



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 11th January 2017

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Present:

Sir Richard J. Collas, Kt, Bailiff and Presiding Officer

Law Officers

Miss M. M. E. Pullum, Q.C. (H.M. Procureur),

People's Deputies

St Peter Port South

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,
B. L. Brehaut, R. H. Tooley

St Peter Port North

Deputies J. A. B. Gollop, C. N. K. Parkinson, L. C. Queripel, M. K. Le Clerc,
M. P. Leadbeater, J. I. Mooney

St Sampson

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett, G. A. St Pier,
T. J. Stephens, C. P. Meerveld

The Vale

Deputies M. J. Fallaize, N. R. Inder, M. M. Lowe, L. B. Queripel,
J. C. S. F. Smithies, S. T. Hansmann Rouxel

The Castel

Deputies R. Graham L.V.O, M. B. E, C. J. Green, B. J. E. Paint,
M. H. Dorey, J. P. Le Tocq

The West

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. Yerby,
D. de G. De Lisle, S. L. Langlois

The South-East

Deputies H. J. R. Soulsby, H. L. de Sausmarez, P. J. Roffey,
R. G. Prow, V. S. Oliver

Representatives of the Island of Alderney

The Clerk to the States of Deliberation

A. J. Nicolle Esq. (H.M. Deputy Greffier) (morning) ; J. Torode, Esq. (H.M. Greffier) (afternoon)

Absent at the Evocation

R. M. Titterington, Q.C. (H.M. Comptroller);
Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E. (*relevés à 9h 56*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Deputy Greffier

EVOCAATION

CONVOCAATION

The Deputy Greffier: To the Members of the States of the Island of Guernsey, I hereby give notice pursuant to the provisions of Rule 2(5) of the Rules of Procedure of the States of Deliberation and their Committees that the item listed in this Billet d'État which has been submitted for debate be considered at a meeting of the States of Deliberation on Wednesday, 11th January 2017 at 9.30 a.m. immediately before the meeting already convened for that day.

Billet d'État II

Procedural

The Bailiff: Members of the States, good morning and a Happy New Year to you all.

I see now we have got two meetings convened for today, and the only business for this first meeting is the motion of no confidence in the Committee for Education, Sport & Culture.

Just to clarify, there are no special rules of debate for a motion of no confidence. The normal Rules apply. Deputy Yerby, I understand, will be opening the debate, and I anticipate that she will be replying to the debate. She will therefore have two speeches.

No-one else is entitled, as of right, to have two speeches, although, pursuant to Rule 17(8) I may give leave for any one or more Members to speak more than once if I am requested. I am anticipating at the moment there may be a request from the Committee that either the President or Vice-President have the opportunity to speak immediately before Deputy Yerby replies. If I receive such a requests, obviously, I will consider it, and it is more than likely that I will grant that.

Any other requests to speak more than once, will, of course, be considered on their merits as well. As I say, otherwise it is normal rules of debate, and I remind Members that debate must be relevant to the matter before the meeting. That is Rule 17(6).

I think that is all I need to say but if anybody has wishes me to clarify the procedure, either now or at any point, I am very happy to do so.

The Procureur is also present in the Assembly and I am sure she will be happy to give any advice that anybody wishes to have on the interpretation of the Rules.

Otherwise, I cannot remember if you have called the motion. Have you formally called this Article?

The Deputy Greffier: No, I have not, sir.

The Bailiff: Greffier, if you could do so.

**I. Motion of No Confidence in the Committee for Education, Sport & Culture –
Debate commenced**

Article I

The States are asked:

Whether, after consideration of the motion of no confidence in the President and Members of the Committee for Education, Sport & Culture dated the 19th December 2016, signed by Deputy E. A. Yerby and six other Members of the States, they are of the opinion:

1. To decide, in accordance with Rule 21 of the Rules of Procedure, that the States of Deliberation require the immediate resignation of the President and Members of the Committee for Education, Sport & Culture, they having no confidence in the said Committee.

[N.B. if proposition 1 is carried, pursuant to Rule 21 (5) the President and Members of the Committee for Education, Sport & Culture shall thereupon be deemed to have tendered their resignations and those resignations shall be deemed to have been accepted by the States and the States shall elect a new President and Members of the Committee at the same meeting further to proposition 2.]

2. To elect:

(a) a sitting Member of the States as President of the Committee for Education, Sport & Culture to complete the unexpired portion of the term of office of Deputy P. R. Le Pelley, that is to the 30th June 2020, in accordance with Rule 16 of The Rules of Procedure.

(b) four sitting Members of the States as members of the Committee for Education, Sport & Culture to complete the unexpired portion of the terms of office of Deputies C. P. Meerveld, D. de G. De Lisle, A. C. Dudley-Owen and M. P. Leadbeater, that is to the 30th June 2020, in accordance with Rule 16 of The Rules of Procedure.

The Deputy Greffier: Article I – Motion of No Confidence in the Committee for Education, Sport & Culture.

The Bailiff: The debate will be opened by Deputy Yerby.
Deputy Yerby.

Deputy Yerby: Sir, providing access to good education for all the Island's children is one of our most important responsibilities as States' Members. We all recognise that. On the morning we began to debate the future of selection in secondary education that was why feelings ran so high, and why it was so closely fought.

But our responsibility does not stop at the doors of this Assembly. For the sake of practicality we delegate day-to-day policy responsibilities to individual Committees. As Deputy Le Pelley has rightly said, the Committee is the agent of the States. Ultimately it should do what it is told. So there should be no doubt that the buck stops with us, the States, to be sure that our agent, the Committee, has the skills, strength and experience necessary for the task we have assigned to it. If the Committee is not the right one for the task ahead, especially if it is a task of vital importance

50 to our Island, then it is our duty to deal with that. We must remember that there is no hierarchy here, no power to hire or fire discreetly in this Assembly. If a Committee is in the wrong job but it does not step down, the only tool we have to manage that is a motion of no confidence.

55 Sir, as set out in the opening paragraphs the signatories to this motion of no confidence felt it was needed because the ground has shifted so profoundly since the December debate. The Committee have not changed, they are still the same people we elected in May, but the task before them has changed beyond recognition. When we voted to remove selection, we gave Education the most complex and sensitive programme of change management that any Committee is likely to be responsible for this term, and perhaps beyond. That is not the job they were elected to do, and it is only right to stop and ask whether they can do it.

60 Let's not hear anyone say in that respect that the States voted to remove selection before the General Election so the Committee were coming in on that mandate. Everyone in this room knows that is not true. Everyone in this room will recall that Policy & Resources did not back a candidate for Education President, they framed the election as a policy choice, in as many words, and so did the four candidates. We knew we were either choosing someone who would respect the last States' decision, or someone who would seek to overturn it. In Deputy Le Pelley we knowingly
65 elected a President who would seek to overturn it. At the start of December's debate he, himself, reminded us of this, saying, 'I made it quite clear, in fact three or four times I said to you, if you are going to vote for me please vote knowing I will be asking my Committee, and you as an Assembly, to reconsider this situation. It could not have been clearer than that.'

70 Sir, this Committee were mandated, by those who elected them into post, to work towards rescinding the Resolution of the last States and reintroducing selection at 11. But that mandate evaporated last month when the States reconfirmed the end of selection. So, it is right that we should ask, are we certain this is the team we would pick to deliver such major change to our education system? We must remember that it is a massive change, with far-reaching consequences. We are all accountable if we allow it to fail.

75 It is my belief that the Committee are not the right team for the task ahead. I and my co-signatories have set out the reasons why. In the grounds of the motion we argue that this Committee will struggle to formulate, agree, and implement plans for non-selective education, given their majority support for selection. We argue that they have not shown that they are able to manage such a serious and complex programme of change, or minimise the risks to the
80 community in doing so.

85 Over Christmas one *Press* columnist argued that this situation was a good thing. The Committee were not ideologues wanting a certain type of education system he said, and so they stood a better chance of finding an effective creative solution for Guernsey. They were bound to be more open minded than people on the other side of the argument. But this misrepresents the problem.

Diversity of views is not in itself a bad thing. I want an Education Committee filled with people who care about education policy and how it can achieve the best for all our children. But I heard those people speak on both sides of the debate last month. I also know how diverse we are among those who favour non-selective education, compare and contrast the candidatures of
90 Deputies Langlois and Parkinson for an easy example. There is no single monolithic, non-selective version of the truth that I feel this Committee should have signed up to. No, the problem is not that this Committee thinks selection is the better option, the problem is that they think, and they have repeatedly argued that non-selective education is unworkable. Deputy De Lisle's record on this matter is particularly consistent. Most recently in December he described a move to non-
95 selective education as destroying our education system. I would also point out that he said in as many words, I certainly do not want to be part of that.

Deputy Le Pelley's record too is similar, he just said that change is a recipe for disaster. On the steps of the States after December's debate he told us that Guernsey would rue –

100 **The Bailiff:** Deputy Le Pelley.

Deputy Le Pelley: That was never said on the steps of this Assembly after the debate. I have said nothing ever like that after the debate. I think you need to check your facts.

The Bailiff: Through the Chair,

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Deputy Yerby: I repeat what I heard in the media, sir.

Deputy Le Pelly has called it a gamble, a risk we should not take. He tells us the removal of selection will close the gap between us and Jersey, not by bringing their standards up, but by dragging ours down. Even Deputy Dudley-Owen, although more willing to contemplate the
110 eventual loss of selection, did tell us it would be a high risk strategy, with a high risk of failure. At no time has this Committee told us how they will manage and mitigate such risk. They did not address it in their policy letter, although they could have done. They have not covered it in any statement. They must have known how close the Assembly's vote would be, and yet they showed
115 no evidence of having put in place any kind of safety net, in case their warnings were unheeded, and selection was thrown out. That was all the more of an omission given that at the time of its publication the majority appeared to support a change.

The States has told this Committee to do something which at least three of its members, including its most senior member, believe can scarcely succeed, something they say has a high risk of ending in disaster. It is reasonable to ask why they did not resign in protest at being asked
120 to do what, in their view, would jeopardise our children's futures, and it certainly is reasonable to ask the Committee now to assure the Assembly that they do have the ability to copy with change on a major scale, and which they have consistently warned us against pursuing.

We have also argued that the track record of this Committee does not give us grounds for confidence. This goes back to the question of the mandate. I focus initially on Deputy Le Pelley's
125 election platform, which was clearly in favour of selection. Some Members may wish to argue that despite his own views he pulled together a diverse Committee representing a cross-section of the Assembly's views. That is not really how it was at the time though, Deputy De Lisle had a long history of supporting selection. Deputy Dudley-Owen and Deputy Leadbeater, newcomers to the States, had manifestos that were fairly equivocal, with Deputy Leadbeater more or less accepting
130 of the March Resolutions, and Deputy Dudley-Owen deeply mistrustful. Deputy Meerveld did not even mention education in his manifesto. Although he did produce a separate pamphlet during the campaign period. At that time he appeared to be anti-selection, but by the time he came to spend a full day with Deputy Le Pelley canvassing States' Members for votes in early May he seemed to have changed position to support the retention –

135

Deputy Meerveld: Point of correction.

The Bailiff: Deputy Meerveld.

Deputy Meerveld: I have never, ever, changed my view. I was elected onto the Committee as
140 a non-selectionist.

Deputy Yerby: I repeat the impression which was given to States' Members during the period of campaigning for votes. The impression which was crystallised in a response to *The Press*,
145 published on 1st June, where Deputy Meerveld argued that 'the majority of the public and the States wanted to retain some form of selection'. I quote, and also, I quote that he 'could not support the previous Resolutions as they were not affordable or sustainable.'

The general appearance and presumption of this Assembly must have been that Deputy Le Pelley's Committee more or less shared his agenda, and I do not believe that anyone here, or
150 almost anyone, must have thought at that point that they were voting for a genuine cross-section of the Assembly's opinion. That is simply not where any of us were at the time.

155 So that was the Committee we thought we had elected. I was as stunned as anyone else on September 21st when Deputy Le Pelley said his Committee now supported non-selective secondary education by a majority, and would report back to the States with plans in 2017. Many of us were surprised at this turn of events. It had only been decided by the Committee the day before, but the President was evidently confident enough in it to announce it in his Statement to the Assembly. There were a few raised eyebrows at the timescale too, but this was a very important issue he said, and we do not wish to be rushed.

160 Accordingly, the very next day the Committee changed tack. They published a media release saying they would bring a policy letter back to the States immediately. That policy letter was published less than a month later. Then a week after its publication the Vice-President published his own ideas, for an alternative non-selective education system. Those were described in December's debate by Deputy Lowe as a dangerous route, which had not been thoroughly researched and costed. Although, I hope to persuade her otherwise, this will probably be the only time that Deputy Lowe are in agreement today. It is certainly clear that these proposals require far more research and development in order to have a hope of being educationally viable. They came out of nowhere and reinforced the deep divisions apparent in the Committee by this point, at a time when the President was describing the Committee, on local radio, as being split four or five ways on the future of secondary education.

170 This is the same Committee which also in August reacted to the GCSE results with a very public disagreement. Deputy De Lisle said the results underlined the success of the current system. Deputies Meerveld, Dudley-Owen and Leadbeater all spoke out to assure us that Deputy De Lisle spoke only for himself and did not represent the Committee view. From both sides of the table I have seen boards and committees have massive disagreements with each other in private, those are never played out in the public sphere. We have to ask ourselves if the public face –

Deputy Dudley-Owen: Point of correction.

I remember very recently Deputy Yerby herself going against her President.

180 **Several Members:** Hear, hear.

The Bailiff: That was Deputy Dudley-Owen.

185 **Deputy Yerby:** Fair point, and it is very lively around our Committee table, but nevertheless if the public face of this Committee is as divided as it has been over the last six months what on earth must it be like around their meeting table? How can we have confidence that this Committee can be relied on to work consistently, cohesively, and steadily towards the transformation of secondary education now?

190 This is not, and never has been, a personal attack on any member of the Committee. They are good people trying to serve their community, and honestly any one of them as part of a strong team would bring positive qualities and insights, but regrettably, I fear it is a Committee that is weaker than the sum of its parts. A successful committee has to have a measure of both policy and political expertise. Like most of the Committees in this current States, Education, Sport & Culture is largely made up of new members, but that is compounded by the fact that its older members have not had much, if any, previous political leadership experience. That makes them vulnerable to taking advice that may harm them, or to be buffeted about by the voices of this Assembly in a way that will make it very hard for them to steer complex policies through in an effective way.

200 We have argued too that the Committee has poorly managed disagreements with staff, allowing disputes to be aired through public channels, before attempts at private resolution has been completed. As someone who has been on the other side of the table this one does strike something of a nerve. I am a former civil servant and I will be the first to say that the Civil Service is not perfect and I was certainly an imperfect civil servant. I know that I let my board down, I

205 know too that they never hung me out to dry for it, because that is not what good leaders do.
Good leaders do not use a public platform to drag into disrepute those who have no right to
reply. I am reluctant to spend too much time on this argument, because I do not want to push the
Committee into repeating their mistakes in their response.

Let me be absolutely clear, I am in no doubt that Education is not exempt from problems. I am
sure it will be an important area for Civil Service reform. We can take it for granted that it is not
210 perfect, but no amount of flaws can excuse a committee member's public attack on his staff,
especially while a reconciliation process is in train. It is a misuse of power which should have been
followed by an immediate public apology.

But while I will not dwell too much on the Committee's relationship with their civil servants, it is
also relevant to highlight how badly damaged is their relationship with the teaching profession. In
215 fact, I am not sure that it has ever recovered from Deputy Le Pelley's statement earlier in the
summer that teachers views on the selection debate were coloured by their so called vested
interests. It is a mistrust or mis –

Deputy Le Pelley: Point of correction, sir.

The Bailiff: Deputy Le Pelley.

Deputy Le Pelley: Sir, I used the words 'vested interest' in one interview, and I was referring to
225 four teachers who had organised an impromptu straw poll on the profession. My comment was
purely aimed at a group who were called the Guernsey Educators Against Selection (GEAS), a
pressure group, and I referred to those four members only. I have not made any adverse about
the profession, the whole teachers as a body. (**Several Members:** Hear, hear.) I was referring to
four people.

The Bailiff: Deputy Yerby.

Deputy Yerby: The damage was done, and that reflected a mistrust, or misunderstanding of
his own profession, and their reasons for engaging in the selection debate, which continued to be
235 reflected in comments in this Assembly up to and including December's debate.

Nor was he the only Committee member to take such a disparaging view of their own teaching
staff. I nearly fell off my chair at a parish surgery when Deputy De Lisle responded to teachers
concerns about the debate, by saying that if they do not like our system of education they should
simply go and work somewhere else. (*Laughter*) We are about to go through a major transition in
secondary education, which will require the full engagement of civil servants and teaching
240 professionals. The Assembly must ask itself if it truly believes that this Committee will be able to
lead that change in view of the way it has managed its relationships so far.

Finally, we argue that the way the Committee has conducted itself so far has not shown due
care towards the Island's children and young people, which should be the thing that concerns
them above all. Let me be clear this does not reflect the Committee's position on selection. I know
245 that almost everyone here, if not everyone, chose their position on selection in order to deliver
what they believe to be in the best interests of our children. We disagree on how to do so, but I
do not doubt Members integrity.

This refers instead to the way the Committee have handled the run up to the debate and its
aftermath. When you are 12 years old and you see the most senior man in charge of education on
250 the telly at six o'clock saying that we have lost an excellent school, what does that mean to you?
As adults we understand the context, we recognise that does not mean tomorrow, it means a
carefully managed process over several years. It does not mean the doors are closing necessarily,
and certainly not right now. It means the system is changing. Even if we grieve it, and I know many
here do, we understand what that change means.

255 For kids, none of that context, none of that perspective, is there to help them make sense of it. Surely, former teachers should recognise that more than most. There is a sense, of course, in which it is the school's responsibility and the family's responsibility to explain what is going on in a way which is age appropriate and meaningful for a child. I have no doubt they do an excellent job of it, but that does not allow us to forget that what we say and do, even here, filters through
260 to the day to day lives of children and young people. It can create certainty, or it can create fear. It can make the schools' and the family's job of explaining easier or harder.

In the last few days a letter I drafted has been leaked. I have been challenged on social media by those who think the draft has done nothing to heal wounds between different sides of the debate. They might be right, I do not know, but that was not really its main purpose. The point
265 was to try and provide some assurance, some clarity, about what would happen next, in language everyone can understand. It was to fill a communication gap to the community, which I never saw filled by the Committee.

Considering the very first argument we made, the Committee makes it hard to believe they prioritised the welfare of children above all, when it appears – I say *appears* – that Members are
270 more willing to accept a course of action which they believe to be damaging to children's education than they are to stand down from their posts.

Sir, Deputy Le Pelley's statement may have been nothing more than a gut reaction in those moments after the debate, but it is coloured in my memory by the way the Committee have behaved around it.

275 Likewise Deputy Le Pelley's comment to me at the end of the first day of debate, that we should support their amendment because it will still leave room for different types of selection, or even no selection, to be introduced later, might have been nothing but a passing thought, but it has come to feel like a bid for political support at the expense of ongoing uncertainty for the community about the future of selection, even though most of us, on both sides of the debate,
280 were calling for the Assembly's decision to be final, so that all of us could move on.

Sir, I have said that now is the right time for a motion of no confidence debate, because the mandate on which the Committee were elected has been overturned by last month's States' decisions. The motion may be carried, or it may be lost, but the worst of all possible worlds is this. There are some in this Assembly who are convinced the Committee will fail, they accept the
285 grounds of the motion, but they would like to see concrete evidence of failure before the Committee are booted out. They think the Committee might survive today, but will crumble soon enough when they face a real challenge. Those people are gallant, and I value that, but if that is true we will be becoming everything which as a States we do not wish to be. (**A Member:** Hear, hear.) We will accept that it is okay to throw away the first 18 months of our term, that we will
290 have to start again mid-way through, we will be a States that tolerates mess and wastefulness and is content to make progress at a snail's pace. If the motion is lost today in the certain knowledge that the Committee will fail later, and it will have to start again from scratch in a few months' time, that is hugely to our discredit. It cannot be the right thing to do for our community, for our education system, for the States, or even for the Committee itself.

295 I have explained that there is, in my view, strong evidence that this Committee does not have the skills, the strength, or the experience necessary to deliver the complex and sensitive programme of change which they are now tasked with over the coming term. The evidence for that is set out in the grounds of the motion of no confidence.

In sum, the Committee have argued that non-selective education will be disastrous, they have
300 shown no evidence that they are able to manage the risk of change, and no plan for doing so. They have been inconsistent and divided in their position as a Committee and as individual Members. They have undermined the professional relationships that they will need to make this transition a success, and they have not handled the debate and associated publicity in a way that will provide calm, comfort and assurance to all the Island's school communities and especially to
305 their young people.

I ask Members to be absolutely sure when this comes to the vote. Those who have faith in the Committee, once they have presented their case, will keep them in post. Those who cannot be convinced that this Committee has the skills, strength and experience necessary to make this major transition a success should not wait for irrevocable signs of failure. We are all accountable for the effect of delivery of the change in secondary education system. We will be accountable for the choice we make today.

The Bailiff: Before I call the next speaker, Alderney Representatives Jean and McKinley, do you wish to be *relevés*?

Further to a request I have had, those who wish may remove their jackets.
Deputy Prow.

Deputy Lester Queripel: Sir, can I invoke Rule 24(4) please?

The Bailiff: Rule 24(4), is that the... I am not terribly familiar with the new numbers yet. That is the guillotine motion is it? No, it is not, it is:

'Immediately after an amendment or sursis has been proposed and formally seconded...'

Well, this is neither an amendment nor a sursis. You said 24(4)

Deputy Lester Queripel: Sir, yes.

The Bailiff: This is neither an amendment nor a sursis.

Deputy Lester Queripel: In that case, sir, could I ask you to put it to the Assembly to suspend the Rules, please?

The Bailiff: To suspend the Rules, for what purpose?

Deputy Lester Queripel: That we can actually have no debate and no vote, which is what 24(4) directs.

The Bailiff: So you wish the Rules to be suspended so that we may have no debate?

Deputy Lester Queripel: And no vote. (*Interjections*)

The Bailiff: No vote? No, there cannot be no vote.

Deputy Lester Queripel: Well that is what 24(4) directs, sir.

The Bailiff: But that is on an amendment or a sursis.

Deputy Lester Queripel: That is why I ask if we can suspend the Rules, sir. (*Interjections*)

The Bailiff: This motion is before the States, Deputy Queripel, we cannot have no vote on it. You can guillotine... (*Laughter*) We cannot have no vote, there has to be a vote either to accept or reject the motion.

Deputy Lester Queripel: Sorry, sir, my understanding was that the Rule 24(4) does actually ask for no debate and no vote.

The Bailiff: Yes, but that is in relation to an amendment or a sursis, which is not what is before ... Nobody has proposed an amendment. We are dealing with a motion. This is equivalent to a policy letter or a requête, it is more akin to a requête. There has to be a vote on it. So, clever though your application may be, I am not prepared to put anything to the States to suspend the Rules to have no vote, because there has to be a vote.

Deputy Lester Queripel: Sir, I respect your ruling.
Thank you.

The Bailiff: Thank you.
Deputy Prow.

Deputy Prow: Thank you, Mr Bailiff.

Sir, I rise to urge this Chamber to dismiss this motion on a number of grounds.

First and foremost, in my view, the case is not made out. It is principally based on the negative opinion of the movers of the motion regarding what they believe the Committee for Education, Sport & Culture will not achieve in the further 40 months or so of their tenure, rather than their performance over the last eight months. This is, effectively, asking the States to convict upon actions they have not yet committed (**A Member:** Hear, hear.) based upon supposition rather than evidence.

The laying of this motion does not, in my view, demonstrate good governance. The stated grounds tend to offend the principles of natural justice. It does not afford fairness and proportionality to those accused – especially, as said, by judging them on this early stage in their term.

Sir, it is in this Assembly where the substantive debate should take place, and where the policies can be subject to scrutiny, challenge and where resolutions are made or defeated. It is on this basis, sir, that I believe the Committee must, and should, be urgently allowed to get on with the job in hand.

Sir, regarding the use of Rule 21, and I quote from the motion to:

require the immediate resignation of the President and Members of the Committee for Education, Sport & Culture, they having no confidence in the said Committee.

We need to be exceedingly careful, in the interests of good government, how we dismiss an entire States' Committee. We also need to examine very critically the consequences which will flow from it.

Not only do we have a unique system of government, we also have a very different system of government to that of the United Kingdom. We have a committee system, where ultimately all policy resolutions are sanctioned by the States of Deliberation as a whole. Sir, I believe that comments have already been made, and acknowledged, in this term by Deputies that possibly our consensus government system is in the last chance saloon. (**A Member:** Hear, hear.) We do not at all follow the UK parliamentary cabinet's government model and party political system, where polarised and organised groups frequently shout at each other across their chamber. Debates are often inspired by pre-determined ideological or party dogma, following the instruction of whips, rather than the more pragmatic States' debate where Deputies enjoy the freedom of their own opinions and views.

Sir, I agree with the view of Deputy St Pier, which he has recently shared with us, that this motion of no confidence is not in the public interest. We need the States to move on from the 19 versus 21 scenario. Education provision is after all far too important for that.

Sir, I have carefully read the letter sent to you dated 19th December 2016 from Deputy Yerby, the grounds rely heavily on selected quotes that the President of the Committee, the Vice-President and Deputy Dudley-Own said to the media in response to specific questions. In fact these are the substance of two of Deputy Yerby's four grounds. I believe those Deputies gave

honest answers to the media's questions posed. They were just that. They were not submitted
policy recommendations to debate in this Chamber, and judging the wisdom of those responses
with the benefit of hindsight is unfair and not proportionate. I am, of course, not suggesting the
comments made to the media of no importance or relevance, but suggest that in the cases
410 quoted by Deputy Yerby they amount to justification for the Committee's dismissal is, in my view,
sir, well just wrong.

I do also look at Deputy Yerby's grounds one and three. Again, Deputy Yerby has penned
selective quotes in her letter. More importantly, she refers to matters that were debated in the
Chamber and gives her opinion on them. In particular, Deputy Yerby refers to the future of
415 education debate of 30th November, a debate and opportunity which, it must be remembered,
was actually facilitated by this Committee and the single Proposition, as amended by the
Committee, was defeated by a very narrow margin of Deputies, 21 to 19.

Sir, I remain very grateful to the Committee for the opportunity to have had this debate. I
campaign in my district for the four school models, the removal of the present 11-plus to be
420 replaced by an alternative method of selection including selection at 13 in order to retain the
Grammar School and support the rebuilding of La Mare de Carteret School. I stood in my place
and expressed my views, which I believed were those of the majority of the electorate in my
district. What I did not do is engage in unhelpful media spats. In the debate I listened to some
excellent speeches from both sides of the argument. Sir, I recall one such speech was from Deputy
425 Dudley-Owen which displayed honesty and integrity in explaining clearly how she had arrived at
her views on this specific issue. However, the States decided, in the way that they did, and clearly
there is an overwhelming desire in the vital interests of both students and teaching staff for all
within Education to accept this, and now move quickly on to build a system unique to this
Bailiwick and to develop the supporting infrastructure and policy to be the very best it can be. I
430 believe to the credit, rather than deserving of castigation, the Committee have also expressed that
view.

I mentioned the consequences of dismissing the current Committee. In the eight months, and I
know this because from time to time I have informally spoken to them all, they have undertaken
their Committee induction opportunities of site visits very diligently, and have listened carefully to
435 the views of the professionals across the whole of their huge mandate. It is for them as elected
Members to take heed of the collective views of the States, and the four who have not resigned
have pledged to work together as a Committee, and they are committed to drive forward and
bring back to this Assembly clear and timely proposals, which would draw upon their experience
gained over the past eight months. Furthermore, they have arranged for a Deputies' workshop on
440 25th January 2017.

However, sir, at this stage in this meeting we have been asked to throw the Committee out,
but to be replaced by who? What exactly is the new policy vision and timetable that the Chamber
can have confidence in? Sir, I strongly believe that this States wishes to be forward looking and to
quickly move forward. I therefore ask Deputy Yerby to clearly state, when she sums up, are the
445 seven signatories going to step up to the plate and take up responsibility, and if so, exactly what
do they have in mind, and the timescales to achieve their aspirations, whatever they might be, to
fill the Committee vacuum that this motion will certainly create. Sir, I wish to hear the answer to
my questions at this stage before we all vote on this motion.

I should, of course, say that a few of Deputy Yerby's observations are indeed worthy of note, as
450 you expect from a person of her obvious intellect, and some of these points require further robust
debate and challenge. But the assertion they can, effectively, give the States no option other than
to consider its confidence in the Committee as a whole is completely unjustified.

Perhaps, sir, it might also be helpful to try and bring some perspective and balance to this
matter. Towards the end of March 2016 and borrowing from the words of Deputy Roffey, in the
455 dying days of the last Assembly the then Education Department's policy letter on the future of
education was debated and four Resolutions were made. This debate, which in my view should
have occurred some two years earlier, was at the last sitting of the States before the April

460 elections. It was long, passionate, and sometimes acrimonious. I know this because I sat in the Public Gallery. This, effectively, left a newly democratically elected Assembly and a completely new Committee with responsibility to implement those Resolutions. Not only that, the previous States had bequeathed the incoming Assembly with a completely new committee system of government, which, amongst other things, added the new responsibilities of sport and culture on to the Education's remit.

465 Sir, Deputy Ferbrache picked up this point when he spoke in the States on 11th May 2016 during the election for a President of that Committee. This is in *Hansard*, line 275 on 11th May. Sir, he said

the mandate for this Committee is very wide indeed. It is education, sport and culture, and all three have their importance. When I looked at the mandate of the Committee I looked back at the purpose [which] I will read ...

'To encourage human development by maximising opportunities for participation and excellence through education, learning, sport and culture at every stage of life.'

'To me, that means from when a child goes to his or her first nursery school, to the 82-year old who is attending a College of Education ... or doing an Open University degree. All of that is equally important. It is a massive remit.'

470 Returning to 11th May, only eight months ago, Deputy Le Pelley was elected by 25 votes to 15 votes to those of Deputy Langlois, on 18th May Deputies Dudley-Owen, Deputy De Lisle, Deputy Leadbeater and Deputy Meerveld were elected unopposed. These are the ones who took up the massive challenge, inherited from the previous Assembly, fresh from the Election and after listening to the views of the electorate. Very fair play to them, in my book.

Crucially, sir, in my view, in answers put to him before the vote Deputy Le Pelley said this, *Hansard*, lines 1240 to 1250

I see the Education, Sport & Culture Committee as being a team. I am happy to be its leader, but I would like to be a team member as well. I like to be a team player. I have never ever asked anyone to do anything that I was not prepared to do myself. So I would like to be an equal, or a leader among equals.

475 Clearly, Deputy Le Pelley has built his team on this basis: is this not the ethos of consensus committee government? The Island is clearly divided on how we should best provide education, as is this Assembly. Are different views and ideas not a strength, particularly where the public view is divided?

480 As Deputies we have all received some excellent letters and emails from the public on the future of education from all sides in the debate. One recent letter to all Deputies, which is pertinent to this motion, was received from a Mr Richard Taylor, a former Deputy Director of Education, Training and Education Adviser to the GFSC and Industrial Disputes Officer. In the letter he ably points out that both models that are selective or non-selective were designed for England and Wales whose economic and social development have been totally different from ours, (**A Member:** Hear, hear.) and he urges the need to get on with a system designed for the needs of our own community.

485 Sir, although the whole letter deserves a read, I shall outline abstracts from the last paragraph. He suggests this:

As for the future of the present Committee who have different views on the way forward, surely this is a strength in that it represents the differing views in the community. If they think they can overcome their difference, as honourable people, they should be trusted. In my experience of helping to manage Education in Guernsey there have always been heated disputes about the development of our education service, which I believe, is what healthy democracy is all about. Nothing would be worse than a Committee packed with enthusiasts for any particular system of service provision who ignored the legitimate anxieties of the sizeable minority. This would merely perpetuate conflict. Please let us not waste another 10 months or so quibbling about the relevant issues and start working together, developing a service that provides every child with an equitable system, focus on maximising whatever talents he or she might possess.

Sir, I have confidence in the Committee that they are indeed honourable people who are committed to deliver. I urge all Deputies to throw out this divisive motion of no confidence.

490 Thank you, sir.

Several Members: Hear, hear.

The Bailiff: Deputy Lester Queripel.

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Deputy Lester Queripel: Thank you, sir.

