



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 19th August 2020

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Present:

Richard McMahon, Esq., Bailiff and Presiding Officer

Law Officers

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

People's Deputies

St Peter Port South

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

St Peter Port North

Deputies C. N. K. Parkinson, L. C. Queripel, M. K. Le Clerc

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,
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. McSwiggan,
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

Alderney Representatives S. Roberts, A. Snowdon

The Clerk to the States of Deliberation

C. Foster (H.M. Deputy Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Procureur); Deputies M. P. Leadbeater, J. I. Mooney; Deputy
L. B. Queripel (*indisposé*); Deputy J. A. B. Gollop, (*relevé 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

EVOCATION

Billet d'État XVI

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

V. Supported Living and Ageing Well Strategy: Extending Life of the Long-Term Care Insurance Scheme – Debate concluded – Propositions 1-14, 18(a), 18(b), 19 and 20 carried

Article V.

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled 'Supported Living and Ageing Well Strategy: Extending the Life of the Long-term Care Insurance Scheme', dated 29th June 2020, they are of the opinion:-

1. To agree that the 'co-payment', when aggregated with the Long-term Care Benefit in payment for a care home bed, results in a sum too low to ensure the stability of the private care market and to promote the ongoing investment required to ensure that there is a sufficient supply of care to meet the long term demand of the market.

2. To agree that the 'co-payment' is increased from £209.37 to £229.37 per week with effect from 5th October 2020.

3. To agree that the weekly rates payable in respect of Long-term Care Benefit are increased from 5th October 2020 as follows:

Residential care £521.00 (current rate £463.89)

Residential respite care £750.37 (current rate £673.26)

Residential dementia care £681.00 (current rate £611.24)

Residential respite dementia care £910.37 (current rate £820.61)

Nursing care £940.00 (current rate £866.11)

Nursing respite care £1,169.37 (current rate £1,075.48)

4. To approve the draft ordinance entitled the 'The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2020', attached at Appendix 2 to the Policy Letter, and to direct that the same shall have effect as an Ordinance of the States.

5. To note that the increase in the co-payment of £20 per week, from £209.37 to £229.37 will increase Income Support formula-led expenditure by £40,000 in 2020.
6. To agree that the 'co-payment' shall be further increased, over two years, to be £280 per week from January 2023, in line with the lower estimates for the cost of providing 'living and accommodation' services indicated by the LaingBuisson analysis.
7. To agree that the total of the 'co-payment' aggregated with the Long-term Care Benefit rate for the provision of residential care beds, residential dementia care beds and nursing beds should be increased to the mid-point indicated by the LaingBuisson benchmarking by 2023 with allowance made for inflation (RPIX) in the intervening period; and the mid-points in 2020 terms are as follows:
 - Residential care £801.00 (current rate £673.26)
 - Residential dementia care £961.00 (current rate £820.61)
 - Nursing care £1,220.00 (current rate £1,075.48)
8. To agree that a review of the adequacy of benefit rates should be conducted in conjunction with each five-yearly actuarial review of the Long Term Care Fund to ensure that benefit rates remain appropriate; and that additional or interim reviews should be conducted by the Committee for Employment & Social Security if there is evidence of significant pressure on the cost of delivering Long-term Care services.
9. To agree in principle to introduce a higher rate of benefit payable for exceptional and complex cases to be provisionally set at £1,112.00 per week, and to direct the Committee for Employment & Social Security and the Committee for Health & Social Care to develop suitable eligibility and assessment criteria for access to this benefit by no later than December 2020.
10. To note that if the foregoing propositions are approved, and future benefit rates are maintained in line with the same methodology, it is estimated that the contribution rate necessary to ensure the sustainability of the Long-term Care Insurance Fund will need to increase by 0.9%, taking it from 1.8% to 2.7% for people under pension age and from 1.9% to 2.8% for people above pension age.
11. To agree, in principle, that the Long-term Care Scheme should be extended to incorporate care provided at home and to direct the Committee for Employment & Social Security and the Committee for Health & Social Care to develop detailed implementation plans for this proposal no later than June 2022 and to agree that such plans should include:
 - a. A minimum care need threshold to be eligible for subsidised care from the Long-term Care Insurance Fund;
 - b. Additional rates of benefit, lower than those that apply to care homes, to support people receiving care in their home;
 - c. A scheme whereby claimants receiving a subsidy towards residential or nursing care could in the future have the option of using this subsidy towards care in their own home
 - d. Criteria for establishing long-term need (for example care requirements likely to persist for at least six months or until end of life) which would qualify for a claim from the Long-term Care Insurance Fund; and
 - e. A suitable assessment process capable of establishing eligibility for benefit for those requiring care at home in a time and cost-efficient manner.
12. To note that if proposition 11 is approved, the estimated contribution rate necessary to ensure the sustainability of the Long-term Care Insurance Fund, referred to in proposition 10 will need to increase by a further 0.4%, taking it to a total of 3.1% for people under pension age and 3.2% for people above pension age.
13. To note that if the above propositions are approved and there is no substantial change in the financing methodology, the necessary increase of 1.3% in the contribution rates for the Long-term Care Insurance Fund will be an increase of approximately 70% over the current rates.
14. To agree that a reliance on increased contribution rates to ensure the financial sustainability of the Long-term Care Insurance Fund, in the context of the changing demography, risks an increasing and significant intergenerational unfairness.

15. To direct the Policy & Resources Committee, in conjunction with the Committee for Employment & Social Security, to investigate the formation of a States-run or supported scheme for deferred property loans to be made available to those seeking or receiving Long-term Care and to report to the States no later than December 2021 and to agree that such a scheme should be fair and equitable and include protections for any spouse, partner or dependant relative resident in the property.

16. To agree in principle that, subject to the development of a suitable deferred loan scheme, those with property assets (including their primary residence) with a value in excess of £350,000, should not be entitled to income support to assist in meeting the cost of the personal allowance and co-payment payable in respect of care beds under the Long-term Care Scheme and to direct the Committee for Employment & Social Security to provide updates on the implementation of this policy in its annual 'non-contributory benefit rates' Policy Letter.

17. To direct the Committee for Employment & Social Security and the Policy & Resources Committee to report to the States, by December 2021, on the options that exist to moderate the increase in contributions which will otherwise be required and to agree that those options should include a model similar to the scheme in place in Jersey, which includes a requirement that those with assets above £350,000 (including their primary residence) must meet the first £35,000 of the costs otherwise covered by the Long-term Care Benefit Scheme.

18. To note that, subject to the outcomes of the States' decisions on the report set out in Proposition 17, the Long-term Care Fund will require additional funding of up to £25million per annum, equivalent to an increase in the social security contribution rate of 1.3%, in order to become financially sustainable; and

a. to direct the Policy & Resources Committee, as part of the Review of Taxation and in consultation with the Committee for Employment & Social Security, to identify a suitable source of funding to ensure the long term stability of the Long-term Care Fund, in accordance with the principles of the Fiscal Framework; and

b. to direct the Committee for Employment & Social Security, if the Review of Taxation does not identify measures to ensure the long-term stability of the Long-term Care Fund, to propose within its annual contributory benefit report an increase in the social security contribution rate of a maximum of 1.3% with effect from January 2022.

19. To direct the Committee for Employment & Social Security, in co-operation with the Committee for Health & Social Care, to continue to work towards establishing contractual arrangements with some or all care homes providers in order to provide certainty of income for the care home and certainty on the number of beds available at 'States rates'.

20. To rescind Resolution 6 of the 1st March, 2001 on Article VII of Billet d'État No. III of 2001 ('Long-term Care insurance scheme for Guernsey and Alderney') which has the effect of requiring the Committee for Health & Social Care to set the standard charge for occupants of long-term residential and nursing care beds provided by the States of Guernsey at an amount equivalent to the standard Long-term Care Insurance Scheme co-payment.

The Deputy Greffier: Billet d'État XVI. Article V. Committee for Employment & Social Security, Supported Living and Ageing Well Strategy – extending the life of the Long-term Care Insurance Scheme – continuation of debate.

The Bailiff: Deputy Parkinson.

Deputy Parkinson: Sir, several Members yesterday described the issue at heart here as one of fairness between generations: intergenerational fairness. But reflecting on this overnight, it occurred to me that actually the issue is unfairness within the same generation. If we imagine two people in Guernsey, aged 40 to 60, with elderly parents, one of whose set of parents own a valuable house and the other set of parents do not, and we adopt the policy which Deputy Trott was advocating yesterday, that everyone should pay higher Social Insurance contributions, to ensure there would

15 no lien or charge over the house of the lucky subject in this case, then what really is happening is both individuals in their 40's to 60's will have to pay more Social Insurance contributions so that one of them can inherit the house free of lien or charge.

It is not a matter of, is it fair on parents or children? It is actually across the same generation. And it is not a matter of the amount of work that those two individuals put in in their lives, or their propensity to save. It is simply a question of should they both have to pay in more so that one of them can inherit a house free of charge? I have to say, I cannot see that as an equitable solution. This is an extraordinarily difficult area, but, on balance, I am going to support the proposals of ESS. Thank you.

25 **The Bailiff:** Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

I am driven to my feet to rebut Deputy Parkinson's analysis. There is an issue of fairness here, whether it be across generations or multigenerational. I agree with the points raised by several Deputies yesterday about the unfairness of going after people with property and effectively implementing a form of inheritance tax, however way we look at it, (**A Member:** Hear, hear.) that would be starting to take assets off a certain class of people. To have a breakpoint of £350,000, we are talking about the majority of the properties in Guernsey that will be affected by this.

But let's look at fairness. In this Assembly, we are often looking at equality and fairness. Let's take two examples: Mr A and Mr B. Mr A has worked all his life, has paid taxes, has taken on a mortgage, has raised a family and has contributed to the system all the way through his life and would have, in my opinion, a reasonable expectation to take whatever assets he has and pass them on to his family, his children etc. Person B, for whatever reason, has not worked. They have been a recipient of welfare and assistance from the States of Guernsey throughout their lives. They have never paid taxes. In fact, example A's taxes have helped to be able to subsidise that person's support during that period, through the taxes they paid. And yet, come to the end of their lives, they are both are in beds next to each other within a care facility and now the assets of Mr A, as accumulated, are being stripped from his estate, to pay for his bed, and yet Mr B continues to have a completely subsidised position.

How can anybody in the States say that is equitable and fair to the hard-working people of Guernsey, who have gone through a process we advocate, we try and encourage people to work hard, to pay taxes, to take on mortgages, to build assets over time, because that helps society as a whole and does create the additional wealth and taxes needed to support the unfortunate people in the Island who cannot support themselves for whatever reason.

