre and 6 Members were not in the Chamber at the time of the voting. I therefore declare that the Proposition has been passed.

Now Proposition 7 is on your screens. Greffier, would you kindly open the voting?

There was a recorded vote.

Carried – Pour 29, Contre 3, Ne vote pas 1, Did not vote 6, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Burford, Yvonne	Gollop, John	Blin, Chris	Cameron, Andy	Rochester, Sally
Bury, Tina	Goy, David		Dorrity, David	
Camp, Haley	Sloan, Andy		Helyar, Mark	
Collins, Garry			Inder, Neil	
Curgenven, Rob			Leadbeater, Marc	
de Sausmarez, Lindsay			Van Katwyk, Lee	
Falla, Steve				
Gabriel, Adrian				
Hansmann Rouxel, Sarah				
Hill, Edward				
Humphreys, Rhona				

Kay-Mouat, Bruno
Kazantseva-Miller, Sasha
Laine, Marc
Le Brun, Ross
Malik, Munazza
Matthews, Aidan
McKenna, Liam
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
Snowdon, Alexander
St Pier, Gavin
Strachan, Jennifer
Vermeulen, Simon
Williams, Steve

The Bailiff: There voted pour 29, contre 3, there was 1 abstention, and 6 Members were not in the Chamber at the time of the vote. I therefore declare that the Proposition has been passed.

Finally Proposition 8. Would you kindly open the voting, please?

There was a recorded vote.

Carried – Pour 33, Contre 0, Ne vote pas 0, Did not vote 6, Absent 1

Pour	**Contre**	**Ne vote pas**	**Did not vote**	**Absent**
Blin, Chris	None	None	Cameron, Andy	Rochester, Sally
Burford, Yvonne			Dorrity, David	
Bury, Tina			Helyar, Mark	
Camp, Haley			Inder, Neil	
Collins, Garry			Leadbeater, Marc	
Curgenven, Rob			Van Katwyk, Lee	
de Sausmarez, Lindsay				
Falla, Steve				
Gabriel, Adrian				
Gollop, John				
Goy, David				
Hansmann Rouxel, Sarah				
Hill, Edward				
Humphreys, Rhona				
Kay-Mouat, Bruno				
Kazantseva-Miller, Sasha				
Laine, Marc				
Le Brun, Ross				
Malik, Munazza				
Matthews, Aidan				
McKenna, Liam				
Montague, Paul				
Niles, Andrew				
Oswald, George				
Ozanne, Jayne				
Parkinson, Charles				
Rylatt, Tom				
Sloan, Andy				
Snowdon, Alexander				
St Pier, Gavin				
Strachan, Jennifer				
Vermeulen, Simon				
Williams, Steve				

The Bailiff: There voted in relation to Proposition 8: pour 33 and 6 Members were not in the Chamber at the time of the vote. I therefore declare the Proposition has been passed.

POLICY & RESOURCES COMMITTEE

17. Schedule for future States' Business – Proposition Carried

Article 17.
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 25th November 2026, they are of the opinion to approve the Schedule.

The States' Greffier: Article 17. Policy & Resources Committee, Schedule for Future States' Business.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

I have very little to add to this except to just clarify for anyone who is a bit lost that this is the schedule for the meeting on 25th November, noting that that is the next ordinary meeting and there are two extraordinary meetings in the interim. One being the meeting to debate the Budget, which is the week after next and another which is dedicated to the IDP review. But apart from that, I hope this is approved and we can go home and be safe.

The Bailiff: Members, on your screens – unless anybody wants to speak, sorry? No? On your screens is the Schedule for Future States' Business Proposition. States' Greffier, would you open the voting on that, please?

There was a recorded vote.

Carried – Pour 33, Contre 0, Ne vote pas 0, Did not vote 6, Absent 1

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

Matthews, Aidan
McKenna, Liam
Montague, Paul
Niles, Andrew
Oswald, George
Ozanne, Jayne
Parkinson, Charles
Rylatt, Tom
Sloan, Andy
Snowdon, Alexander
St Pier, Gavin
Strachan, Jennifer
Vermeulen, Simon
Williams, Steve

The Bailiff: There voted in relation to the Schedule for Future States' Business: pour 33 and 6 Members who were still not in the Chamber to vote. I declare that the Proposition has passed.

Deputy Ozanne, what did you want to say?

Deputy Ozanne: Forgive me, ma'am, for asking, but I know we have just made the vote and I appreciate its answer, but given that we are now on time, we do not have GST looming over us I am trying to understand why the IDP needs to be on a separate day. I wonder if someone could tell me.

The Bailiff: That is something, Deputy Ozanne, that the States has already voted on. It is a decision you have already made, so what can I say you have to live with those decisions.

Deputy Ozanne: Okay.

The Bailiff: I do not think there is anything I can add to that. Just make the most of the day when we have it.

Yes, Deputy Goy?

Deputy Goy: Ma'am, will we have an Order Paper for the Budget or will it not have an Order Paper, it was just the Budget?

The Bailiff: Yes, you will have an Order Paper for the Budget.

Deputy Goy: Thank you.

The Bailiff: Members, listen to the warnings, keep yourselves safe, particularly Alderney Representatives going home. We will close the meeting.

Thank you very much.

The Assembly adjourned at 5.54 p.m.