Sir, I cannot support this vote of no confidence. I cannot support it because I *believe* the President and his Committee members when they say that they will do everything the States asks them to do. I have no reason to think that they are lying when they say that. I believe them, and I trust them.

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To not trust them and to disbelieve them would be to accuse them all of being liars. I say that because the dictionary definition of the word 'confidence' is to have a firm trust; and the dictionary definition of the word 'trust' is to have confidence. So, sir, one does not need to be an etymologist to see that what I am saying is correct, because in a very real sense Members of the Assembly who vote in favour of this motion will be doing so because they do not believe the members of the Committee, they do not trust the members of the Committee, therefore in the eyes of those Members all the Committee are lying and therefore they will have to go.

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Sir, the Committee are very much on trial here, but what are they being charged with? Where is the evidence? As former Vale Deputy, Mr Graham Gill often said in this Chamber, this is not about what it is supposed to be about, inferring that there was more to an issue than meets the eye.

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Sir, I have worked with Deputy Le Pelley on the Scrutiny Committee in the previous Assembly for several years. It did not take long for me to realise that he is an honourable man. He is a man of his word. If he says he is going to do something, he does it, and he certainly does not tell lies. I believe him when he says he will do everything the States asks him to do to drive the changes in our educational system. I believe the members of his Committee when they say they will do everything the States asks them to do to drive those very same changes. I have no reason to disbelieve them, and I have no reason to think they are telling lies. I believe they take their responsibilities a lot more seriously than that.

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If we look at the voting figures from the election held in this Chamber, Deputy Prow has already alluded to this, on May 11th 2016, to elect a President for Education, we see the results in the first round were as follows: Deputy Le Pelley 18 votes, Deputy Langlois 11 votes, Deputy Kuttelwascher 6 votes, and Deputy Parkinson 5 votes. Deputy Kuttelwascher decided to drop out for the second round and the final result for that round was: Deputy Le Pelley 25 votes, Deputy Langlois 15 votes. Deputy Le Pelley came out top on both occasions, 7 votes in the first round, 10 votes in the second.

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That was a clear message from 25 Members of this Assembly that even after hearing Deputy Le Pelley say in his speech that he was pro-selection they still wanted him as President. Surely, not one of those 25 can say, with any real justification, that they want him removed from his post. I would expect every one of those 25 to vote against this motion. If any of those 25 do think they have a justifiable reason to change their mind about Deputy Le Pelley, then we all need to hear that reason. Especially when one bears in mind that the Committee have not actually done anything wrong in their eight months in office. In fact, the truth is they have done everything right. They have done everything the States has asked them to do. (**A Member:** Hear, hear.)

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Sir, I have the utmost respect for Deputy Yerby and her fellow signatories on this vote of no confidence, but I would like to know if they have really thought this whole issue through. Once again Deputy Prow has alluded to this in his speech. In an attempt to try to establish that, I will ask the following questions.

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Who do the signatories envisage taking over the position of President, and also filling the vacant Committee seats? How do they know that the new Committee members will do a better

540 job? Can the signatories guarantee that a new President and Committee will be more efficient and effective? I think we all need to hear the answers to those questions before we go to the vote. So, I would ask that at least one of the signatories, answers those questions when they speak. Alternatively, sir, I am quite happy to give way at the moment, right now in case any of them would like to provide me with answers to those questions now.

545 I see no one rising, sir, so I expect to hear the answer to those questions from one of the signatories when they speak.

Sir, in conclusion, I am extremely disappointed in some of the terminology in this policy letter. I will cite some examples. The first sentence of the third paragraph on the first page tells us that:

a Committee which, by a majority, favours selective admission to secondary education will struggle to formulate, agree and implement plans for non-selective admission ...

550 So that reads as though it is a fact, but it is not a fact; it is merely the opinion of the signatories. At the top of the second page, we are told that:

the States has no option other than to consider its confidence in the Committee as a whole.

Once again, sir, that reads as though it is a fact. Well, it is not a fact; it is merely the opinion of the signatories, because there was another option. In the last sentence of the second to last paragraph on the same page we are told that:

the States cannot be confident that the Committee will be able to succeed in delivering the complex changes to the secondary education system ...

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Sir, once again that reads as though it is a fact. It is not a fact; it is merely the opinion of the seven signatories.

560 On that note, I am a Member of the States, and I object to being told what I can or cannot be confident in. (*Interjections*) I see that as something of an insult. I will make that judgement, thank you very much. I do not want, or need, anyone else telling me how I should feel. I will make the judgement call when I have been presented with the evidence and the facts.

565 This policy letter is very thin on the ground when it comes to hard evidence and facts. But it is overflowing with an abundance of opinions. In fact, sir, I would go so far as to say that this policy letter is a prime example of the psychological bullying that we as States' Members are occasionally subjected to. I am extremely disappointed in the signatories of this policy letter, because only they will know why they felt the need to resort to such unprofessional and condescending tactics when there was absolutely no need to sink to such a low level.

570 What the signatories could, and should, have done, is adopt a far more respectful approach. Instead they chose to collate and compile a document that seeks to ridicule and discredit the President and his Committee, and because they do not have any evidence or facts they chose to present the Assembly with a document that is not only overflowing with opinion but laid out in such a way that it seeks to make any Member of the Assembly who disagrees with it look a fool. (**A Member:** Hear, hear.) As I said, sir, I am very disappointed in the signatories adopting that approach. I thought they were far more intelligent and respectful than that.

575 Sir, to finish, this vote of no confidence is based on opinion. There is no evidence and there are no facts. The whole focus of this document centres around whether or not we think our colleagues on Education are lying or not when they say they will do whatever the States instructs them to do.

Thank you, sir.

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The Bailiff: Deputy Graham.

Deputy Graham: Thank you very much, sir.

I want to presage my speech with three general remarks, if I may. The first one is probably a fairly obvious one to make, and that is we are going to have to strike a fairly difficult balance in this debate. On the one hand we are only about eight months into a four-year term, and I presume there is a wish to be able to sustain some sort of collegiate approach to governing Guernsey over the next three and a bit years. To that end we need to be careful what we say. On the other hand some pretty pungent things have been said, probably on both sides, and I think they need to be dealt with. I hope in dealing with them, I can deal with them in an approved, balanced way.

The second general remark I make, is that I would like to repeat, personally, my pledge that I made in the education debate back at the end of November, early December, and that was to the effect that I was going to argue robustly for one particular way forward, and if I lost I would go and pit my shoulder full weight behind whatever the States' approved. Now there is an inherent difficult with that because it is very difficult to picture what 'what the States approved' actually looks like on the ground, and I will come back to that later on, but for what it is worth, I am going to go with it, and I do not really need my integrity in that to be challenged.

I am only going to make one allusion to motivation behind any particular move, and particularly, if I can call it, the leaked letter, but I am prompted to repeat this because I think that leaked letter which, I am glad it was not published because whether it was intended to or not, it did really imply that there are two classes of Deputies here: there are 21 who can be trusted with the democratic process and there are 19 who cannot, and the 19 who cannot do not even get sight of a letter that the other 21 had. (**Several Members:** Hear, hear.) I am glad it did not come out. I am not suggesting that that was the intention behind the letter, but I think it was fair to draw the inference from it for those that felt affected by it.

I would just like to assure everybody that I am as determined as anybody that when it comes to providing scrutiny and impetus for the way ahead on secondary education, I am not going to take second place to anybody. I may not make quite as much fuss about it as others, I may not be as quick as other to rush to the comfort of the Editor of *The Guernsey Press*, or to the nearest microphone, but I will be doing it in my own particular way, thank you.

The third thing to say is, that I, personally, do not have a problem with using this device of the motion of no confidence. I think it is a legitimate parliamentary device to be made use of it. We can argue about whether it is the best time to do it, and in fact, I would argue that it is better that we have reached this point than to go on with some of the unpleasantness that was there for us to feel, was it not, all the way since the elections back in May. So to the extent that it might actually clear the air, and I hope it does, I almost welcome it, and I welcome the opportunity that the Committee will have to defend themselves against it.

The third general point I want... sorry, together with this third general point, there is an unattractive side to it, and it is not just about this particular issue. I always feel sir, that politics, whether it is in the United Kingdom or here, and particularly here, is at its least attractive when it involves a scramble for the moral high ground. There is no need to attach the moral high ground to this issue at all, but it has been. Recently in *The Guernsey Press*, Deputies who voted for non-selection were told by the Editor that if they did not support this motion, they were cowards. His words, not mine.

I think if there is a democratic deficit in this Island, it is that we have monopolistic printed media. (**Several Members:** Hear, hear.) With that monopoly, it is a privilege and with that privilege comes responsibility. I do not think, really, the appropriate stance of meeting that responsibility is met if vocabulary is used in those terms to describe a substantial number of Deputies in this Assembly. (**Several Members:** Hear, hear.) To listen to *The Press*, and sometimes, one has to say, the signatories themselves have encouraged this, we are encouraged to think that on the one side we have a bunch of villains, and on the other side we have a bunch of honourable, courageous heroes. An interesting sort of eclectic, historically represented group of people have been presented to us. We have had sort of Joan of Arc, we have had Boudicca, we have had Robin

635 Hood and his merry men on one side, and we have had wicked King John, he is there somewhere. The Sherriff of Nottingham ... and even the sinister Rasputin, (*Laughter*) who does not say much.

Deputy Brehaut: Have you got Friar Le Tocq?

640 **Deputy Graham:** I would like it to be recorded, sir, that I did not mention Friar Le Tocq.

The Bailiff: That was Deputy Brehaut!

Deputy Graham: Somebody else did, so if *Hansard* could please note that.

645 The point I am making is, this is a load of nonsense. This is an approved parliamentary device; it has been applied in the proper way; it has followed process, and on the other side I do not describe particular honour or courage to the Committee for resisting it. I do not think Deputy Leadbeater, who is a colleague of mine on Home Affairs would like to be portrayed as Sir Galahad in this, although some have attempted to use him as such. (*Interjection*) In his view he analysed
650 the situation, made his decision, and did what he thought was right for him. The Committee on the other hand, or the remainder of them, analysed the same situation and came to a different conclusion. There is no courage involved, there is no honour involved. They made pragmatic decisions, in my view. So can we please not scramble for the moral high ground on this issue.

655 The next bit of my speech I really want to ... I do not want to labour this, but we have already started to look back to the elections on 11th May and 18th May, and they are relevant because Deputy Yerby has introduced them as a factor, and I think they do really explain how we are where we are now.

660 Back on 11th May there were four candidates for President, and they were an eclectic selection of candidates, and frankly, I could have voted, sir, for three of them. The first I could have voted for was Deputy Charles Parkinson, whose concept of different schools from age 10 and 11 across the Island with an element of choice – he favoured choice, I favoured selection – was really the mainstay of his bid for the Presidency of that Committee. Predictably, it was too progressive for this Assembly, and to be honest, had he, by some chance, been elected President, I think if he had taken that programme – which was at odds, frankly, with the extant Resolution for which he voted
665 in March, but nevertheless, if he had taken that – his progressive approach, to Grange Road House, I think he would have been eaten alive. So he did not make it.

I actually seconded Deputy Kuttelwascher, because I thought he had the character to take on the establishment at Grange Road House. He did not make it. He withdrew after round one with six votes. That did leave us, interestingly, in an Assembly that was predominantly, as we later
670 learned, in favour of non-selection, with two candidates, one who was clearly for selection and another who was not. The one who was not in favour of selection polled only 15 votes, and I think that was a fairly eloquent demonstration of, particularly, the value that Deputy Le Pelley had to offer, because he clearly attracted votes from those who were opposed to selection. I think, really, we need to be reminded of where we were on 11th May.

675 Deputy Le Pelley then invited requests from other States' Members to serve on his Committee, and the fact that he was dedicated to having an eclectic, diverse, Committee was shown in his choice. I do not really share the same interpretation as Deputy Yerby, of the four candidates who presented themselves. I do not think it was as simple as that. But that is what he did.

680 Now, at the time, those who are now the signatories to the motion of no confidence had the opportunity to put themselves forward, as indeed two of the signatories did, for President, and I give them full credit for that. I would like to say, we were in the early stages of elections there, sir. The Education Committee was one of the very first to be selected, so there was every opportunity for those who have now signed this motion of no confidence, who professed that their overriding passion and interest was the welfare and future of our children, to put their names forward. They
685 did not. They preferred to go to other parts of the Government where they felt their main interests lay. It is worth reminding ourselves that.

690 Predictably, very soon after that, we should not be surprised, that having selected an eclectic
diverse Committee, we found that Deputy Le Pelley did not necessarily command a majority on
one narrow issue – admittedly, an important one – that of selection. But given the remit of
Education, given the remit of Sport, given the remit of Culture, this was one narrow issue on which
he did not have a majority. That was seized on, because the political hyenas, if I may call them
that, started to sniff for blood, and we started getting hints – not just hints, it was suggested
directly to Deputy Le Pelley as early as September – that he should ‘consider his position’. Mr
Bailiff, I do not like that phrase. It belongs, really, to House of Cards, Westminster, in my view.

695 If you want somebody to resign, ask them to resign. If anybody ever during the four year terms
wants me to resign from Home Affairs, say, ‘Deputy Graham, we do not think you are up to it, will
you please resign., In France they still to this day say, ‘*À la lanterne*’ – string them up on the street
lamps. I am not in favour of that, but these weasel words, these mealy mouthed suggestions, that
you ‘consider your position, Deputy Le Pelley’ – I really do not think it should sit in this Assembly
700 at all. So do not let us do that again. But the sniping had started.

Then I have to point to a rather curious episode here, and it involves the Scrutiny Management
Committee. I am not in any way challenging the integrity of that Committee, but to me it was very
curious that in early October, they should choose the Education Committee to be the first of the
Principal Committees to go up in front of a public session of Scrutiny. I think they chose very first
705 of all the States’ Trading & Supervisory Board, but to those of us who have ever been in the
business of running an eye over an organisation, you would not dream of starting with one of the
limbs, you would go for the head first of all. They should not, in my view ... although there must
be an explanation as to why they did not begin with P&R, because that sets the whole context.

Back in October they could easily have been saying to Deputy St Pier, ‘How goes the
710 preparation for the P&R plan? Do you think you are on target for getting the Budget?’ They could
have turned to Deputy Le Tocq and said, ‘How are external relations going?’, because it was a very
fraught time, still is, with Brexit and all that sort of thing. Or they could have gone to Deputy Jane
Stephens here and asked her about how the social agenda was going. They could have done any
of those things. Instead, curiously, they went for the Education Committee.

715 Now, that struck me as rather odd. If you were going to go for a Principal Committee first, why
that Committee? It seems to me odd of the six Principal Committees, only two of them –
I give way.

Deputy Brehaut: I thank Deputy Graham for giving way.

720 Actually, I believe as Chair of the Principal Committee, the Committee for – beg your pardon –
for Environment & Infrastructure – (*Laughter and interjections*) I am trying not to say ‘Department’
and I keep saying it and I get told off. I was called to the first Scrutiny Hearing with regard to the
Waste Strategy, and I attended with Deputy Dorey and other members of the former PSD which
are now the States’ Trading Supervisory Board, so a Principal Committee was called, I believe, to
725 the first Scrutiny Hearing.

Thank you.

Deputy Graham: I am grateful, I stand corrected, but I stick to my general point, that the
730 Education Committee must surely have, and Sport & Culture, must surely have had one of the
most difficult inheritances, because we are talking about an amalgamation of two Committees,
overnight five Deputies were being charged with the remit previously held by 10 Deputies, and in
my view, it was unfortunate that Education should have been required to parade themselves that
early.

735 Of course, then, and I do not know how it happened, it was leaked that the President was
actually refusing to attend. Now, I am sure, and I take it that was true, that this was not the case
But nevertheless it was leaked to the media, and that became the story. All I would say is, I do not
support conspiracy theories and things like that, but I would say to the Scrutiny Management
Committee that if you allow the suspicion to exist that the Committee is in any way politically

740 motivated, then people like me have to ask, 'who guards the guards?' And my answer to my very rhetorical question is me, and 36 or 37 other Members of the Assembly.

745 Finally, in the lead-up to this motion of no confidence, we had what I thought was a pretty unattractive scene here on 14th December, the end of term. There was a pretty sad atmosphere at the end of that day, and I frankly thought that some of the questioning involved rather synthetic protestations of confusion. But even if they were sincere and there was genuine confusion around, to direct everything at the President of the Committee for Education, Sport & Culture, effectively, saying, 'Look, we know that the extant Resolution is full of ambiguities, it is your fault, you resolve them', instead of doing that, why did they not go to those who, back in March, voted for that extant Resolution, asked them what they meant by it?

750 Deputy Green was on the Education Committee, he ought to have known – Deputy Fallaize, Deputy St Pier, people like that who were asking questions. They voted for the extant Resolution back in March, and surely they would not have done that unless they had been absolutely clear what they had been voting for. So, I think if there were any uncertainties and ambiguities to be resolved, clearly Deputy Le Pelley had an input to make to that, but I think those responsible for the ambiguities also had a duty of responding. They did not.

755 So we came to the motion of no confidence. Now let's look at the charge sheet. The first three charges on the charge sheet, effectively, are of one piece, they are saying, 'Look, we do not trust this Committee to carry forward education policy in the future, because they are ideologically still wedded against one of its core elements; because they are divided amongst themselves; and because, basically, they are incompetent and we should replace them with somebody else.' I think in Deputy Fallaize's words, he mentioned that it was inconceivable that given the circumstances such a Committee could be allowed to remain in place.

760 Well, let's apply this concept of inconceivability to some of the other Committees and Authorities in the States. (**A Member:** Hear, hear.) I start with Environment & Infrastructure. Its President in the last States argued passionately, almost with messianic zeal, for paid parking and he had the courage, along with a former colleague, to bring that as a minority report to the States, which was initially adopted, but then reversed subsequently – such was the nature of politics then, but at least he was committed to that. I believe he now has a Vice-President on his Committee who has an opposite view about paid parking. Does that mean that we do not trust Deputy Brehaut and Deputy Dorey and their team with the management of the Integrated Transport Strategy that they have in front of them? It does not bother me.

770 I will give way, but I need to make it clear that I have confidence that you will do it.

The Bailiff: Deputy Brehaut.

775 **Deputy Brehaut:** Thank you.

That is a valid point to raise if paid parking was in the Integrated Transport Strategy as it stands, and it is not, so my position is consistent now with Deputy Dorey's.

Thank you.

780 **Deputy Graham:** I take the point, but what I am saying is that with the zeal that you approached the subject two or three years ago, can we be confident that you are a convert? I am confident. I am not saying that I doubt your integrity or your enthusiasm for the task ahead. But that is the point that I am actually making. I am grateful that you have helped me to make it.

785 Let's look at the Development & Planning Authority now. They brought to the States, just a few months after we met, the IDP. Now, do not tell me that that is some sort of minor bit of legislation that we do not need to bother about. This IDP had been in the planning for about 10 years, it is setting the template for our economic development over the next 10 to 20 years, for our housing development over the next 10 to 20 years, and for the protection of our environment over the next 10 to 20 years. So it was not a small issue, and it was brought with great enthusiasm by my colleague on the right here, by Deputy Dawn Tindall, and she was given the task of manning the

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front trenches really, with a rifle and bayonet, to keep the nearly 40 amendments at bay. But we shredded it, didn't we? We shredded the IDP with nearly 40 amendments, and some of those amendments we were told by Deputy Tindall would be disastrous (*Interjection*) for the integrity of the IDP.

795 To be honest Deputy Tindall had her sticky moments along the way, but I will give way if she wants to –

The Bailiff: Deputy Tindall.

800 **Deputy Tindall:** I would like to add that the Island Development Plan was not shredded, the amendments resulted in consultation, long discussions, which actually did not end up shredding. We had one sticky moment with a certain Deputy Soulsby's amendment. But with, again, good discussion we resulted in a plan that was unanimously – not divided, unanimously – voted for.

Thank you.

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The Bailiff: Deputy Graham.

Deputy Graham: We say amen to that, and we are very grateful, and I would apply exactly the same interpretation with the situation that the Education Committee finds itself in now.

810 It was to the credit of the Assembly at that time that we did not turn round and question Deputy Tindall's ability to manage this in the future with Deputy Le Tocq.

Deputy Tindall: Point of correction, sir.

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The Bailiff: Deputy Tindall.

Deputy Tindall: In fact, we did have a motion of no confidence mooted, and we discussed in Committee, and I am pleased to say that our response ended up with no such motion, so ...

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The Bailiff: Deputy Graham.

Deputy Graham: I think that was a non-sequitur, sir, because the point I was making – (*Interjection*) I will not dwell on this. The general point is, I have confidence in Deputy Gollop, Deputy Tindall and their team on the Development & Planning Authority. They have my confidence that they will take this amended IDP away, even though much of it was against their will, and will do their best to implement it. I have no lack of confidence in them. I only wish that ... one of the signatories did not actually extend the same courtesy to those on the Education Committee.

825 I now turn, if we are applying this 'inconceivable' to our other Committees, what about the States' Assembly & Constitution Committee? Now, I am not totally sure what they do week by week. (*Laughter and interjections*) Sorry, I am in no way trying to goad him, and I am not suggesting that they do not do anything. But the one thing I do know they are charged with is coming up with a scheme for a referendum on Island-wide voting. Now that is fine, but we have not heard too much about it now that we are eight months into the Assembly, but I am sure it will come out in due course.

835 But my point is this: I know from chatting to some of them that some of the members are not actually in favour of referendums as a matter of principle. Some of them are not actually in favour of Island-wide voting. Some, it may be only one or two, do not support either referendums or Island-wide voting. Are we confident that they will do a good job? I am, I am sure, and if they are not we will hold them to account when they bring it to the States. But I wish Deputy Fallaize and his team all the best with that, and I am in no way saying that I do not have confidence in them, even though I know that they are not necessarily united on the history.

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845 So, I have applied, really, the same principle of inconceivability to these other Committees that is now being applied to the Education Committee, and I would really ask Members to bear that in mind.

850 The charge sheet includes one or two issues as if to bolster the general sense of incompetence and disunity and so on. The Committee are accused that they have failed to tackle the implementation of universal pre-school child care. I am not sure what the basis of that is, but I think we need to remind ourselves of what their inheritance on this issue was. I mean, back in April 2014 the then Education Department proposed the introduction of universal pre-school education – 15 hours' worth as soon as it could be done. The cost was going to be about £2 million. That is the total tax take from 500 people on Guernsey on average earnings. They pay about £4,000 a year, I think, income tax on medium earnings, and it would take 500 of them a year to pay for that on their own. But this £2 million, when they were asked where it was going to come from, they had no idea where it was going to come from. So we then, inevitably, had a bit of argy-bargy, not just between Education and Treasury & Resources at the time, but really with the wider States as to where this £2 million, or thereabouts, was going to come from.

860 They took 20 months to come back to the States – in December 2015, I think it was, yes – with a wonderful wheeze, and the answer to raising this was really as follows: that in order to provide about £3,360 worth in one given year to the parents of about 600 children, they were going to deduct by 15% child and family allowance for the parents of round about 12,000 children. I have asked Deputy Michelle Le Clerc for the exact numbers on that, but I think it is going to be round about 10,000 or 12,000 children who have parents who are eligible for the payment of child allowance, or family allowance.

865 Now, to me that was a pretty strange solution to the problem, which should actually have been sorted out at the moment that the policy was produced. I should mention here, also, that when this was debated in the States in December 2015, it was already apparent that the delay meant that this scheme could not be introduced in time for the autumn term in 2016, but would have to be deferred to January 2017.

870 It is also worth pointing out on this particular issue that has been inherited by the Committee, that this pre-school education scheme involved giving £3,300 of benefit in a year to families who in one week would have an income of very close to that figure, close to £12,500 a month, £150,000 a year. So, this conjures up the image of some parents, who do not need it, getting it, whilst on the other hand amongst the parents of the 12,000 children there are going to be those who are already struggling and who are going to have their family allowances reduced by a factor of 15%. I just do not think that is something that can be blamed on the Committee, and nor can it be blamed on the Committee that this scheme is partly predicated on the private service providers, or some of them, providing the service at a loss to themselves. Knowing that they just could not pick up and run with this scheme – and I am grateful, rather than critical to the Committee – that they are effectively saying 'We will introduce this this January, we will give it a run for two terms, we will then review it to see whether it can be approved', but others are clinging on as if the original scheme has a sanctity that should be preserved at all costs. I think it needs to be re-examined, and I am glad the Committee are doing that, and they should not be criticised for doing so.

885 Another issue that was raised, was that the Committee has not demonstrated that it can be trusted with providing due care for our children, and that really they have been a cause for alarm. Well, I happen to know, and I am sure others do, that behind the scenes, unostentatiously, the Committee are doing a lot to do just that. They just do not brag about it. If there is any harm being done, if any alarms have been raised, it is this spectre that the signatories have raised, that should their motion not succeed, the future path for education in Guernsey is in great jeopardy. If I was a parent, or a child at a school, or a teacher, and I was really listening to that, that is where the source of the alarm is, not from the actions of the Committee. So, I think it is a bit rich for the signatories to introduce that point. **(A Member: Hear, hear.)**

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895 Another accusation, they failed to manage differences of opinion with staff. I personally regret that this needs to be talked about in the Assembly, but Deputy Yerby has included it in the motion of no confidence, she has herself spoken on it now, and I do so, but I choose my words very carefully.

900 The first thing to make clear is that we are not just talking here in the case of Education with differences of opinion. We are actually talking about a fundamental issue here of who sets education policy, unelected civil servants or democratically elected politicians. Now that needs to be dealt with, we know it does. We know that that Committee, in particular, is vulnerable to that fear. It is not just a problem that has been faced by the current Committee, other Committees have faced it in the past. In fact, one of the signatories, Deputy Le Tocq, was on Education for four years in 2000 to 2004 when this problem could be arguably seen to be at its apogee – or nadir, depending which way you are looking at it. He did not deal with it in four years, left it unresolved. 905 Now, at the time that this motion of no confidence was signed off, the Committee had been in office for seven months, and they are now accused of not having resolved it, in seven months, when previous administrations could not do it in their full term.

910 **The Bailiff:** Deputy le Tocq.

Deputy Le Tocq: Sir, I hesitate to interrupt, it is all opinion, but I think that there is a big difference between that particular Education Council as it then was, bringing proposals to this Assembly to move towards an all-selective system, which this Assembly then chose not to 915 implement, but to continue with the *status quo*, we then continued to work on that basis, because that was the... In other words there was no change happening. What we have before us now is a massive change in culture, and so I do think there is a particular difference there between those two examples.

920 **The Bailiff:** Deputy Graham.

Deputy Graham: Well, sir, I do accept that situations change, but I think the systematic problem remains. Okay there may be fluctuations in this, but from what I know, and I do know, admittedly not at first hand, but at second hand, that there are genuine issues of who is 925 responsible for education policy when push comes to shove. I really feel that it is in nobody's interest for this to be pushed down the road and not dealt with. I think it should be dealt with.

Now, we were told that it was unfortunate that Deputy Carl Meerveld on one of the phone-ins chose to air this in public. I do not think he did. From my memory, he responded to a question. Shock, horror, Deputy in Guernsey replies to a question, gives an answer to a question! Well, he 930 did, and to be honest, I think the public has a right to know that when things are running badly that these things are running badly. If you are going to blame Deputy Meerveld for doing that, I have to tell you that I am just as guilty myself, because I have a network of concerned parents in the Castel who regularly contact me, and who have specifically requested me to keep them up to date on what is happening. I was quite frank with them in telling them what I understand to be 935 happening at Grange Road House. That is all I want to say about that particular issue.

Finally, sir, I say if not them, who? One of the things that really disturbs me about the whole drift of the signatories' argument is this apparently very narrow view of what the Committee's remit is. It is a narrow view even within Education, because it is concentrating purely on one narrow element, and I admit it is an important one, but it is not the only one – even within 940 Education. It would be interesting to know who is best placed, the current Committee or a team drawn from the *requérants* to take on, for example, the devolution, or more autonomy, to our school governing bodies. We know already that the slow glacial pace of this has lost us an inspirational head at the College of Further Education, and I think really the progress there is still too slow.

945 We also know for a fact, don't we, that some of the head teachers and senior staff at our
secondary schools, of whatever colour, feel that the staff at Grange Road House are resisting this?
It is rather like turkeys for Christmas, because the devolution of autonomy, and I am talking here
about developing budgets, devolving the ability to recruit staff, and so on, that inevitably will
950 result or give the capacity for reducing the number of staff at Grange Road House. I do not know
how many work there, but senior teachers tell me that something in the order of the upper 70's,
and they could easily be halved if devolution of autonomy was fully implicated. Now, I ask who is
best placed, really, to set about that. I believe the current Committee are, because they are already
bedded in and I hope they are working on it now.

I am also, still within the narrow interpretation of the Education remit, worried about the future
955 of the Grammar School. I have heard it said, that the abolition of selection does not mean that the
Grammar School is going to close in the way that we know it now. I think this is pushing
disingenuity to its extreme. Try that argument on the staff and the pupils who are there now. That
argument needs to be put a darn sight more convincingly than it has been put so far. I am worried
about how the 'closure', in inverted commas, of the Grammar School is going to be handled,
960 because those of us who remember how badly handled the closure of St Peter Port Secondary
School was handled, and the repercussions of it afterwards, not only on the kids themselves, but
on the schools to where they were dispersed. We do not want to repeat that.

There is a risk that those for whom the closure of the Grammar School will be the realisation of
a long ambition, might choose to celebrate it, cannot be trusted to handle that closure, if a
965 closure it is, with the same sympathy and delicacy that I entrust the current Committee with, and if
people think that this is an artificial argument, go and chat to some of the staff, and the teachers,
and the pupils at the school. They need some reassurance on that score.

Finally, Sport & Culture: it has not had a mention, barely by the signatories. Let's just look at
the sports scene. In four years' time we are going to host the Island Games. That is going to need
970 a lot of political leadership in the sporting field. We have got a generation of youngsters who, by
many standards, are not as fit as they should be. We should be encouraging them to indulge in
sport as and where we can. In other words we are looking for a team that will provide good strong
inspirational political leadership of sport in Guernsey. When I look at the current Committee and
compare them with the signatories and their supporters, I am quite sure where I know their best
975 interests lie in the sporting field.

Sir, I conclude just by saying, again, that I hope I have struck the right balance here. I hope I
have not sought to goad anybody, or to expose anybody unnecessarily to criticism. I just hope
that the States can resolve this in a grown-up manner, and that most importantly when it is over,
particularly if the Committee survive, we could have an end to the rather unattractive campaign of
980 sniping to which they were subjected beforehand, sir.

Several Members: Hear, hear.

A Member: Very well said.

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The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, Mr Bailiff.

I think I had better speak this morning because jetlag means that I will be even more
990 incoherent this afternoon than I will be before lunch.

Deputy Lester Queripel is completely wrong. The Committee are not on trial, they are not
being accused of lying. I have absolutely no doubt that Deputy Le Pelley and his colleagues are
being 100% honest when they say they will attempt to deliver the extant Resolutions that this
Assembly upheld in, I think, the beginning of December by the time we actually voted on them,
995 endorsing what had happened at the end of the last term. That is not the issue.

I support this motion of no confidence in the Education, Sport & Culture Committee 100% for one very simple reason: I am afraid I do not have confidence in the Committee, as currently constituted, to deliver on what is one of the biggest, most important, and most controversial transformation and change programmes ever to be implemented by this Assembly.

1000 It will come as no surprise to Members that I am completely behind the reforms to Guernsey's secondary education system, which were first of all approved by the previous States. I agree with Deputy Prow the timing was far from ideal, but it generated a lot of interest at the election, and a new Assembly was elected on the back of that, that endorsed that decision. I think it was the right decision, I think it was overdue.

1005 But I am not naïve. If there is one thing that non-political experience has taught me is that change is always really, really difficult. The *status quo*, however badly flawed, is always so much easier to sell politically than change is, however good that change may be. When it comes to changing something as emotionally charged as our education system, then those difficulties are only multiplied. Of course, it can be done if the process is led by a highly competent Committee, who are utterly committed to the change programme they are implementing. Even then it is still
1010 very hard, but then it is doable. But if the Committee driving the project are either less than competent, less than energised, or less than 100% committed, body and soul, to driving through that change, then it will rapidly become mission impossible. Sir, if they are neither competent nor committed, then the whole project is dead in the water before you start.