I have no problem with that process and I believe we do have a social conscience and look after people who cannot support themselves. But then to turn around and start stripping away the assets of that person, I believe, is a step too far, and is eroding the whole principles on which our Island has been based. You are changing principles on which taxation in Guernsey works and it is not equitable, it is not fair. It is not a case of whether one person has an asset or a dozen. I cannot see how you justify taking away those assets.

As Deputy Prow pointed out yesterday, if you want to go down a different taxational route –

Deputy Fallaize: Point of correction, sir.

60 **The Bailiff:** Point of correction, Deputy Fallaize.

Deputy Fallaize: Deputy Meerveld is making some interesting points but he has more than once now referred to taking away assets. The issue is whether the person's home should be discounted from the calculation which determines how much of a contribution they should make to their long-term care. The issue is whether to discount their home, not whether their asset should be taken into account. Because if they are cash assets they are taken into account.

The Bailiff: Deputy Meerveld to continue.

70 **Deputy Meerveld:** Thank you, sir.

As Deputy Prow pointed out yesterday, if we are going down the route of looking at dipping into the assets, whether it be real estate, cash reserves or investments of people to pay for their long-term care when they are elderly or at the point of their death, we are looking at a fundamental change to our tax system in Guernsey and that needs to be a separate debate that is looked at.

75 I will not be supporting the relevant Propositions, 15, 16, and 17 in this proposal because of that, and I would encourage all other Deputies not to either.

The Bailiff: Deputy Tooley.

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

I did not think I needed to speak in this debate but I have just heard described a person I do not really recognise as being part of regular Guernsey society and that is person B, who has lived all their life claiming benefits, taking from the Government, collective people's purse and so on.

85 We know there are maybe a handful of people where that is the case, but we have incredibly low unemployment rates in this Island. The vast majority of people in this Island work. They work the jobs that they can do, they pay taxes into the system and so on. What we actually have is person A, who found themselves in a position where they were able to get on to the property ladder, whether that was because they inherited money from parents, were loaned money from parents, whether it was because they had somewhere to live that meant they were able to save themselves, 90 to create a deposit to get on to the property ladder.

And we have person B, who potentially was not able to get on to the property ladder. That could be because that person did not have familial reserves, they did not inherit any money, they did not have parents who were in a position to lend them money to pay a deposit.

95 **Deputy Oliver:** Point of correction, sir.

The Bailiff: Point of correction, Deputy Oliver.

100 **Deputy Oliver:** You do not always need inheritance to get on to the property ladder, you can actually save it yourself.

A Member: Hear, hear.

The Bailiff: Deputy Tooley to continue.

105 **Deputy Tooley:** Thank you.

I do not think that is a valid point of correction, because I did say who have either inherited money or borrowed it from parents or have been in a position where they have been able to save money, perhaps because they had a place that was safe to live, that did not take amount from their income that they needed to put into savings to be able to do that.

110 To save 10% of the cost of a property, Deputy Oliver herself said that the smallest property on this Island is going to cost you £350,000. Well, to save 10% – which is a deposit on a property of that nature – means being able to save £35,000. That is a straightforward calculation. To be able to save that kind of money while you are paying out rent, while you are paying for your children, while 115 you are paying for all those other expenses, is not an easy task.

There are a great number of people in this Island who are paying rent on property, not because they do not want to own a house, not because their aspiration would not be that they would far rather be paying their own mortgage than be paying the mortgage of their landlord, but they are

120 paying out, probably, month-by-month, exactly the same amount as somebody who is living in a mortgaged property of similar quality to theirs. (**A Member:** Hear, hear.)

That is the situation we are talking about here. Person A and person B are probably working equally hard. Person A and person B are probably paying out for their housing an equal amount. The difference is in whether they have that deposit; whether they have the ability, the credit lines, whatever, to get a mortgage, to be able to put that in savings.

125 Yes, there will be some people where not having been able to do that is because they have made imprudent choices. But there will be vastly more people where the ability to be able to convert a rent payment to a mortgage payment has nothing to do with imprudent choices.

130 Long-term care has to be paid for. Somebody has to pay the bill to look after all of us when we are old. The question here is whether Employment & Social Security should be able to look to people to use the money they have set aside themselves to help fund their care, whether that is money they have set aside and put into the house they live in or whether it is money they set aside into a bank account: should that be taken into account when we decide who looks after us when we are older?

135 The vast majority are very wealthy people, probably will not be looking at States rates beds in nursing homes anyway. They will probably be looking at funding themselves and probably looking at funding themselves in completeness. Nobody is saying that changes things for those individuals, but what we are saying is that those children of people who rented and people who bought their own homes at very similar levels should not be treated differently into the next generation because

—

140 I will give way to Deputy Merrett.

Deputy Merrett: I am thankful to Deputy Tooley, sir, for giving way.

145 I think I do understand Deputy Tooley's argument, but I just wish to clarify because I think what Deputy Tooley just alluded to, or implied, was that the very rich will not actually be affected by this and they will not be paying the £35,000 at all. That leads me to come to the conclusion that it would be the middle earners, the people in the houses of £350,000, they will be funding this, at £35,000 potentially, or assets of, and the super-rich or the very rich, whatever terminology you wish to use, this will not affect. That would concern me, sir.

150 **Deputy Tooley:** I thank Deputy Merrett, because if I have not been clear, then I need to make this more clear.

They will not be the people who benefit from this. They probably not taking the States' rates places in the nursing homes. It is not those people we are seeking to ensure there is long-term care for and that was the point I was trying to make – possibly not very well.

155 What we do, if we say that money set aside in the home should be safeguarded and locked away, is we create this problem for the next generation. We give the next generation the issue that half will inherit money that they can perhaps use to have a mortgage and not be renters and those children whose parents ... It is the unfairness there, as Deputy Parkinson said, that we are addressing here.

160 We are not today making a decision that this is what will happen. We are allowing ESS to go away and look at the various ways in which we can fund long-term care going forward and what we are saying, if we vote for the Propositions put forward, is that we should not automatically say that the money someone has set aside in their home is sacrosanct and should be set aside. And I am prepared to support those proposals because, actually, we do not have people, generally speaking, 165 in Guernsey, who have chosen to squander large amounts and then lay back and expect the taxpayer to pick things up. We have people who work equally hard, whether they are paying their money out as rent or whether they are paying their money out as mortgage.

Thank you, sir.

170 **The Bailiff:** Deputy McSwiggan.

Deputy McSwiggan: Thank you, sir.

Sorry, I just want to give my own take on unravelling the exchange between Deputy Tooley and Deputy Merrett. Actually, it might be helpful for Members to know that there is no financial gatekeeping for beds in residential care homes. There is not a process where your resources are assessed at the point where you need care and, if you are very wealthy, you are directed to a bed that will cost you something that matches your resources and, if you are not very wealthy, then a States' rate bed is made available to you.

Actually, we have had a real problem at times, where people who can only afford a States' rate bed are struggling to access any bed at all because there is not that kind of financial gatekeeping and so, people who may or may not be able to afford something a bit more expensive, are resident in those homes already.

If I understood what Deputy Tooley was saying correctly, what she was saying was if you are very rich then you do not need to worry about where your care is coming from. Wherever it comes from you are going to be able to get hold of it somehow. If you are not very rich then you do have to worry about where your care is coming from and that means that we have to make sure that there are decent places for people to live when they need care and that the means of accessing that care is affordable. What the proposals in front of Members today are trying to do, is trying to ensure that that care remains, or in some places becomes, affordable, because it is not affordable right now.

I will give way to Deputy Meerveld.

Deputy Meerveld: I thank Deputy McSwiggan for giving way, and I absolutely agree with the sentiments behind the proposals. I understand what it is trying to achieve and I understand the issues. But does Deputy McSwiggan agree with me that the danger is, the way this is structured, it is likely to fall on a very limited, select group of our population.

As Deputy Lester Queripel pointed out yesterday, there are many people in Guernsey who are asset rich and cash poor. They are sitting on property that they have inherited or have been in the family, (*Interjection*) or they have worked for, and it is worth a lot of money, but they do not have cash to sustain themselves on a day-to-day basis. That is their main asset and thing they would pass on to their descendants.

The problem is, as I see it – one of the problems – is that, as Deputy Trott pointed out yesterday, there are 101 ways anybody of any financial sophistication can find to shelter their assets from this. I can think of a dozen ways off the top of my head that I could, or anybody in this Assembly could shelter their assets.

The people that are likely to be caught by this are middle class Guernsey people who are not as financially astute as others and will not use financial planning to avoid it. You will end up with a very select group, in fact, what I consider the most heavily hit by taxation in Guernsey will be hit by this yet again to subsidise an element of the States' policy, and I would like to see a broader tax discussion rather than this ...

Several Members: Hear, hear.

Deputy Tooley: Well, honestly, sir, if Deputy Meerveld wants proposals that will make it easy on the people who are hardest hit, as he sees it, by our tax system at the moment then he should absolutely support the proposals that are in front of us today, because if he does not, the only realistic alternative is going to be to raise the contribution rate and who does Deputy Meerveld imagine will be paying for those contributions?

I think that is all I need to contribute to this debate. I hope it has been some help for some Members.

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

I will be brief, because I did say I did not intend to speak after the guillotine motion was called yesterday. What disappointed me in this debate is that it has taken a very long time for Guernsey to move out of the culture of the deserving poor. It is not that long that we had a parish system where the most needy in this Island were sent away with nothing but the more articulate person that presented at the table left with something.

I am hearing traces in this debate, again, over the deserving poor and the undeserving poor. If you have two people lying in a bed, one person may have done very well for themselves, the other person may have been a care assistant who had worked their entire life caring for the community and you are saying, 'It's unfair that the state, in the final stages of life, should look after you.' If that is the view, then come up with an alternative to the proposals that are here now.

It is very disappointing – it is a very short speech, I am not going to give way – that we need to revisit all of these arguments again and introduce this notion of the deserving and undeserving. I thought we were getting somewhere. I thought we were making progress with progressive social policy. Yet every time when we think we are over the line, we get dragged back, and it really does have to stop.

The Bailiff: Deputy Paint.

Deputy Paint: Thank you, sir.

I was not going to speak in this, but I will. I just do not like what I am hearing, all the way along. What you must remember, or some of you choose to forget, the people who have managed to pay mortgages have also paid taxes and Social Insurance at a much higher rate than those who are not earning that sort of money. This is a lot of money going into it.

I completely agree with Deputy Lyndon Trott yesterday: he made a promise years ago that people's houses would not be taken away, and that promise sticks to this day. We do not live in England, we do not live in Germany, we do not live in Jersey: we live in Guernsey and that is our way. **(Several Members:** Hear, hear.) So we must stick with that.

By all means find another way to do it and I will give you a few suggestions now. Stop wasting money. Stop paying huge amounts of money for experts to come over here – half the time they do not know what they are talking about. **(Several Members:** Hear, hear.) Stop spending money, as someone said earlier on – that was the last on my list – on vanity projects. Run your finances properly. Because I tell you now that I have worked since I was 14 years old. I have managed to put myself in a reasonable position. And that is not for me, that is for my children and grandchildren. You take that away and I will find a way around it.

Thank you, sir. *(Applause)*

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

I think one thing we all have to remember is that not everybody will need care in a home, as such. A lot of people will not have that option available to them. They will have a heart attack and drop dead somewhere. So please, it is not a given that everybody will be into a home.

I just want to pick up a point from Deputy Parkinson, and this is why I am standing, really. He made the point that two families working in that 40 to 60 age group, one family will inherit and the other family will not. But in the scenario, both families are requiring one of their relatives to have care. So my question back to him is, why do you think the other family, who will not inherit, should not also pay some time, somewhere through their life, to pay for their own care?

Thank you, sir.

The Bailiff: Deputy St Pier.

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Deputy St Pier: Sir, I accept the argument that Deputy Paint made, and indeed Deputy Trott, that a bargain was made with the population 20 years ago. But the intergenerational equity argument which Deputy Soulsby made yesterday, and indeed Deputy Parkinson today, and I think Deputy McSwiggan has built on, is very persuasive.

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The reality is that anyone over the age of 40 will not have contributed enough to pay for the costs of their long-term care, which means that everybody under the age of 40, or earners under the age of 40, will be paying disproportionately more, not only for their own long-term care in due course, but also for all of those of us over the age of 40. We also have to accept that that group is a shrinking demographic and the burden on them is going to become disproportionately greater over the years. It is a burden I think we cannot continue to expect low- and middle-income earners in that age bracket to continue to bear.

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So we are faced with, as ever, unpalatable and unattractive choices. But it does require further investigation in the way that this has been proposed by the Committee.

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The Bailiff: Before I turn to the President to reply to this debate, Deputy Gollop, is it your wish to be relevé?

Deputy Gollop: Yes sir, thank you.

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The Bailiff: Thank you very much. I now invite the President, Deputy Le Clerc, to reply to the debate.

Deputy Le Clerc: Thank you, sir.

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I always find debate on social policy interesting. It throws up the same old arguments and misconceptions of our Income Support claimants. Not everyone on Income Support has never worked. We have hard-working people who claim Income Support. We have people who work for the States of Guernsey on Income Support, and in our Public Gallery today we have got new people who are joining the Civil Service. Some of them may need a top up from Income Support.

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Everything is focused on people that rent. There are a lot of people that rent in the private sector. There are people that rent that are not even on Income Support and it really saddens me, after four years in the States – well, eight years in the States – that I hear the same old stories from people and it is sad that people, through four years, eight years of uprating reports, still do not understand the make-up of our society and those people on Income Support. Very sad.

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I believe it is totally unjustifiable to base an argument on why somebody should be excused paying a reasonable amount towards their care on the portrayal of a section of our community who, through no fault of their own, other than the alleged feckless approach to life, have failed to achieve a level of income and wealth sufficient to purchase a property.

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For many people, they would not hesitate in spending £35,000 on, say, a new car, a new kitchen. But they are reluctant to spend it on their own care or their parents' or loved ones' care. Perhaps I do have a different outlook on life because I do not have children. I have always worked to ensure that I have sufficient to look after myself and I am not afraid to spend it on making sure that I have the very best of care when I need it and to ensure that I am not sharing a room with a stranger that snores even louder than me!

320

However, I do understand that everyone has their own view and, if they feel that dues have been paid and they want to honour what they believe were promises made, anything I say in summing up is not likely to change that view. If nothing else, this policy paper has shown that a change is required, or else the scheme will fail before the majority of those currently contributing are likely to benefit, and the States will have to pick up the bill at that point.

325

At this point, sir, I am just going to go through some of the questions that were raised yesterday. Start with Deputy Prow and I think we have established that our policy paper does not recommend selling the family home. It is about releasing a small proportion of the equity to either an equity

release or deferred loan scheme. Both options in the policy paper do not force the sale of the family home. However, we must remind ourselves that, within the original policy letter, was a warning that a review of the scheme would be required in 15 years' time.

330 At that time, the thinking was that the strategy should hold good for 15 years, assuming no fundamental changes to benefits. But we have heard there have been some fundamental changes to the scheme. We are also reminded that one States' decision cannot be binding on another States.

It is also worth noting that, since inception, the general revenue grant that was originally provided, 12% of contribution income, although that income would have been small in the early stages, ceased due to higher upper learning limits and zero-10 in 2007.

335 Another major factor, which has been highlighted in several speeches, was the loss of the King Edward VII care beds, and that was due to FTP. And other States-supported beds have been lost. These are substantial changes to care provision which have affected the fund, and that is why the funding needs to be reviewed, and all options should be on the table for further investigation and consultation.

340 I will address the issue of divestment of assets, again mentioned by several speakers and by Deputy Meerveld today. I acknowledge that there are ways to ensure that assets are structured so ownership is transferred and might not be assessed. However, a robust divestment policy can reduce these behaviours and Jersey follow a 10-year policy. I would just like to read it out:

If you have transferred or given away assets in the ten-year period before you apply for the [long-term care] scheme, [they] will continue to include these assets in any financial assessment, other than in exceptional circumstances or if less than £5,000.

345 And interestingly:

If you have transferred the ownership of your home to other family members **at any time in the past** and have continued to live in the property, or receive rent for the property (i.e. you have life enjoyment of the property), the full value of that property will be included in your financial assessment.

So Jersey have successfully overcome the divestment of assets situation and I confirmed with officers in Jersey that their scheme is working well.

Deputy Lester Queripel spoke out about fairness and I think that also brings me to the point of intergenerational fairness, as pointed out by Deputies Soulsby, de Sausmarez and Deputy St Pier. I think I will just read an extract from an email I sent to a constituent, and actually all States' Members were copied in: The Guernsey Insurance Fund will require additional increases to ensure sustainability and a policy of uprating States' pension to keep pace with inflation. In addition, the fund is covering Unemployment Benefit and receiving reduced contribution income due to Covid-19. The NICE drugs are also going to cost an approximate additional £40 million per year and will require an increase in contributions or taxes to sustain the Health Care Fund. In addition, from 2023, secondary pensions will commence, which in total will push up contributions and/or tax to such a level the younger generation will struggle even further to get on the housing ladder and afford to live on the Island.

350 We need those young people to live and work here. They will potentially be paying an additional £25,000 in their lifetime if contributions increase by the 1.3%. That would cover quite a bit of rent or mortgage payments. So should those that can afford to pay more when they require care do so, or those already struggling financially pay more? Your vote today will decide that answer.

Deputy Tindall talked about the levels of the £350,000, was that the right limit? This was, really, about a sense of direction of travel. We need some indication from you today as to whether ESS should go away and do more work on the capital assets. Maybe the £350,000 is not perhaps the amount, but it was a figure based on the approximate average valuation of a two-bedroom property in Guernsey.

365 Another thing missing from the policy paper, actually, are the transition arrangements. So more work would need to be done by the Committee on transition arrangements for those who are already in the care system and either have paid or paying towards their own care. So we

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acknowledge that there is additional work that is required but we just want some sense of direction from the Assembly today. There is no point in wasting vast sums of resource of staff, time and energy if it is absolutely a non-starter.

375 With regard to the cost of home care mentioned by several speakers, it is an important part of the whole jigsaw of care, but it is not the cheap option many think it is, and I refer to paragraph 9.7 on page 51. The cost would start at £6 million a year and increase as the number requiring care increases to around £15 million in 2060. So we know that including the cost of care in the home is not a cheap option, but we know that is what people would want.

380 We know that demand for care will increase. If you look again at the chart on page 14, we estimate that demand will increase by 40%. As the paper points out, many will still require care in a nursing home during the final months of life, so a suitable care home provision is required in tandem to care at home.

385 That brings me on to the question of profitability of care homes. Profitability should not be a whispered word. Profit means tax, profit means a thriving sector, profit means that when someone needs a bed we have some available. We have had very little investment in new homes over the past few years and have seen some closures. We need to have a thriving care home sector in combination with the ability to offer care at home.

390 I would also like to warn that, even if we get an agreement on the sustainability of the Fund, we will still need the staff resources to work in that sector. We cannot continue to rely on guest workers to provide care for our elderly population. We need to encourage our own population to take up a career in caring and nursing. The Guernsey Institute is an important part of this, but we also must encourage people to want to work in that sector.

395 Deputy Ferbrache and others talked about the investment performance and I think this was covered by Deputy Soulsby. I refer to page 80. Investment returns are only a part of the solution and would only reduce the contribution rate required from 1.3% to 1.15%. Not to be sniffed at, but not the magic money tree.

400 Deputy Merrett questioned Proposition 16. Currently those with property assets, by way of the house that they used to live in, but no cash assets, receive help with the co-payment and personal allowance if their pension does not cover the cost of a States rates bed. With option 16, any shortfall between their pension and the co-payment cost and personal allowance would need to come from the deferred scheme, up to the value of the £35,000 and after that then they would be eligible for Income Support.

405 Deputy Dorey talked about top-up payments. The top-up payments are subsidising the States' rates, even in nursing homes, and that is why an increase is needed across all types of care. He said he could not support Proposition 12. My understanding is that this funding would be in addition to the funds already going into providing care at home by Health & Social Care and would not replace the general revenue funding.

410 I would urge him and others to vote for Propositions 18a and b. The reason why we have put both in is that we have seen how the States like to kick the can down the road and not face up to difficult decisions. This gives an ultimatum. If the work on the Fiscal Review is not brought back in a timely manner, and I think it is due for quarter two 2021, and a funding solution is not found, the States will at least be forced to increase contributions to make the fund sustainable. In effect, it should be a plan B and not needed. So I do urge you to vote for 18a and b so there is a plan B.

415 Deputy de Lisle is always keen to remind me at uprating and non-contributory benefits time of how much Income Support increases year on year. But on this occasion he wants to see Income Support increase. I hope someone will remind him, when he brings this up in December, that is assuming he is re-elected.

420 A fact which has not come up through this debate is that as we increase the co-payment to £280 per week from 2022 and take into account a need for the £36 per week personal allowance, many more people are going to need assistance from Income Support. That is why we thought the very generous disregard of the person's former home needed to be looked at again. It is a different picture to when the scheme was introduced.