1015 Sadly, I am personally – and Deputy Queripel is right, this will be us, our opinion, there is no right or wrong, it is a matter of opinion – convinced that the current Committee as a unit lack both the competence and the commitment to deliver. Therefore if the Committee stays as it is then I think this vital transformation programme is absolutely destined to fail. I cannot tell you how much I would prefer not to be saying these things. I am talking about the Committee and
1020 how it performs as a collective unit, not commenting on its individual members. But I realise that that fine distinction could be hard for those involved to make, and therefore my observations may be extremely hurtful. If so, I am genuinely sorry, but we have been asked a very simple question by Deputy Yerby and her co-signatories. Do we have confidence in the current Committee for Education, Sport & Culture, and in particular, confidence that they can deliver one of the most
1025 important change programmes that this Assembly has approved in generations? As such we are all duty bound to give an honest reply.

In doing so our first responsibility is not to each other. Deputy Graham is right, of course, we have to have some sort of collective *modus operandi* if you like, we need to live together in order to deliver over the next four years. But actually, the most important thing is not personal
1030 relationships within this Assembly. Yes, we have a Code of Conduct to make sure that we are not deliberately disparaging or insulting, and I hope that I am not being either, I do not have any problem with the individuals on this Committee at all. But our first responsibility is not to avoid conflict or unpleasantness in this Chamber, rather it is to put the Island and its children first. I am going to do that today, and I am going to vote for what I think, and I am going to vote for that I
1035 know is in their best interest, even if that makes me deeply unpopular in some quarter, it is my clear duty.

Indeed, personally, and this is speculation, but I believe that most Members of this Assembly know that this is not the right Committee to deliver on the huge transformation programme, our huge transformation programme, the one that we have endorsed. But sadly, I very much doubt
1040 that most of them will have the courage of their convictions today. Their reasons will be varied, some will support the Committee to avoid being seen as involved in any unpleasantness – indeed, having come back from holiday and trawling through what seemed like millions of emails yesterday, I was shocked to read one from a senior Member saying that he intended to abstain, the same Member that when I was in the vestibule shortly after the debate on selection had not
1045 only been lost but frankly appalling handled by the majority of the existing Committee, went down the stairs opining to anybody that might be within earshot, 'They have to go.' Now, I think his initial honest reaction was the right one. His reconsidered approach is weak, but I think it will

be typical of many in this Assembly today, who can see the truth but are putting good personal relationships before good governance.

1050 Others, frankly, I suspect still secretly want the move to all ability secondary schools to fail, and will support the current Committee because they think that way the chances of failure are increased. I hope not, because if so that would be shameful.

1055 Of course, I accept that if Members in this Assembly genuinely have full confidence in the Committee, as presently constituted, there is no issue for them. Members who feel that way are blessed today. They can deliver pleasant unifying speeches without being untrue, either to themselves, or the needs of the Island. But goodness me, those Members must have some strange judgement! If the catalogue of ineptitude over the last eight months does not convince them, then what will?

1060 Now, I am going to go on to explain why I am completely convinced of the need to change the Committee in a moment, but first, I suppose I must, sadly, really, respond to some of the ludicrous conspiracy theories circulating about the motivation for this motion. I will be brief though as I suspect they are nothing more than an attempt to divert debate from the real issue. It is too important an issue to be diverted from. But sir, I have heard that there has been despicable plotting going on, that there are dark forces behind the motion of no confidence, that it is all about political ambition. Now, I know that we live in a post-truth world, where conspiracy theories on social media have replaced facts, but as conspiracy theories go this really is a corker!

1065 Of course the Deputies who are deeply concerned about the ability of the existing Committee to deliver on such an important transformation, approved by this Assembly, probably the most important for a generation, of course they talk to each other. Of course they articulated their concerns, and asked each other what they could do about them. It would have been wholly irresponsible not to. Grow up! That is not plotting, that is politics, and I hope we see more of it. Deputies identifying concerns and trying to do something about them between them: that is how our consensus works. You talk to your colleagues, you try and do something about things that are concerning you. I hope they do more of that on behalf of the Island.

1075 Now, of course, more Deputies always supported the placing of this motion than actually signed it. The Rules say that only seven can sign. Well, if anybody believes that Deputy Yerby is anybody's cat's paw, they need their heads looking at.

1080 As for myself, I can only say I had absolutely zero to do with the drafting of this motion. I was asked if I would vote for it, and I said yes, for the reason I have started outlining, and will return to in a moment. I was also asked if I was interested in signing it, and very reluctantly said no. Why? Because before the debate on education, a completely false rumour circulated that I was planning a vote of no confidence myself. I told certain members of the Education Committee that that was completely untrue, because it was completely untrue, but I actually regret doing that because, frankly, by the end of that debate I really wished I had said nothing because their performance made it as clear, as plain as a pikestaff, that they really did have to go. They were not the right Committee to deliver on this huge project.

1085 Finally, before leaving the conspiracy theories behind and returning to the real issue at hand, let me deal with the alleged dastardly political ambition of those supporting the motion. This is so frustratingly completely untrue as to be risible. Perhaps what has frustrated me most about this episode is that it has been raised, and I actually agree with them, by some of the people asking 'Well, who is going to step up to the plate then?' – one of the things that frustrated me most about this episode – has actually been the lack of ambition to take on the challenge of heading up this transformation programme amongst the politicians in this Assembly who genuinely believe in it. I can think of several ideal candidates, but none of them seem to be willing to step up to the plate. As a result I have made public, with huge reluctance, that if the position of President became vacant, and if no one else who really believed – (*Laughter*) and if no one else who really believed in the transformational task ahead goes for it, then I will. It is not my personal lifestyle choice. I am still hoping at this 11th hour that someone else emerges to take on that challenge.

1100 Deputy Graham said, 'Where was the courage of the people?', actually talking about the signatories, but I think it could equally apply to me in May for not going for ...
Sorry, I will give way.

The Bailiff: Deputy Graham.

1105 Can you put your microphone on Deputy Graham.

Deputy Graham: I only rise really to challenge the use of the word 'courage', which I think was used. I actually made a point in my speech that I really wanted to dissociate this issue and people's attitude to it to any scramble for the moral high ground, whether we are talking about nobility or moral courage or whatever. I really feel that the element of courage is not involved. We know genuine courage when we see it out in the community when people face insurmountable difficulties sometimes. That is real courage. Saying what you believe here, sticking to what you believe here is not courageous; it is just common sense and it is democracy at work.

1115 **The Bailiff:** Deputy Roffey.

Deputy Roffey: I think Deputy Graham is confusing my reference to one part of his speech with another part of his speech. What he did say was that Deputy Le Pelley and his four colleagues were the people, I cannot remember what word he used, but who had the gumption to actually go for it, to step up to the plate and do it in May. I did not, to be honest. I did not want to stand for a major Committee at all. I wanted to be on Scrutiny, Deputy Green.

1120 In fact, I hope it is not giving away any secrets but after the election Deputy St Pier sounded me out on whether I would be interested in being on P&R, I said no, I would prefer to be on Scrutiny. That actually remains my ambition today. I felt I had done enough time on the front line of politics to deserve that interesting and freewheeling role across the whole of the Assembly, and perhaps with a little bit less responsibility. Shameful maybe, but I felt that my track record allowed me to do that. My days of personal political ambition, if I ever had them, are long behind me.

1125 I feel a bit sad that people feel strongly about position. Indeed, in the run up to the General Election when friends and family said I must be nuts to go for the States again, I said, 'Don't worry, there is no way I will go for the President of Health & Social Care or of the Education, Sport & Culture Department', and I still feel that way today.

1130 But I am utterly convinced this project needs to be led by a true believer. I do think that. We are not debating whether to keep selection any more, where a range of views around the Committee table are useful to thrash it out. We have made our decision and it will be implemented more effectively if it is led by somebody who actually believes in it. So, if everybody else that fits the bill takes a step backwards, I think that that is sad, but reluctantly I do not think I could look those in the face who want this budget to succeed if I did the same.

1135 Now if that is regarded as overweening ambition then the people who think that really are living in a weird, shadowy world of internet conspiracy.

1140 But back to the real issue, what evidence is there that this Committee is not up to the job? Already after eight months I could give a huge number of reasons. Here are just six. One, in the Budget debate they accepted a 3% cut in their revenue allocation without demur, but having questioned the President ... and I think they were absolutely right, the Scrutiny, to call Education, just as they were right to call Environment & Infrastructure over the Waste Strategy. We want to talk to Presidents that are heading up things that are of general public interest, and both of those were generating enormous public interest. That is where we want to actually get to the bottom of what is going on, so I disagree with Deputy Graham. But having questioned the President, and spoken to the staff, I think it is obvious they have not got a clue about how they are going to achieve that saving. I think they lack foresight.

1150 Two, I think I disagree completely that their approach to pre-school education makes sense, it is a complete nonsense. Allowing top-ups may placate some commercial businesses who provide

premium services at a high cost, a high cost that the current flat rate cannot cover, but it is simply directing money at those who really do not need it. They lack judgement.

1155 Three, their approach to the issue of selection has been chaotic to the point of embarrassment. They hunted for seven or eight months for a way to carry out selection and could not find one. Then the majority of them voted for selection anyway. Just weeks after telling us in black and white in their policy letter that the majority of the Committee were definitely against selection. Not to mention that they framed their proposals so badly there had to bring a last minute amendment to make any sense out of it at all. Every week they seem to have a different position
1160 on selection. On one occasion they had three different policy stances inside a week. Their approach to this vital subject, frankly, has had more twists and turns than the Val des Terres. They lack any clarity of thought as a unit. I am sure they are sharp cookies individually but put them together and the chemistry, it has been quite clear, does not work.

1165 Now, perhaps most importantly, their claim that they can easily deliver a demanding programme of transformation, with which the majority of them personally profoundly disagree, is just incredible. It beggars belief. Forget about selection. Selection is quite a big thing, but let's just forget about. What about moving from a four school to a three school model. Now that is almost certainly going to involve absolutely infuriating either the Grammar School lobby, or the La Mare de Carteret lobby. This, after the Committee concerned has previously pledged publicly to support
1170 both schools. How will the Committee deal with the incoming vitriol that they will receive? How will they face down the angry campaigners which will make the closure of St Andrew's Primary and St Sampson's Infants look like tea parties in comparison? What will the President do? Will he tell the angry opponents of his plans that he personally thinks actually they are right, the plans are useless, but it is not his fault the States are making his do it. How on earth will that drive through
1175 the reforms? Or will he dissemble as he would have to, unfortunately, and pretend he thinks the decision to close their school is the right one, and that despite their concerns we will be better on the other side when we have closed one of our secondary schools, despite being clearly on the record as believing the opposite. Those lobbyists will know he does not believe what he is saying. Either course of action would be completely bereft of credibility, destined to make it far, far harder
1180 to make any real progress. Leave the current Committee in post and they will be complete lame ducks.

Of course committees can do things they do not really believe in. On lesser issues it happens all of the time, but when those are the absolute flagship projects, the biggest things that this Assembly has done, things that people have faced the electorate and pledged which way they are
1185 going to go on in the new Assembly, it simply does not work. There are numerous examples of that.

For example, this Assembly, rightly or wrongly, previously decided to bring in paid parking, and I am not talking about the Deputy Brehaut effort, but going back a little bit further, one of the other times we resolved to bring in paid parking, it never happened. Why? Because we gave the
1190 task for it to an Environment Committee under former Deputy Peter Sirett, who personally and the majority of his members just did not believe in it. They did not believe in it so they could not deliver on it. I could give you countless other examples. Civil partnerships might be a good one, But actually, as what we got in the end was far better, I will probably shut up about that. But nevertheless a decade ago this States decided that as soon as possible they wanted proposals for
1195 introduction, and because the Policy Council at the time did not really think it was an important thing to do it did not happen. If you are not driven, things do not happen. I have seen numerous examples of that. A Committee trying to drive through big changes that they disagree with in their hearts is a bit like a ship trying to sail to a destination: they may be honestly trying to get there but they are dragging a heavy anchor. It just does not work. We have had so many examples
1200 of that.

What is Einstein's definition of insanity – doing the same thing again and again and expecting a different result? Every time we have given a big task to a committee that just does not believe in

it, it has foundered. But of course, Einstein is wrong this time round, it is all going to be different, we have heard that this morning.

1205 To be honest, I was quite shocked that at least the President and Vice-President did not resign after the policies they were so clearly wedded to on a flagship matter were defeated by the States. I think it was very, very, strange to see. Yes.

Deputy Meerveld: Point of correction.

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The Bailiff: Deputy Meerveld.

Deputy Meerveld: I was very much the poster boy for non-selection in this term, so I was not going to resign when my motion was carried.

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Deputy Roffey: Quite right, I was promoting Deputy De Lisle, I am afraid. I was quite surprised that Deputy Le Pelley and Deputy De Lisle did not resign when they were so clearly, implacably, opposed to the decision of this Assembly. I do not know, what kind of leadership are they providing? I do not doubt their honest, but we do have a right to expect leadership. That is what they are there for. Not just to implement what we decide, but to lead us to the right position. It is not about, 'Tell me where you want to go and I am the man to lead you there.' Even worse, it is certainly not about where you want to go is a disastrous destination but I am still the right man to lead you there. That just does not work. It really does not.

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Will that change? We have got these workshops. Well, consultation is great, but it is not our task actually to do the work and decide which of the various three school models will work, we should be seeing those proposals coming out for consultation certainly, but honed down and their preferred issue, we are still not seeing the leadership that a senior committee should be bringing. It is too passive.

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Now, people have said, of course, people can do things they do not agree with: look at Theresa May on Brexit. All right for anybody who genuinely believes that Theresa May was opposed to Brexit, then they are more green than they are cabbage looking. She was playing the percentages. One man that was genuinely opposed to Brexit was David Cameron, and he realised, 'I cannot deliver this, I am not the man to do this, I am on record as saying it is a disaster.' – Project Fear made that quite clear, it is going to be a disaster for Britain. If he had stayed and said, 'I am the right man to lead you to disaster', he would have lost all credibility. Well, this Committee were saying by a majority, not all of them, that this was a wrong decision, and yet still think that they are the right people to take us there. It does not work.

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Frankly, the huge task which the States have given to the Committee for Education, Sport & Culture is going to take really exceptional political application and ability to see through. I just do not believe this Committee has it.

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It has been said that we elected this Committee less than a year ago and should therefore give them a chance to prove themselves. Nope. We have to think first of the Island's children. We did indeed elect them less than a year ago. We did that, and it has become abundantly clear since that we made a big mistake. So it is our duty to put it right. I am sure that some of them, I know that some of them, are well motivated and capable individuals, but as a unit they are not.

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Mr Bailiff, I am genuinely sorry for any upset my speech may have caused, I do not really like political argy-bargy. As an observer I think there have actually been too many occasions on which votes of no confidence have been brought on committees over the last few years, usually HSSD, and having been there and done that and got the T-shirt, I can see how unfair that some of those votes of no confidence actually were, even though they were carried by the States. Well, actually, usually no, people were hounded out of office so they did not have to, but only under threat that they would be removed if they did not. I think that these should be very rare events, but the stakes are so high that I just feel I have a duty to be totally honest, and I am sorry Deputy Le

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Pelley, this is not personal, I just do not have confidence whatsoever in your committee to deliver.
(Interjection)

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In fairness, if they survive today, which I think they will, and if they fail to deliver on the approved policies of this Assembly, in a timely and competent manner, then it will no longer be their fault. It will be the collective responsibility of all of those who vote today to leave them in place. All of those that vote that way will need to answer for their votes.

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In closing, I am afraid, I want to echo the words of Channel Television reporter John Fernandez when the Education Committee decided back in December that they were not going to resign. He led his report at six o'clock with a headline saying:

The Committee for Education, Sport & Culture is going nowhere.

Sadly, he was dead right, but probably not in the way that he meant. All of the high achieving committees I have ever known were both fairly united, and actually believed deeply in their DNA in what they were trying to do. I do not think we can leave this Committee in place. I think we probably will, and I think we will live with the consequences.

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The Bailiff: Deputy Kuttelwascher.

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Deputy Kuttelwascher: Full of enthusiasm to stand up, I see.

Sir, I am just going to focus on one issue, and that is a question to Members of this Assembly. Would those Members who would wish to take up positions on any new Committee, should that be a requirement, make themselves known? We have one, Deputy Roffey has just said so, and he has also said he would take up the position of President, and I think he implied if there was no competition. But without knowing who might be a replacement committee I am afraid there is nothing to compare the existing Committee with, and if at least five Members of this Assembly do not stand up and nail their colours to the mast, I think this motion is dead in the water.

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So, I look forward to hearing from at least four more Members of this Assembly as to whether or not they would wish to sit on the Committee for Education, Sport & Culture.

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Thank you, sir.

The Bailiff: Does anyone else wish to speak?
Yes, Deputy Tindall.

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Deputy Tindall: Thank you, sir.

Being a signatory to a motion of no confidence is a decision that should not be taken lightly. I have therefore given this matter a great deal of thought, considering the pros and cons in the same way I did in respect of selection at 11.

After the debate ended on 2nd December, I was lucky enough to go to Malta for five days. I sat in the sun mulling over the words and actions of the Committee. I did so not knowing that others were thinking the same way, albeit in a colder climate. Without any hidden agenda I came to the conclusion that I had lost confidence in the Committee. I felt that the job of seeing through the most important change in education in this generation is in the wrong hands, or rather the wrong combination. As I have the ability to make a change, I could not stand by and do nothing, and leave it on the 'wait and see' pile. Sir, there was no question in my mind that the five Committee members are honourable people full of integrity, and I admire each and every one of them for their individual talents. However, this to me is a question of suitability for the job, suitability for such an important task.

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So I considered the options open to a Deputy when dissatisfied either with a member of a Committee or of the Committee as a whole. Under the Rules of Procedure we have a motion of censure and a motion of no confidence. These avenues are, of course, ones that should be taken once less formal alternatives have been followed, such as discussions with the Committee members, personally, or by email, and questions in the Assembly. Questions, I should add, about

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1305 the purpose of the meeting on 25th January, not about extant Resolutions, and questions which, unfortunately, I still have not had a full answer. For the record I have had such discussions, albeit I have not spoken to Deputy Leadbeater, despite the wish to do so on both our parts.

1310 As we know a motion of no confidence and the motion of censure are both in respect of the whole Committee not only one member. I mention this as I have to admit that I would have preferred to have had a choice. I would have preferred to choose between a motion against the whole Committee or one or more motions of no confidence in respect of individual members of the Committee. I say this simply because we elect committee members individually, so we should be able to remove them individually. However, we do not have that option. So the motion of no confidence, I felt, was the appropriate course of action as, if successful, it will result in the deemed resignation of the remaining four Committee members. As to the need for this motion being brought to this Assembly for debate, I refer to the resignation letter of Deputy Leadbeater, succinctly he said:

as with the issue of selection at 11 I think it would be best for the States to decide the membership of the Committee going forward.

1320 I agree with him. Deputy Le Pelley advised us just after his election in June that there would be some form of selection, that is my mandate, so I felt, as with the question of selection, Deputy Le Pelley's mandate as President should be revisited. Personally, if Deputy Le Pelley had decided to resign after losing the vote on 2nd December I think that by doing so he would have shown the signs of a President, leading by example, and putting his principles, not his job, first. I believe a President should be fighting for a policy, whether I agree with that policy or not, fighting for the best outcome for the people of the Bailiwick, not fighting for his job.

1325 It has been said that a motion of no confidence should be used only when a committee has failed, but I ask what is failure? We have been referred back to other such motions and circumstances in which they were laid, we are pointed to specific failures, and asked to identify such a failure in this instance. I refer Members to the motion of no confidence, and to the speeches already made today, and those which are, no doubt, yet to come, which will identify many failures. I do not intend to add to the litany, as I do not think it necessary to list every point and every detail.

1330 However, some will say, 'Ah, there is no big failure.' I say thank goodness, sir, because such a big failure will presumably be the failure to implement a successful transition to the non-selective education system. Such failure, in my view, will be so devastating for pupils, parents, teachers, and the wider community, to not bear thinking about. I am not prepared to wait for this to happen. I have seen enough examples of actions by this Committee which, taken in the round, are sufficient to conclude that this accumulation of failures must be resolved before any one major failure occurs.

1340 I agree that a committee's quality should be greater than the sum of the individual parts, it is how they work together, and their suitability for the task. This quality should certainly not be less than each member's abilities, yet I think this is what we have seen. I honestly believe some of the members have been stifled, bogged down with issues that should not be there. Perhaps under new management I believe they could be so much more successful.

1345 I have also spent many years watching leaders go down paths which, if they listened to advice and used better judgement, they would not take. I have seen good people follow leaders, and even though they knew that there were better pathways have not been able to prevent the errors being made again and again. Hindsight is one thing, but signs which indicate a road to a familiar future should not be ignored. Well, now I have had the chance to say stop, this is a path we should not follow. I am finally in a position where I can draw attention to this meandering through options, this lack of a clarity of purpose which is going headlong towards dissension and disunity and finally failure. I will not stand by and allow the mismanagement of the biggest issue of our lives of our jobs, the education of all ages of Islanders. If I feel this about the way the Committee is progressing in respect of their education mandate I worry about the sport and culture aspect of

the mandate, and how it suffered. I can say no more as I have no information, but concern is enough.

1355 I have also looked at the alternatives. Whilst I have had a few discussions, unfortunately, others have not felt comfortable enough to have made these public yet, personally, I found that if I am helpful as I think as most people here, it would have helped this debate to be more productive knowing the individuals who are proposed. However, because of the irreverent way discussions that are made public are treated, I respect the decision. Suffice it to say I have looked at the
1360 current Committee and considered whether a differently constituted Committee, made up of likely candidates could do better, and I decided that they could, and within the timetable I should add, given to them by the States. Unfortunately, the choice is limited and has decreased due to the statement of two of the current members removing themselves from the running, there also appears to be a premise among politicians that Members elected last April, despite decades of
1365 leadership experience would not get elected as the President of the Principal Committee. That is a shame, as these are, in my view, unnecessary limitations, especially, when we need to access the skill set of all Members for the benefit of the Bailiwick.

As for me, I do not feel I have the background and knowledge for a position on this Committee. I do, however, think I know a lot about leadership, and effectiveness. So what am I
1370 looking for in a replacement Committee that is mandated to bring in major change in policy? I believe it needs strong leadership and unity of purpose.

I also considered what the people of Guernsey would think about a motion of no confidence. I thought about the concern they may show about what has been described as in-fighting. I hope that these people can see that it is not in-fighting but forward thinking that has provoked this
1375 debate. It has also given us the opportunity to be frank about our concerns, which I have discussed at length with some of the members of the Committee.

I have also seen a strong will by those who supported some form of selection to get on with it, having accepted the 11-plus and selection at other ages has gone, that must surely be considered a success. As Deputy Graham said, I hope it has cleared the air. However, I do object to Deputy
1380 Graham's allusion to the bad versus the good, or good cop, bad cop, being led by those laying the motion. I strongly refute that. As he said, *The Press* is independent.

My main concern has been in disarray in which that Committee appears to be. Mixed messages, the differences of opinion, the fact a motion of no confidence raised its head as early as September. I have to be honest and say that I no longer feel that Deputy Le Pelley is the right
1385 leader of this particular Committee with its extensive mandate.

Deputy Trott in his speech nominated Deputy Le Pelley, and said that:

a key feature of leadership is the ability to positively influence the behaviour and actions of others; another is the composure and confidence that a lifetime of relevant experience brings.

I agree, the President of any Committee needs this. John C Maxwell said, 'A leader is one who knows the way, goes the way, and shows the way.' He also said that 'a man must be big enough to admit his mistakes, smart enough to profit from them, and strong enough to correct them.'

1390 I do not think that a President should like to be an equal, or a leader among equals. I think a leader should be a *primus inter pares* or first among equals. As well as strong leadership from the President, I also want this from the Committee as a whole.

I would certainly not advocate one set of views on the Committee as diversity of opinion promotes essential discussion and innovative thinking. I do want to see clarity and consistency in
1395 the message and the approach. A team must work as one with equal effort once a decision has been reached, and all must be on message, supportive, and take responsibility for the decision. There must also be diplomacy, so no parties are alienated, but involved and respected. Most importantly there must be a robust approach both from the President and the members, so that there is confidence in the Assembly that they as a team can fulfil all of their mandate and face the
1400 storm clouds ahead.

1405 So, knowing some of the Committee members, working with two of them on committees, having spoken in depth with some of the Committee, asked questions in the States and considered plan B, I still support the motion. I feel that we cannot wait to see if the Committee for Education, Sport & Culture can put aside their differences, both with each other and others, and come forward with a strong message of how the changes will be brought in. It is just too important a policy to wait to see if the errors of the past months will be repeated.

The mandate for the Committee for Education, Sport & Culture is:

to encourage human development by maximising opportunities for participation and excellence through education, learning, sport and culture at every stage of life.

1410 I am afraid I do not have the confidence that this Committee, as a whole, can fulfil that mandate, and so I support this motion.

Thank you, sir.

The Bailiff: Deputy Ferbrache.

1415 **Deputy Ferbrache:** Sir, I am disappointed that two hours or so into this debate we have not yet heard from any member of the current Education Committee. I appreciate the President would want to hold his remarks back, because he is going to ... you may be giving him two speeches, sir, as you have indicated, but he may decide he will listen and only make one speech. That will be his judgement.

1420 So I am disappointed in that regard. I also agree completely with Deputy Graham's remarks, that to bring a vote of no confidence is a perfectly proper political parliamentary procedure, and I make no criticism of the proposer or the lead Member in the sense of the person who presented it so far, Deputy Yerby, in what she has said.

1425 I do have one or two criticisms of some of the signatories to the motion of no confidence. In one in particular because his position seems to be inconsistent, and that is – he is not in the room at the moment but I am sure he will return – Deputy Le Tocq. But we will come ... This is not so much about personalities. Where I do agree with – and it is a point that has been consistently made – Deputy Prow made it, in the first speech after Deputy Yerby, then Deputy Lester Queripel, Deputy Roffey and Deputy Kuttelwascher – who else is going to stand in the stead of this Committee if they fall?

1430 Deputy Kuttelwascher, and I am sure not for theatrical or dramatic purpose actually said – because Deputy Roffey has explained he would put his name forward reluctantly – 'If there are going to be another four Members, can they please stand up', and there was deafening silence. Nobody genuflected or membered, there was no physical movement of any kind to indicate that anybody was going to put their names forward to be a member of the Committee, if this particular Committee fails.

1440 Now I accept, unreservedly, and Deputy Roffey made the point very well indeed, in direct contradiction to Deputy Lester Queripel's view, which is wrong, that if somebody votes for the motion of no confidence they are calling the members of the Committee liars. They are not at all. Just because you disagree with somebody does not mean you are calling them a liar. I would be very surprised indeed if anybody who voted for the motion would be voting for it on the basis they believed any of these good people were liars, because they are not. They would be voting for it because they disagreed with the way that they have followed their mandate over the last eight months or so. So I have no problem with that.

1445 Where I have a difficulty is ideology. Ideology can be a good thing and it can be a bad thing. At the moment in Europe, and in America, we are having a right-wing populist ideological movement. That will peter out, because they all do.

We all remember, or most of us remember, when we had this great social democratic movement in 1997 when Tony Blair was elected. What have we got now? The greatest party, in my view, that there has ever been in British politics, the Labour Party, is now in complete disarray.

1450 Because a well-intentioned, well-educated, thoroughly decent man, Ed Miliband, brought in an
electoral system which means that the party is now run by the lunatics and the extremists, and
that will be the way it will be. That is the point, you can have all the intelligence in the world, but if
you have not got an iota of experience, or an iota of common sense, it is going to lead you
nowhere. That is what worries me here. There is no moral high ground, people hold views. Just
1455 because you voted pro-selection in November/December, or anti-selection, does not give you the
moral high ground.

Deputy Roffey made another good point that– and I am not talking about the Monkees’ song
all those years ago – you have got to be a believer. Hopefully, no, not a day-dream believer!
(Laughter) You have got to be a real believer in the policy that you are bringing forward. I am
1460 disappointed with the eight months I have spent in the States since I came back in May, because –
it is the analogy that Deputy Roffey laid forward – you feel as if you do anything you are a ship
trying to get to a port, but you are dragging a heavier and heavier anchor, if you are trying to do
anything. I hope I am not moving off course, if I am and sailing the wrong passage, I will be
corrected and brought onto course by the Bailiff. But both in relation to education, and generally,
1465 we have got to start cutting that anchor, and we have got to do things.

Now, do I think that the Education, Sport & Culture, or whatever they call it, they have all got
these grand titles, and I am grateful to Deputy Prow for drawing my remarks, from *Hansard* back
in May, when I was proposing Deputy Kuttelwascher as President, to the attention of the States,
because it is a such a monolith, a behemoth, whatever you want to say, this great Committee
1470 responsibility, and we are just centring – and I appreciate why – on one third of its mandate today,
which is education. I know that all the Committee members, all five of them, because I include
Deputy Leadbeater as well, all five have devoted hundreds and hundreds of hours to their task,
diligently, conscientiously, and they are all individually, all five of them, able people. But I do not
think they have done it well enough at the moment, and I do not think they have done a good
1475 job, but I do not think it is a bad enough job for us to make the draconian decision of getting rid
of them. **(Deputy Trott: Hear, hear.)**

I do not need a ‘hear, hear’ from Deputy Trott *(Laughter)* because this is a serious debate –

Deputy Trott: It’s not up to you.

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Deputy Ferbrache: This is a serious debate and it is a serious issue. I said publicly and
privately on very many occasions over the past weeks that I would abstain in relation to this
motion. I have changed my mind, and I only changed it last weekend. I have changed it because
what I expected to see from either the proposed Committee members or the proposed President,
1485 or presidential candidates, is an outline mandate for what they are going to put forward if this
Committee fails. This Committee has been told by the States in the November/December vote,
that selection has gone, and that you must move on. I fully accept that as a Member of the States,
and I would have no difficulty, and I would be a believer in a new system, of trying to steer the
boat into the right port even though I voted consistently, and that has always been my view, in
1490 relation to pro-selection. That has gone. Pro-selection has gone at 11, it has gone at 13, it has
gone at 14, it has gone forever in the old fashioned conventional sense of selection. But we have
got to move forward with a much better education system. Time is not on our side.

Whoever the Education Committee are, they have got to come back in June, I suppose the
latest July, if people were to put off their summer holidays – which are rather long – they have got
1495 to some back in the next five or six months with something. They have got to come back within
the next five or six months, not ‘Oh well, we haven’t managed to make it, it will be September
now, or it will be October.’

Where I am disappointed with them is that we all knew that when the States’ Assembly in
March passed a Resolution saying, effectively, ‘get rid of the 11-plus’, that was an election issue,
1500 and that should have been decided by this Assembly no later than June or July. If we were going
to decide everything, whether it was going to be four schools, three schools, what the syllabus

was going to be, all that kind of stuff, that would have taken ... but that is not the way it turned out.

1505 Deputy Yerby made the point in her opening remarks about – I am summarising what she said rather than quoting the actuality of what she said – really, they only came before the States at the end of November because they were pushed. They were saying, Oh we are not going to come back with anything, I think they said, ‘until next June’. That was far too long. It left far too much uncertainty. So they should have reacted earlier.

1510 But this is not a schoolboy. We are not schoolboys punishing somebody because they have not quite done what we wanted. We are saying to a Committee with a very difficult, and very wide mandate, that ‘You have got to do better. You have not done well enough yet, you have got to do better.’ If they do not come up with something decent and sustainable in June or July of 2017 then they should go.

1515 I take Deputy Roffey’s point that is the responsibly of everybody because we have given them, those that voted for it, another five or six months and they have not performed. That is a very valid point. But they have got to perform, but equally, we have got to be honest, as an Assembly as to where we are going to go. Money trees are not – I planted quite a lot of trees in my modest garden recently, but I did not plant a lot of money trees, because there are not any in existence, and we as an Assembly – and Education is going to be the first real test of that – have got to say
1520 to the public, this is all that the Government can afford.

We have had the same Finance Minister ... I am not very good with titles. I know lots of people have titles, we have sirs, and lords, and MBE’s, and OBE’s, but the Finance Minister for the best part of the last five years has been Deputy St Pier, and he told the States, when the policy letter was published on 8th January of last year, what is being proposed by the then Education
1525 Department, which was a four school model with a federation system, cannot be afforded. It is going to cost another – I brought it with me again; I put it in my garage but I have retrieved it – we are going to spend another £400,000, Deputy St Pier and his Treasury Committee said, on transport costs and extra costs for the federation head. We are going to spend another £3 million or so on the general costs, and an extra £3½ million was the figure that was specified in the comment to the policy letter, and we cannot afford it, he said. So, this Committee has to grasp that.
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Again another point –and yet another point made by Deputy Roffey that I agree with – about leading. This Committee has got to lead. There has been enough public consultation. There has been enough going out to have a discussion with this one and ‘let’s naval gaze’, ‘let’s see what
1535 colour the sky is today’. It is their job to lead, because they have not got a lot of time to lead, but they have got to grasp the nettle, haven’t they?