Deputy Lowe discussed consultation. If the Propositions are approved today, further consultation will take place. I would just like to mention that the UK has a deferred loan scheme, as does Jersey. This is actually a much better scheme than equity release, as it is a drawdown scheme rather than a lump sum scheme and means interest only accrues as you draw the loan down and not on the entire sum.

So Jersey use the prevailing Bank of England rate plus 0.5% and while you continue to use the loan to help towards your care costs, the loan will gradually increase. The interest is charged on the balance of the loan as it builds up. The interest is compounded on an annual basis. The UK deferred loan scheme is a gilt plus 0.15% and currently that is 1.45%.

As I said at the outset, there are no easy options. As Deputy Roffey said yesterday, we are just the messengers. It is the responsibility of all of us to find a solution, not just ESS. There have not been any new, bright lightbulb moments this debate. This policy paper is about giving the next ESS Committee a sense of direction.

If you have no appetite for any sort of scheme that involves personal assets, then at least we will know and will take it off the table. We think that would be unwise and realistically comes back to the majority of funding coming from increased taxes or contributions, which as we know takes money out of the economy and hits those currently working the most.

I will be watching with great interest on how Members do vote today, because if you do choose the easier option of increasing contributions and you then choose to support the income poverty report, you will be pushing into deeper income poverty those exact families and those people that are already struggling financially. Please remember that when you vote in the next few minutes. The burden for the cost of long-term care will be on those least able to afford to continue to pay and those will be the generation left behind.

Thank you, sir. *(Applause)*

The Bailiff: Members of the States, there are 20 Propositions. At the moment I have noted that there has been a request for recorded votes on each of Propositions 15, 16 and 17, and to be taken discreetly each time, because one Member indicated a discreet vote on Proposition 16. I have also noted that Proposition 11 should be taken discreetly. I have also noted that there is a request to take (a) and (b) in Proposition 18 as if they were two Propositions.

Are there any other requests for any Proposition to be put to you discreetly and are there any requests for recorded votes outside of Propositions 15, 16 and 17?

On that basis, Members of the States, I will put to you Propositions 1 to 10 collectively. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Propositions 1 to 10 carried.
Proposition 11. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 11 also carried.
Propositions 12, 13 and 14, taken together. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Propositions 12 to 14 duly carried; and we will now have a recorded vote on Proposition 15 alone.
Greffier, please.

There was a recorded vote.

Not carried – Pour 17, Contre 19, Ne vote pas 0, Absent 3

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

465 **The Bailiff:** Members of the States, the voting on Proposition 15 is as follows: there voted Pour, 17, Contre, 19, three Members were absent, and therefore I declare Proposition 15 lost.
We now have a recorded vote –

470 **Deputy Roffey:** Sir, may I ask for a clarification? The beginning of Proposition 16 says 'subject to the development of' the scheme that we have just voted against in 15. So does 16 fall to the ground?

The Bailiff: Mr Comptroller? (*Laughter*) Deputy Roffey is suggesting that as a result of that vote there is no need for the States to vote on Proposition 16, and potentially also 17.

475 **The Comptroller:** Yes, 16, is:

To agree in principle that, subject to the development of a suitable deferred loan scheme ...

So it is a question of whether that subjection is basically what Proposition 15 envisages or not. In the context, I suppose it is referring back to the deferred loan scheme envisaged under 15, although it does not actually say that.

480 **The Bailiff:** It does not say that, Mr Comptroller –

The Comptroller: No, it doesn't.

The Bailiff: – and therefore my provisional view is that we will take a vote on each of these Propositions.

The Comptroller: Yes, sir, I agree with that. I agree.

The Bailiff: Yes. I am grateful, thank you for your assistance.
So a recorded vote on Proposition 16 next, please.

There was a recorded vote.

Not carried – Pour 14, Contre 22, Ne vote pas 0, Absent 3

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

The Bailiff: Members of the States, the voting on Proposition 16 was there voted Pour, 14, Contre, 22, same three absences and therefore I declare Proposition 16 also lost.

And, for the sake of completeness, we will have a recorded vote on Proposition 17 now, please, Greffier.

There was a recorded vote.

Not carried – Pour 15 Contre 21, Ne vote pas 0, Absent 3

| POUR | CONTRE | NE VOTE PAS | ABSENT |
|------------------------|--------------------|--------------------|------------------------|
| Deputy Fallaize | Deputy Inder | None | Deputy Laurie Queripel |
| Deputy Hansmann Rouxel | Deputy Lowe | | Deputy Leadbeater |
| Deputy McSwiggan | Deputy Smithies | | Deputy Mooney |
| Deputy Langlois | Deputy Graham | | |
| Deputy Soulsby | Deputy Green | | |
| Deputy de Sausmarez | Deputy Paint | | |
| Deputy Roffey | Deputy Dorey | | |
| Deputy Tindall | Deputy Le Tocq | | |
| Deputy Brehaut | Deputy Brouard | | |
| Deputy Tooley | Deputy Dudley-Owen | | |
| Deputy Gollop | Deputy de Lisle | | |
| Deputy Parkinson | Deputy Prow | | |

Deputy Le Clerc
Deputy St Pier
Deputy Stephens

Deputy Oliver
Alderney Rep. Roberts
Alderney Rep.
Snowdon
Deputy Ferbrache
Deputy Lester
Queripel
Deputy Trott
Deputy Le Pelley
Deputy Merrett
Deputy Meerveld

495 **The Bailiff:** Members of the States, the voting in respect of Proposition 17 was as follows: there voted Pour, 15, Contre, 21, three absences and therefore I declare Proposition 17 lost.

Finally, Members of the States, I will put to you Propositions 18, 19 and 20 together. Those in favour – *(Interjections)*

500 **Deputy Dorey:** Sir, we were going to vote on 18(a) and 18(b) separately.

The Bailiff: Yes, thank you, Deputy Dorey.

I put to you Proposition 18a only, first. My apologies, I was rushing ahead after the success of the last three votes. *(Laughter)* So it is Proposition 18a, taken discreetly from what will then be Proposition 18b. Those in favour; those against.

Members voted Pour.

505 **The Bailiff:** I declare Proposition 18a duly carried.
Proposition 18b. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 18b also carried. So Proposition 18 as it stands has been carried in its entirety; and Propositions 19 and 20 taken together. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Propositions 19 and 20 duly carried. Thank you.

COMMITTEE FOR ECONOMIC DEVELOPMENT

VI. Proposed Amendment to the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 – Propositions carried

Article VI.

The States are asked to decide: -

Whether, after consideration of the Policy Letter, entitled "Proposed Amendment to the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014", dated 8th July 2020, of the Committee for Economic Development, they are of the opinion to:-

1. Amend paragraph 1(6) of Schedule 1 of the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 to (i) remove the reference to appointment for a minimum period, and (ii) insert a provision, for the avoidance of doubt, that a member is eligible for reappointment.

2. Direct the preparation of such legislation as may be necessary to give effect to the above decision.

510 **The Deputy Greffier:** Article VI, Committee *for* Economic Development: Proposed Amendment to the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014.

The Bailiff: I invite the President of the Committee, Deputy Parkinson, to open debate on this matter.

515 Deputy Parkinson, please.

Deputy Parkinson: Thank you, sir.

The Office of the Financial Services Ombudsman is a statutory body which provides an independent dispute resolution service for unresolved complaints involving financial services provided in or from Guernsey, Alderney and Sark. There is currently no ability for the Committee to appoint a member of the OFSO board for a period shorter than three years, which may be beneficial to the ongoing continuity and functioning of the OFSO.

This policy letter proposes that the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014, be amended to (1) remove the reference to appointment for a minimum period and (2) insert a provision, for the avoidance of doubt, that a member is eligible for reappointment. The amendment is consistent with the appointment period in relation to other statutory bodies, such as the Guernsey Competition and Regulatory Authority, for which the Committee has oversight. The Committee believes that this amendment will improve the operational efficiency of the OFSO and is the right thing to do for the Island's finance sector and our reputation.

530

The Bailiff: Deputy Graham.

Deputy Graham: Thank you, Mr Bailiff.

I cannot conceive of the situation where I could possibly be conflicted on this but, just in case, in these rather difficult days, I need to declare that in the last year I made a complaint to this Authority. It was sustained, I received substantial damages in recompense and I therefore think they are doing a spiffing job! (*Laughter*)

The Bailiff: Deputy Tindall.

540

Deputy Tindall: Thank you, sir.

I noticed when I looked at the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 under paragraph 2.3 of Schedule 1 that the Chairman is also appointed for three years and I wondered if the President of the Committee *for* Economic Development can confirm that they did consider whether or not to give a shorter period for the Chairman as well, or whether that was a deliberate decision to keep the Chairman for three years or more.

545

Thank you, sir.

The Bailiff: As nobody else is indicating that they wish to speak, I invite Deputy Parkinson to reply to that short debate.

550

Deputy Parkinson: Thank you, sir.

Well, I offer my congratulations to Deputy Graham on his success. (**A Member:** Your round.) Yes, it will be your round later! (*Laughter*)

555

In response to Deputy Tindall, I am afraid I have not any information on whether that alteration that she is suggesting was taken into consideration but I undertake that we will come back to her by email. Subject to that, sir, I invite Members to support the Propositions.

The Bailiff: Members of the States ... Deputy Lester Queripel.

560

Deputy Lester Queripel: Sir, could I just ... clarification, please, on a technical point? There is no actual Proposition. I will clarify that, sir. Paragraph 3.2 tells us what the amendment seeks to do, but there is no actual Proposition. Usually on amendments there is a Proposition on the front page and then all the other stuff is relevant to the Proposition.

565

So I would just like clarification on that, please, sir. Do we not need a Proposition on the front page?

570

The Bailiff: Something that was just crossing mind in what is in front of me, Deputy Lester Queripel, in that there does not appear to have been a Proposition, as such, Deputy Parkinson, lodged. (*Interjection*) The policy letter simply does not have Propositions.

Mr Comptroller, is that the same version that you have got?

575

The Comptroller: Sir, yes, when I printed my documents off I did not have a Proposition with the documents that my assistant provided for me, but she did find a Proposition, two Propositions, that she has printed off for me. I have them here. I think they are actually published on the site, but I am not sure they have been quite published in the right place or have not been duplicated. I did find, or my assistant, found Propositions on the States' website.

580

The Bailiff: So there are two Propositions?

The Comptroller: Two Propositions.

The Bailiff: And they are?