My manifesto said nothing, so if anybody wants to quote my manifesto they can say what they like, because it said nothing, because I made no promises. I made no promises because I did not know where the... It is all right looking afar; you have got to wait until you are inside to see what is
1540 achievable. I did not know the state of the Island’s finances. Of course, the Budget is public and the States’ accounts are public, but if you are not on the inside seeing it on a day to day basis, you do not really know how it works. I now know that we have got a pretty good economy, but we have not got enough money. It is a point that Deputy Dorey has made very ably on several occasions that we are paying the bills but we have not got the money to support the
1545 infrastructure. That is basically what he said, more eloquently than I could say it, but that is basically what he said. So we have got to face that conundrum.

I have said publicly and privately that I want to rebuild La Mare de Carteret School, or schools. Frankly, I do not know how we are going to be able to do that now.

1550 Deputy Yerby, I think her letter which was leaked last week was very good, very well intentioned, had two failings. Firstly, the one referred to by Deputy Graham, it should have been circulated to all 40 Members of the States, because not even all the 21 would have signed up to it.

I give way to Deputy Yerby.

The Bailiff: Deputy Yerby.

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Deputy Yerby: When the letter was leaked to the media, I believe it was leaked with a trail of emails that were sent between all Members. I did not think it was my business to forward on to the States emails that had been sent to me within the context of the group, so Members in this room may not necessarily have seen all of those. For a little bit more context, we talked about this over a period of maybe two or three days –

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Deputy Roffey: I do not think this is necessary, is it? If it is just a matter of correction, in a sense –

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The Bailiff: It is a give way point. I do not think ... She did not say –

Deputy Roffey: If it is a give way point ... I assumed it was a correction, not to give me another speech –

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The Bailiff: She did not say point of correction; she said give way, so you have given way.

Deputy Yerby: I beg your pardon.

All I wanted to say was that in the course of that very brief discussion which reached the conclusion that we should not proceed with this, one of the things that was mooted and which was ... I forget whether I mooted it or not, but we needed to consider whether we should not discuss it with all 40 Members. I started out with the Members that I thought agreed with me, because that was the safest place to start, but it was not with the intention of excluding the rest of the Assembly. It was just the way that it evolved.

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The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: I was not implying bad faith. I am just saying, having heard that further explanation, I still think it was a mistake. That is not implying bad faith. I just think it was a mistake and an error of judgement. That does not make it a bad procedure.

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The second point was in one particular paragraph in her letter, where she said it is a misnomer, it is wrong – again, I am not quoting the exact words – to say the Grammar School is going to close. Deputy Graham is right: the buildings are not going to close, the facilities are not going to close, but the ethos of that school is going to close in the next year or two, and it is already dying now. That does not matter, we have got to get on with the system.

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But the point is we have got to be saying, and if I was standing, which I am not, for the President of the Education Department, or whatever it is now called, if I was going to stand for that, I would be saying this: I would be saying in the light of the States' decision that it made in November/December, you cannot now rebuild La Mare de Carteret school, but in the light of the States' decision made in November/December you have got to do the three high schools, call them whatever you will, they will be where the Grammar School is, where Beaucamps is, and where the other school, (*Interjection*) St Sampson's High is. Where those three schools are.

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Those three schools are going to have be expanded in number, because as Deputy Roffey said, not in this speech but in a previous speech, he is not in favour of selection. Well, he is in favour of selection by ability in a sense of setting, he made that point clear in a previous speech on a previous day. Let's just look at the arithmetic, you can do it if you have three sets, four sets, five sets.

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Let's just use five sets for example, you can do the arithmetic. Every subject, other than probably PE or something like that, would have to have sets. For it to be meaningful, for you to have the way that the system should proceed, you should five sets. If you have three schools, then you are going to have 15 sets per year, if you understand my meaning. If you are going to have

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four schools that is 20 sets per year. You can do your own arithmetic – it will be 60 for 12, whatever the arithmetic is, you can do that.

1610 You can only have proper setting if you have enough children in each set, and also you have got to have regard to the costs that Deputy St Pier referred to when he signed off the comments back in January. Clearly it is going to cost more to have five sets for four schools than it is to have five sets for three schools, and if you just multiply five years, difference of five per year, that is 25 extra teachers you are going to need if you have one extra school.

1615 I have got to say for the previous Education Department, not this Education Committee, this is where I found complete intellectual abrogation of responsibility and a completely arid intellectual approach, when I read the comments in the policy letter of January, which is the extant, and I had to look up what 'extant' meant again, because it was repeated so many times by Deputy Le Pelley in December it caused me concern, I wondered what it meant. It means 'still existing'.

1620 So the still existing, at the moment, Resolution of the States is that there will be three schools. That is still existing, that is what the States passed in March. We have not decided which three schools, but if we build a school and we do not know what we are going to do with the other one, we have spent £60 million that we could perhaps spend on the College of Further Education in due course, and where that needs to be, as it really does now, but we have not got the money. We need to do that.

1625 So we have then got the colleges. What is said about the colleges in the policy letter of January of last year was 30% of people are educated at the colleges. They do a good job. Factually correct, opinion wise correct. We cannot really accommodate them in the new States' system, so we are going to keep them. We are going to make sure they are viable. How on earth is that ...? If you have got this ideology, which we have now accepted, or people have accepted, that you have got to have all-ability schools, then how will you, beyond the transitional period, be able to fund the colleges?

1630 The colleges will have to stand on their own two feet, which they will do, which means, and I do not think there will be a mass transfer back to the States' system for kids who are at the three colleges, or kids that would otherwise go. There will be some, because the fees will rise, and they will not be able to afford it, but I do not think there will be a mass incursion of that. So you are then going to have a 28-cap set rather than 30, but I think it should probably be more like 30 – 30% that is. They are going to have to stand alone. That is a decision that any Education Committee is going to have to grasp. Those are just some of the issues

1635 If we come back and say, well, we are all in favour of four schools, or the majority of the States say they are in favour of four schools, where is the £60 million or £65 million going to come from, because we have not got the money? We could get it, there are funds there, they could be paid from, but we have not really got the money. We have not got the money to keep funding a system that we were told back in January 2016 is going cost too much and is not, according to the words of Deputy St Pier in January 2016, a value for money for the Bailiwick of Guernsey.

1640 How are you going to do that? We all approved just a month or two ago, I cannot remember exactly when, cannot remember the exact date. It will be in *Hansard*, which I have never read, but we have approved a system, just a month or two ago, as I say, a budget which effectively says there is no growth over the next four years. When you take away inflation there is no growth. The only way we are going to balance the books better is by cutting back on expenditure, and the proof of that pudding is yet to be seen. Whether we can achieve that, certain Committees will have no difficulty in achieving it. Certain Committees – Deputy Roffey has already alluded to it a bit in his speech – are going to have real difficulty in achieving those targets going forward, and the two that will have real difficulty. I am sure they will do their absolute best whoever the component ... Well, I hope the Health Committee will be as it currently is, but both the Health Committee and the Education, Sport & Culture Committee are going to have real difficulty, because they have got teachers to pay, hospitals to keep funding. That is very difficult, there are new medicines every day, all of that needs to be done. So we have got the approach the reality of it that there is not that pot of money to do so.

1660 What I am very disappointed about is nobody has stood up yet and said how that is going to be achieved, because if they are saying we should be in place of the Committee that cannot do its job, we have got to have something else. We have already made decisions, and there were decisions made. Deputy Graham gave the decision about the family allowance, and the point is we have pre-school education at £2 million and nobody thought it through.

1665 The impression from the outside – and that may be unfair, because that was the outside; I was an outsider until 1st May 2016 – was the States previously, over a previous States, probably two previous States, i.e. 2012-2016 and 2008-2012, did not really know what they were doing. They were passing Resolutions, making policies, they had no idea how they were going to be implemented; they had no idea how they were going to be resourced; they had no idea how they were going to be financed. (**A Member:** That's true.) I do not really want to be part of that, and if it continues I will not be part of it, frankly, because I am not going to waste my life in an Assembly that just wants to talk about theory, and say how wonderful we all are, and say how good we all are. (**A Member:** Hear, hear.)

1675 That does not give me the comfort to say... I did think there was a bit, with some States' Members previous to this debate, and a little bit in this debate but less so, about circling the wagons and protecting the wounded people on the wagon train from those indians who were outside firing arrows. I am not in favour of that. I like Deputy Dudley-Owen, I like Deputy De Lisle, I like Deputy Le Pelley, I like Deputy Meerveld – (*Laughter*)

A Member: Deputy Leadbeater?

1680 **Deputy Ferbrache:** Of course, I always like Deputy Leadbeater, but he has resigned. But he knows I do, of course I like him and he knows that I do!

I like them as individuals, but that would not be a good enough reason for just saying, 'Oh well, they should stay' – however well-intentioned and good people that they undoubtedly, 100%, cast iron, are. I could not support that.

1685 But we have got this vacuum, and I am not prepared, and that is why I changed my view which I held until the very end of last week, to have the vacuum about what is going to happen if this Committee falls today. Who is going to replace them? We have a very reluctant – and I accept he said those words most sincerely – Deputy Peter Roffey who put his name forward, but do we want somebody who would do it with gusto and energy and intellect and ability etc., but who is *reluctant* in doing a mandate like this? (**Several Members:** Hear, hear.) I appreciate once you switch the Roffey light on you get full electricity, I accept that! (*Laughter*) But he is saying, 'I do not really want the electric. I quite like being a Vice-President, or whatever it is, at Scrutiny Committee because I can go tell this one "Why haven't you done this? Why haven't you done that?" I have got x years' experience behind me as a States' Member, and as political observer.'

1695 So, therefore, I am saying to the Education Committee, who are good people, you have not done a terrible job yet, you have not done as well as you should, but you have got to get on.

1700 I will just conclude with a point that Deputy Graham made. We are not here to attack civil servants, they cannot defend themselves. But if I had been putting my name forward, which I very much was going to do so with the same reluctance as Deputy Roffey, but again, hopefully anybody who knows me, know you very much switch the light on, it generally after a bit of flickering, comes on full beam – (*Laughter*) perhaps less so with the age, but there we are!

1705 But where he said that there is this 'dislocate' – he intimated – the dislocate between civil servants and politicians, if I were going in, I would expect Deputy Le Pelley to be able to deal with it, or Deputy Roffey if he becomes the President, or anybody else, to say to the civil servants, 'We are the masters and the mistresses of this place. If you do not feel you can follow us, if you do not feel that you are 100% behind us, so we are not dragging an anchor, you have to go.' (**Several Members:** Hear, hear.) What I feared – because that would have been something I would have been saying on day one to the civil servants, if I had been elected as President of the Committee – is that what I have seen to date is that when we come to actually making those kinds of decisions

1710 it takes for ever and ever and ever. That sounds like another pop song. I do not want to be spending my life taking for ever and ever and ever. That is not the way I live my life. I would want those people to go in a very short period of time, if they did not feel they could sign up to the cause, because they are there to give their able assistance. They are not there to lead. I come back to Deputy Roffey's point: we need leading.

1715 What I do find ... I said there was one member of the signatories that I found ... In my lifetime I have made thousands of speeches and often I see words go out and I think I wish I could grab those and pull them back and take them away. We have all had that foot-in-the-mouth syndrome, and actually when you look at this document, it is pretty thin gruel. I think it was a point that Deputy Queripel made: pretty thin gruel to say to somebody, 'Off you go, here is the red card.' We can remember the previous Chief Minister until 30th April 2016 put his foot in his mouth –
1720 allegedly, if it was reported correctly, he did apologise in a very big way. He is one of the signatories of this policy because Deputy Le Pelley said, and if you want to use the phrase that Deputy Graham used, the charge sheet, fourth:

'The Committee has not demonstrated due care toward the Island's children and young people, which should be their primary concern.'

Well, I think that is unfair anyway.

Immediately following the December debate the President announced on radio that Guernsey 'had lost an excellent school', instead of providing clear and factual information about what the States had decided, and seeking to reassure all school communities that the transition would be managed smoothly and sensitively.

1725 Well, I do not know whether he said it verbatim. I am not concerned, even if he did, even if he is guilty as charged on that particular thing. (**Deputy Le Pelley:** Not guilty, sir.) I have heard so many people say that! (*Laughter*) I very rarely believed those that I *represented*, (*Laughter*) but that does not matter. That does not matter. The point in relation to that is that is pretty pathetic stuff to criticise somebody about. If Deputy Le Pelley did make an injudicious remark, if he was guilty or
1730 not guilty despite his protestations, it is not something you would hang anybody for. It is not something you would even give him a conditional discharge for.

So what I am saying is, I think the Committee for Education, Sport & Culture – or whatever they are, I have probably got it the wrong way round – whatever they have done to date, they have done honestly, and they have done conscientiously, but they have got to up their game. I believe that they should up their game and I believe that they have got to now lead. I do not see
1735 any adequate alternative. Therefore I will not be supporting the motion of no confidence.

The Bailiff: Deputy Le Pelley.

1740 **Deputy Le Pelley:** Thank you, sir.

Sir, I have presented myself in front of either you or your predecessors in office on some nine occasions so far, where I have had to raise my hand and promise to do my absolute best to perform duties on behalf of the public of this Island: once as a Procurer of the Poor for St Pierre du Bois; twice, once on the initial election and secondly the second election as Constable of St
1745 Pierre du Bois; and once as a Douzenier of St Pier du Bois, some time ago. After a little gap I have had to do exactly the same on three occasions as a Constable of St Sampson's, and I have had to do it twice as a Deputy for the electoral district of St Sampson's.

I do not take this kind of swearing in, of honesty and integrity, and the offer to do my very, very best, lightly. I do not think I have ever told anybody anything that is not true. I do not think I
1750 have ever tried to pass something that is not accurate as being accurate. I have stood and I have tried to be as honest, and as open, and as decent a human being as I could possibly be, and in all of the things that have been going on here, I can hold my head up high, and I can say that I have told none of you anything that is not true, that I have not done anything that I have not firmly

1755 believed in, and that when I say that I will do something I will do it. I think it would have been very, very, dishonest if I had just decided to say nothing at all and just gone with the flow.

1760 We have very robustly discussed things in our Committee about the best way forward. When we came to the States we agreed that we would robustly put our case forward. Without being robust you are not going to know exactly what our thoughts and our aims and our anticipations are. When we have done that robustly, then you can see exactly where we stand and what we stand for, but one of the most robust things we have said during the debate on selection and non-selection was that whichever way it went, whether it went for selection or against selection we would all, all five of us – sadly one person stepped off the bus, but all five of us – would actually carry out, and whole-heartedly so, the wishes of this Assembly. I give you that hand in the air from the dock if that is where you think I am, that I will continue to do exactly that.

1765 I will talk a little but more about my team performance, and all the rest of it. I hope to be completely finished by 12.30 p.m. because I know that people want to get off for lunch. But right at the beginning of March, I do not want to go back over the whole thing, but we had this discussion, this debate in the States, and a decision was reached. We said right from the word go that is was the wrong time to do it, thank you, and that it really would have to be revisited in the light of the views given in the election ballot box. We did that. It was always going to come back.

1770 Very, very early on, on a radio interview, in fact I was aware that Deputy Roffey was on my case very, very quickly, because the very first Sunday of the Phone-In I was getting a battering down the radio line from him, so I know where he is coming from, and I expected the attack – well, not the attack, but the criticism – to come from that quarter, so I am not surprised. But right from the word go, I said I intended to bring this matter to the States by the end of November.

1775 How many times do I have to tell you, remind you, that that was a commitment? It was not that we were going to overturn something, or that we were going to change the history of something. We were going to revisit it. We were going to bring it back to this Assembly, where there were 18 new faces, 18 new votes, 18 new opinions, and where 25 people who had cast a vote previously, were no longer on board. It was the wisest thing for us to do. It would have been absolute stupidity in its most obvious sense to go rolling down a road for months not knowing if this Assembly was in support of what we were doing.

1780 I am very pleased that Deputy Trott and Deputy Soulsby proposed me for the position of President. In that initial sort of question and answer session that went on, I laid out my case quite clearly, I think, and I would like to thank Deputy Trott for the eloquent way in which he introduced me. You have all heard that, I do not particularly want to go back over how great a person I am, but he did it quite eloquently for me, thank you very much indeed, sir. What I did not have a chance to do, though, was to tell you what a wonderful team I had chosen. I had nominated four people – I went out I asked people to express an interest in whether they would like to come on the Committee or not. It is interesting to note that not one of those people who has actually signed this vote of no confidence actually approached me with a view to serving on that Committee. Not one. If they were that keen on education I would have expected them to have an application in, (**Several Members:** Hear, hear.) but no. They did not think that was the right way to do.

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Deputy Tooley: Point of correction, sir.

The Bailiff: Deputy Tooley.

1800 **Deputy Tooley:** Deputy Le Pelley contacted me on the eve of the Presidential elections and asked me to support his nomination for presidential election. He had Deputy Meerveld with him at the time, and I was with Deputy Yerby. At that time I told him that because of his stance on selection I would not be able to support his nomination, but that I was passionate about education, and that I would always be interested in serving on any committee regardless of the ideological stance of its leader, and that I would be more than happy to serve under him should

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he become President. He made it quite clear that I would not be welcome on that Committee, and he is right, I did not contact him, because I did not feel that I would be wanted.

1810 **Deputy Le Pelley:** Sir, I have a completely different recollection of that from what has just been stated and, in fact, I think it is quite erroneous.

But if I may continue, I would like to introduce you now to my team, because you have not had a chance for me to introduce them to you.

1815 The team that I selected, having had, I think, seven or eight people that were prepared to come in, and perhaps not, because there were other offers that were going on, the four people that made up the team were Deputy David De Lisle from the West, he was a person with an academic background, a BSC in Science, London, a MSc in Planning from Toronto in Canada, a PhD in Economic Geography from McGill University in Canada, he lectured in Ottawa and Brock Universities in Canada. He had a broad experience in teaching in England and Guernsey in different types of secondary schools. He served on the previous Education Board, and he was
1820 currently in his fourth term as a Deputy, and I was very pleased to have as my backstop someone who had this kind of experience that I could talk to and ask for help.

My second candidate was Deputy Carl Meerveld: born and educated locally at Hautes Capelles Primary School and St Sampson's Secondary School. He had then gone on to the Grammar School and Sixth Form Centre and he spent 30 years in the finance industry in Guernsey, Asia and the
1825 USA. He brings an analytical mind, financial expertise, organisational ability, focus and drive.

My next candidate was Deputy Mark Leadbeater – these are in no particular order, by the way – Deputy Leadbeater was born and educated locally. He had been educated at Amherst and La Mare de Carteret Secondary School, he worked for his father in the building trade immediately after leaving school before setting up his own business. He was the co-founder of the local Bonsai
1830 Group, very sports minded but no longer playing football, but regularly runs, swims, and cycles, which is just as well because he was best known for being involved in the local Try-a-Tri initiative and project. He was also very interested in the Inclusion and Disability Strategy, having had some experiences within his family about that.

I also nominated Deputy Andrea Dudley-Owen, known as Millie. She was Guernsey born, spent
1835 her early years in Malaysia, educated at Cordier Hill and Blanchelande and then boarding school in North Wales. She has a BA Hons in Japanese Language and studies. She went to King Alfred Winchester, she worked in Japan before returning to Guernsey. She worked for GTA administration, BTEC and STEP qualifications behind her name. She has set up two local businesses: FWS Limited and Guernseymums.gg.

1840 These are the four people that I chose to be on my team, and they were not selected because of the position they had taken on selection at 11, or non-selection at 11. I made my position clear, as to what my electorate had asked me to do. My electorate had told me, 'We want four schools, retention of the Grammar School, different form of selection of some sort, and we do not want big schools 960 or so plus, certainly not at St Sampson's, because we have got a problem with the
1845 school being 700 with the traffic flow to the school. We do not want it any bigger, that is enough, thank you.' That was what was told to me when I was talking to people at the door, door stopping. That was my view. I did not want to go into a committee room and say, 'This is what you are going to do. This is me speaking, I am the leader, you do what I want to do, you have got no right to an opinion of your own. I am the dictator, you do as I say.' That is not my style. My style is
1850 consensus government.

I do not think we have actually had that many decisions within the Education, Sport & Culture Committee where we have actually had to go down to a vote. In the main, selection at 11 was one of them, I do have to admit, but in the main, we have actually talked the thing through, we have come to a consensus agreement, and it has been unanimously nodded through, that is the way to
1855 go. We have dealt with hundreds of items in the committee room, and we have actually got this stuff organised pretty quickly. We have had no massive dissensions or big arguments within the Committee. It is a team that works extremely well.

1860 We have got quite a few problems that we have got to face up to. One of the biggest ones is
that we have been asked to lose or to have a cut of some £12 million over the next three years.
That is a very big ask: we have a budget of £80 million. We have a duty of care to all the young
1865 people in our charge within education. We have also got to look after all the sporting elements of
Guernsey's society. We have also got to look after our culture and heritage. But we do, in the
main, have to make sure that we get our education right. A £12 million cut over three years is a
very, very big cut. It is going to take some very bold decisions. We have done our very, very best,
1870 and I think we are actually within budget for 2016. We have had our problems up in Alderney,
which has meant that we have actually had to get some extra teachers in there, which is a
situation beyond our control, and it has actually cut a little bit into some of the savings that we
hoped to make, but we are still on the right side. We have told P&R that we think we can, we
hope we can, we are trying very hard to achieve the 3% cut in 2017. I have every hope that we will
be able to do that without actually having any front line front service damage.

I cannot guarantee for the next two years, because that is another big ask, and we have got a
lot of organising and sorting out to do in that time. But this Committee is absolutely tied in to
delivering, as best we can, for the States' decisions that you have made, and the directions you
have asked us to go in, and also for the best that Guernsey can afford for our children. We know
1875 that we owe it to them. We know that we should be competing with the best in the world. We
have no armed forces that is going to drain our resources. We have no asylum seekers that are
going to be taking away money from our budget. We have not got to perform, or to produce
things in eight or nine or 10 or 12 different languages, so we should be able to achieve quite well.
We should be able to produce a three school system, that is the extant Resolution – and I will
1880 come back to why I kept on about the extant Resolution. I could see an ambush waiting for me
last time. I know very, very well that there are people out there with pages of questions that were
trying to nail us down to make statements that we tripped up on, and I was not going there. I
stood quite firmly up here saying, perhaps a little bit repetitiously, the same kind of answer. But I
was not going to be bullied, or have my Committee bullied into having a vote of no confidence a
1885 month before we had to face it.

The Rules and Regulations are quite clear as to what you can and cannot do when there is a
vote of no confidence. You are given five working days to consider your opinion. I do not know if
the people on the other side who worked that out have got it wrong or what the situation was,
but there was some kind of expectation that we were all going to fall on our swords within 30
1890 seconds of receiving the threat, or the letter asking us to resign, or the threat of a vote of no
confidence. But I do not do knee-jerk reactions. It is not in my style. I want to sit back look at all
the facts, all the evidence, and to see exactly where each will lead. To do something as a knee-jerk
reaction is putting yourself and your Committee at very great risk. I was not prepared to do that.

Then I find that we are expected to all have fallen by the Wednesday so that people can
1895 choose a new Committee at that States' meeting. Well, that is going to be a bit quick, isn't it? That
is a knee-jerk reaction. You would not have known who was standing, even whether it was
somebody not moving because everybody else has stepped back. Or that there was going to be a
Committee of three, or four, who may or may not have put their names forward at the last minute,
with what kind of background? With what kind of CV? What a silly move that would have been! So
1900 we decided to stand our ground.

We also looked at the charges on the charge sheet, or the causes on the cause sheet,
whichever way you want to look at it. But I look at it as a charge sheet. They are so frivolous. They
are also ill founded. They are actually wrong. There are statements in there saying that the
President of Education stood outside this Chamber immediately after the debate had been done
1905 and had said various things. I think you have to be very, very careful, when you actually start
picking out little bits of phrases and putting them in an order which suits you to make sure that
they are actually in the right sequence, and that they actually contain all of the words in the right
order and that they have not been something that has been said a month before that has been
actually repeated in an interview, or something. I spent 15 minutes talking to the radio, and it was

1910 somebody else who said this is the death of the Guernsey Grammar School and I said, 'Well, yes it
may well be', and I then went on for the next five or six minutes explaining that that was not the
way to look at it, that we should actually start moving forward, and that we should actually now
be all be working together as a group of 40 Deputies to actually put in place the Resolution that
had been passed in the States, in this Chamber. I cannot control whether someone is going cut
1915 that out in the editing. It is probably on tape or whatever on someone's cutting room floor. That is
not what I said, so when I said 'not guilty' over there, perhaps I should have said there are
mitigating circumstances, or not guilty completely as charged. *(Laughter)* I am not a lawyer,
though I was offered a place at Manchester to do law, but I chose to do teaching. I hope I did the
right decision. *(Laughter)* Perhaps not. I might have been a very poor lawyer, but anyway, a
1920 financial one.

I think we do need to be very, very careful with these comments that have been made. In the
debate there were words said, I was asked if I would like to rescind them. I think Deputy Brehaut
actually asked me to do that in one of the questions and answers, and I was tempted to say
something then, and then tempted not to, because as soon as I started opening up that line of
1925 answering, of course it would have opened up the floor to all sorts of prepared questions that I
knew were waiting for me out there in the bushes, waiting to sort of try and snipe and score
points. It was important, it is important, that this vote of no confidence is done in the proper
manner in this Chamber today, having had all the proper time for preparation, and all the rest of
it, that everybody else has put into it. Not something off the hoof, really, sort of quick and nasty
1930 on a middle Wednesday when you have had little or no chance to think it about it, think it
through.

Now, as I say, the charges in here, there are several of them. We have broken it down into
probably six or seven areas, putting a huge group of youngsters at risk, and a recipe for disaster.
Those are words that have actually claimed to have been made by me after the debate. Afraid that
1935 is not true. When the States had made its decision we immediately ... We had already pre-agreed
it, we had worked out, pretty robustly, what the votes were going to be. We knew that at the very,
very best it was going to be a 20/20 draw, and there was only one Deputy that we were not sure
of, and we identified that particular person correctly, who may or may not have changed their
mind towards the end of the debate. In fact, it is probably helpful that he did, because that way
1940 we have got a 21/19 vote, at least we are now guided as a Chamber, as an Assembly, to actually
go out and provide something where there is a majority view.

I can assure you that every one of us, every one of the Committee for Education, Sport &
Culture, has tied themselves in to that Resolution that was passed on 2nd December. We are
unflinching: you have told us what we have got to do, we will do it. No questions, no one is
1945 coming back trying to sort of try and slide an extra school in, or trying to actually have selection
somewhere down the line. We are as open and as honest as we can possibly be, we were asked to
be an open and transparent Government, and that is exactly what you have got in this Committee.
We are open and transparent. We will come to you and we will say we have had our discussion
about this, we are not sure if this is the right way forward, or these are the three or four possible
1950 options to go, we would like your advice on it. That is what we have done in the debates that we
have had in here, and that is what we hope to do when we actually have our presentation day on
25th January. We hope you will all come and we hope that you are all going to engage, and not
sit in corners and snipe and say, 'Oh I don't like that, ooh, ooh, ooh.' Because that is not going to
help us go forward. There will be some models that will be knocked into touch very quickly, and
1955 that saves us wasting time going down there. There may be two or three that need to be worked
on. We will work on them. We need the direction of the States to help us hone down and to get
on with the work in hand, and it has got to be done quickly. We know that.

I can assure you that if this has not been resolved, has not been sorted come June or July, I will
not be wanting to be President of the Education, Sport & Culture. I have got other things to do in
1960 my life than to have this kind of hassle. I do not know what it has been like for you people who
have been finding all the arguments against us, and I do not know how, I can sympathise with

some of the members of my Committee because they have been attached to it, but there are several people out there who have made it quite pointed that it is me they are after. So what kind of Christmas do you think I have had? What kind of Christmas do you think my family have had?
1965 When it starts to get like that, that is when you say, 'If I cannot deliver this, do I want to have this for the next three and a half years?', and the answer is no, it is not. So if I have not got things sorted come June or July, you will not be seeing me for dust. I shall probably be in Malta or somewhere. *(Laughter)*

1970 I am telling you as honestly and as openly as I can that I believe this Committee can deliver. I believe that it should be given the chance to get on to the job in hand, which you have directed us to do. We have the ability, and the capability, and the team structure to do it, and I think the sooner this is thrown out where it needs to go the better, and that you all give us the support, or as many of you as possibly can, give us the support to get on and do the job in hand. It needs to be done. It needs to be done quickly, but it needs to be done well.

1975 I can guarantee to you that whichever way we go, whichever our personal thoughts are, once we have actually lanced that boil, and it was a boil that needed to be lanced, we were right down the middle as a community, right down the middle as a society in here as an Assembly, and we may well be right down the middle for the next six months of so, but if we continue down that route, even if we were to fall today, which I do not think we will, but were we to, and a new
1980 President Roffey comes in post, we are then still going to have a number of people that are not going to be happy with what he is proposing, and it will go on. It will just roll on. It will be the other side having a pop at them.

Why did we not absolutely resign as soon as that 2nd December result came out? Why didn't we? I will tell you why we did not: because the majority of Members in this Chamber said to me
1985 personally, 'Do not resign. We have faith in you and your Committee to actually bring about what we have asked you to do.' **(A Member:** Hear, hear.) So why should I want to resign and give a minority party, a minority group, the chance of doing something that the majority of the Assembly ... ? We will find out Deputy Graham, if I am right, when the vote comes in. Why should we do that?

1990 Not only that, I have had hundreds, and hundreds, and hundreds, I have even been stopped in St Malo and told, 'For Heaven's sake, stick to it! Don't give in! Don't be bullied! You are the right person for the job.' I have even been told by ex-teachers and teachers, even people that were on the other side of the argument, 'We think you are the right guy, we think you are the right Committee.'

1995 You have lanced the boil about selection at 11. It has gone. I do not know how many times I have to say this. *It Has Gone*. There is no selection at 11 any more. It is a thing of the past. We are not looking to slip in selection at 13 or 14. That has gone.

2000 What I will have to warn you, though, is – and when I said right at the beginning that I favoured a four school model – the only way I can see that four school model as working was by the retention of the Grammar School. I have to say that, because as soon as the decision was made that there will be no Grammar School – I think you made the point, Deputy Ferbrache – we cannot afford it. We are going to be working on a three school model.

2005 Need I say more? We are delivering what you have asked us to deliver. We have got a few hiccups. We have had a few problems in getting here. We have done our very, very best to try and manage those. I am pretty sure my team will tell you, when they stand up to speak, whether they think I have been a good enough leader or not; whether I have chaired the meetings well enough or not; whether there have been difficult situations that have been well handled or not. They will tell you. They are the ones on the inside.

2010 Twice, three times I think, I have actually said to them, 'This is the direction we are going. Are you happy to go there?' Having done the decisions or whatever, I have said to them, 'Are you happy that I am still here? Do you want me to stand down as Chairman?' The answer has always been, unanimously, 'No, stay.' So I know I have the support of my Committee. And my Committee

know that they have got my support as well. I know that I have got the support of the majority of my electorate, because of the number of emails that I have had coming in telling me that.

2015 I also know – I am pretty sure when the numbers come out – that I have actually got the majority of people in here. So that is why we did not jump when this little vote of no confidence paper was flown in front of us.

2020 Not only that, but of course, some of these charges on this particular sheet, I must tell you, are rather insulting. To say, 'Oh dear, Deputy Yerby has brought this action against us – all these statements that she has made! Crikey, we had better jump ship, because they are terrible things for people to say!' – well, if we had done that, we would have been accepting that they were true! And they are *not*! It is a tissue of ... Well, it is academic. Cambridge University debating society, doing very, very well, thank you – I love taking part in them as well – not at Cambridge, I hasten to add! But I have taken part in these various debates. It is winning an argument. It is being clever with your semantics. It is being clever in putting the various arguments in the right kind of order. Misleading people into thinking that certain things happened in a particular sequence and that things were said after certain events, or that they have a particular meaning because of previous events.

2030 To be honest, a lot of what is in here is a load of tosh. It should be thrown out and I hope you will support the us staying in office, and actually defeat this vote of no confidence.

Thank you, sir.

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

2035 **The Bailiff:** Deputy Trott.

Deputy Trott: Thank you for this indulgence, sir.

I rise to give notice to the Assembly that it will be my intention to move a guillotine motion to this debate at 3.30 this afternoon.

2040 Thank you, sir.

A Member: Hear, hear.

The Bailiff: We will rise now and resume at 2.30.

2045

*The Assembly adjourned at 12.36 p.m.
and resumed its sitting at 2.30 p.m.*

**Motion of No Confidence in the Committee for Education, Sport & Culture –
Debate continued –
Motion lost**

The Bailiff: Well, we resume debate on the motion of no confidence. If anyone wishes to speak. Deputy Tooley.

2050 **Deputy Tooley:** Thank you, sir.

Sir, I am one of the seven signatories to this motion of no confidence. I am one of those who has chosen to take the difficult and unpleasant step of opening up debate around the ability of a group of my colleagues to do the job which is required of them by the States of Guernsey.

2055 I did this not because I relish the fight, not because I am unconcerned at this public airing of dirty laundry, nor because I sought to advance my political career, or those of fellow Deputies,

although in response to questions, I would stand for election to any Education Committee I felt able to have confidence in.

2060 I do not have a manifesto to put to that pledge. I have not met with other people who feel the same way to discuss this. It would have been unethical to form some kind of shadow cabinet committee to follow closely the steps that the Committee were taking, to discuss behind their back with the team of civil servants that they have been provided to help them do that task. That is a step that will take place after this Assembly makes this decision. That is a step that would take place when we were ready to move on from the current Committee; not one that I felt we should take in advance. I am afraid you cannot have it both ways. Either the people who think that this
2065 Committee should go at this stage are scheming conspirators who have met behind closed doors and talked, and you really do not like that, or the people that you would have put forward for a Committee could have met to discuss policy decisions that they would take forward. It is one or the other. To quote Deputy Gollop, you cannot have the penny and the bun.

I took this step because when I think of the scale and nature of the work we have asked of this
2070 Committee, and I ask of myself whether I believe they have the skills, strengths, ability and willingness to deliver, I am forced to admit that I do not. I do not have confidence that the Committee, as it is currently constituted, would not seek, up to the point of Deputy le Pelley saying it just now, once more to subvert the will of the States in order to introduce selection at another age, or in some other form. It is known that they were discussing this on the evening
2075 before the December vote on the subject.

I do not have confidence that a team led by a President who has spoken in scaremongering words about the agreed policy of the States, and who has demonstrated an inability to picture a system of non-selective education for Guernsey which would not be detrimental to our children's future, has the vision to deliver the non-selective system that Guernsey so richly deserves.

2080 I do not have confidence that this team is able to create and implement clear, well-thought-out policy. This is evidenced not simply in their attempt to reinstate a selective secondary education system through a policy letter which introduced only two new thoughts. Firstly, the news that they had abandoned the mandate Deputy Le Pelley could have claimed his appointment gave him, that to introduce a selective system based on continuous assessment, and
2085 second an attempt to delay the implementation of any new system, an attempt they later dropped when the confused nature of their proposals was pointed out to them.

It is evidenced too by their stated intention to reverse the decision of the previous States in regard to pre-school educational provision. A decision announced without a clear suggestion of what should replace agreed policy, and with an apparent lack of understanding of the funding model surrounding it and the educational reasons for it. Members of the Committee too have declared a lack of confidence in the team's ability to manage the risks associated with the change from one system to another. How can I have confidence in their ability, if they do not? How can anyone?

2090 Critics of this motion have spoken of how well the Committee works together, but outside the public pronouncements of unity, a very different picture emerges of a Committee which is at odds with its civil servants, and unwilling to even listen to their advice, much less take it. A Committee which discounts the value of teachers' views on education. It is a picture of members who are at odds with one another, of arguments where members have stormed out and had to be persuaded to return to meeting rooms. The official line may be 'we stand firm, we stand together', but
2100 unofficially it is 'no-one can work with him' and 'if Deputy Leadbeater had told me first I would have resigned at the same time', and so on.

Deputy Le Pelley's statements on the BBC Sunday Phone-In made it clear that several Committee members had not shared with him the fact that they had had conversations and meetings with several of the signatories of the motion. How can I have confidence in their ability
2105 to work as a team? How can anyone?

To drive through the biggest change that Guernsey's education system has seen in decades needs a strong pioneer of change. No-one denies that Deputy Le Pelley is a good man, who

2110 serves his electoral district incredibly well, but if I were to write a list of required qualities for a President of Education, Sport & Culture at this time, my essential and desirable list would include the following: someone who has faith in his Committee and in his team, civil servants and teaching staff, and who inspires faith in them. The evidence here is all to the contrary. The current President and members of the Committee have aired their differences with civil servants and teachers in the media, and have spoken disparagingly of them in the States.

2115 Teachers have told me that they do not believe this Committee has any respect for them, their experience, or their professionalism. The role needs an excellent communicator, who is able to keep the public informed, engaged and positive. The current President has instead chosen to inform the public since the debate, and it is since the debate, that Guernsey has lost an excellent school, and that Guernsey would rue the day, and when offered the opportunity to retract these comments, or explain them, he did not do so.

2120 It requires someone who has a proven track record in managing change. The current President has told us he does not like change. Ultimately, it needs a strong leader. The Vice-President tells me not to worry, because he can manage the President: oddly this does not give me confidence or comfort. How can I have any confidence in this Committee? How can anyone?

2125 So I signed the motion of no confidence. But I have heard people question why now? Why not wait? After all they have not done anything too dreadful yet. Seriously? We should put children's lives on hold until disaster comes? The lookouts on the *Titanic* should have shouted out only when the boat actually touched the ... hang on a minute, bad example. The stable door should be shut after ... no, that is not right either. Hang on, I will come up with a better one in a minute.

2130 A motion of no confidence is not a nice thing to have to bring, and basically most of us, on both sides of this argument, are decent people. But sometimes you have to stand up and be counted. This is one of those times. I am willing to stand up and be counted and say that I do not have confidence, I am sorry, in this Committee to deliver the mandate that we have asked of them.

2135 I have confidence to stand up and be counted and say that I would be willing to be part of any team I believed could deliver this mandate, and anyone here who has any doubt that this Committee, as it is currently constituted, can and will deliver what the people and the children of the Island need them to should vote in favour of the motion. The stakes are far too high not to.

Thank you.

2140 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Yes, thank you, sir.

2145 Some people have speculated that I might abstain, or even vote for the motion of no confidence. But I am most likely to sustain the current Education, Sport & Culture Committee, and support them to continue, at least, I think, the give the Committee the benefit of the doubt so that they can get on with the workshop and the tasks we have set them to do.

2150 The arguments Deputy Yerby and the other six have made have been mostly well argued, carefully constructed, and sound, but I have many, and I think stronger, reasons to stay loyal to the current team, which are as follows. They were, of course, only elected by us eight months ago, and we are aware, of course, that Deputy Le Pelley, we have already been told, succeeded in both elections. I say elected, which is a misleading word in a way, because four of the board members were elected unopposed, which raises the question that in the good old days, some of us remember, there were regularly challenges for seats on boards by people from different perspectives. We are not seeing that so much now, but nevertheless we have to bear that in mind.

2155 They have spent eight months of forming together and induction – a big learning curve as Deputy Ferbrache mentioned, I think it was. Effectively two boards being amalgamated, and they are individually and collectively a very talented and able new team, but we know that will require a lot of time, and unlike perhaps Deputy Kuttelwascher, I am aware that there are a number of States' Members, who would consider serving on this new board – to a degree I might – but the

2160 problem would be that many of the candidates who might stand already have other political roles
in the Assembly and that could have consequential results on both their existing workloads, and
the availability of talent for those potentially vacant places.

Maybe downsizing from 45 to 38 was not necessarily an all win-win situation. Of course, the
new team would take some time to get up to speed in many cases. I will mention a reason why I
2165 did not stand for the board, or the Committee in May, apart from the fact I was interested in other
things, was that much as I would be attracted especially to what was the culture and leisure side
of the mandate, I personally believe that historically the Education Committee has suffered from
difficulties in political management. That is partly a result of the culture of the organisation, but I
think more meaningfully, the workload for a States' Member on that Committee is far greater than
2170 for almost any other Committee of the States. You could argue that some of the task they do are
not as policy focused as they should be, and are more operationally or event focused, but
nevertheless, it is a colossal workload, and I make that warning to anyone who stands for the
Committee, whether it be now or in the future. That could, of course, be managed, and maybe it
will be by the new style of approach, and I think it has been to a degree, but there is still work to
2175 pursue on that.

I will also say, personally, it was stated by somebody that members of the team did not
necessarily have political leadership experience. I know that, of course, is somewhat untrue.
Deputy De Lisle, whom I have worked with as a close colleague for many years, was of course a
Minister of the Environment Department, and served on the Policy Council. Deputy Le Pelley in
2180 the last term was Deputy Chair of the Scrutiny Committee and served on three or four other
boards, and I remember, as may come up later, he did chair an excellent and useful review on
airline security of links, both here and in Alderney, and I too was present, I even gate-crashed their
meal when this new board went up to Alderney, so that is an interesting thing.

I would also say that Deputy Le Pelley, I have known him for many years, as a museum curator
and as a President of the Channel Islands Occupation Society etc., but more relevantly, he was a
loyal and supportive assistant Disability Champion when we went through problems during the
kick-starting of that strategy, and he put the work in which he brings to the table. Deputy Le
Pelley is the only current Member of the States, apart from myself in an earlier term, who has
served a full term on Culture & Leisure, which gives him breadth, depth and continuity with that
2190 important, we could say lesser half of the new mandate. Because here we are very much focused
on the States and errors of judgement the Committee may have made in relation to particularly
the 11-plus issue, but less in the public frame the pre-school issue, but it is important that we
should not ignore the role of arts and sports. The very first policy letter this new States discussed
after the elections was, of course, the work in preparation for the Island Games, and Deputy Le
2195 Pelley made a good job of that, and I think Deputy St Pier would acknowledge the point, because
at one point Deputy St Pier was the only Member able to do anything constitutionally.

There are some more serious reasons than that, though, for being wary of going down this
route. You see, let's assume the board does not make it, by a whisker, because I think the vote
could be very close, and we go into creating a new Committee, which could be today, it could be
2200 tomorrow. You could postpone it, but it would probably be better to do it sooner rather than
later. In fact, already we have had the Billet that will allow that to happen. But a new board
selected this week could be quite random. We do not have a system whereby the Chief Minister
chooses five people, or chooses the President, or Policy & Resources now, or even the Policy &
Resources team selects the winning candidate. We will possibly have an election, the successful
2205 presidential candidate would then have the honour, the privilege, of nominating his or her ideal
team of four people, but he or she could not guarantee, as Deputy Roffey knows from past
experience at Health, that those four people would be elected. The new team, because people
might be getting on with 15, 16, 17 votes, if we had say nine candidates for the four seats, could
be even more inexperienced or divisive or polarised. Moreover, there is nothing to stop existing
2210 members standing again.

Alternatively though, it may be that the States vote of one mind and elect four able people but who all have one perception on all of the key questions, and that will not be reflective of a divided Island, nor would it necessarily play well to the States, because they may well bring propositions back to us that were not representative of the whole.

2215 I would prefer a balanced team seeking compromise and progressive unique solutions. Indeed that is one of my principal reasons for wishing the current team to stay together for the foreseeable future, because I would wish to see both sides of the Island on the estate, on the three-school, four-school, on the pre-school and the 11-plus brought together. I accept that some members of the current team are not fantastic supporters of change. Deputy Tooley has made
2220 that point, Deputy Tindall and others. But in a way that could be seen as a strength, because they would be working towards a solution which, as far as possible, was consensus based, rather than radically based.

The pre-school issue is complex and really goes beyond the scope of this debate although it has been raised by Deputy Yerby and others, but I have come to the view sitting now on
2225 Employment & Social Security that the policy requires refinement in any case, I am not, with hindsight, convinced that either the approach of the old Education Department board or the current one that Deputy Le Pelley has outlined is ideal, because the question ... if we saw for example opt-outs to the system, that would weaken the universality of it, and Deputy Roffey has a point when he says there was no point in subsidising successful top-range pre-school facilities,
2230 but the problem is the universality of it means that everybody got it. The original scheme was for 100% of the population, minus perhaps those who were very high earners, and by definition we knew from the outset that really only 20% actually needed it. So the relationship between that and family allowance and family policy does need, I think, further consideration, and at the moment I probably would be supportive of retaining family allowance.

2235 Indeed we talked about, too, members of Committees being united. I not only chair the Development & Planning Authority, but I sit on various three other Committees, and amongst other things I sit on Deputy Le Clerc's Committee, and she knows that I am by no means always a loyal supportive member of everything. I frequently disagree with my colleagues and with the officers. I even disagree with myself (*Laughter*) and do not accept the decisions I have previously
2240 made in votes and policies and want to go back and have another look at them, because sometimes facts and material circumstances change.

Whilst we are on the subject, Deputy Graham in a very witty and able speech pointed out other Committees of this Assembly, and speaking about the Development & Planning Authority, which Deputy Tindall picked up on, it is interesting that we never, fortunately, got close to facing a vote
2245 of no confidence, but we looked at it, as an afterthought, as risk based assessment. The reason we looked at it was back in the last summer, early autumn, we had a certain difference of opinion with Deputy Ferbrache and his Committee on some areas. We also had Policy & Resources thinking about a sursis or a delaying motion for some of the elements, and not 100% support from every other Committee, and, of course, we were aware we went through the managerial phases of 'storming, norming, dorming, performing' and all those kind of things – well, dorming comes afterwards but ...
2250

So where we were at was we knew from the outset in choosing members, I knew from day one, that I had not got unity on every conceivable element of every conceivable issue of such a complicated matter as the plan. You would not expect it from members from different
2255 professional backgrounds, different electorates, and so on. If we had reached the point of two or three members being permanently against the other two we would have had an issue, but we managed that. The 40 amendments Deputy Graham refers to was actually scaled down to 23 material amendments, a few of them made it, only one or two were really material, and I think the fact that we ended up with unity after six days was proof that something worked. Education are in that situation now, and we need to sustain them.
2260

My most significant reason for being wary of this particular philosophy is that I know Deputy Ferbrache and others have said that it is a legitimate parliamentary tool, and so it is, but it could

2265 still be seen as a potential misuse of the serious and damning vote of no confidence formula, because I feel some Members speculate, not that there has been anything overtly wrong, or manifestly incompetent, but that Members speculate we could have chosen a better team, or a more united and committed board. Well, I do not think we should use the formula for that reason. If that concept succeeded today why not annual re-elections of all boards and bodies, because we all learn all the time how we could mix and match more completely. We are not really playing fantasy football here, and you cannot condemn Members, especially new Members, for expressing
2270 views in the media, issuing innovative green papers, or coming up with maybe better ideas. This format this questioning our new system of Government. I very much feel that if I was a teacher marking this Committee I would probably give them a B- with a 'could do better', because I think there are some areas that they could strengthen their performance on. I think they have done well so far with the culture and leisure and sporting side of issues. They dropped the hot potato of the
2275 planning issue, and have clearly reached agreement now to stay together under protest, under pressure, and formulate a workshop formula for moving forward.

If I had suggestions I might make it would be twofold. Firstly they could invoke their power to employ one or two non-States' members, maybe two distinguished persons from education, one of whom was a shaper with view on one side of the argument, maybe a business person on the
2280 other. The other thing that they could do is, I know constitutionally one member ... I had a discussion with a retired member only this morning, who pointed out Education were stalling back in the past when they had nine members under a leading President who later became a member of the Royal Court. But of course, they had nine voting members in those days, six of whom were politicians, three of whom could be politicians. That has been reduced to five. If they were allowed
2285 to have two additional board members, or as that is complicated to do – it should not be, but it is – if they just invited other able Members, like Deputy Tooley and others on to sub-committees and working parties, and dialogue with people who want to get involved, who have expressed an interest, then I think we would make faster progress.

2290 Sir, I would urge the States to support the Committee, and let's hope that we do see the Island pulling together and this board who have had eight or nine months of coming together, being able to develop their mandate rather than going back to square one.

The Bailiff: Yes, Deputy Meerveld.

2295 **Deputy Meerveld:** Sir, this Committee took on what I think is arguably the poisoned chalice in this term. It was a debate that dominated the elections, and was vociferously fought on both sides of the argument. I joined the Committee with a very clear record of where I was standing and coming from, as I think Deputy Yerby pointed out, I published a paper on the subject, which predates my more recent document, outlining my vision for education, and my views have not
2300 really changed, and I have continued to push those views.

I went into a Committee that was clearly weighted towards selection. I worked within that Committee and promoted my views, discussed it, gone through the research, gone through eight or nine months of extremely hard work, very, very focused, and I am very happy with the way that Committee has functioned, and the way it has functioned under Deputy Le Pelley's management.
2305 He has been very open minded, he has allowed that debate, and that discussion, and allowed me as a member to some extent to sway the views of other members of that Committee which caused the swinging of votes prior to the September statement.

I have served on innumerable committees and boards over the years, more than I can count, and it is not unusual – in fact, I would say it was the norm – for committees to have differences of
2310 opinion, differences of character, to have clashes across boardrooms and committees where people do not like each other, or do not get on particularly well, and have heated arguments, but at the end of the day, as professionals, whatever the majority decides, you sit down, you get on with it.

2315 I remember myself, I argued very strongly for one course of action, had a board of directors
vote against me and been instructed to go and do it, and then I have put my heart and soul into
delivering that. I do not know why we, as an Assembly, think that just because somebody has
expressed a strong point of view one way or the other that that undermines their ability to then
go out and put their heart into delivering it.

2320 At the end of the day, this Committee has worked very well. There is a balance. Deputy Le
Pelley has done an excellent job of moderating it, we have had very, very difficult discussions and
debates in that committee room. There have been heated conversations, not only between the
Committee members, but with other people and other parties in those rooms, and Paul's
character and the way he manages that committee room calms people down, brings them
together, and that is an important part of his function. So judging him on the basis of a couple of
2325 debates in this Assembly, when he has been under massive pressure, is not really, in my opinion,
judgement for taking out the entire Committee. At the end of the day, we are a good team, we
are well balanced.

Also look at this going forwards, we, as a Committee, have to bring to this Assembly proposals
that are going to be controversial, whether it be three schools, whether it be the number of
2330 schools, whether it be other changes to the education system, or other areas of our mandate,
there will be some very, very difficult debates, and very controversial decisions to be made. We
need a balanced Committee, a Committee that has both the people who have fervently supported
non-selection, as I have done, and the people who like Paul who supported the selective side, so
they can go out and appeal and talk to each side of this Committee and bring support from both
2335 sides to that argument, get those policies through. Also to make sure that if you have a
Committee of just five selectionists, non-selectionists, they go charging off down on their
particular route and then find it is not acceptable. By having those discussions in the committee
room where, if you are going too far in that direction or that is not going to appeal to the other
side, well that will not be acceptable. The committee room is the right place to have that
2340 discussion, and then bring it back to this Assembly as a proposal, but a balanced proposal, that
takes into account all those views.

I would argue that in this Assembly I am probably the poster boy for non-selection. I probably
put more effort into passing that non-selection vote than anybody else here, or at least as much
effort as anybody else here. So, why would anybody think that I would stand up and support a
2345 Committee if I thought it was going to bring back selection? (**A Member:** Hear, hear.) If I thought
it was going to reverse that decision, or if I thought it was not capable of delivering what we said
we would deliver.

Going to some of the actual issues raised in the motion of no confidence and other questions
being asked, people have said to us why did we not bring that debate, why did we not come back
2350 straight away in June or July? I think Deputy Ferbrache mentioned it in his speech: why didn't you
come back in June or July and just get it settled? Well, the fact was you had a Committee made up
of three new Members who had not been in the March debate. You had an Assembly that was
made up of 18 new Members who had not been in the March debate. We were going into an
incredibly complex situation that requires a lot of thought, and as people know from the
2355 documents that have been handed out, a lot of paper to read. The officers themselves said to us,
how can you make an informed decision before you have looked at the issue in depth?

The decision was made. It was discussed right in our first couple of Committee meetings. It was
discussed whether or not we should come back to the Assembly immediately and ask for a
direction on selection, and the decision was no we cannot, because we need to look at it properly
2360 from the inside, in consultation with the industry, in consultation with the civil servants, in
consultation with the teachers, and see all the evidence ourselves, before we can come back to
this Committee and make up our own minds let alone help influence the minds of this Committee.

So that is why it took a bit longer than some people would have liked, but that was a decision
we made and it was an informed decision.

2365 There have been comments and criticisms of myself for having made a comment regarding the
relationship with the officers. I was asked a question on the radio and apparently I am being
damned for answering it honestly. Yes, there have been issues. Deputy Roffey accused me of a
lack of professionalism, I believe, in the September debate. At the end of the day we have gone
through all the procedures, we have submitted all the documents we have needed, we have made
2370 our requests under Rule 56(1) for officers to be moved. Nothing happened, reconciliation was
undertaken, workshops were undertaken, various things have gone by the by and there has been
no progress on that. Now, obviously coming from the private sector I am used to things
happening a little bit quicker, and my comment on the radio may have been made somewhat in
frustration at the slowness of action to make changes that we, as a Committee, unanimously
2375 supported and requested. Having said that, I still stand by those comments and still believe that
our ultimate employer, the public, the electorate who put us here, have a right to know if there are
difficulties in the operation of one of the major committees in the States. I do think it is a little bit
hypocritical and ironic that the Vice-President of Scrutiny was the one criticising me for making a
subject like this public. *(Laughter)*

2380 As far as the pre-school debate is concerned, I found it very interesting in the motion of no
confidence that apparently we have implemented, we have implemented what we were presented
with. The first Committee meeting we attended back in May. We were told here is what the last
Committee was going to do and you have got to approve it today because we have got a
deadline to implement. As it was we said no, we cannot, we need to review it in more detail, we
2385 want to meet with the other parties, and make a decision a bit later. That decision was delayed by
some time, but at the end of the day we have gone ahead and implemented exactly what was put
before us, on a trial basis for two terms. That is despite the fact we were actually supplied with
incorrect information by our officers –

2390 **Deputy Fallaize:** Point of correction, sir.

The Bailiff: Deputy Fallaize.

2395 **Deputy Fallaize:** Deputy Meerveld just said that they were implementing what had been
agreed on a trial period for two terms. What was agreed was not agreed on a trial period for two
terms. That is a myth which has since been created by the Committee itself. The scheme agreed
by the States was agreed, full stop. It is not a trial scheme.

2400 **Deputy Meerveld:** The Committee has implemented it for two terms. We are in the process of
consulting with the stakeholders and looking at a business impact study, to actually see what the
impact on the industry is. We, as a Committee, have the discretion to come back to this Assembly
with a policy letter asking for your permission to change the scheme. We are doing that, we have
told everybody we are doing that, and I find it very interesting that in the motion of no confidence
it is described as an unacceptable solution, we have not come up with an alternative acceptable
2405 solution.

On what basis do the seven signatories of this motion of no confidence have the right to
declare what is acceptable or not? We have done the research, we are in the process of still
gathering the information, and if we deem appropriate, as a Committee, part of our mandate, part
of our role, is to come back to this Assembly with a policy letter for this Assembly to decide what
2410 is acceptable, what is not acceptable, what they want to proceed with, what they do not want to
proceed with. That will happen in due course, when we are finished doing the research.

There are also practical issues involved in this. At the end of the day there are a number of
ways that a Committee can be approached and encouraged to perform under its mandate. I
would like to think that Deputies would have come to us directly if they thought we were failing,
2415 or if we had major issues they would approach us and tell us that. That they might offer their
support. In a perfect world one would hope that would happen. Also there are Rule 12 questions;

2420 there are Rule 14 questions; there is a rule of censure. None of these things have been done. The Rule 12 questions, we have had one Rule 12 question relating to the motion of no confidence since the motion of no confidence. Why were these things not done earlier? If we are doing such a terrible job, then why haven't people tried to head us off earlier, and approach us on this? I just do not see it. All I see is this rather divisive motion of no confidence coming out, before we have had a chance to actually go out there and start delivering the series of policy papers that we have in our current work stream.

2425 At the end of the day, we are looking to dispose of a Committee really without justification. 'We think you will not achieve.' Well, what kind of message is that sending to people? You have not given us a chance to succeed. At the end of the day we have been dealing with the poisoned chalice, the most toxic issue in the States, we have done an incredible amount of work, we have brought it this far, we have gone through that vociferous debate over selection, and we are now going to the next phase of coming up with clear plans of how we want to take this forward. Give us a chance to deliver those things! Do not disrupt us now.

2430 Also look at the disruption that that will create. It is not just disruption to this Committee; it is disruption for all other Committees. Where are you going to find these five new members from? They are going to have to be pulled off other work for other Committees to parachute into this one. They are then going to be eight months behind the curve in making decisions and coming back forward with proposals that need to be delivered urgently. How much disruption does that cause for the other Committees as well as Education, Sport & Culture?

2435 At the end of the day I believe this debate should never have happened. We should have been given another six or seven months to come forward with our policy letters before anybody tried judging us. This debate itself is creating further disruption, further uncertainty, further delays. Let's get rid of this divisive distraction and get on with the work.

Several Members: Hear, hear.

The Bailiff: Deputy Leadbeater.

2445 **Deputy Leadbeater:** Sir, I am not going to contribute too much to this debate, but I feel I should say a few words.

2450 When the motion of no confidence first came to light I decided to resign from the Committee and because I believe that personally I was doing a very good job, I would put myself forward for re-election and if the States agreed that I was indeed doing a good job I would be supported and could continue in the role. Since my resignation I have still been working with the Committee and the President and other members have demonstrated total respect towards me – at least when I am present, that is.

2455 **The Bailiff:** Deputy Leadbeater, I do not want to interrupt. Can you just straighten your microphone (**Deputy Leadbeater:** Sorry.) I am not sure that the sound is being picked up properly.

Deputy Leadbeater: Sorry, sir.

2460 I think, I strongly believe that Deputy Le Pelley is an honourable man. Since my resignation, my public stance has remained the same. I have not sought to give any judgement regarding the position of my colleagues on ESC, and I have reiterated that my reason for resigning was to demonstrate consistency with how we dealt with the issue of selection at 11.

2465 The President and Vice-President had told me that they wanted me back on the Committee if the motion failed, and they would be proposing and seconding me for the role.

When I arrived this morning I had a conversation with Deputy Meerveld, he informed me that they had decided not to ask me back on the Committee if they succeed, because they have been advised by two senior Deputies that such a move could make them look weak. Deputy Meerveld

2470 told me that he much prefer that I continue my work on ESC, but he clearly did not want, publicly,
to appear weak. Now, if this is truly the case, you have to ask yourself, is the Committee clearly
putting personal interests before that of the education of our children, our Island's culture and the
further development of local sport? I honestly do not know now. I really do not

I am going to abstain from voting of this motion, but if it is true that other Members of the
2475 Assembly have the power to easily guide the President in whichever direction they choose
regarding the population of the Committee, irrespective of the massive amount of thanks and
support I have received from all areas under the Committee mandate, from Education to the
Youth Commission, then that sir, saddens me.

Since this news, I have had some conversations and I had arranged to be nominated from the
floor, but now I have decided not to put myself forward for re-election to the current Committee.

2480 Thank you, sir. *(Applause)*

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Sir, for the sake of Guernsey's future we must seek an education
2485 system which provides pupils with choice and does not compromise standards, which is based on
sound educational research into teaching, learning and effective assessment procedures. The
changes to our education system must consider the concerns and interests of all stakeholders,
because the future of Guernsey will be shaped by the design and quality of its education system.

Our Bailiwick's children must be offered the best we can provide in terms of choice of school,
2490 curriculum design, and quality of teaching and learning. We need to consider how to enable all
our young people to develop their gifts in order to make positive contributions to our society.
Considering the diverse talents of pupils in an ever faster moving and competitive world we must
invest in a first rate system, which seeks to stretch all children to achieve their potential and to
take their place confidently in a 21st century society.

2495 Now, sir, I know that the members of the Committee for Education, Sport & Culture agree with
these sentiments, and are committed to the delivery of an education system which achieves what
has been described so eloquently here by a locally resident educationalist of high reputation. I
cannot imagine that anyone in this Chamber would disagree with these perceptive and clear
statements. So, I ask Members what really is the motive and who really are the players behind this
2500 motion of no confidence?

I ask why the group of seven and their supporters would want to unseat the Committee, who
share their desire to deliver the best education system we can in accordance with the agreed
Resolution?

2505 I ask, is it right that the supporting letter to the motion which Deputy Yerby has laid makes
unfounded allegations about my views? The totality of the arguments in my speech of
30th November have been definitively ignored in her pursuit to discredit myself and the
Committee.

2510 I ask, is it right that not one of the signatories has sought to discuss any of their concerns or
issues with the Committee, or the individual members, before hastily bringing this damaging vote
of no confidence?

I consider that political manoeuvring is likely behind the vote of no confidence –

Deputy Tindall: Point of correction, sir.

2515 **The Bailiff:** Deputy Tindall.

Deputy Tindall: Naturally, I have to point out that I certainly have tried to speak to all, I have
spoken to four.

2520 **Deputy de Sausmarez:** Point of correction.

The Bailiff: Deputy de Sausmarez:

Deputy de Sausmarez: I too have spoken with three members of the Committee.

2525 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: I understand that that is incorrect, from the admissions made by all of us at Committee level, minuted; that there is only one member of the Committee that has spoken to Deputy de Sausmarez and that is myself, and any comments that I may have made to Deputy de Sausmarez may have been taken out of context in this regard, because it was never, ever about motion of a vote of no confidence.

2530 I consider that political manoeuvrings are behind the vote of no confidence brought at this early stage in the States. It has destroyed much of the trust which existed in this Chamber; destroyed the positive and conducive relationships that were being built; destroyed the hope of a collegiate style of consensus government, which the Guernsey people have rightly been demanding for many years. The time spent out of the spotlight creating, investing and nurturing relationships between Members, these are not magicked out of thin air. These productive relationships have been dangerously risked by this motion.

2535 I stood for election as a People's Deputy because I have a strong sense of community and civic duty. I believe that I was successful in being elected as people see that I have a pragmatic, moderate and measured approach. I am not hindered by blind principles, or the desire for control or political power. I do not have a hidden agenda. I believe that our children need certainty, and achievable timetables for change within a tested educational system, and we have been asked now to present a mixed ability model for the States to consider, and I want to ensure that model that we present is robust, flexible, well considered and built on the firm foundations of the existing system. It is therefore absolutely essential for all of us to work together to bring about the best prospects for our Island children during a very sensitive, complicated and what might be, at times, difficulty period of education change.

2540 Our President, Deputy Le Pelley, and the Committee, have been consistently clear that we will carry out the States' direction whatever the outcome of the vote, and this has been reaffirmed since Members by a majority voted against selection at 11 at the end of last year. We have committed to looking diligently at all options to ensure our Island children benefit not only themselves, but also their families, and our wider community through their education and skills developed over their lifetime.

2555 I do, sir, consider that this motion, using the words of Deputy Ferbrache, is thin gruel. It is weak for various reasons. Not least of all because Deputy Yerby has taken my words out of context and misinterpreted them in order to suit her aims in laying this motion. The distortion of the facts is used as her first argument in the motion against the Committee, stating that during the December debate I gave as my principal reason for withdrawing support for non-selective admission, the lack of confidence that the Committee had in its own ability to manage the risks associated with the transition. Well, this is baffling: why would I seek to undermine myself, and the Committee, who are the best people in this Assembly to deliver any change in the education system; the people who have been tasked with the job of delivering the change by the States; the people who have spent eight months researching, working and liaising with stakeholders; the people who want us to do the job they have been asked to do. Why would I seek to undermine us?

2560 I will simply refer Members back to *Hansard*, to my speech on 30th November for the correct statements that I actually made. Where is the unity which Deputy Yerby pledged to help deliver the best quality and the greatest educational opportunity for all our children? She stated in the debate that, like Deputy Graham she has reiterated again today, 'Whatever we do decide, I will move on, instead of fighting the same fight.' Well, I consider that she has not moved on, and that she has insisted on staying to fight the same fight, the outcome of which has now been decided, and which the majority of us have accepted.

Our current diverse Committee led by Deputy Le Pelley is conscientious and dedicated. We work well together, we discuss and challenge various concepts, always mindful of the middle path. We consider the parents' wishes; the school children and their wellbeing, as well as their future; also the advice of teaching staff and educational specialists; we think about the impact of their educational success on the economy; we believe it is essential to take parents and other stakeholders with us through open and honest communication to achieve success on this new education pathway. Our stance to bring parents along with us is clearly at odds with the views of Deputy Tooley, a co-signatory to the motion who, in my view, dismissively states in her maiden speech that

'It is for us to decide a system which will best suit all of the children on the Island whether or not their parents are *bothered*, whether or not they even vote.'