585

The Comptroller: The first Proposition is to:

Amend paragraph 1(6) of Schedule 1 of the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 to (i) remove the reference to appointment for a minimum period, and (ii) insert a provision, for the avoidance of doubt, that a member is eligible for reappointment.

And the second Proposition is to:

Direct the preparation of such legislation as may be necessary to give effect to the above decision.

So the Propositions that I have, or I obtained, would give effect to the recommendations in the policy letter, sir.

590

The Bailiff: Well, Members of the States, I will put both those Propositions to you. Those in favour; those against.

Members voted Pour.

595

The Bailiff: I declare both Propositions duly carried.

Deputy Tindall: Sir, can I just point out the same problem with another Committee *for* Economic Development that has been lodged as well, number 140, just for reference?

600

The Bailiff: We will worry about that when we get there, Deputy Tindall.

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

**VII. Modification of requirements relating to Planning Tribunals
where there are restrictions in relation to travel to and from
the Bailiwick under the Civil Contingencies Law –
Propositions carried**

Article VII.

The States are asked to decide:

Whether, after consideration of The Modification of Requirements Relating to Planning Tribunals Where There are Restrictions in Relation to Travel to and from the Bailiwick Under the Civil Contingencies Law policy letter dated 26th June 2020 they are of the opinion:-

1. To agree that section 87 of the Land Planning and Development (Guernsey) Law, 2005 is modified to allow members who are not professional members of the Planning Panel to preside in a Planning Tribunal where prohibitions or restrictions in relation to persons travelling into or out of Guernsey have been made and are in force, or to come into force, under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 as further detailed in paragraphs 5.15 to 5.19 of the policy letter, and

2. To approve the draft Ordinance entitled "The Land Planning and Development (Planning Tribunals) (Modifications) Ordinance, 2020", attached at the Appendix to the policy letter, and to direct that the same shall have effect as an Ordinance of the States.

The Deputy Greffier: Article VII, Committee for the Environment & Infrastructure: Modification of requirements relating to Planning Tribunals in Guernsey where there are restrictions in relation to travel to and from the Bailiwick under the Civil Contingencies Law.

605 **The Bailiff:** I invite the President of the Committee, Deputy Brehaut, to open debate on this matter.

Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

610 This is a very short report. Because of the ongoing Covid restrictions, it means that Panel members cannot attend the panels, so they are not aided by either a 14- or seven-day quarantine period. The business tunnel is something that would not be of much use to them either, because of site visits and associated things that they do while they are over here.

615 So the proposal is that the existing members of the Panel stand instead for them and if people have concerns that that is then a rather unconventional thing to do and does it open up to a challenge at a later stage, it would only proceed on the basis that the panel were appointed and the composition was agreed by both the appellant and the Development & Planning Authority, sir. So it is just to ensure that the Planning Tribunals can still go ahead.

Thank you.

620

The Bailiff: Deputy Merrett.

Deputy Merrett: Thank you, sir. I will be brief.

625 It does appear that ... Firstly, sir, this obviously is for first party appeals or tribunals, not third party, which I know we will get on later in debate, which is obviously unfortunate to say the least. But it does show that we can move quickly at times. Although, arguably, as lockdown was March, I suppose it is five months later – maybe on reflection we have not moved quite as quickly as we thought we potentially could have done.

630 That said, sir, I rise to my feet, and I appreciate what Deputy Brehaut says about the two parties agreeing the Panel, but if these parties have been awaiting this tribunal for at least five months

because of lockdown already, either they accept what is proposed to them or they have to wait for longer. So I think these people may be between a rock and a rather hard place, to be frank and fair, which is how I want to express my opinion.

635 What I wanted to ask Deputy Brehaut is this. If we believe we can move to this ... I appreciate it is because of the restriction of travel, is there therefore a need to have Panel members etc. that do not actually reside in the community – because obviously there could be a cost savings implication there – or is it that we do in fact have members of this Panel that do not reside in this community so that there is a greater sense of the public or community perception of both parties, either party, of independence and objectivity, that that perception is actually in play?

640 That is the question I would like to pose because it could be in fact that if it is believed that we do not need to have these people coming from off Island, if we could actually train and recruit them within the community, if there is not a perception of bias of any way, of objectivity and independence, then why do we have the extra expense associated with bringing people from off Island?

645 Before I sit down – I said I would be brief and I am trying to be brief – my preference as to how somebody is independent and objective, that is my preference, and I think the community perception is such. I am aware that there are some outstanding ... Declaration of interest, potentially, sir. I will, because I think Lovell Ozanne Architecture might be involved. So I will declare that just in case. But I believe there are some outstanding tribunals that actually have got a high public interest and that perception of objectivity, independence, could actually be of concern to the parties concerned.

650 That is the question I really want to put to Deputy Brehaut. If he feels, actually, we do not need people off Island, we should be doing it, or whether we should be recruiting and training on Island as and when possible. And does Deputy Brehaut think that the five months it has taken to bring this to the Assembly is as expediently as it could have been? Clearly there are – well, I am assuming there are – we do have strict Chinese walls, but I am assuming there are some outstanding and we have already waited five months.

So if Deputy Brehaut is able to answer those questions, I would appreciate him doing so, sir.

660 **The Bailiff:** Deputy Lowe.

Deputy Lowe: Thank you, sir.

I just wondered if Microsoft Teams would be appropriate or not for this particular situation, bearing in mind the courts have been able to use Microsoft Teams and obviously Civil Contingencies would be able to accommodate that if it was taken to the Civil Contingencies, if appropriate.

665

The Bailiff: No other Member is indicating a wish to speak, so Deputy Brehaut, I will turn to you to reply to that short debate.

670 **Deputy Brehaut:** Thank you, sir.

Yes, I am advised that Microsoft Teams was considered, but because of the nature of site visits, it was considered to be impractical. If you are really trying to get the sense and a feel for a place, then doing that remotely perhaps presents too much of an obstacle.

675 These are exceptional times and this is an irregular fix. I take the point about do we need people perpetually coming in off Island, but I think Guernsey is a very small group of people to draw from and there is always the risk in planning that you get this pre-determination where people had a fixed view before. And I think there is a real merit – sorry, happens too frequently – there is clear sense in having people one removed, a third party and a first party planning appeal saying, 'Actually, this is our view'. We often struggle in Guernsey to find people for panel compositions in the first place, so I think there is clear benefit in having people travel from off Island. But this is a fix for, we hope, the short-term period.

680

Thank you.

685 **The Bailiff:** Members of the States, there are two Propositions, One is to agree the policy and the second is to approve the draft Ordinance, if so minded to agree the policy. I will put the two of them to you together.

Those in favour; those against.

Members voted Pour.

The Bailiff: I declare both Propositions duly carried.

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

VIII. Mitigate Climate Change – States of Guernsey Climate Change Policy & Action Plan – Debate commenced

Article VIII.

The States are asked to decide:-

Whether, after consideration of the Policy Letter titled 'Mitigate Climate Change – States of Guernsey Climate Change Policy & Action Plan', they are of the opinion:

1. To agree:

a) to legislate for a target of net zero emissions (or carbon neutrality) in relation to greenhouse gas emissions to the atmosphere by 2050, and an interim target of reducing such emissions by 57% on 1990 levels by 2030, and

b) to impose a legal requirement for annual statements, by the Committee for the Environment & Infrastructure, for all emissions for Scope 1 (all direct on-island emissions), Scope 2 (all imported electricity emissions), and Scope 3 (emissions relating to exported waste and off-island travel and cruise ships) with effect from the end of 2021, as set out in paragraphs 2.5 and 7.3.8 of the policy letter.

2. To approve the definition of net zero (or carbon neutrality) set out in paragraph 7.2.4 of the policy letter, encompassing Scope 1 emissions (all direct on-island emissions), Scope 2 emissions (all imported electricity emissions) and Scope 3 emissions (emissions relating to exported waste and off-island travel and cruise ships) for the purposes of the targets referred to in Proposition 1.

3. To approve the Climate Change Action Plan, as set out in Appendix A to the policy letter and summarised in section 10 of the policy letter, including the actions contained within that Plan, and to direct the Policy & Resources Committee to incorporate those actions, and any future or amended actions, into the recovery action plans to be developed under the Recovery Strategy, and into any future subsequent strategies and/or plans.

4. To direct the Committee for the Environment and Infrastructure to bring a review and update of the Climate Change Action Plan to the States at least once every 2 years, as set out in paragraph 10.1 of the policy letter.

5. To approve the approach to climate emissions set out in the emissions hierarchy in paragraph 7.4 of the policy letter, prioritising steps in the following order: avoid, reduce, replace, offset.

6. To direct the Committee for the Environment & Infrastructure:

a) to prioritise opportunities to increase local carbon sequestration (the removal and storage of carbon from the atmosphere) in both the terrestrial and marine environments, and

b) to consider opportunities for off-island offsetting, including off-island sequestration, as set out in paragraphs 7.5.8 and 7.5.15 of the policy letter.

7. To direct the Committee for the Environment & Infrastructure to ensure that any carbon offsetting arrangements that Guernsey enters into will meet internationally recognised standards as outlined in paragraph 7.5 of the policy letter.
8. To note that Guernsey's Strategy for Nature Action Plan, attached at Appendix C to the policy letter, and the Climate Change Action Plan are aligned so as to ensure a coordinated approach to nature, climate change mitigation and adaptation.
9. To direct the Committee for Economic Development to investigate and appraise economic opportunities that will or could arise from transitioning to a low carbon economy and will or could support sustainable economic recovery in line with the Recovery Strategy.
10. To direct the Overseas Aid & Development Commission, in consultation with the Committee for the Environment & Infrastructure, to prepare and publish climate change guidelines which set out how international development projects can contribute towards Guernsey's carbon offsetting goals, in accordance with paragraph 7.5.11 of this policy letter, and which integrate the principles of the Climate Change Policy with the work of the Commission.
11. To direct the Committee for the Environment & Infrastructure:
 - (a) to investigate the necessary steps to establish an independent advisory body to provide advice to government and others on climate change matters, and:
 - (b) to report back to the States on those necessary steps and the timeline to achieve the same by the end of 2021, as set out in section 8 of the policy letter.
12. To direct the Committee for the Environment & Infrastructure to investigate by the end of 2021 the feasibility of establishing a form of Citizens' Assembly, as set out in section 9 of the policy letter, to support the Climate Change Action Plan.
13. To direct the Committee for the Environment & Infrastructure to bring a policy letter to the States of Deliberation before the end of 2021, which sets out proposals to adapt the Island to the effects of climate change as set out in section 6 of the policy letter.
14. To direct the Committee for the Environment & Infrastructure to bring proposals for the more effective delivery of the Integrated Transport Strategy to the States by the end of 2021, and in so doing to have particular regard to the reduction of Scope 1 emissions, as outlined in paragraph 4.13.6 of the policy letter.
15. To agree that Guernsey's policy on the importation and sale of internal combustion engine vehicles (ICEVs) is aligned with that of the United Kingdom so that a legally binding phase out of the sale of ICEVs is required by 2035 (or earlier if the date is brought forward in the United Kingdom) as set out in paragraph 10.13.1 of the policy letter.
16. To direct the Committee for the Environment & Infrastructure to investigate and necessary steps that would allow for the importation of only the latest Euro standard vehicles to the Island, with certain permitted exceptions, and to bring proposals to the States by the end of 2021.
17. To direct the Committee for the Environment & Infrastructure and the Policy & Resources Committee to investigate any necessary steps required to comply with the obligations on parties under the Paris Agreement, as outlined in paragraph 3.8.4 of the policy letter, including any technical, administrative or legislative steps necessary in order to be able to work towards requesting extension of the UK's ratification of the Paris Agreement to Guernsey (and to consult with Alderney and Sark regarding extension to the Bailiwick, as undertaken previously for international agreements), and to give delegated authority to the Committee for the Environment & Infrastructure and the Policy & Resources Committee to take the necessary steps to extend accordingly.
18. To direct the Committee for the Environment & Infrastructure to ensure that Climate Change Policy and the Climate Change Action Plan, and any revision or replacement of that Policy or Action Plan, remains aligned with the commitments of the Global Island Partnership (GLISPA) on sustainability and biodiversity, and to work towards becoming an active member of GLISPA as outlined in paragraphs 8.10 and 8.11 of the policy letter.
19. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