Our small tight knit community values being part of major decisions, especially where its children's futures are concerned. I understand my community and how they want to be involved, and how they want us to work with them. They must not be dismissed; their opinion must not be ignored; they must be brought along with us in this change. Change management in itself is an educational process which requires excellent communication and quality time spent with stakeholders.

Negligence lies with the signatories to this motion. There has been no attempt to look at the work done to date by the Committee, to assess the value added by members of the Committee to the mandate; no balancing the strengths against the weaknesses; no questions asked about our work plans; no constructive challenge or questions to find out the facts and weigh up the evidence to make an informed judgement. This motion does not stand up to scrutiny. In itself it is badly formed and ill-founded.

The Committee has a large remit of responsibility, and we have a full portfolio of work. Since taking my seat I know that I have already made a valuable contribution to the Committee and to the wider States. My background and personal reputation built up over a 20 year period in finance and digital, benefits much of the work that I have been doing across both of my Committees. The work which I undertake on the Committees is very enjoyable. As a Member I have the privilege of sitting on a few sub-committees, including Council of St James, Guernsey Training Agency, the Children's Executive, SACRE, the University Working Party, the Guernsey Pre-School Group, Lunchtime College. I chair Skills Guernsey and am a Commissioner for Guernsey Arts Commission. I am a busy person. My involvement with these groups has already seen a return on investment for the Committee, for example the healing of the rift between the previous board and the Pre-School Learning Alliance and the development of a re-established positive relationship. With Skills Guernsey I have made a large personal contribution of time and effort in reconstituting and pulling back together the Skills Guernsey management board which was picked apart at the end of the last term. The Island skills strategy we are working to deliver will be of particular use to the Committees for Education, Sport & Culture, Economic Development, Health & Social Services, and Social Security & Employment. Additionally Skills Guernsey will have an important relationship with Home, and help to inform the Population Management Panel led by former Member Deputy Peter Gillson.

I have never been asked to describe the work as I have just done, or justify my position on the Committee to any of the signatories, nor to my knowledge have my colleagues. This motion can only therefore be a personal attack, because there has been no negligence, no failure on the part of the Committee in the execution of its duties to oversee its mandate.

Due to the lack of due diligence undertaken by the supporters of this motion, they can only resort to picking apart the Committee by personal attacks, pedantic scrutiny, undue criticism and character assassination. The undermining of the Committee has now been going on since our term began. We have been subject to nasty emails from a relative of one of the signatories, we have been subject to inordinate and biased media coverage from *The Press* where Deputies Roffey and Yerby unashamedly promote their views. We have been subject to a general undercurrent of

negativity which has been stoked by some of the signatories, and their supporters, in this Chamber for quite some time now. This is unacceptable. This Committee needs no further distractions and time wasting. Guernsey deserves better government. (**A Member:** Hear, hear.)

2625 Sir, it is with regret that I find myself speaking before you today. The bringing of this motion has been, I think, shameful for our States. The vote of no confidence has, in my view, been used here to attempt to further the agenda of a select few, some of whom I suspect are not even in the States, at the expense of the public purse and wasting precious resources to bring it to this level, all so unnecessary, and for what purpose. Political game-playing at its core? Despite the
2630 protestations to the contrary by Deputies Yerby, de Sausmarez and Tindall, the comments made by Deputies Le Tocq and Fallaize in relation to the motion on the BBC Phone-In before Christmas sought to destroy the reputation and the integrity of our President, and by association the remaining members of the Committee. They have made this a personal vendetta.

I have looked particularly hard at the Members of the Chamber, especially those who support
2635 the motion and may want to take the Presidency, and with all sincerity cannot think of anyone better suited to the role of President than Deputy Le Pelley. The President needs to have a variety of skills and experience, and knowledge to effectively do this job, and Deputy Le Pelley has the right combination of these. He is excellent in Committee bringing people together, smoothing ruffled feathers with some of the sensitive items we have to deal with, such as pay or contract
2640 negotiations. He has the skills to pull together detail and conclude succinctly. He respects and listens to his team, and encourages active participation from all members to get the jobs done. He has the most relevant of experience with his 30 years teaching, and as a unions' negotiator. His unrivalled knowledge of the museum and cultural, historical and linguistic aspects of Guernsey, as well as having served four years as a member of Culture & Leisure in the last States make him
2645 ideal for this visible role which needs substance behind it. Deputy Le Pelley is the right person to lead this Committee, he is the safe pair of hands that we need to manage the delicate changes to our education system over the next few years.

I ask Members not to support this motion. (*Applause*)

2650 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

As a signatory to this motion, I would have liked the opportunity to speak at length and in detail and set out my reasons and respond to some of the comments that have been made in
2655 today's debate, but I think the fear of a guillotine motion has curtailed my efforts, but there are a few things that I would like to address.

Is the guillotine motion going to – ?

2660 **The Bailiff:** Well, the guillotine motion cannot be laid while you are speaking, so ...

Deputy de Sausmarez: Okay. (*Laughter and interjections*) Well, actually it is not just about what I am saying. The reason that I said that the fear of a guillotine motion is because actually I think in this kind of debate it is really important that we do hear from all the members of the Committee, and we do hear from all the signatories, as well as other views, so it is not just about
2665 me. I am not going to launch into some terrible filibuster. I just think it is important that democracy is served, and that we do have an opportunity to hear these opposing points of view and to understand people's motivations. I, for one, think I am just going to chuck any speech I had out of the window and wing it and see where it goes, because I have been quite ...

I would like to respond first of all to Deputy Dudley-Owen's claims. I am very glad that she has
2670 amended the view, or the claim, that no-one contacted any member of the Committee. I first heard that claim, actually, on the Sunday Phone-In. I have to say I was really surprised, because I knew that we had had a conversation. Just for the record I had not intended to break any confidences and I certainly would not have, but as you have explained that we have discussed it,

2675 then I do not feel I am breaking a confidence. I certainly will not go into the content more than to say that I opened the conversation, as I am sure you will remember –

The Bailiff: Through the Chair.

Deputy de Sausmarez: Sorry, Mr Bailiff.

2680 I opened the conversation with Deputy Dudley-Owen, as I am sure she will remember, with the news that there was going to be a motion of no confidence laid, and that I was considering putting my name to it, and so that is the context in which the conversation took place, and I am sure she would not refute that.

2685 I, for one, have heard from my colleagues of many conversations that have taken place with members of the Committee for Education, Sport & Culture. I myself had a further conversation, it was actually a four-way conversation involving two other members of the Committee for Education, Sport & Culture, and a non-member of that Committee, another colleague, another Deputy, and I am sure that at least two of those would verify that and there are plenty of witnesses. That one took place at lunch time on Wednesday, 14th December, I believe. There were
2690 lots of people around that day, just to jog people's memories.

So we have spoken quite specifically around this issue, we have voiced concerns, and I have to say I have been quite disappointed, at times, with the disparity between what I have heard on a personal level and the message that has subsequently been put out to the public. I have found that disappointing. I know there is a degree of subjectivity that goes hand in hand with
2695 conversations, and there is a degree of latitude with how various things are interpreted, and how things are remember, but my feeling certainly is that I have been disappointed with the lack of consistency between private and public utterances.

I would like to reiterate, I think Deputies Tooley and Tindall have actually both explained quite eloquently that there is nothing fun about doing this. I am not a fan of blood sports, I do not thrive on conflict, I really do not. As I explained in a conversation with Deputy Inder, I do not think anyone signs a motion of no confidence for fun. It is an incredible brutal and divisive act. And it is something that people only carry out when there is a really extreme case to do so, and I have to say I fought long and hard with myself, actually because – I know we should not let personal loyalty into this too much, but – I did actually feel a good degree of personal loyalty to one
2700 member of the Committee, in particular, and I really, really struggled with that, because I knew that if I supported this motion that I had everything to lose. I knew that how this would be played out in the public arena. I knew that I would come in for a good deal of vitriol, I knew that aspersions would be cast about my motives, I knew that I had political capital to burn, friendships to lose, trust to erode. I knew all of those things, and I signed this motion of no confidence in
2705 spite of those things, not in any way because of them. I just *cannot* understand the logic that somehow there is a personal agenda that I am pushing. I want to say no.

Like, I think, the majority of people in this Chamber, I entered into politics to make a positive difference and to help people, and my own principles are an important part of that. I have been pleaded with to put pragmatism ahead of principles, and even if I believe that a more pragmatic
2715 course was available, I do not think I could do that, I think my loyalty lies not to myself, not to my political colleagues, but to my community, and I think I have to prioritise what I judge to be in that community's best interest. I cannot see any other honest way, and that is why I signed this motion of no confidence. I had to do what I judged to be the correct decision.

I accept that some things in the motion are possibly subjective, as Deputy Roffey pointed out,
2720 it is a judgement. We are talking about judgement. It is very difficult. This is not quantitative issues we are talking about. It is a qualitative judgemental issue, and we have to place faith in our judgement. I place faith in my judgement, and I asked myself the same question that Deputy Tooley asked herself, and the same question that Deputy Tindall asked herself: are these the right people to be leading us through this huge transformation? My honest answer was no. In my
2725 judgement they are not.

I would also like to reiterate what Deputy Ferbrache said, so eloquently, and affirm that this is not about questioning the honesty, the integrity, the commitment to public service, of this Committee, they are hardworking. Gracious me, I know how hard they work, I know the number of sub-committees there are, I read the stuff that gets out there, the newsletters, I am part of a school community, I see these things that go on, I am under no illusions, I have never once suggested that this is not a very hard working Committee with a big and difficult mandate, and I respect them for that, that is brilliant. I have never once questioned that. But it is not what we are debating today. I am afraid we are debating whether this particular group of people, as currently constituted, is the right combination of people to carry out the task in hand. I do not question for a second their commitment to do so, their intention to do well, but I do question their realistic capability of doing that with a degree of success, with sufficient success. So, that is where I am coming from really.

I have to say I have never questioned the honesty and integrity and commitment. We did get a generous handful of emails, many of which made those very points, and I have to say I do not disagree, but I am beginning after this morning to question Deputy Le Pelley's memory, with all due respect, because I just cannot let these ones lie. Deputy Le Pelley has several times today distanced himself from a quote that was quoted in the motion, and I actually took the opportunity over lunchtime to verify the quote, and I can confirm that this was said on the radio, the BBC radio programme, *The Islands at One* broadcast on Friday, 2nd December at 1 p.m. and this is verbatim, in response to I think the question 'how do you feel about today's vote?' Deputy Le Pelley said:

Well, I am very disappointed that we lost, I think it is a mistake, I think Guernsey will rue the day, I think we have lost an excellent school of .learning, or will do over the next six or seven years.

He does go on, but he ends with a reference to the vote itself.

We have reduced a 26 to 19 vote down to 21-19.

So that clearly puts that quote in the context of after the vote has taken place, and I actually spoke with the journalist who carried out the interview by complete chance, and did confirm that that interview had taken place on the steps of the Royal Court shortly after the vote had been taken and the meeting had broken up.

Deputy Le Pelley also clarified earlier that when he said that teachers had a vested interest he was referring only to a very small specific and possibly partisan group of teachers. Again I have checked up that quote, and that was another BBC Radio programme, hosted by Kay Langlois and the verbatim quote for that is, when asked about what he knew about the survey:

At the moment we have, you have it in your hands, a press release, I don't know who it is from exactly, or who organised it, or in which capacity they organised it, but teachers do have a vested interest in this.

So they are a group with a vested interest. So, I just wanted to clarify that as well, because as a former news journalist myself, I do get a little bit pedantic about things like that.

We have heard various people deal with the issue of giving this Committee time. That is one I give particular consideration to when asked to support this motion of no confidence. I thought long and hard about it, and actually Deputy Ferbrache kind of summarised it far more clearly than I could in my own head, where actually when you look at what was brought at the end of November, there does not seem to be any good reason why that could not have been brought a lot sooner. There has been a lot of talk of thin gruel today, and actually, I am not a particular fan of it, but I think if we are going to apply it I would actually, personally, in my subjective judgment, apply it to that policy letter, because to me it was thin gruel. When we look at what it contained, I think it was something like 11 pages, and a good four of those were reproductions of the extant Resolutions, so actually we are looking at maybe seven pages of new material that was brought over a period of, I don't know, seven months.

2770 Then you look within that material and you see what was actually substantively new, what was different, what was being proposed, I could clearly identify two things. One of them was a delay. There was a proposed delay in the timeline, that would have seen the implementation of any non-selective system moved to after the date of the next election. That was something that alarmed me, because I have to be honest, I did question the political motivation of that.

2775 The other thing that I identified as substantively new was the ruling out of alternative forms of selection, and as has been discussed in good detail today, that was quite explicitly the platform on which Deputy Le Pelley stood for his role as President of the Committee for Education, Sport & Culture. So on that ground alone, that was actually one of the clinching features for me, when I thought about it in those terms, people are quite right, Deputy Le Pelley did indeed get good support for his role of Presidency. I do not mind saying that I personally did not vote for Deputy Le Pelley, but that is neither here nor there, I respect his very healthy vote, but I think that vote
2780 was taken on a very specific mandate, and I think that with the bringing of that policy paper, and the ruling out of that mandate, that in itself should have been a trigger to seek reconfirmation of the Assembly's confidence in that Committee, or to seek a fresh mandate. I cannot emphasise that enough.

I do remember reading a *Press* report, I think it must have been on about 10th December, because certainly, I think, the news that a motion of no confidence would be laid had broken. I
2785 remember Deputy Le Pelley was asked in this *Press* article whether they were likely to stand down, and Deputy Le Pelley gave his reason at the time. I know subsequently they considered it, in more detail, but I am sure this *Press* article, which I believe was on about 10th – I think it must have been on 10th December – did quote Deputy Le Pelley as saying that his reason that he did not
2790 think the Committee was going to step down was because they were worried that if they stepped down and put themselves forward for re-election one or more of them might not be successful, and the reason that that was important was because losing just one of them, just one of them, was enough to set that Committee back and to cause serious problems in bringing forward the change that I know everyone is very keen to see through. Now, of course, that is quite bitter
2795 sweet, in light of the revelation that Deputy Leadbeater has just told us about, I think.

It did also raise further questions for me though. This Committee has made no secret of the fact that they do not have the best working relationship with their staff, and if time is of the essence, as a Member of this Assembly, I would hope that to get things done efficiently. Really it is very, very important that you have got an efficient and capable, and driven and enthusiastic
2800 Committee, a political body, but it is equally important that you have an engaged staff to help support you in that. I do not know whether other people see it the same way, but to me, I think, if we are actually serious as an Assembly about helping this Committee reach these objectives in the time that they have committed to, personally, I think it is really important that they do have the trust of their staff. They have got the engagement of their staff, and personally, I would go further
2805 and say that I think it is also really important that we are confident that this Committee has the trust of the head teachers, and the teaching staff in general across the Island. To me that seems like a fundamental premise of this whole process.

I think those are questions that I would want to ask myself, which I have asked myself, and I have to say honestly I do not believe – again it is my personal opinion, and other people are
2810 entitled to theirs, but in my personal opinion – I do not believe it is likely that they have the full wholehearted trust and support of their staff, and I also do not think it is likely that they have the full wholehearted and enthusiastic trust and support of the teaching staff, at this particular point in time. People might have a view on how easy those rifts are to heal, if they indeed agree they exist in the first place, but that is my opinion, and that has been a factor in my decision to support
2815 this.

I have got various other, various other misgivings about the way in which this Committee proposes to hit those deadlines. I am particularly concerned, I will just pick up one. There has been a lot of talk about this workshop as though it is a great thing. I have got deep, deep misgivings about this process, I really have. I have heard many a tale of processes, of educational

2820 reform, in other places in years gone by in Guernsey as well, and I think, I am worried about this
approach. I agree with Deputy Roffey, I agree we need a team of people who can lead us through
us. It is such a complex and such an important area, I do not think that a sensible way to approach
this, is to turn it into some sort of game show. I am so terrified that we are not going to be able to
2825 go into the proper complexities of this and make true informed decisions. I just think it is a very
worrying state of affairs. I also worry that we are somehow trying to squash an education system,
a new education system, that we all want to be one of the best in the world, into the existing
buildings that we have got available. Why are we starting at that point? Why don't we start with a
Committee who seriously considers all those things that Deputy Dudley-Owen talks about? She is
2830 absolutely right, they are crucial, but those are the decisions that the Committee has to establish
first. They have to establish what kind of education system we need, and exactly what the benefits
are for those children. We need to put the children at the heart of this education system. We need
to take the teachers with us, we need to take the employers with us. She is absolutely right. I
actually agree with the vast, vast majority of what she said in the education debate, but I just
cannot see how this approach is going to get us to that point.

2835 I would like to see a Committee that is going to start with a clear, passionate, enthusiastic, and
realistic vision for our education system, and then that will automatically refine the choices, and I
would like to see a Committee taking a lead on that, and for that purpose I think it is really
important that we have the right Committee in place. It is with deep and genuine sadness and
regret that I have to say I will be supporting this motion, because I do not believe that that
2840 Committee is the one that is currently in post.

Thank you.

The Bailiff: Yes, Deputy St Pier. *(Interjection)* Deputy Brehaut had risen before ...

2845 **Deputy Brehaut:** Just with this looming guillotine, sir –

The Bailiff: I was looking for Deputy Trott to stand, but he was not standing.

Deputy Brehaut: He is still seated.

2850 **The Bailiff:** So there is no – *(Interjections)*
I will call Deputy St Pier.

Deputy St Pier: Sir, this debate must not be decided based on the ambitions, political careers,
2855 or egos of any individuals in this Assembly today. As Deputy Roffey has said neither should it be
decided based on friendship with, or loyalty to, colleagues. As Deputy Green has said neither is
this debate about villains or heroes, and neither, of course, is today's vote about giving our
colleagues a chance.

2860 Our duty, our responsibility today is to those that we represent, and in this case, first and
foremost to those who are not currently electors, namely the children in the education system,
who do not themselves easily get a second chance. It is to them that we owe a duty to ensure that
we have a Committee in whom we have confidence to deliver the best educational outcomes.

2865 Deputy Prow said that the members of this Committee are honourable, and I agree. Deputy
Tindall said that the members of the Committee have integrity, and I agree. Deputy Le Pelley has
described himself as being an honest man, and I agree, and I believe him. But this debate is not
about those qualities either.

2870 Sir, Denis Mulkerrin was probably the single most important influence on me in relation to
secondary education policy. Denis, of course, went to the Grammar School, and having been the
head of all ability schools was awarded a CBE for his services to education. It was Denis who
Deputy Trott, and his Policy Council, wisely commissioned to lead the widely acclaimed review of
the Island's secondary schools, and it was Denis who went on to lead the review of the Island's

primary schools. It was Denis who the last Education Board turned to and to appoint as a non-States member. So, Denis was widely acknowledged on, and off-Island, for his experience in this field, and we ignore his advice at our peril. It was Denis who made it clear to me that the failures in the UK's education system arose not from the decision to abolish grammars, a decision which, of course, he strongly supported, but from how those decisions were implemented. We know this to be true from our own experience. As Deputy Graham said this morning, the States have acknowledged that it was not the decision to close St Peter Port School that was wrong, but how that decision was executed.

This is where we find ourselves today, at the beginning of a huge, massive change programme far, far bigger than the relocation from St Peter Port School. A major policy change has been made to end selection at 11. The implementation of that policy change now needs to be planned and implemented with great care and competence. Now, Deputy Graham and I differ on this point, and I agree that it does not mean that either of us is either a villain or a hero, but I cannot look myself in the mirror, or put my hand on my heart and say that I have confidence in this Committee to deliver that major change programme effectively.

Sir, we and the public want and, I think are entitled to, expect our committees to provide clear, calm, articulate, consistent and decisive leadership. Yet all Members have observed and experienced the extraordinary changes in policy direction adopted by this Committee. Not least the three different positions in as many days following the President's statement in September. That alone was sufficient to sap many people's confidence, my own included.

Sir, some Members have expressed the view privately that even if the Committee narrowly survives today's motion they will not survive long term, and I think possibly Deputy Gollop may be one of the few who have been willing to express that view publicly. This is the political equivalent of saying that the Committee is in intensive care but its death is inevitable. For those Members who are of that view, I would strongly advise you to turn off the life support today and support the motion. It really cannot possibly be in anyone's interests, least of all the users of education services, that the inevitable is deferred.

Like Deputy Meerveld I believe that this debate, as I have said before, is one that I hoped that we would not be having, and as Deputy de Sausmarez said, even those moving the debate do not welcome it. My private, and subsequently my public, counsel to the Committee was that they should have resigned and sought a fresh mandate, as Deputy Tindall suggested. I know that some of those who will vote against this motion today have offered exactly the same advice. Why was that advice given? Simply because the majority of the Committee were defeated on almost certainly the most important policy position of their Committee.

Now, the Committee, of course, do now present themselves today as an empty vessel available to, and capable of, doing the bidding of the States. Now, whilst I absolutely believe that this is the Committee's intent, personally, I struggle to accept this as a credible position for any States' Committee, all of which are elected to provide leadership on the areas within their mandate. If this Committee are not going to do that, we might as well not have a Committee at all. But in any event we must recall the President, who subsequently presented his choices for his Committee, did not seek and win election on an empty vessel mandate. He did not stand here and say elect me and I will do what you want me to. Had he done so he probably would not have been elected. He did so on the back of a clearly expressed policy position, which the States have now rejected. A policy position which he told us, albeit before the debate, was wrong and would fail; a policy position which he said was a recipe for disaster; a policy position which he said would put a huge group of youngsters at risk. So, of course, I have no confidence that this Committee is the right one to deliver that policy position, because they have told us, they do not believe in it, and they do not want it.

Going back to Deputy Lester Queripel's comments at the beginning of the debate, sir, and his suggestion that supporters of the motion of no confidence do not believe the members, and are calling those members of the Committee liars, I think as other Members have said, Deputy Lester Queripel's analysis does not admit the possibility that those Members have trust in the

2925 commitment of the members of the Committee to deliver policy, but do not have trust in their competence to do so.

Sir, I have been told by a Member that as the President of Policy & Resources I should not have become involved in the fray, and so should abstain from the vote on this motion. With respect a motion of no confidence is simply not one which I feel, personally, I could ever abstain on. Either I do have confidence, in which case I would oppose the motion, or I do not have confidence, in which case I would support the motion. It is simply not a question on which I can give an ambivalent response.

2930 The same Member also said that they are disappointed with the position which I have adopted, and that I am not displaying the leadership they expected of the President of Policy & Resources. The cynic in me, of course, says that this Member would probably be complimenting my leadership if I had agreed with them and opposed the motion. Of course, leadership is not about seeking to ascertain where the majority of opinion lies, and then parroting it. It is, of course, about an individual expressing their opinion, however unwelcome that message may be. Sir, I think a majority of Members, and the public, do expect the President of Policy & Resources to have an opinion on a motion such as this, and they believe that the President has a responsibility to provide advice to the States based on his or her experience and observations.

2940 Now, Members will know from my previous role of Treasury & Resources Minister, I have considerable experience of working with the previous Education Department, Minister and board. Members, particularly, of course, Deputy Kuttelwascher, will know that this relationship was often difficult because of matters of policy disagreement between our respective Committees, but they will know too that my confidence in that Committee was never questioned. Members will know that my office, and my Committee, have been called upon to intervene in a number of matters since May, not least to help ensure that this Assembly had an opportunity to debate the matter of secondary education at all before the end of last year. Members will also know that the President of Policy & Resources meets monthly with both the President of the Committees for Health & Social Care, and Education, Sport & Culture. They will know that the President of Policy & Resources periodically attends and observes the meetings and workings of other Committees, and they will know that the President of Policy & Resources is sighted with the agendas and minutes of other Committees. So they will know that the President of Policy & Resources is uniquely placed than many to offer an opinion.

2955 As Deputy Roffey has said, today's decision is a subjective judgement, and based on my experiences both the direct and comparative, I cannot in good conscience do anything other than advise the States that, and it is reluctantly, because I would very much prefer it to be otherwise, I do have no confidence in this Committee, and consequently I will be supporting the motion and do encourage others to do the same.

2960 **The Bailiff:** Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

2965 I do not like analogies with car crashes, but if we could just use that one, when the forensic team arrive they follow the two trails of rubber backwards to see what was the origin, what caused the original incident, and, of course, in this case it was the election. Because during the last election it became, we were told, a single issue election. This election was about education, the last election was a referendum on education, so when people came into this Assembly after the last vote, in the air was this feeling that we are here by virtue of our position on the 11-plus.

2970 I did not believe that. It could not be the case in St Peter Port South, for example, five Members: three Members said clearly that they were opposed to selection, two Members said that they were in favour of selection, but nevertheless that feeling, that intangible thing, that good will that you feel after an election was to embrace the public sentiment with regard to what was seen by many as a referendum on education, but the very moment we made that decision and elected certain individuals on to the Education Committee it was always destined to fail, because when

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you crunch the numbers, and people did, I think, probably from day one, it was never going to work, because selection was always on the way out, whether it was in the first month of a session or whether it was in the first year.

2980 Deputy Graham said in his speech that this is much more than education. This is also about sport, it is about culture and it is about the arts. So why was it then that it was Deputy Inder who got language into the Policy & Resource Plan? We are told that if you lose your language, you lose your culture, but it was not a member of Education, Sport & Culture that got the language reference into P&R. Deputy Hansmann Rouxel also got the arts reference in the P&R Plan. With a
2985 Committee with that mandate, who we were told embraced the P&R Plan, why is it that there were those two rather significant oversights with regard to that mandate.

We are told that there is lots of sniping, scoring points, and that there are other agendas and that there are games being played. I just do not accept that at all. This is a walk in the park, this is no big deal, this is a parliament with the ability to place a motion of no confidence and then have Members decide which way they want to vote. The issue is about judgement here, as to why
2990 members of the Education Committee believed it was the appropriate thing to do to come here today and resist the calls for resignation. I think it is a misjudgement and an error on their part.

Deputy Le Pelley earlier today gave the impression that this was a group of handpicked people, because he had all the time in the world to choose them. He chose them for their strengths, their virtues, the people they were and what they could deliver. I think that is subtle
2995 misrepresentation, because from where I sat when we had the appointment to the Principal Committees and conversations were being had, and phone calls were being made, we all know how many people sitting in this room were approached to join Education, how many accepted, it was quite an issue. It was quite a deal getting people on to some Committees, So the idea that we leisurely selected, hand-picked, the people, the round peg for the round hole, is not really where it
3000 is at because elections just do not happen in that way.

Also, I would ask members of Education to really be true to themselves in what they know in their inner core. They have had conversations with colleagues, they have sent emails to colleagues, they have expressed reservations about leadership, they have done that. I had a
3005 conversation whereby I was told there was an expectation that the President was due to resign, and will do that. Now we are told that no, they have always been in the same place, that was never on the cards, and that was never going to happen.

Deputy Dudley-Owen said that nobody approached her. I did approach the Member, sir, through you, in an email, and interestingly, I said in the email that I thought that they/she should resign. Actually what I said was that it was not easy going through the Christmas period with the
3010 stress and the anxiety, because it was unfair on her and her family, and I thought there was merit at that time in the Committee standing down to stand for re-election. So, it is a difficult thing a vote of no confidence, but I was not entirely unsympathetic to the plight that the members are in, but again, this whole issue of resignation is a judgment one.

Now, I was listening to the Phone-In and a member was on the Phone-In and a Member of this
3015 Assembly, and the presenter said on the Sunday Phone-In, 'Have you in all your years within this Assembly ever experienced anything quite like this?' The answer came back, 'No, nothing quite like this.' Really? Nothing quite like this? Well, I was on the Health & Social Services Department facing a vote of no confidence, and people who had signed that vote of no confidence made it clear they wanted to be on the board. Deputy Mark Dorey signed as a signatory to a motion of no
3020 confidence on the Health & Social Services Department, I resigned. I came in here and resigned, if you like during debate, again that was an issue, frankly, where a Minister at the time was reluctant, and I felt as the Deputy Minister I had to set the example. However, we came in here, we resigned. Not long after that I was approached by Deputy Dorey and joined his board as it was then. So the idea that it is sniping, that it is bitter, that there are groups working against one another, if people
3025 are being critical of a department or a committee and want them to move on, then they could identify themselves and put themselves forward.

What has changed this term is that, I think, Deputy Kuttelwascher may have touched on it, he said, 'Come on, Spartacus! If you want to be counted, stand up.' If you want the job stand up, but of course, people are told if you stand up 'you are being conniving, what's your agenda? I see you

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are signing this motion of no confidence because you want to be on the Committee, don't you?' Well, that is not entirely unreasonable. When HSSD resigned there was, long before we resigned, a sort of shadow board in place, where it was understood who the Minister would be, it was understood who would be, or colloquially, there was an acceptance of who would be joining that board. So we are running an Island, you need to be pragmatic, you need to show that you want to lead, and you need to show that you want to get things done.

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Again, the idea that this is an exceptional occurrence, well let's look at the resignation of the PSRC. That was spectacular by any accounts. If we look at the former Deputy Chief Minister and the *faux pas* he made publicly, if we look at the Policy Council and the fall out. If we look, actually, at former Deputy Carol Steer's resignation: she said she was not going to resign, then wanted her resignation debated. Again a misjudgement that actually ensured that she did lose her seat.

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But there is one resignation I have not mentioned, and it was the resignation of Peter Harwood. Who remembers that he resigned, because he did so discreetly? A conflict arose, he realised that that could not play well if people believed that he was conflicted, and he discreetly, and promptly, stood down, because that is what leadership looks like.

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One thing left to me with an insight today which really has emboldened me, although I was always going to support this motion, that really I thought was symptomatic of the problem we are facing and the duplicity within this Assembly just at the moment. Deputy Mark Leadbeater, who Deputy Richard Graham said, 'Let's not use the word courage, because this is only politics, this is only a debate' – I beg your pardon, sir, through you – Mark Leadbeater's speech, I thought, was extremely courageous, and he said, 'If two members can be that easily swayed ...' That is what he left in the air. If two members can be easily swayed by Members outside the Department, what does that say about leadership?

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But let's remember what happened before the lunch. The President of Education read out Deputy Leadbeater's CV implying that he was welcome back, when already they had had a conversation with him saying that if he was to stand they could not support him. He could not be supported, yet we had a recommendation and his CV was read out before the lunch. That is the sort of duplicity that unsettles me, sir. (*Interjection*) Yes, 'duplicity' is a strong word, Deputy Gollop, yes.

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Also we were faced with a States' report from this Committee. It was drawn to the attention of the Education Department that if States' Members voted out the Propositions, both as presented, they were left with no report, but they were willing to come to an Assembly with that report and stand to lose everything. They would have lost everything. However, other States' Members, although it was under the signature of Deputy Meerveld, and under the signature of the Minister, the amendment you supported believing to be theirs was drafted by others to get them out of the hole they were in with regard to ... if the Propositions were both voted against they had nothing. So, again, it was positive influence from outside the Department on that occasion that actually saved the day and salvaged them.

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Sir, for me these are issues of judgement, the wisdom or judgment of having your resignation debated. I have to say to Deputy Dudley-Owen, I would vote for Deputy Dudley-Owen if she stood. I she had resigned and re-stood immediately, I would have voted for her. I feel it is regrettable that loyalty to one individual and 'we will coalesce for a day to appear as one unit to allow us to carry on again' is a misjudgement. I would just ask Education members to be really true to themselves. They know what the issues are.

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I perhaps need to remind you that a statement I referred to before by the President of Education where he said openly he was at war with his staff, the Deputy President and he also raised the issue of there are 74 people working at Grange House, and then posed the question as to what actually any of them did, and we have the Vice-President of the Education Committee saying that he would like to halve that number. The dynamic, as much as the goodwill, when you

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3080 vote, some of you, against this motion of confidence, you will do in the hope of the charge in the air the goodwill that gets the Committee over this obstacle today. Well, that simply is not good enough. I would ask Members to vote for this motion of no confidence, and if you have any doubts at all then kindly abstain.

Thank you.

3085 **Deputy Trott:** Sir, I rise to move Rule 26(1) as advised before lunch.

The Bailiff: Well, under Rule 26(1) Members who would be entitled to speak – that is, those Members who have not yet spoken and who would intend to speak – shall now stand in their places. So anyone who wishes to speak and has not done so.

3090 Deputy Tindall, you have spoken.

Deputy Tindall: I have. I would like to ask a question if I may, because at the beginning of this debate you said there was a possibility that we could speak twice. I just wanted clarify exactly what you...