The Deputy Greffier: Article VIII, Committee *for the* Environment & Infrastructure, Mitigate Climate Change, States of Guernsey Climate Change Policy and Action Plan.

The Bailiff: Once again, I invite the President of the Committee, Deputy Brehaut, to open debate on this item.

Deputy Brehaut.

Deputy Brehaut: Thank you very much, Mr Bailiff.

The Assembly has given a clear indication that as we seek to rebuild our economy and our community post-Covid, we should be aiming not to go back to where we were but rather to create something better than we had previously. This makes sense in a world where ‘back to before’ puts us on a course where the increase in temperature is set to more than double by the end of the 21st century, whilst ‘strive for better’ means policies that benefit our Island; ones that include promoting the budding green economy, protecting nature and embracing renewable energy.

We know that Covid-19 poses the most significant challenge to our Island since the Occupation. However, our expected recovery from it has opened a valuable window of opportunity. An opportunity to build a cleaner, greener, healthier and a more climate-friendly future.

The world is now a little more than 1°C warmer than the pre-industrial baseline from which we measure. Global warming is likely to reach 1.5°C on its pre-industrial baseline between 2030 and 2052. If that increase continues at the current rate, leading to further sea level rise, which will pose proportional greater threat to coastal communities and land lying below sea level. The world is already seeing the consequence of that warming, through more extreme weather patterns, rising sea levels and the diminishing Arctic ice. Nineteen of the hottest 20 years on record have occurred since 2001.

There are some out there who question why Guernsey should do its bit, as its emissions are minuscule in comparison to some of the world’s largest nations. Rightly, the States have rejected that view because not only does Guernsey contribute to global climate change through the emission of greenhouse gases but, as an Island, it is already feeling the impact of climate change. There is more extreme weather, including more intense rainfall, stronger storms, greater frequency of storm damage, hotter summers and milder winters. Other effects are a loss of local species and increasing numbers of invasive non-native species. Each of the last six years have been warmer than average.

We could also be hit by external factors such as rising food prices and rising home insurance costs. The fact is no communities can afford to be complacent in the face of climate change. We will not counter it unless everyone, all of us, individually do our bit. The Covid-19 pandemic has had an unprecedented impact across the world. There has been the temporary closing down of many industries. Global air and road travel have come to a virtual standstill. The effects have been so large and so disruptive that the global carbon CO₂ emissions in 2020 will be about 4% to 7% lower than estimated before the crisis.

Over the past 120 years, there has never been an event that has had such a dramatic impact on global CO₂ emissions. Yet studies show that even these substantial reductions will not be sufficient to limit the global temperature increase as a result of human activities to 1.5°C above pre-industrial levels, as aspired to under the 2015 Paris Agreement.

In order to meet that goal, according to the United Nations, global emissions would need to drop by 7.6% each year between 2020 and 2030. Therefore the need for urgent action on climate change is widely recognised for a mature and responsible jurisdiction as the right thing to do. Guernsey is alive to the pressing need to minimise its carbon emissions and reduce the environmental impact.

In 2019 the States agreed that climate change had reached a critical point and that Guernsey must urgently address the climate and ecological crisis at both local and international levels. From this, the priority policy area, mitigate climate change, was introduced. This directed the Committee *for the* Environment & Infrastructure to develop a Climate Change Policy and a Climate Change

740 Action Plan. This policy letter discharges that Resolution by setting out the primary actions required to mitigate and adapt to climate change.

The recommended policy direction is outlined within this policy letter, with a supporting Climate Change Action Plan, which, subject to the agreement of the States of Deliberation, will be the basis of consultation with the community including, if feasible, through Guernsey's first Citizens' Assembly.

745 Guernsey has made relatively good progress in reducing greenhouse gas emissions to date by just under 29% compared with 1990 levels. However, these reductions still fall well short of the reductions scientists say are necessary to avert dangerous levels of warming. It is critical that this Assembly establishes in law the target of achieving carbon neutrality, also known as net zero, by 750 2050 at the latest, as set out by the recently agreed 2020-2050 Energy Policy.

The interim target would be to reduce emissions by 57% on 1990 levels by 2030, bringing the Island into line with the UK. However, if Guernsey can deliver the aims of the climate change policy letter, it is likely to enable Guernsey to exceed this target and reach carbon neutrality sooner.

755 There will be a requirement for annual statements prepared by the Committee for all emissions for Scope 1, Scope 2 and Scope 3, initially limited to waste management and off-Island travel. This would demonstrate Guernsey's long and active commitment to meeting these targets. So what are the scopes? The way greenhouse gas emissions are accounted for falls into three broad categories, or scopes.

760 Scope 1 emissions are referred to as direct emissions, while Scope 2 and 3 emissions are indirect emissions, as the emissions are not produced in the territory in which they are consumed. Scope 1 emissions are those that are produced from operations over which we have direct control. This can be, amongst other things, from burning fuel in our cars, power stations, or to heat our homes. From natural releases of sequestration for environmental management and from processing our waste on Island, all of these emissions are reported annually in the Island's Greenhouse Gas Bulletin, in 765 line with the international report standards.

Scope 2 emissions are those relating to energy, which in principle can be in the form of heat, as well as electricity imported into the Island. Currently, we import a significant proportion of our electricity from France and with the energy policy supporting the additional interconnection that is likely to rise.

770 Scope 3 emissions, and I suppose perhaps the most challenging, are those that occur in other places as a result of the Island's activities. This category can be split into two sub-categories. Upstream emissions are those emissions produced in either the making of a product, such as a car, or the transportation of products and consumables, such as food to the Island. Downstream emissions are those emissions that are associated with the end of life emissions from products that 775 are not processed on Island, as well as emissions from travel and transport off Island and emissions associated with investments.

But what about goods we buy that are produced overseas? The answer is that there is currently not a comprehensive off-the-shelf methodology for assessing the upstream and downstream emissions associated with our consumption and use of products and I think, for most of us, doing 780 our bit practically is something that is comprehensible. I think when we look into aspects, particularly Scope 3, then it certainly becomes a more demanding objective to reach.

However, the policy is clear that we should look to include wider Scope 3 emissions as soon as it is practical to do so. The policy sets out an emissions hierarchy on how the Island can begin and continue to avoid, reduce and replace/offset greenhouse gas (GHG) emissions in a hierarchical 785 approach.

The Greenhouse Gas Bulletin will continue to measure emissions on an annual basis, which will be important to show how changes made by the Island have an overall impact on reducing emissions. It is important that States' operational functions and strategic goals are aligned with the emissions hierarchy, as well as the energy, waste and transport hierarchies, and follow the emissions 790 accounting principles in order for the Island to meet the net-zero target.

The Climate Change Action Plan should be adopted and implemented by the States as a whole. The Climate Change Action Plan captures the ongoing, existing and planned actions and areas of focus to achieve the aims of the policy. This is a live document and will be continually reviewed and updated. Actions can be added to or removed based on a change of circumstances and progress made. This will be published regularly for transparency and accountability purposes.

The policy priorities to mitigate climate change are in the areas of energy, including the decarbonisation of supply, transition to sustainable transport, waste management and minimisation, and the protection and enhancement of our natural ecosystems. There are also policy considerations linked to climate adaption including the maintenance and improvement of our sea defences and flood mitigation.

Policies for energy, waste and transport are aligned with the Climate Change Policy through the hierarchies, which support the minimisation of emissions. Other States' strategies and plans, such as those relating to land use, are also aligned with the Climate Change Policy principles. This will allow for the Island to be well-prepared and resourced to adapt to the effects of climate change in good time. A proactive approach would be much more cost-effective and efficient than a reactive approach.

Another Proposition is that Guernsey's policy on the importation and sale of internal combustion engines, or ICE vehicles as they are known, shall be aligned with the United Kingdom to phase out the sale of such vehicles by 2035. Similar policies are being introduced internationally and are accelerating the transition to lower-carbon vehicles. With most Guernsey new vehicles already imported from the UK, this sets a clear direction for manufacturers and consumers in the motor trade and this allows for a phased approach to take place.

In addition to supporting emissions reductions, aligning to the UK's timetable critically removes the possibility of Guernsey becoming a graveyard for petrol and diesel, as happened through the 1960's and 1970's with asbestos.

The reduction of motorised vehicle numbers on the roads during lockdown resulted in significant improvements in air quality. While it is hoped that this will continue to benefit from the reduction and pollution as the Island has maintained, it is hoped that we can achieve those lockdown levels through active travel, through methods of public transport use, phasing in the electric vehicle community, and that will help us further improve our air quality.

Guernsey's natural environment has a vital role to play in climate change adaption and mitigation. The Biodiversity Strategy for Guernsey has recently been redesigned as part of the five-year review. Guernsey's 2020 Strategy for Nature, which can be seen in Appendix C, includes high-level objectives and an action plan, which acknowledges the intrinsic link between climate change and nature.

The Strategy for Nature is vital for overcoming the challenges and threats to Guernsey nature, just like climate change, and it is not achievable by one team, Committee, Board or Authority, but within the States as a whole, for an organisation to act as one. At this point I would like to thank Deputy Dawn Tindall, as Chair of the DPA, because the supplementary planning guidance now includes the action for nature plan and it is a live document and it is now informing decision-making. Having such things actually aids and assists developers, because they get a feel for a site before they enter into lengthy negotiations and mediation that can be expensive.

All of us recognise the natural world is continually changing and there are many ways we can and must work together to care for it, now and in the future. The wider States, through to parishes and individual landowners will each have a role to play. Like the existing Energy Policy 2020-2050, the Committee has aligned the Climate Change Action Plan with the Strategy for Nature five-year action plan to ensure the successful integration and delivery of these intrinsically linked priority areas.

Moving on to the green economy, it is recognised that as well as addressing environmental issues, socio-economic factors will be integral to this priority area, which may include local action to mitigate climate change and environmental degradation, local policies to stimulate the green and blue economy, and promote environmentally sustainable economic development. International

action for overseas aid focused on climate resilience and international action through our role as a green, sustainable finance centre. And that has to be genuine. Guernsey cannot afford to look like we are doing anything like greenwashing.

The climate change action policy letter and Action Plan also seek to further support the development of Guernsey's green, sustainable finance leadership position. There is common agreement that the legacy of the Covid-19 crisis has to be about the need for a new order in the economy and society, and not simply the restoration of an old normal wrapped up in new language.

We can be confident, having consulted with Guernsey's finance sector, that sustainable finance is going to be front and centre of the post-Covid world. The Climate Change Policy considers the role of sustainable finance as a route to being a force for global good and for investing in green outcomes. We have an opportunity for Guernsey to align its own policies, financing and procedures with global sustainability objectives in order to drive green investment and to contribute to the expertise, and thinking through funding of research and the potential establishment of a Channel Islands sustainable finance institute.

Climate change has become one of the overriding global issues of the century. The current crisis teaches us that early and decisive action is critical to tackle global challenges, enables us to understand better the more severe consequences that we could face if we were to fail in dealing adequately with climate change. And while the pandemic can eventually and hopefully be cured, global warming is a harder issue to resolve and the rising costs of taking no action today always need to be considered.

Viewed through the lens of the States of Guernsey Covid-19 Recovery Strategy, this Climate Change Policy actively contributes to a sustainable economy, community and health and care recovery plan. During the Covid-19 global pandemic, Guernsey has shown how it is small, but still it was an inspiration for other jurisdictions.

The Guernsey together spirit has seen us accomplish great things. If we can apply that same spirit to initiatives such as this and we can ensure our Island is sustainable and resilient to possible future climate change impacts, that would have an impact on generations to come. And with that in mind, sir, I would ask the Assembly to endorse the Plan.

Thank you.

The Bailiff: Deputy Inder.

Deputy Inder: Sir, I have only got a couple of questions for Deputy Brehaut when he sums up. I am just looking at 15 and 16. Now, on Proposition 15 we talk about making it legally binding to phase out the sale of ICEVs. It is required by 2035. I genuinely believe that Guernsey does have an opportunity to go to full electric and I must admit, as a classic car owner, I will miss the sound of a V8 petrol engine and the throb and the feel of that heat coming through the gearbox, and the smell of the cockpit. For some of us who have been brought up with those types of cars, the reality is that is the way we are moving. So a couple of questions here on 15 and 16.

To agree that Guernsey's policy on the importation and sale of internal combustion engine[s] ...

Does that include a commercial vehicle as well? ICEV is a fairly all-encompassing word and I am fairly sure at the moment we have not got too many electric engines, which are going to be taking our products around the Island in HGV vehicles. I would not mind trying to understand what that actually means. If it is just related to saloon cars, as I understand it, I get that.

But, I just want to touch on one thing, and I will declare that I am a classic car enthusiast, as I have said before. Is this going to preclude the hobbyists, those of us that own smallish cars stuck in the garage? We have got insurances that only allow us to drive these cars for 1,500 miles a year. Is this policy going to preclude people like us carrying on with our small hobbies and having those Sunday spins and reminiscing about the days that we never actually lived in back in the 1960's and 1970's? That is a question I would like answered.

Finally, sir, I have heard the line before, and it has come out of E&I about the dumping of diesel as cars are road litter. The difference between 15 and 16, I think 16 brings 15 a lot further forward, because we are looking at phasing out ICEVs by 2035, yet on 16, it sort of says there will be no further importation of any sale of cars which do not pass the current Euro standards. I think it is a bit unfair to say that every single car imported into Guernsey is a knackered old ... sorry, a *kaputt* or *foutu* old diesel, because the reality is we do not create wagons here and there is a genuine, legitimate trade and sale in cars which are not those old diesels. They might be one rating less than the EU standards were last year, but that does not make them as bad as can be painted. As Deputy Brehaut said, they are not all broken, old diesel and petrol engines. So I would like some confirmation on that.

Finally sir, hopefully to speed this up a bit, I think the Guernsey Strategy for Nature is a very good document. Now, I went to the presentation last week and as someone has been brought up on the beach – and I think Deputy Paint will know, just give me a pen knife and a string and I will probably be able to survive on there for the rest of my life – do you know, one of the saddest things I heard is that, I think it was either Mrs Henning or Henney had been going around, anyway, one of the education leads had been around the schools in Guernsey, and I believe that she reported that over 50%, or something along that, a worrying degree of our students, do not seem to have any exposure to nature at all.

I think she said something along the lines that none of them had been rock pooling, very few had spent any time down on the beach or out in the natural environment. So, in that regard, as someone who has been brought up on the beach and out as a countryman, I commend that effort and I am genuinely surprised – maybe I should not be surprised with the rise of the internet and the rise of devices. In that regard, sir, I will be supporting that in its entirety but I do have some problems with 15 and 16 and would seek some clarification before I could commit to voting for any of those two Propositions in the policy letter.

Thank you.

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you very much, sir.

Firstly, I would like to commend the points Deputy Inder has made. I know it is a side issue in a way. But I do know, and have lobbying from time to time from enthusiasts of classic cars, veteran cars and vintage cars, and I am myself a little bit of an old bus fan and steam trains that we have. Well, we have got a train, a classic railway in Alderney using old underground railway cars pulled by Molly and Elizabeth the diesels. And I think my point is I know that some preserved railways in the UK are worried that a zealous interpretation of climate change will prevent veteran railways, could be veteran boats, veteran cars, who knows, veteran trams, seafront enhancement, whatever.

I do not think that is the intention of this and I would have thought that the sensible implementation of climate change, going towards zero emissions in 2050, would actually be perhaps not only trying to convert these things a little bit better but effectively offsetting, providing a net increase on both a local and a global scale. So I hope that point is taken on board.

I was a little miffed, I suppose, to read recently a *Press* editorial, which said that the plans lacked ambition, because I think, to be fair to Deputy Brehaut and his Committee, they have gone as far, I think, as resources allow them to at this stage, because we know that Policy & Resources, especially at an Environment & Infrastructure Department level, even with Planning, have been relatively scarce.

So they have gone as far as they could in terms of money and people, and I would be the first to say that they do in fact, in the longer term, need more biodiversity officers, either directly employed or employed with third parties, partnership of purpose, whatever. I would also say that there is in the Island a clear divide, not necessarily a political divide, but a cultural and philosophical divide between people in the Island who are really keen on environmental matters and very much want to embrace the mitigated climate change model and those who perhaps look backwards to a

different time when people felt proud to buy and increase oil-burning motor cars and that kind of economy.

Whenever we see any ideas about changing traffic or practices in the Island, you usually get half the population eager and the other half resistant, and maybe some people a bit in between. So I think it is a difficult one to call and they have gone as far as they can, but the recent demonstrations of the public, whether it would be the younger people from the sixth form centres or the numbers present yesterday, indicate that at least a number of people are very much behind this States' initiative.

Talking of greenwashing, I often think I could do with a green wash. I have had a bit of a blue wash today. I think my pen has exploded upon me and causing some ink problems. I had an early Committee meeting yesterday morning with some States' Members and then I thought, 'Well, I had better go out and meet the demonstrators'. So I did. There I was, carrying my little coffee cup, and it was so hot I put it in the plastic cups as well and I got really popular for that. I was not exactly booed, but I certainly was not flavour of the month with the numerous demonstrators outside because they were concerned that I was carrying a plastic cup.

I mention that because it is a micro element but it is an example of how, on a philosophical level, the States are really working at a high level, a policy level, but we are not actually walking the talk always. In this very Court building I am surrounded by too many plastic cups that all come out together, but we have a hierarchy in this building whereby senior Court figures have glasses made of glass, we have plastic cups, or one or two more ecological people are actually bringing in their own, which is very useful. But why are we having plastic cups still in our water dispensers?

I ask the question because one of the little things I do – some people would say I go for the lunch, but I actually go to be educated and to stimulate myself too – I go along to the Guernsey Chamber of Commerce environmental sustainability lunches. I met many interesting people there, including Deputy de Sausmarez and her husband Mr Rollo de Sausmarez, who is one of the leaders of the group, and Mrs Miller was as well for a while.

What you learn is that there are toolkits to educate yourself and businesses, and most ambitious companies, companies full of young and dynamic people especially, are changing the way they think and the way they work. But the one question that was posed to me when I was lapping it all up was, 'Come on, Deputy Gollop, John, who are the people in the States who are championing environmental ...?' Of course, I could mention five or six Deputies.

Oh, Deputy Dudley-Owen ... I give way to Deputy Dudley-Owen.

Deputy Dudley-Owen: I thank Deputy Gollop for giving way, and Deputy Gollop may remember some time ago, if he sits on the Committee *for* Employment & Social Security, that we all received a letter from Deputy Brehaut and his team at Committee *for the* Environment & Infrastructure asking us and various Committees to think about ways that we could improve our carbon footprint, reduce our wastage, especially in the use of plastic and I myself have requested Members to bring in water bottles, reusable water bottles, and it is always disappointing to see people bringing in the plastic cups. But I have spoken to Court staff about it and it would be really great to see, across the board, a reduction in the use of plastic across the States.

So I think efforts have been made to ask about it but obviously it is about the action being taken, which is what it is all about today.

Deputy Gollop: Deputy Dudley-Owen has made my good points for me because although it might be seen at one level as minutiae – and as Deputy Dudley-Owen has shown, you can bring your own recyclable products – it nevertheless illustrates a cascading point of a hierarchy of waste management; because people think waste management is all about recycling. Actually, it is not. It is more about reducing the waste you use and building back better.