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The Bailiff: Well, at this stage nobody has formally requested that, other than that I was told that the President and Vice-President of the Committee might make a request, nobody else has done. So at the moment only those persons entitled to speak are the people who have not yet spoken. So people who have not yet spoken and wish to do so, please stand in your places.

Several Members stood in their places.

3100 **The Bailiff:** Right, I think we can see everyone who is standing, and I now need to ask Deputy Trott whether he wishes me to request to put to you the motion that debate be closed in light of those who are seen standing.

Deputy Trott: I do not, sir.

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The Bailiff: You do not, so debate will continue.
Deputy Le Tocq.

Deputy Le Tocq: Thank you, Mr Bailiff.

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Sir, I will be brief because much of what I was going to say has been said by others.

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But to begin with I just need to respond to something that Deputy Graham said this morning, and it was alluded to perhaps by others. It was in respect to his implied criticism that the signatories of the motion of no confidence did not put themselves forward when the Committee for Education, Sport & Culture was being formed. Well, some have answered that already, but for my part, I could not have done so under the Rules, because I had already been elected to be a member of P&R. However, sir, had I been unsuccessful in achieving the position that I currently have, I may well have put my name forward, very likely would have put my name forward, not just to be a member of the Committee but actually for the Presidency of that Committee, it was one, in the days when we had Ministers, where I did put my name forward for, and I do feel strongly about education.

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However, sir, if I can just touch firstly on the issue of confidence, and others have mentioned this, but I just want to make it clear, from my point of view, I think there is a difference – it is discreet, but – between trust and confidence. I think trust is a broader thing, I think confidence is a more specific attribute. In terms of the integrity and honesty of the individual members, the President and members of the Committee for Education, Sport & Culture, trust is not in question from my perspective at all. It is not about any sense in which I doubt their willingness, or their desire, or their integrity.

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3130 However, there will be a difference, sir, for example, if my friend Deputy Trott was to tell me that he was going to adjudicate the Music Eisteddfod for example. I might trust him implicitly as a friend but actually I would not have confidence in him doing that; or say becoming a marriage guidance counsellor. *(Laughter)* So, there is a difference, sir, between trust and confidence. I think that was... trying to be amusing there, I think it is particularly on the issue of confidence. It is a motion of no confidence in the Committee as currently constituted. That is why I signed this particular motion.

3135 Sir, I am sure Deputy Le Pelley will remember, I informed Deputy Le Pelley immediately after the debate, that I thought he should resign, and I did so because I had been asked that question in interview on a different issue, just outside the Assembly before, but I did so, sir, because it seemed to me that things had so fundamentally changed from the import of his direction that he announced, and was voted on by the majority in this Assembly back in May, that he needed to
3140 resign and, if necessary, seek a new, a fresh mandate.

That has been my argument in the past, it was in the days when the Policy Council resigned. Deputy Trott will remember those days. Even when I was back on Education, back in 2000-04 where we had nine members around the table, and we first brought Propositions to this Assembly to move towards an all ability system. We had two members around the Education Council table
3145 at the time, sir, that were in the minority against those Propositions and they both said at the time that if we were successful in changing the system to remove selection that they would resign, because they could not, hand on heart, continue on that level, so fundamental was that issue. It did not happen, and so we all continued largely in place.

But sir, former Deputy Roger Domaille, during my time as Chief Minister, phoned me up at
3150 2 p.m. to tell me after the debate on the Integrated Transport Strategy that he could no longer continue in that position, and I honoured him for his sense of honesty to his convictions, because he saw, and not everybody would agree with this, but from his point of view, so fundamental was the issue of paid parking, and other things, that he saw within the amended Propositions that he could not continue to lead that Committee in that environment. I think had he tried to do so, it
3155 would have been very difficult, bearing in mind what he had said. In my mind, sir, in the consensus system that we have, that is where we are here.

That is why I told Deputy Le Pelley, and indeed Deputy Meerveld, I also spoke to Deputy Leadbeater as well after the debate, that I did not think it could continue, but there is no reason why those individuals who had spoken in the way they had could not argue for a fresh mandate,
3160 particularly, Deputy Le Pelley. But I do feel that the issue of conviction, where, particularly, Deputy Le Pelley had made such a convincing argument that there was an alternative to the 11-plus system that did not involve removing selection, and was not able to deliver on that, was such a fundamental issue, that it does not give me confidence that, on that basis, this Committee as currently constituted can continue to deliver in that direction.

3165 If you like, sir, it is perhaps true to say that the Committee has done what it said it would do, in bringing the issue to closure in this Assembly, but now the Committee through the mouth of its President wants us to believe that he can promise to do what he said he could not do. He would not do before, and that is to deliver in a direction towards schools that he is on record as describing as a recipe for disaster.

3170 **The Bailiff:** Deputy Le Pelley.

Deputy Le Pelley: I never said that I would not do it, sir. I never said that I would not do it. I said that I would bring this back to be resolved in this Assembly. I also said that when the decision
3175 was made that me, together with, that I rather, together with my board would do our very, very best to bring into play exactly what this Assembly directed us to. I never said I was not going to do it, or I was opposed to it.

3180 **Deputy Le Tocq:** Sir, I think Deputy Le Pelley is missing the point I am trying to make. What I am referring to is the fact that he said and I quote in *Hansard* in his speech for the Presidency of the Committee, he said that, for example,

...having 800 plus students in a school is a recipe for disaster if you want to have good discipline, good behaviour and total inclusion of all people.

3185 There are other references there, but quite clearly now he has informed us, as has the Committee that they are committed to a model that will deliver those things, which he has described there as '*a recipe for disaster*', and will not bring about good behaviour, or the inclusion of all people. I have not got confidence therefore, sir, that he and his Committee, as currently constituted, can deliver a good system that they believe in and have conviction over.

3190 Sir, we have no other, it is a messy business in our environment, because we have to deal with this in public, but as I have said before, and reiterate, it is not a personal thing, it is a matter of confidence in what was said, and what is now being said, and I see them as two very different things. If he has changed his mind on those things, then I think he and the majority of the Committee who feel that way should resign and ask this Assembly for a fresh mandate, and explain their reasons for that, because those reasons have not been explained.

3195 Some might say, and Deputy Ferbrache was one of these, that this is just too early, we should wait another five or six months and then make a judgement as to whether they can deliver or not on this basis. Well, sir, for me the issue is can we risk another five or six months. Is there evidence that they will manage to do that, and I do not find it at the moment? I do not find it, and it is true to say, sir, that we are, perhaps, in a position that one might have predicted we would have been in earlier on if we had perhaps believed what some had predicted before, and I do not deny the fact that Deputy Le Pelley has tried to bring together a Committee with differing views. We have 3200 clearly heard those views, not only in this Assembly, but outside of this Assembly, but this is such a massive issue of culture change, and managing culture change – probably one that will require beyond the life of this Assembly – that I think this Assembly as a whole, including all of us, whether we voted for or against selection, because in my mind that is not the issue, if the Committee was constituted with people that had different dispositions, different skills, different 3205 abilities, different strengths, but had voted perhaps for selection, I might feel more confident. The confidence I lack in this Committee is because I cannot believe that they can do the opposite of what they said they would do in such a short time frame. Indeed, they have given different senses of time frames for delivering even where we have got to so far, which is not very far at all.

3210 Sir, I will finish with this. Deputy Le Pelley said, it was his parting shot at the end of his speech when he was seeking election as President. He said: 'Well, you know where we are going.' Well, sir, I am afraid I was not sure then, and I said so. I have become less so over the last few months and, sir, I have lost all confidence in the satnav now.

3215 **The Bailiff:** Deputy Laurie Queripel.

Deputy Laurie Queripel: Thank you, sir.

3220 Sir, I agree with a number of the points that Deputy Graham made this morning in his speech, but there was one in particular that I agreed with, and Deputy Ferbrache picked up on it. I start by saying I absolutely defend the right of the Members who have signed this motion to bring it to this Chamber for consideration and debate. A vote of no confidence is a parliamentary tool, a mechanism that can be accessed by Deputies who believe they have good reason to do so, and that could be said for requêtes, or sursis or amendments as well, sir. I have no doubt that this motion has been brought out of sincerity, and based on genuine concerns.

3225 Of course, there has been some talk about manoeuvring behind the scenes, and activity behind the scenes, and although I do not like what I call the politics within politics, it does come with the territory, and it happens with every political system throughout the world. I wish it could be different in Guernsey, as I say, I do not like the politics within politics, and I wish people could

3230 be up front and plain speaking, and if they want a job, if they think they can do a job better than the present incumbents, I wish they would simply say from the get go. But it seems to be the nature of politics this kind of activity.

I really do not care what people have said in private conversations; I do not care what gets said on social media; I do not care what gets said through what you might call the traditional or conventional media; I do not care what the public say. It does not change my view that this motion has been signed and brought to this Chamber for sincere reasons.

3235 However, sir, I am not inclined to support this motion. A motion of no confidence is just that; it does not mean a lesser degree of confidence, it does not mean some confidence; it means zero, zilch. It means confidence in a committee has completely evaporated in regard to its ability to fulfil its mandate. Not just one aspect of its mandate, however significant or important that single item might be, but every aspect of its mandate.

3240 I cannot honestly say that I have reached anywhere near that point in regard to the remaining members of the Committee for Education, Sport & Culture.

Sir, I enthusiastically supported the removal of selection. I voted for it twice on two separate occasions of course, I have to add, and I am fully convinced that it is the right way to go, but there are some Members, sir, that have... I know when we have these kind of debates it is very, very difficult, a motion of no confidence is an incredibly difficult debate to negotiate, but there are some Members that have said that Deputy Le Pelley was voted in on a mandate of he wanted to retain selection, sir. That is a convenient, quite a convenient argument to make for Members who want to support this motion. I voted for Deputy Le Pelley, sir, I do not hesitate to say it to become President of the Committee, and I did not vote for him on that mandate, because I am an enthusiastic supporter of having a non-selective system in place. I voted for him on that day because I felt he was the best. I am not denigrating the other Members that stood, sir, all very able people, but I thought in regard to the whole of the mandate of the Committee for Education, Sport & Culture, he was the best candidate to take the lead on that. So that argument falls down to say that Deputy Le Pelley was voted into that position purely on his mandate to retain selection, because I am entirely against selection, but I voted for him, because I though he was the best all round person to push forward and to fulfil the mandate of Education, Sport & Culture.

3255 Therefore, sir, I am not just hoping or believing that this Committee will go about their task of identifying and bringing to this Assembly the best possible options in regard to an all ability system that is right for Guernsey, in a thorough, diligent and professional, well-intended manner, I am obliging them to do so. I am holding them to that. They must bring to this Assembly an all ability, or a mixed ability, system that has the best chance of being successful.

3260 Now, sir, when people stand for election, and I am talking about general elections, not election to committees, the vast, vast majority do so for the right reasons, because they believe they can be of service to the Island. They believe they can make a constructive contribution, because they want the best for Guernsey. They have very, very good intentions. I do not believe that the members of this Committee, now they have been directed to carry out this task, to bring forward a mixed ability system, all ability system, will do so in a begrudging manner, or with nefarious intent, in other words, setting something up to fail. Anybody who has that approach, and that motive, let alone being a member of a Committee, they should not even be a Member of this Assembly. They should want what is best for Guernsey, and for the children of Guernsey, within the context of the States' Resolution. I believe as intelligent people, as professionals, as people who must put the interest of the Island first before their personal preferences, that they will do that, that they must do that.

3270 I certainly want people who sit on committees to have a critical mind, and to cast a critical eye. I do not want nodding dogs to sit on committees (**A Member:** Hear, hear.) but once again, I expect the members of Education, Sport & Culture to do that within the context of the States' Resolution, so that the best all ability system, with all the right components, will be brought to this Assembly and advanced.

3280 Now, do I have absolute confidence in any States' Committee? Honestly, no I do not
(*Interjections*) I am not of the school of thought that believes that committees should just be left
to get on with things, and that we should just trust them to do that. We are here, sir, our primary
duty, because of our system of government, because there is no sort of real opposition, our
primary duty is, we are here to hold to account, to test, to question, to scrutinise, to direct, to
ensure committees fulfil their mandates, and that is what we should be doing on this occasion.

3285 So, sir, I am not at this moment intending to support the motion, I will, of course, listen
carefully to the rest of the debate, and in particular, to the members of the Committee who have
not spoken yet, but at this time I am not going to support it, and I am going to hold the
Committee to account. I am going to keep a very careful eye on them, as we all should do, and I
am expecting them to deliver on the States' Resolution.

3290 Thank you, sir.

The Bailiff: Deputy De Lisle.

Deputy De Lisle: Thank you, sir.

3295 I am going to be quite brief because many people have made many of the points that I might
have had previously in mind, but I think a number of points are worth making here at this time.

First of all the recent education vote was very close, and some people have made the point
there was just one vote in it, and the Assembly was split, as was the electorate, actually. It will be
important that any revisions to the current education system provides the best for all, and that is a
3300 responsibility the Education Committee has to bring forward and, particularly, does not destroy
the success that the Island has achieved in education. This is very, very important. It is all right to
be a bit radical, as we have heard on one side, but the fact is that we have a system, an
educational system, currently, that is envied elsewhere, and it is well spoken of outside.

What I am saying is that a stable and successful education system is key to building
3305 investment, confidence and economic success in Guernsey as well, particularly, given the
uncertainty that we have with respect to our economy at the current time, and the issues that you
hear people speaking about on the High Street every day at the moment. Having a balanced
Education Committee, surely, will ensure Islanders views are taken on board. We have to take
everyone with us in order to successfully bring out any reforms to the education system in
3310 Guernsey.

Some people have mentioned the fact that the education system is very complex, and actually
it is beginning to unravel. It is important to note that head teachers are concerned in their ability
to recruit staff at the current time, and also concerned with succession planning. New teachers are
being turned off by the uncertainty associated with possible closure of one of our schools, either
3315 the Grammar School or the La Mare High, and as a result head teachers cannot guarantee that
their school will remain open or offer five year contracts to new teachers. Will Guernsey be able to
attract the very best educational professionals in this climate of uncertainty? I think that is a real
issue that we have to, as a body, embrace.

There is always a risk of failure in any new system introduced, whereas, the results achieved
3320 recently are commendable system wide, and I think it is very important to stress that, that
Guernsey has achieved a lot, and I made the point with the last results at GCSE, they were very
commendable, and certainly very much better than our neighbour Jersey and the UK.

I also want to point out that there is no blue print for this change in offering. Students across the
Island are proud of their schools. It is the leadership and teachers, pupils and parental support
3325 that make the school, and I want the best system for Guernsey so that young people continue to
succeed, in whatever walk they decide to take. We need to improve on what we have, and do
better, of course, that is always a challenge, and there should always be a choice so that a child
develops their talents, nurtures their dreams, and that the education system enables a student to
succeed whether it be in technical studies, in the arts, in sport, commercial activity, or academic. I

3330 believe that the current Committee will provide the balance that is required to move forward with respect to the objectives of the States.

Thank you, sir.

The Bailiff: Deputy Oliver.

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Deputy Oliver: Thank you, sir.

I was disappointed that this vote of no confidence came against the current Education, Sport & Culture Committee, when to date they have completed their mandate. I understand that the vote of no confidence is a mechanism, and it can be used, and should be used, if Deputies feel that a Committee is not performing, and therefore it is an important tool within our Government.

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What I would like to say is that the seven Deputies who have raised this vote of no confidence explain who they believe might take the Committee's place. Maybe this needs to be looked at as part of SACC, that when you lay a vote of no confidence you are actually going to follow through what you think should be done. It goes back to this joined-up thinking. How in your right mind can we potentially vote to remove the current Education, Sport & Culture Committee for the unknown, without knowing who might take over? (**A Member:** Hear, hear.) We might be jumping from the frying pan into the fire.

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We have already heard so far that Deputy Roffey has said that he might want the job. Is this someone that can produce the right results that does not really want to actually be there? Sir, Deputy Yerby also said that the current Education Committee did not have the skills or knowledge. I found that really quite surprising, I think that when we talk about confidence that Deputy Le Pelley has actually told us his Committee and why his Committee are actually there. So, I think that part of the vote of no confidence actually goes against.

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I believe that you vote against a group of people when they have proven, or given reasonable proof, that they are not up to the job. To this date the Committee has fulfilled all of their mandates, and to be honest, it is a fairly balanced Committee. In my opinion a balanced Committee is far more likely to get the results that will work best for our Island as a whole and our children.

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Thank you, sir.

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The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

Sir, it will be 23 years in May that I have had the privilege of being a States' Member, and it disappoints me greatly that we have before us today a vote of no confidence, questioning the integrity of five of my colleagues on the grounds, in Deputy Yerby's words, and Radio Guernsey, she '*... fears this Committee are unable to deliver*'. Debating a vote of no confidence, sir, and we have had them in the past, have been on facts, of which I support; on opinion, not so.

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I also heard Deputy Yerby talk about a fresh mandate, others have made similar comments in The Press and indeed in here today, including the President of P&R Deputy St Pier. The mandate has not changed, why would they have to stand if the mandates is exactly the same as before? They got voted in with an extant Resolution that was already there. Nothing has changed. The mandate is exactly the same, and yet there is this wish they want to stand down, or should be asked to stand down to be put back. I question why that is being pushed like it is.

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Thinking the current, Education, Sport & Culture members are unable to do the job is one thing, evidence is another. How many of the signatories have worked with the President? Whose leadership is being questioned? The majority, four of them are new Members, they have not been in the States before, they have not even seen Deputy Le Pelley perform in here in the States, or indeed at Committee level. Deputy Le Pelley is an experienced Member of the States, and he served on many committees previously, some of them were mentioned earlier before, by Deputy

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Gollop. Of course, part of the previous Committee that he was on, Recreation Committee, is now part of the mandate.

3385 I have never seen a vote of no confidence being debated before like this one. It is right to do so, it is their privilege to do so, but I do believe this brings the States into disrepute. We as a States have serious issues to resolve. How much has today's hearing, not hearing, attendance cost, feels like a hearing. How much has that cost? For all of us to be here and indeed the staff around here today. The public are not interested in this at all. They are interested in the results of the Resolutions that have taken place. They are interested in the States trying to save money. They are interested in the States moving forward. They are not interested in looking backwards. They are
3390 interested in you supporting the Members that have been elected on to Committees to do a job.

3395 So, where are we? Do all the members wishing to continue want to be failures? Of course not. Do they want to cause chaos and be embarrassed? Of course not. Why would they set themselves up to fail? Just because Deputy Le Pelley is not loud and runs to the media, does not make him a failure, or inept. I have worked with a very quiet leader, the President Owen Le Tissier, who did an excellent job at Social Security, and he presented some very controversial reports to the States, including the long term care.

3400 I have heard speeches today which really do give me concerns. There are only a handful of Members in this Assembly who were here during the Zero-10 debate. As Minister of Social Security I was totally against Zero-10, as were my Committee. We did not support the States outcome, removing the insurance principal by cutting the grant. Did we face a vote of no confidence? No. Did we get on with the work? Yes. Did we bring a report that went totally against the Committee's wishes? Yes, we did. Did we bring it swiftly? Yes, we brought it before Policy Council? Did we bring it before T&R who Zero-10's idea was? Yes, we did. We were praised for that, because if your Committee are directed to do something by the States, even if it is something they do not support, they will do it, and I have total faith that Deputy Le Pelley and his
3405 team have said enough times, and I do not know how many times you have to say it, that they wish to get on with the job that the States have asked them to do.

3410 What disappoints me here, especially with Deputy Yerby, because I know she has been really good at contacting the Committee for Home Affairs and asking questions of us, and we welcome that. We really welcome it at Committee level. But I was disappointed to hear as leader of this that she had not actually contacted the President, and I think that probably was bad judgement, and I hope that if anybody does anything like this again, they go through the proper processes, they go through the official questions that you ask in the States, either verbally or orally, and you exhaust all options before you bring forward anything like a vote of no confidence. It is a serious thing to
3415 bring forward. But certainly how many times have we stood up and said we must communicate better? If you have got people who have actually signed this and have not communicated with the President, and indeed with the Committee, that is pretty poor. So next time I hear them stand out publicly and say we must communicate better, I think you need to reflect on what has actually happened today with this vote of no confidence.

3420 So, sir, I ask Members to reject this. I fully support the President and the members of Education, Sport & Culture, and as I have said before, I think the public are looking to us to get on with the work, stop wasting money, stop wasting time, stop talking about ourselves, and take a vote as soon as possible and support the Committee to get on with the job that this States decided that needed to be done.

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The Bailiff: Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

3430 As Members know I am a signatory to this motion of no confidence, and although pretty well all the ground has already been covered, I think I ought to stand here and say what I think it is about, and also what I think it is not about.

The question really that I asked myself is, is this Committee the right group to lead the States through what has been, rightly, described as probably the biggest change to our secondary education system in a generation.

3435 Deputy Le Pelley has indicated that the present Education, Sport & Culture Committee are committed to the three school model set out in the extant Resolution, which he has repeated several times, and he said before lunch today that he anticipated that the school that would close is the Grammar School. We must acknowledge that whatever the proposals before the Assembly in June or July of this year, they will be very controversial. Whether the proposal is indeed to
3440 rebuild La Mare, or to close the Grammar School, or even to retain all four schools there will be people who object strongly to the proposals, and the controversy will not end in June or July, because if a school is to be closed, it will take years to do it, and if La Mare is to be rebuilt it will take years to complete. This will go on, probably, for most of this term of Government. To carry the States and the wider Island through this process, it will require a Committee that has
3445 conviction and commitment that believes in the cause. They will be subject to the buffeting of public opinion, criticism in *The Press*, lobby groups, intense email campaigns. They will be absolutely in the eye of a storm for the next several years, and my view is that they are not going to have the stamina to see this through to a successful conclusion if in their heart of hearts they do not actually agree with the direction of travel.

3450 I do not believe that the present Committee for Education, Sport & Culture do have their hearts in the decision, whether it be a decision not to rebuild La Mare, which is what Deputy Ferbrache this morning said he thought was a logical outcome, because all of the members of the Committee are on record as publicly stating their support for the rebuilding of that school. Do I think any of the members of the Committee want to close the Grammar School? Well, despite
3455 Deputy Meerveld's green paper, I rather doubt it. Obviously, if they reverse course, try and get the States to change the March 2016 Resolution on the three school model there will be intense opposition from P&R and people concerned about the cost of operating a four school model.

So, this brings me to what this is not about, which is personal agendas. Members will be well aware that I stood in the election for President of the Education, Sport & Culture Committee last
3460 May, on a platform of developing four self-governing academies. The Assembly in its wisdom rejected my platform or perhaps me, in favour of Deputy Le Pelley's platform of revisiting the decision on selection. It is for this reason that I have made it clear that I would not be a candidate in the election of new members that would follow successful vote in this debate, and indeed which will follow in any event to replace one of the members of ESC. I accept that the Assembly,
3465 generally, is moving in a direction that I do not support. I only got five votes back in May, and as far as I am concerned that closes the issue.

But as Deputy Brehaut has said, you are damned if you do and damned if you don't. Either the signatories are motivated by a desire for personal promotion, or we do not have a succession plan. Fortunately, it is clear that an able Committee could be constituted to replace the current
3470 ESC without my participation. I should state, for the record, that I have had no part to play in encouraging anyone else to come forward, not Deputy Roffey, not Deputy Tooley, no-one.

It has been suggested by *The Guernsey Press* that supporters of selection may be opposing the motion of no confidence hoping that the result will be a car crash in June. This would allow them to say, well why don't we just leave things as they are. I sincerely hope that that is not the case,
3475 and I know Members well enough, I think, to believe that their intentions are honourable. I was a little concerned by the tenor of some of Deputy De Lisle's remarks, but I am assuming that generally speaking the issue of selection is now considered to be behind us. But I do think that a car crash is a possible outcome, given the views of the members of the Education, Sport & Culture Committee. Indeed, such is the emotional charge around this topic that it is clear that any
3480 Committee will struggle to bring this to a successful conclusion. I have even asked myself why the existing members of the Committee want to keep their jobs. Or why anyone would now want to replace them? This is going to be a bed of nails.

3485 What is clear is that the chances of bringing this reform to a successful conclusion would be greatly improved by having in place a Committee who believed in the cause. They will need conviction and commitment to carry it through to a successful conclusion, and the last thing we need is some kind of car crash in June or July, because we owe to the schools, to the children in the schools, to the education establishment, to the wider Island, to get this thing done, to reach a successful conclusion. The conclusion may well be a three-school model that, personally, I do not feel comfortable with, but I would prefer that we got to a successful workable conclusion than
3490 that this thing rambles on and becomes a continuing battlefield for the rest of our term of Government. I do believe we need to get to the point in June or July where there is a direction of travel which all of us will have to support whether we agree with it entirely or not, and which we can all get behind, and then we can resolve some of the uncertainties in the education sector, which Deputy De Lisle has already referred to.

3495 So that is why I am supporting this motion. It is not a particular criticism of the individual members of the Committee. It is a reflection of the fact that I know their views on subjects like selection, on subjects like three or four schools, and individual schools that they have supported, and I do not have enough confidence that they will be committed to the cause in a way that would carry it through, even if the ultimate destination is one that I, personally, would not
3500 necessarily have agreed with.

Thank you, sir.

The Bailiff: Deputy Merrett.

3505 **Deputy Merrett:** Thank you, sir.

Mr Bailiff, fellow States' Members, it is with disappointment and regret that I find myself in the position where I need to speak regarding this motion of no confidence.

We have just sat through the education debate again, which was emotive and divisive, and yet now we find more division, when one would hope for unity and a coming together. After the
3510 debate I earnestly hoped the Committee for Education, Sport & Culture would have been ready and willing to demonstrate the unity behind the States' Resolution, that before the debate they would have actively considered the possible outcomes and therefore would have had respective comments ready to be made to a divided community. Comments that would have shown an acceptance of our decision, offered reassurance, and dedication to enacting the States' Resolution. The debate was closed, the votes verified, and surely it was then time to move on in a
3515 positive and constructive manner.

Sir, my expectation was that the President would be leading with the comments that reflected his intention to unify his Committee, and our community, to drive forward the mandate that his Committee inherited upon election had been affirmed again by the current Assembly. That is, or
3520 rather was, the expectation, and indeed my hope. So when the comments that we actually made in the media were almost the complete opposite, it rather undermined my confidence that had this Committee delivering the mandate. There was a real need for clear, constructive and consistent messaging to our children, their families, and our teachers, who above all now need reassurance.

3525 Taking into consideration the length of time it took the Committee to bring a question regarding selection back to the States, the fact that three members, upon submitting the original Proposition in the policy letter stated that their intention was to affirm the March Resolution, and in the event only two actually did so, and the fact the Committee decided to amend its original policy letter before the debate, leads me to conclude that we have every right to debate our confidence in this Committee.
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I was also concerned regarding the fact that in attempting to reply to the education debate the President was challenged and advised by yourself, sir, under Rule 17(4) that in replying to the debate the response would be to points raised during the debate. This was a very simply misunderstanding of a very important rule from a returning Member that gives me cause for

3535 concern. I have to ask, sir, given these confusions, by those purporting to lead the debate, what
wold be the nature of future debates tackling the more complex questions regarding our
educational estate and other matters. How clear will the response be? It does give me concern
regarding the capability and quality of response debates in the future from the Education, Sport &
Culture Committee. It does appear to me this Committee has consistently failed to bring
3540 intellectual rigour, unity of purpose for a clear vision to its plans for the future delivery of the
myriad of responsibilities for which it is accountable. Instead, it appears to fall back upon
populace slogans, individual members' panaceas which had not even been considered by the
Committee as a whole at the time they were made public, and a manifest failure to work with
those charged with offering support and advice for implementing their policies, when so ever they
3545 might finally be determined.

We all know that moving forward will be a very challenging time for the Education, Sport &
Culture Committee and they will need the confidence of this Assembly to engage with them to
enable them to achieve their mandate. This motion clearly suggests there is a lack of confidence
in the current Committee, and I commend those who chose to stand by their political courage,
3550 and beliefs, in bringing this motion of no confidence. The decision to submit a motion of no
confidence would not be taken lightly.

Sir, I believe the Committee should have resigned and stood again, if they wished to, and thus
gain a fresh mandate from the Assembly. We could then have heard the political and education
resumes, and experience, the passion and commitment to their positions. That would have been a
3555 positive debate, or rather an election, or reaffirmation, and re-election of members and the
Assembly's decision to support the Committee for Education, Sport & Culture. I thank Deputy
Leadbeater for resigning, it must have been a very difficult decision. I am disappointed that the
rest of his Committee has now advise him they will no longer support his return to the
Committee, no sign of unity.

3560 I wish that I could have confidence in the current Committee. I wish there had been clear
communication of a consistent and reassuring nature that a firm decision of the Assembly. That
would have indicated to me there was an intelligent and considered response to the decision of
the States, but in my opinion there simply has not been.

3565 There are many reasons as to why I am unable to support the current Committee. I will be
voting in support of the motion, in the hope that this Assembly will then be able to elect a
Committee they honestly believe has the capability of delivering the extant Resolution in a timely,
effective, efficient and constructive way.

Thank you, sir.

3570 **The Bailiff:** Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

I will not speak for too long because I think there may be a chance of finishing this evening,
and I think that will probably be in everybody's best interests. **(Several Members:** Hear, hear.)

3575 These debates are inevitably divisive. I think this debate has been perhaps less divisive than it
might have been and that, generally speaking, the tone of contributions on both sides has been
quite commendable. I am supportive of the motion, but I think there have been good speeches on
both sides of the debate. In particular this morning Deputy Roffey set out the case for the motion
very well, and I think Deputy Graham set out the case against the motion very well.

3580 I think Deputy Graham was right when he said that neither side can claim the moral high
ground here. A motion of no confidence is a legitimate tool, and the Committee is perfectly
entitled to defend itself as robust as it has. I have been disappointed, and I think some Members
of the States, a small minority, though, have contributed to an unnecessary sense of melodrama
around this motion in the weeks leading up to it. **(Several Members:** Hear, hear.) This is a
3585 perfectly legitimate parliamentary procedure. I have been in the States two terms and a few
months now. I think this is the sixth or seventh motion of no confidence which I have debated. I

think I have only supported one, before today, I am not a serial supporter of motions of no confidence, although, ironically, some of those who are have been most critical about the laying of this one. (*Interjections*) (**A Member:** Hear, hear.) But this is a normal and routine procedure.

3590 Now, there have been some conspiracy theories put about in the run up to the debate. One former Deputy suggested that the motion of no confidence was written by me. I can categorically tell the States that it was not. The motion of no confidence was written by Deputy Yerby, and not by me. I did offer to sign it, but I told Deputy Yerby that I would prefer not to sign it because if the Committee lost the motion I was prepared to stand as a member of a Committee led either by
3595 Deputy Roffey or by Deputy Ferbrache, who at that time was saying publicly that he was prepared to be a candidate for President. Now, Deputy Parkinson is right that, either way, supporters of the motion of no confidence are damned, because those who are signing the motion and saying that they are prepared to stand on the Committee, if the Committee falls, stand accused of trying advance themselves politically. Those who are prepared to stand for any vacant seats on the
3600 Committee and have not signed the motion stand accused of being behind the signatories, and clearly one cannot have it both ways.

But I think one of the ... well perhaps the only really unpleasant part of the period leading up to this debate has been the suggestion that somehow Deputy Yerby would need the assistance of others to write and lay a motion like this. I mean Deputy Yerby, I hope I am not being disparaging
3605 of any other Member, but I doubt there is anybody brighter, more intelligent than Deputy Yerby in the States. Two of the signatories are Oxbridge graduates, another one is a former Chief Minister, one is a former Treasury Minister, the idea that these people need assistance, otherwise they would not be able to think for themselves, or do anything for themselves, is demeaning. I know that one member of the Committee said, in the period between the letter being received by
3610 the Committee inviting them to resign, and the motion being submitted, they had uncovered the truth of the conspiracy, and I was responsible for what was happening, because I had been seen at Grange House, uninvited by the Committee. Well, actually, I was there at the invitation of their own Chief Secretary, to discuss issues around that most controversial of topics L'Ancrese Common. (*Laughter*) It had nothing to do with any motions of no confidence. And I think in
3615 Deputy Dudley-Owen's speech today, although she did make some good points in her speech, I think there was more than a dose of paranoia. I think if this Committee is going to survive it is going to need some way of overcoming the conspiracy theories in which, I think, it has found itself drowning in recent weeks.

The suggestion was made very early this morning by Deputy Lester Queripel that anybody who
3620 supports the motion is implying that they disbelieve the Committee for Education, Sport & Culture, they think that they are liars. I think he used the 'l' word. Quite clearly that is complete nonsense. I do not have any doubt –

Deputy Lester Queripel: Point of order, sir.

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The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Sir, I have allowed three of my colleagues to misconstrue and misinterpret what I said, I cannot let a fourth occasion go by without challenge.

3630 Sir, in my speech I made it quite clear that I was a messenger, I was relaying the dictionary definitions of the words 'trust' and 'confidence' as detailed in the Collins Dictionary. Sir, first of all I would suggest that my colleagues listen to what is said by their colleagues in speeches in this Chamber. If any of my colleagues disagree with the dictionary definition, I suggest they contact Collins Dictionary Company.

3635 Thank you, sir

Deputy Fallaize: I shall bear that suggestion in mind. (*Laughter and interjections*)

3640 I do not think that the Members who support the motion do believe that the Committee for Education, Sport & Culture is full of liars, I do not think that there is any questioning of their integrity. I have not worked with the three newer Members for very long. I have worked with Deputy De Lisle, and Deputy Le Pelley, and I do not in any way question their integrity, or their decency, and I do not question the commitment of any of the five of them to implement the States' Resolutions. This is not an issue about their commitment, this is an issue about capability.

3645 I do not know how many times it has been said, well look, this committee has said it is going to implement the States' Resolutions so what is the problem. Well, every evening, or more or less every evening, my son goes to bed and tells me he will one day play up front for Chelsea. He genuinely believes it, he is genuinely committed to it, but I am not convinced that he is capable of it. That is the issue. It is not an issue of commitment, it is an issue of capability. I think this Committee, though it does have some able members, I think this Committee is lesser than the
3650 sum of its parts. Based on its past performance I do not think the prospects are very high, in fact I think they are rather poor, of the Committee being able to lead, and deliver, this massive agenda of change. The most significant agenda of change which faces this States.

There are a couple of reasons in terms of past performance which lead me to that conclusion, more than any others. I find it hard to believe that a Committee which, by a majority, does not
3655 favour a non-selective system, can successfully deliver that. I know there have been examples of Committees which can deliver on policy which they are not wholly in support of. I know that Deputy Lowe gave an example of the Social Security Department when she was Minister, but what that entailed was coming back to the States to adjust social insurance contribution rates, in the main. There was no enormous agenda of change.

3660 Deputy Graham this morning identified paid parking, that Deputy Brehaut was part of a Committee in the previous States which failed to implement, or failed to persuade the States to implement paid parking, and drew an analogy between that and this position. I think that is a false analogy. Because Deputy Brehaut now does not have to implement the non-introduction of paid parking, it just exists.

3665 What we are asking this Committee to do is implement a massive agenda of change, which involves hundreds of students, hundreds or thousands of parents, hundreds of teachers. This is very, very substantial work. It is not simply about a Committee going away, working within a committee room and coming up with a set of sort of technical proposals to give effect to what the States have directed. This is very major change. I do not believe a Committee with a President who
3670 did say after the debate that Guernsey would rue the day that it removed selection, or which has a majority of members who favour selection, is well placed to deliver that change.

Secondly, their performance so far, in particular, on this issue of selection at 11, surely, must give Members cause for concern. The President was elected on the basis that he would bring back to the States the issue of selection at 11, and try to persuade the States to adopt some alternative
3675 form of selection, described as continuous assessment. Actually, what was achieved by the time the policy letter came back to the States was merely that the Committee had abandoned continuous assessment as a vehicle for selecting children at the age of 11. The Committee said in that policy letter that a majority of its members favoured the removal of selection.

3680 My view is that what was produced before the States as a policy letter was quite frankly pathetic. I think Deputy de Sausmarez exaggerated the number of pages it contained. It contained almost no new information, it was as thin as thin could be. Basically what it was, was a cover letter, which had appended to it the policy letter of the predecessor Committee, which this new Committee has criticised. Since coming to office they have said, or at least they have implied, I think some of their members have said, in as many words, that they felt that the previous States
3685 left them in an almost impossible position, because that policy letter was poorly timed and was not very well constructed, this is the policy letter debated in March. But all they could offer the States, after six or seven or eight months of consideration of the issue, was a very, very small cover letter and then this original policy letter, which they have been so critical of, appended to it. Well,

3690 okay, but that is not to me adequate. They could have done that in July or in September. In a way I am glad they did not, because I think the States would have voted to reintroduce selection at 11.

I must say, I am amazed that the States have not voted to reintroduce selection at 11. I looked at the situation the morning after the General Election, and I thought for those of us who believe in the removal of selection at 11, that was it. This is a Committee which, I am afraid, has managed to snatch defeat from the jaws of victory, because I am convinced if it had come to the States in the summer it would have won, it would have persuaded the States, or the President would have persuaded the States, to reverse selection at 11.

3695 But they say they could not come to the States straight away because they had to spend several months considering all of the issues, and looking at all of the evidence. Okay, let's assume that that is a valid argument. Having done all of that, they advised the States, and bearing in mind the primary duty of this Committee is to advise the States on policy, in education, sport and culture. They advised the States, by a majority, not to reintroduce selection at 11, after these many months of considering all the evidence. But when we got to the States' debate, a matter of a few weeks later, the Committee's position had changed again, and a majority of the Committee was advising the States to reintroduce selection at 11. That does not give me any confidence at all.

3700 I do not agree with Deputy De Lisle, and Deputy Le Pelley on selection at 11, but I do – in particular, Deputy De Lisle, but Deputy Le Pelley as well – at least give them credit for being consistent. Deputy De Lisle, I sat with him on an old Education Committee, Deputy De Lisle has been consistent for years, I should think for decades, in his view about selection (*Laughter*) selection at 11, and Deputy Le Pelley articulated in December exactly the same view that he was putting to the States in March, but the Committee as ... This is not about the individual members, this is about the Committee as a whole, and the Committee as a whole has flip flopped on this issue of selection at 11, and the reorganisation of secondary education, more than I think the States should be prepared to tolerate.

3705 I do not think it is acceptable that the Vice-President of the Committee start issuing his own visions, and green papers, in the middle of the process when the Committee is meant to be analysing all of the issues to reach a coherent united view about selection at 11. Although I agree with Deputy Meerveld –

3720 **Deputy Meerveld:** Point of correction.

The Bailiff: Deputy Meerveld.

3725 **Deputy Meerveld:** The Committee when they made those decisions to bring that back to the States, the policy paper, the decision was made at Committee level, and in fact ratified in front of the entire P&R Committee, that each member would be allowed to express their own views leading into that debate, because of the fact that the Committee's divisions on this debate, and shifting opinions, reflected that of the Assembly and the broader community. So, my releasing that paper was fully authorised by the Committee.

3730 **The Bailiff:** Deputy Fallaize.

3735 **Deputy Fallaize:** But that does not give me any more confidence about the Committee, because I do not think it is enough for the Committee simply to be an agent of the States, and to say, 'We have five of different opinions and you just have to accept that. We will come back to the States and we will just put before you all the Propositions so that you can decide what to do, but we are not going to give you any kind of guidance or coherent united view.' That is not leadership. What is needed ... I know that there are sometimes minority positions that are taken by Committees, but Committees, particularly when they have very important portfolios, have an obligation to work through their differences, and to try and present the States ... If they cannot present a united view, at least try and narrow down their differences of opinion, so the States have

perhaps one or two options. This to me appears to be a Committee which up to the point of debate on selection at 11 had five different positions. I do not think that is good enough. I do not say that they are being disingenuous, I know there are genuinely reflecting their own views, but I do not think it is good enough in terms of leadership.

3745 Deputy Gollop said that he is not supporting this motion of no confidence. He said that up to now he would give this Committee a B-. Well, fine, I will agree with him, but I do not think B- is good enough with this Committee, particularly given the massive agenda of change which they have to lead over the next three to three and a half years. This is a Committee which has demonstrated ample evidence that it is dysfunctional. It is not about integrity, it is not about
3750 honestly. If I use Deputy Le Pelley as an example because inevitably as the President he has to cop most of the flak on an occasion like this, and I am quite sure what he said about the difficult personal period he has had is true, and nobody in the Assembly should take that lightly, or take any pleasure in that. That is, in a sense, an occupational hazard, but it is also regrettable. But to use Deputy Le Pelley, since he is the President of the Committee, I would be happy if Deputy Le
3755 Pelley was on the Education Committee, I would not be particularly displeased if any one of these members was elected on to a new Committee, but as a collection, they are lesser than the sum of their parts, and they have not discharged this vitally important mandate to a standard that the States should consider satisfactory. If this standard of performance is going to be tolerated by this States, frankly, I fear for the outcome of other important areas of work in this Assembly, because
3760 B- is not good enough.

The Bailiff: I see no-one else – oh, Deputy Trott.

Deputy Trott: Sir, in time honoured fashion, I genuinely did not intend to speak because there was just one comment that Deputy Yerby made in her opening remarks that troubled me.

But what Deputy Fallaize has just said has troubled me more, because he tells us that he has witnessed a number of motions of no confidence, and he is right, and I have witnessed even more. But what is unprecedented is the timing of this motion of no confidence. It was placed just over seven months into this term. That is unprecedented, it has never happened before.

3770 Now, sir, this Education, Sport & Culture Committee inherited –
I give way – oh, point of –

Deputy Roffey: Point of correction, sir.

I had the misfortune to take over as Board of Health President following a vote of no confidence that happened in that Committee far earlier in the term.

The Bailiff: Deputy Trott.

3780 **Deputy Trott:** That is not my recollection, that is a detail that we will need to check. I do not always take everything that Deputy Roffey advises me at face value, so I will – *(Laughter)*

Deputy Gollop: Point of information.

3785 **The Bailiff:** There is no such thing, Deputy Gollop.

Deputy Gollop: Well, point of order.

Both speakers are right. It did take place in September 2000 which was only six months after a General Election, but the President had been an incumbent for nearly three years, as distinct from Deputy Le Pelley.

3790 **The Bailiff:** Deputy Trott;

Deputy Trott: That is entirely in line with my recollection, sir, thank you. (*Laughter*)

3795 Now, sir, this Education, Sport & Culture Committee inherited a complete division on the issue of selection, and they recognised, but I also noticed Deputy Yerby said they much have known how close the vote on selection would be. We all knew how close the vote on selection would be, which is why it needed to be brought back before this Assembly, although many have pilloried the Committee for doing so, quite absurdly in my view.

3800 Deputy Lester Queripel early on in this debate posed, potentially, one of the most salient questions of all. He said who do the signatories want as President? Now, we have had one name come forward, extremely reluctantly, and I accept as Deputy Ferbrache said, that a twinkle can become a bright light, and who is to say that if Deputy Roffey became the candidate, and achieved that position, that we would not see a little bit more enthusiasm from him, but I did not see any earlier. (*Interjection*)

3805 Deputy Meerveld talked about board diversity, and others have spoken on the virtues of a Committee that as a group of people who are prepared and willing to do as this Assembly advises. In fact Deputy Yerby in her opening speech boldly stated, the Committee should do what it is told. It is trying to, but there are some in this Assembly that simply will not let it.

3810 Now, sir, I have an interesting track record in proposing people in this Assembly: in May I proposed Deputy Le Pelley, and he crossed the line somewhat convincingly at 25/15. I also proposed the President of the Policy & Resources Committee – admittedly that victory was slightly less convincing. But nonetheless, I confirm that both those Presidents continue to have my full support.

3815 Now, for very different reasons. If the accusations that were being levelled at this Committee were being levelled at me, they would be right, sir, because I could not be a member of the Education, Sport & Culture Committee, because I could not implement the decision of this States, because I know it was wrong. I do not believe it was wrong, I know it was wrong, and time will tell. However, in this ESC we have a group of people who can embrace consensus government to the extent that they can set aside their personal views and deliver the will of this Assembly. That is an outstanding virtue and all four of them have my full support.

3820 Thank you, sir.

The Bailiff: Anyone else? No.

Oh, Deputy Hansmann Rouxel.

3825

Deputy Hansmann Rouxel: Thank you, sir.

3830 I rise not to give a long speech, but to say this has been very difficult for me. (*Interjection*) Yes, I have a right to say, thank you. It has been difficult for me because part of the reason why I stood in the election was I quite excited by the idea of education, sport and culture being amalgamated. Having worked in the arts side, I was excited that there was now going to be a conduit between arts and sports and education, whereas before in the previous committees there seemed to be a line drawn between the arts and education.

3835 I had a similar experience to Deputy Tooley, and possibly again there is a different recollection from Deputy Le Pelley of the conversation. But a similar thing happened on the weekend before the presidential election, I was phoned by Deputy Le Pelley, or actually Deputy Meerveld who was with Deputy Le Pelley at the time, canvassing me for the Presidential election, which all seemed a perfectly reasonable thing to do, and the reasons that were given to me for Deputy Meerveld's change in going for anti-selection. I had been approached during the election, like many others, by people asking me about continuous assessment. So I had looked into continuous assessment and I genuinely believed that it did not answer all the questions, and therefore I could not provide Deputy Le Pelley with support. However, that was a Committee that I did want to be on, I had planned to be on. However, Deputy Le Pelley's reply was that he was looking for a Committee that was all pro-selection, in order to get that through. That was the impression that he gave me on

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3845 the phone and therefore I believed that I could not vote for him, and I could not vote to stand. I would not want to have been part of a Committee that comes out of this is not

The Bailiff: I think you are being asked if you wish to give way.

3850 **Deputy Hansmann Rouxel:** I can give way.

The Bailiff: You are not obliged to give way, but you may do if you wish to.

3855 **Deputy Oliver:** Sir, she got phoned by Deputy Le Pelley as well to go onto the Committee, and when I spoke to her about it he specifically said that he wanted a balanced Committee with both selection and non-selection views on that Committee, that is what he told me. So, I am sorry if anyone got the wrong impression.

The Bailiff: Deputy Hansmann Rouxel.

3860 **Deputy Hansmann Rouxel:** Unfortunately, I ... so there is the history. I would stand for a new Committee, and take on the chalice, and again this debate has become incredibly divisive. But changed management is something that needs a strong leadership.

3865 So, I just wanted to stand up and say that, and unfortunately I do not have confidence in the sum of the whole of Paul and his Committee, not in any individual things, every single one of you has demonstrated that individually there have been things that you have ... excuse me, sir. They have all demonstrated that they have been looking into things,. However, the sum of their parts does not give me confidence that they will be able to deliver on this incredibly difficult change in our education system.

3870 **The Bailiff:** No-one else is rising.

I invite Deputy Yerby to close the debate, unless there is a request from the President or Vice-President of the Committee to make a second speech? There is no such request.

Deputy Yerby.

3875 **Deputy Yerby:** Thank you, sir.

Sir, I will respond in general terms to the issues raised by this debate, and then I will answer the specific question raised by Members as I close.

3880 I suppose I might as well recite the nonsense poems of Edward Lear for all the good it is good it is going to do in changing minds, but I will give it my best shot, the poems might be preferred at this time of the afternoon.

3885 Deputy Lester Queripel, and Deputy Barry Paint, are the only two Members of this current Assembly who signed both motions of no confidence in successive boards of HSSD in the last term. I looked back over both of those debates in preparation for this one, although I think I still know the second debate off by heart. The grounds of that motion of no confidence stated that the Minister at the time and I quote, 'had seriously misled the States and failed to fulfil his promises.'

3890 I do not make a similar accusation. I do not accuse this Committee of lying, but I refute Deputy Queripel's claim that this motion is in any way condescending, unprofessional, disrespectful or low, and I do it in the strongest possible terms, by calling upon the record of his own actions, and by asking him to remember the intentions that lay behind them. But it is Deputy Paint's words that I want to quote in that respect, because they beautifully frame where we are at: 'I did not do this for fear of upsetting a colleague – even those I feel deep respect for. I signed this because I believe the matter is so serious that it had to be debated by this Assembly.'

3895 That is where I, and the other signatories of this motion of no confidence are at today. I am grateful to those, including Deputy Graham, Deputy Laurie Queripel and Deputy Ferbrache, who

acknowledge that. I still have the scars from that last motion of no confidence I mentioned, although my head was not above the parapet at that time.

3900 Deputy Le Pelley asks us to imagine what an awful Christmas he and his family have had. Deputy Le Pelley, I know, and I am sorry, I have been there too, not this time around, but three years ago. Sir, I ask Members to weigh this in the balance for this reason.

3905 It has been suggested, as Deputy Roffey reminded us, that this is some kind of conspiracy, that I and perhaps my co-signatories have been manipulated into bringing this motion of no confidence, that, in Deputy Lester Queripel's words, we had not thought it through. Those accusations are grave enough to require an answer. I know that a motion of no confidence is a sad, disruptive, unedifying process. I know how much it hurts. It would, without doubt, be
3910 inexcusable to be cajoled, or tricked, into launching something as serious as this, but my involvement, despite that hurt, has always been fully intentional, and so I accept full responsibility for the hurt I have caused, and for the consequences of this motion. I knew that it would come at a heavy personal cost to the Committee, and at a heavy cost to the people I asked to be my co-signatories, and yet I did it.

3915 So, in answer to Deputy Prow's statement that this is poor governance, and Deputy Le Pelley's statement that the grounds of the motion are frivolous. I do not ask Members to share my judgement on that, but simply to recognise how heavily these factors would have weighed against bringing the motion. They mean we had to be absolutely certain it was the right thing to do. I and my fellow signatories believed, as we have consistently said, that what is at stake is too important, and the red flags suggesting risk if this Committee remain in place are already too numerous for us to feel it is the right course of action to wait any longer.

3920 So, what happens if the motion succeeds, mostly important we have been asked by Deputy Kuttelwascher and others, who will stand forward in their place? Knowing my opinion, and up to this point that has not been, and should not be, a debate about is this hypothetical committee better than that hypothetical committee, it is a debate about whether this Committee, the one that it is place right now, can do the job. If they cannot, we cannot retain them. Any other question is a distraction.

3925 I have also learnt from the May elections that you can prepare your dream team as much as you like, but the States will make its own decision on the day. Deputy Roffey, if he stands, will have my vote for President, I know he will pick a strong team, no doubt including some of my co-signatories. I know for a fact that he will be oversubscribed. We have heard from some of those who would be prepared to stand. We have not heard from those whose loyalty to the current Committee prevent them coming forward, unless and until this debate concludes. My dream team
3930 would include some drawn from both of those camps. But I have not laboured on this until now, because as Deputy Gollop outlined there was a clear risk that my dream team, which may never get elected, would stand there as an easy straw man to knock down, rather than concentrating the States on the question of our confidence in this Committee.

3935 So that is that, but what if it fails. I have been asked on social media a number of times, and I think it has been implied in this Chamber today, if the motion of no confidence was unsuccessful, would I then resign. It is a personal question, but the answer goes right to the heart of where I felt this motion of no confidence was needed. One might resign if one realises one cannot do the job one has been elected, or appointed, to do. Now a backbencher losing a vote is no measure of whether or not they can do politics. (**A Member:** Hear, hear.) Every Government needs its
3940 dissidents, and I will, if I must, just add this to my list of principal failures, of which there will no doubt be many more. (*Laughter*)

A Member: Welcome to the club!

3945 **Deputy Yerby:** In that respect there is no need for resignation. But of course, and with apologies to Deputy Graham's moral high ground, one might also resign if one feels oneself complicit in something that is perhaps immoral, or perhaps disastrous, or perhaps for some other

reason unconscionable. That is why I hesitate over the answer. This Government was responsible for choosing the Committee for Education, Sport & Culture. If the motion falls today, it will be responsible for choosing them a second time, so this Government, all of us, will be culpable if the Committee fails to deliver.

Deputy Dudley-Owen says I promised to put my shoulder behind the wheel in the course of the education debate, and I did, I did not talk about a motion of no confidence then, because I could not imagine those members of the Committee who staunchly opposed non-selective education would even want to be part of taking it forward. But with that promise in the back of my mind, I have tried, and tried, to imagine what might happen if this motion is lost. What I would do then. I will not snipe from the corner, as Deputy Le Pelley and Deputy Graham have worried. I have done what I can. But the concerns do not just evaporate. Nothing I have heard today answers my fundamental concerns about the way the Committee is working, and the way it will deliver. So I simply do not know.

To run quickly through the specific questions and points that Members have raised, because they are deserving of an answer.

Deputy Prow pointed out, or said, that the Assembly had been asked to judge on actions that the Committee has not yet taken. It is worth just going into that because it frames the whole debate. We are being asked to judge, in effect, on the record of the past eight months, whether we believe that the Committee will be able to take the essential and time sensitive actions that lies before it. I think this is a kind of point of no return, and I think it is important that we look at the evidence that we have in front of us, and consider whether there is enough of it to make that judgement. In my view, there is.

Deputy Prow also said that the debate of 30th November was facilitated by this Committee, quoting from the *Hansard* of that debate. Deputy Ferbrache said:

I considered with others, including Deputy Graham and ... Deputy Lowe, whether we should have brought [the] requête earlier, but we were counselled and advised that we should wait to see what the [ESC] were going to do. When they came back recently, and after a degree of pressure, it was only on this one issue.

The facilitation, if it was by the Committee, was not by the Committee alone. Indeed, the evidence has been mounting during this debate that the leadership of this Committee is dependent on advice from certain other Deputies to make its most important decisions. That in itself is not without concern.

Deputy Lester Queripel asked if we could guarantee the new Committee would be more efficient and effective. For the reasons I have already outlined, it is impossible to guarantee that. But can we guarantee that this Committee will be sufficiently, and only sufficiently, efficient and effective to deliver the massive transition in secondary education that we, with our vote, have put into train. My fear and the reason for this motion of no confidence is that I do not believe we can.

Deputy Graham asked the general question in what circumstances is it inconceivable a Committee should stay in place. All I will say is that I feel the examples given in this debate do not stack up.

Environment for example gave us a good example, but not in respect of the ongoing implementation of the absence of paid parking so to speak, but in respect of the birth of the Integrated Transport Strategy. At that time the Committee was split, and the three members who opposed the minority report stood down, quite sensibly, when it was chosen over their preferred strategy. In fact the examples are reminiscent of Deputy Lowe's joke on twitter when this motion of no confidence was published. Theresa May pushed through Brexit despite her scepticism, she said. David Cameron, however, who brought the issue back to debate, like this Committee, who made his personal convictions clear, like this Committee, and who lost the debate, like the majority of this Committee, did resign. There are precedents for when a Committee should step down, and I believe the Committee for Education, Sport & Culture is in one of those situations now.

3995 Deputy Graham also said the Committee cannot be blamed for the poor design of pre-school
of the current political education scheme, and that it is a good idea to pilot it. To an extent that is
fair enough, I am a big believer in pilots, in trying things out and making sure that they work, but
there is some disingenuity here, because the pilot is going to be for two terms, the Spring and
4000 Summer Term, that means it cannot end earlier than June, which means it cannot be evaluated
earlier than July, surely, which means that the earliest this States will be able to debate a new
scheme is in September, when pre-schools will already be going back. In other words the pilot
does not allow us to segue straight into a long term scheme, if that is what the Committee deem
is the most important thing to do.

4005 Deputy Graham also said, the Committee are being accused of being unable to resolve staff
differences in seven months. I am not sure whether that exactly was said in this debate. It certainly
was not said by me. What I have said, and what the motion states, is that the Committee have
managed staff differences very badly. Those kind of differences should never have broken the
surface. That, in Deputy Prow's expression, offends the principles of natural justice, to speak out in
public against those who have no right of reply.

4010 Finally, in response to Deputy Graham, he asked which Committee is best placed to deliver
devolution of authority to schools, an issue on which I know that he and I agree. I cannot say for
certain, but one example that causes some concern are the questions raised about the
international baccalaureate over the weekend. Or rather the Sixth Form Centre's decisions to
move from A levels to IB provision for certain subjects.

4015 **Deputy Meerveld:** Point of order.

The Bailiff: Deputy Meerveld.

4020 **Deputy Meerveld:** Are we introducing new items to the debate here? International
Baccalaureate was not mentioned earlier.

The Bailiff: You should be replying to the debate.

4025 **Deputy Yerby:** From what I could distinguish from the correspondence, it seemed to me that
Deputy Le Pelley said that when the issue had come to his Committee he had asked the Sixth
Form Centre to go out and consult with parents and students at the Grammar and High Schools –

The Bailiff: Sorry, I do not think this is a point that was raised.

4030 **Deputy Yerby:** I am sorry, sir, it is a response to Deputy Graham's question who is best placed
to devolve authority to the schools, and the point that I am trying to make is that a Committee
that wants to micromanage those decisions that we would expect to be made at school level,
might not be best placed to manage that kind of devolution of authority. That is all I wanted to
4035 say on it in any case.

The Bailiff: Okay, well you have said it then.

Deputy Yerby: Deputy Roffey

4040 **Deputy Le Pelley:** Point of ... just to explain.

The Bailiff: It is either a point of correction or you are asking –

4045 **Deputy Yerby:** I will give way.

The Bailiff: You are giving way.

4050 **Deputy Le Pelley:** It was the school that approached the Education Department, it was not the Education Department or the Education Officer that approached the school. The school has asked us, or asked to consult with us. That is all.

The Bailiff: Deputy Yerby.

4055 **Deputy Yerby:** I am grateful to Deputy Le Pelley for his clarification.

Deputy Roffey said that the Committee spent seven or eight months hunting for a better form of selection, although they could not find one, the majority still voted to retain some kind of selection. What is most worrying to me in that context, is the fact that the President wholeheartedly believed in continuous assessment, he defended it in two successive States, and yet that
4060 is the only form of selection that was so categorically ruled out by his Committee. If that is where they are at with something they believe in, I have to ask how they will cope with something they do not.

In response to Deputy Meerveld, and later questioned by Deputy Lowe, who asked why the signatories did not come directly to the Committee, if they thought they were failing. To an extent
4065 I think that has been addressed particularly by Deputy Le Tocq, and Deputy St Pier who said they had spoken to the President and to members of the Committee. It has also been addressed by Deputy de Sausmarez, and Deputy Tindall who gave witness of their own conversations. I would also note that Rule 12 questions have, on several occasions, been asked of this Committee. We are forming our decision on the basis of what this Committee have delivered in the public sphere, in
4070 the States, in the media, and anything else that is published or changed. I think that is as true a following of good process as could be hoped for.

Deputy Meerveld also warned us that new members will be eight months behind the curve, if this Committee now stand down. But in a sense in many ways so is this Committee. We have told them now to implement an education system which they have not planned for. Yes, any new
4075 Committee members would, of course, need to catch up in other areas, but the change to secondary education, is the most significant, and also the most time dependent area of their work, and in that area a new Committee will be no further behind than this one.

Deputy Gollop asked us what about sport and culture, but we have heard now from Deputy Leadbeater that having resigned he no longer intends to stand for the Committee again, and
4080 takes with him the sports side of the Committee's mandate.

While I respect Deputy Le Pelley's previous experience on Culture & Leisure he is not the only Deputy in this Assembly with experience in those fields, either inside the States or outside of it, as Deputy Gollop pointed out, he himself also has experience there.

Deputy Dudley-Owen mentioned that the letter of the motion of no confidence made unfounded allegations about her position and invited us to refer to *Hansard*. I would endorse that
4085 recommendation to refer to *Hansard*. Deputy Dudley-Owen also pointed out that, in her opinion, there had been no attempt to look at the work done by the Committee to date. She said there had been no constructive challenge or questions to find out the facts. That is not my experience of the last eight months in the States. But more to the point, and if we are talking about good
4090 following of good process, the way that a motion of no confidence works is that five working days – nine whole days because we all know that States' Members also work weekends – the motion is sent to the Committee, as a draft, for them to consider their position. During that time had the Committee believed they had irrefutable evidence of their progress, which they wanted the signatories to see, which they felt would change the course of events, they could just as easily
4095 have invited us in. That is what that prologue period is for.

Deputy Leadbeater has, in a very gentle way revealed some of the dynamics within the Committee. Having been told that he would be invited back on the Committee only to be told again this morning that he would not, because the Committee are afraid publicly to appear weak,

4100 says a great deal about what is really going on there, or in Deputy Dudley-Owen's words, who is driving this, and what their motives could possibly be.

Deputy Le Pelley: Point of correction, sir.

4105 **The Bailiff:** Deputy Le Pelley.

Deputy Le Pelley: I do not want to go into particular details, but there were reasons why the Committee decided that it might be an idea for Deputy Leadbeater to have a break. I do not really want to go into anything more than that. But there are sincere reasons, and I am quite happy to talk to him about it afterwards.

4110 **The Bailiff:** Deputy Yerby.
Deputy Leadbeater.

4115 **Deputy Leadbeater:** Sir, can I just say that the reasons that I stated this morning that I was told by Deputy Meerveld was that they had been advised that they would appear weak. I have been told nothing else, no different.

The Bailiff: Deputy Yerby.

4120 **Deputy Yerby:** Sir, Deputy Trott said the timing of this motion of no confidence was unprecedented, the record was set straight in respect of a motion that happened in 2000, which I was not aware of, but there was also a motion in January 2013, nine months after the April 2012 elections, which, again, had been put forward in December of that year. This is by no means unprecedented.

4125 Finally, Deputy Lowe argued that the mandate of the Committee had not changed. About an hour ago I was passed a transcript of the Sunday Phone-In on 12th June 2016. In that Phone-In Deputy Le Pelley was asked to outline where he was at with his board. According to the transcript he says:

We are looking at the mandate that I sort of asked for, which was to retain the four secondary schools, that is the rebuild of LMDC, it is the retention of the Grammar School as a Grammar School. It is changing the form of selection from an 11-plus selection to something different ...

The presenter breaks in here to ask: 'But including selection?'

4130 Deputy Le Pelley says:

'There will be some form of selection. That is my mandate.'

His words, sir. His full sentence, not partially presented, abbreviated, or re-arranged. That was his mandate in his eyes, and it is no longer so.

4135 Sir, in December, States' Members on all sides of the debate argued that the transition to a new form of secondary education premised on non-selective admission to secondary schools would be a complex matter, which for the sake of all the Island's children, and young people, could not be allowed to fail or falter. For such a transition to succeed it must be led by a Committee which genuinely believes in the reforms agreed by the States; which is capable of engaging with all the issues; which will provide assertive and decisive leadership and; which will
4140 steer the Island's schools through a significant political decisions, and potentially extensive school level change, with calm and assurance in the best interests of the Island's children. In my opinion, the current Committee has not so far demonstrated that it is capable of rising to such a major challenge, no matter how much it may want to do so, and the scale of the impact on children's

4145 education is so considerable that the States must have full confidence in those charged with delivering this change. That is what is at stake when we vote today.

The Bailiff: Well, Members we go to vote then.

4150 **Deputy Lester Queripel:** Sir, can I have a recorded vote, please?

The Bailiff: There is a request for a recorded vote.
Just so everybody is clear what they are voting on. It is Proposition 1

'To decide, in accordance with Rule 21 of the Rules of Procedure, that the States of Deliberation require the immediate resignation of the President and Members of the Committee for Education, Sport & Culture, they having no confidence in the said Committee.'

4155 Proposition 1. Greffier.

There was a recorded vote.

Not carried – Pour 13, Contre 22, Ne vote pas 5, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Parkinson	Deputy Gollop	Deputy Le Clerc	None
Deputy Merrett	Deputy Lester Queripel	Deputy Leadbeater	
Deputy St Pier	Deputy Mooney	Deputy Stephens	
Deputy Fallaize	Deputy Trott	Deputy Green	
Deputy Hansmann Rouxel	Deputy Le Pelley	Deputy Soulsby	
Deputy Le Tocq	Deputy Meerveld		
Deputy Yerby	Deputy Inder		
Deputy Langlois	Deputy Lowe		
Deputy de Sausmarez	Deputy Laurie Queripel		
Deputy Roffey	Deputy Smithies		
Deputy Tindall	Deputy Graham		
Deputy Brehaut	Deputy Paint		
Deputy Tooley	Deputy Dorey		
	Deputy Brouard		
	Deputy Dudley-Owen		
	Deputy De Lisle		
	Deputy Prow		
	Deputy Oliver		
	Alderney Rep. Jean		
	Alderney Rep. McKinley		
	Deputy Ferbrache		
	Deputy Kuttelwascher		

The Bailiff: Members, the result of the voting on Proposition 1 was: those in favour 13, those against 22, and there were 5 abstentions. I declare the Proposition lost, and therefore that concludes the debate on that Billet.

We will rise now and resume tomorrow morning with Billet I.

The Assembly adjourned at 5.52 p.m.