But it also makes the point that I am coming to, that one of the arguments probably Deputy Graham made and Deputy Dudley-Owen has reiterated, is really all States' Committees, whether Principal Committee level or other Committees, should have a policy in place of a champion

to improve their environmental management and ecological sustainability, and I am not really seeing that on Committees generally. More to the point, we need clear definitions of who is the staff member, the officer responsible as part of their processes and procedures to ensure that is happening.

1000 The question I was asked: who is doing it at senior officer level in the States? And we are talking here of buildings, we are talking about energy use of everything from housing to principal buildings to use of land. An issue that came up in the talk Deputy Inder mentioned, was the sort of billiard green culture of a few years ago when all habitat and useful biodiversity was taken away by perhaps overzealous mowers – maybe there were too many staff employed at the time by States Works, I do not know. But that is an issue.

1005 We also need to look at procurement and ensure that people in procurement are focused upon the environmental agenda and it is not just greenwashed. So there you are, I have gone from bluewash to greenwash. That is where I am coming from and I must get rid of, or recycle, these plastic cups that all come out together.

1010 In moving on to more of the substance, we are going to see more work done from the Committee. We need to clearly prioritise opportunities to increase local carbon sequestration. We need to work with the motor car industry in order to get these changes across. Maybe ... we have subsidised e-bikes. Some people have liked that, some people have not. Perhaps it has been targeted on people who did not need it. In fact, you could argue that. But we, maybe by the same logic, need to do something to kick-start the battery, hybrid and electric car markets because they are still perhaps £2,000 or £3,000 too much to be attractive to the average consumer on moderate means.

1015 I do agree with the Strategy for Nature Action Plan, but Deputy Tindall made an excellent point at the presentation in saying you cannot just have a nature action plan when you seek ambitiously to give a material, financial value to biodiversity, habitat and green lungs and green spaces. If you are trying to do that against conventional surveyors, land management values and property values, you have to create a policy that is robust enough to inform planners at the DPA.

1020 Unless we are going backwards to a more Committee-run system, whereby people make decisions on the roof, if we are not doing that and we are focusing on a more structured, professional, policy base, we do need clear guidelines that are robust enough to face traditional review in tribunals, and that point needs to be developed in this.

1025 In a way, it is a pity that Environment & Infrastructure have been separated from Planning, because the two have to work together. But I do agree with the aims and the inspirational work of the team, including the talk we had with Mrs Herschel on that matter.

1030 I am intrigued though that we turned down, despite Deputy Hansmann Rouxel's excellent speech a month ago, an independent panel to look at pursuing and pressing ahead for disability equalities and anti-discrimination, but we are here being proposed to investigate the necessary steps to establish an independent advisory body. That could be a good kick-start, because one of the things we have learnt is there are far more able people than some of us here, in the community, who are aware of environmental flora and fauna. **(A Member: Hear, hear.)**

1035 But at the same time, we have had a little warning, a discreet suggestion I think, from E&I, that maybe, although we rely on the excellent enthusiasts, hobbyists and graduates and postgraduates, who work for nothing in many cases in terms of monetary reward on the environment and have done for over a century, we do also need, from time to time, professional facilitators and managers. We need to resource those and we need to ensure that we are competitive with other islands. Some of us have gone to Jersey or the Isle of Man over the years and they have a lot more resources in this respect and I am sure Deputy Brehaut will comment on the need for us to, dare I say, employ consultants. I know Deputy Paint does not like consultants but he said half the time we are wasting our money. He might be right, but half the time we are not! So you could look at that both ways.

1040 Another interesting point is I am actually a member of the England and Wales Green Party and they are perhaps a bit radical compared to many of us here and they quite like the idea of citizens' assemblies. I remember attending a debate on that and somebody said, 'Supposing you formed a

citizens' assembly and it came out with the old-style Conservative/Tory views?'. He said, 'We would have to get rid of the citizens' assembly because they were not coming up with the right policies'.

1050 But the point is citizens' assemblies are a risk because you never know who is going to be involved with them and in a way, a citizens' assembly is a form of referendum because it is a way of suggesting we have not actually got the right decision-makers in the public sector and in the States of Deliberation if we need that. If we have to rely on the good sense of the citizens – well, they probably always have better sense than us, I do not know – it does suggest a failure of democratic accountability.

1055 Nevertheless, it may well bring to the fore people who actually have more day-to-day knowledge of gardening, fishing, agriculture, horticulture – everything. So I support that as well. But it is not in itself an answer. You cannot abrogate decision-making entirely to these other groups, new bodies. We need to own what we do and ensure, as I said earlier, that holistically it goes down from top political level right the way to facilities management, management of buildings, management of coffees in the cafeteria and so on.

1060 Integrated Transport Strategy: again, I think we need to realise it is much more than just an Integrated Transport Strategy. I have often thought we have seen financing the bus services from the wrong perspective. Sometimes you see angry letters in *The Press* saying, 'What has it achieved in terms of reductions of peak-hour traffic?'. Well, there have been reductions and there have been a significant increase in use in an average year, which is against the UK trends.

1065 But an improved bus service is much more than environmental sustainability. In fact, it is probably better to walk or use an e-bike from a purely environmental point of view. Improved bus services are part of social inclusivity, social services, tourism services and education transportation. So it goes much wider than just an environmental matter.

1070 I think too, as I have said before, we need to work together with the motor industry, rather than having what we may have seen a few years of kind of two parties, with public debate going on and a certain amount of static and hard feelings. Yes, we should go along with the Paris Agreement. Will we do the same with disability and anti-discrimination? I do not know. I do support greater work with the Global Island Partnership.

1075 So as far as it goes, I support all of it. But I think it needs more money, more people and I also think that, to a certain extent, it needs more work on marketing communications and public relations, because at the moment the excellent work done is communicating to the third or half of the Island who are already believers. I think the next stage is to build a wider campaign that brings in some of the doubters as well.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

1085 First of all, I commend the Department for E&I for the work on this. It is quite a complex area to get your head around and I think they have done a very good job. I am not going to spend a lot of time talking about many things, just a couple of points I would like to make.

1090 I think Deputy Brehaut mentioned Scope 3, which was the recording of carbon created off Island. I think we are looking at the idea of looking at cruise ships as part of the scope but I would think you have also got an opportunity to record the number of cars that are coming into the Island, and that is already in E&I's gambit. We also record the number of cars that are no longer in use as well. So there is a reasonably good – I appreciate when practical to do so, but – I think there is a really good opportunity to do that now.

1095 The same with white goods because, again, I think most of the white goods, or a large proportion of white goods – fridges, washing machines, etc. – are exported through the facilities that we have now at Longue Hougue. Really, I am guessing, but I think it would not take too much work, but for every washing machine that is taken down to the Longue Hougue site, there is probably a new one that was put in someone's house to replace the one that came out and the same for fridges etc.,

and even probably for TVs. So there is a reasonably good chance that you could almost back design it that for every item that comes out there is probably a new one that has gone in to take its place.

The final point I want to make, it is one of my pets, as it were, is a new electric car is not carbon-free. There is a substantial amount of carbon that goes into making a new car. So Mrs Le Page, who is running a well-maintained, small petrol car, it is probably better for the planet for her to continue to do that, doing 1,000 miles a year, than it is for her to buy a one-tonne, new lithium battery car that spends six days of the week sitting in a garage in Torteval. So, please, it is not necessarily for the planet the best thing to have a new electric car. There will be circumstances where it is very much so, especially if you are high mileage users etc. But there are circumstances where it is not and I just want to make sure that we as a Government send out – and I think that is something for E&I to do – where the tipping points are and where it is useful to make an investment into an electric vehicle and where actually, for the planet's sake, it is probably better that you do not.

So thank you very much, and thank you to E&I.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir.

I completely support this strategy, this policy letter. I wish it had been rather more radical and I hope that we, as an Assembly and E&I, can move on to the implementation stage and the Action Plan as soon as practical – in fact, tomorrow. I say I wish it was more radical. Actually, the Action Plan is quite radical and if those proposals had actually been in the policy letter I think we probably would have been able to fill the eight days, which hopefully it now looks like we are not going to. But there is some interesting stuff and I think there will be some interesting philosophical debates in the States and wider when those various parts of the Action Plan are brought in.

I am sorry to sound like a broken record, but I would have quite liked to add to the Action Plan. There is stuff in there about using the overseas development programme for carbon offsets in other countries, and I support all of that. But I do feel very strongly that we should be planting a heck of a lot more inside the Bailiwick.

Okay, maybe in the welter of paper I have missed something here, but I think actually Guernsey has recovered quite well from Dutch Elm and actually the Free Trees Scheme brought about, we have got quite a wooded Island. But I have made this point several times. I do think that inside our Bailiwick we have an Island which would benefit greatly from a huge number of additional trees in the form of Alderney.

I know that, having spoken to Representatives in Alderney, and had correspondence with the Alderney Wildlife Trust, I think is the name, that they would welcome that sort of initiative as well. And I think it could just be a very tangible, local thing that people inside the Bailiwick could see, particularly now so many people in Guernsey have rediscovered Alderney and it is not a mystery black Bermuda Triangle off the Cotentin Peninsula any more for many people. So I would really like to see that investigated at the next stage as an early adoption where we could actually see something happening.

The last point I would make is that Deputy Gollop talked about he wanted more money put into it, but he was worried that initiatives might be targeted at the wrong people. We have heard all this about the e-bike subsidy being a middle-class subsidy. In the last debate we have just had about long-term care, in the next debate that we are going to have about whatever it is called, the P&R one about not leaving anybody behind and helping people who need it most, I think that is a fine consideration. But I think sometimes you just have to say that if you are trying to achieve something with a limited form of money, you just have to move it in the most effective way to achieve the outcome you want. So it is odd, because the same people who say it was a middle-class subsidy have spent most of today saying the middle class are what really actually counts in Guernsey.

Actually, what I have seen as a result of the e-bike subsidy is a huge increase in the number of people pedalling around. I do not care if they live in a States house or a private rented house, or

own a modest home worth £350,000, or are millionaires. It has achieved its effect: it has got more people doing that instead of driving around in boxes, be they electric or be they internal combustion engines.

1155 So I think when it comes to the environment it is what gives you the biggest bang for the buck, rather than actually looking about what can be criticised as not being totally pure in social policy terms. So I really urge us to do what is effective and not be scared of our own shadows, not be hearing the criticism from people who will just look for a way to criticise anyway.

The Bailiff: Deputy Paint.

1160

Deputy Paint: Deputy Gollop spoke about doubters earlier on. I must say that I am an extreme doubter. I do not believe half of what I hear. I have spoken on it many times, which I am not going to repeat today. But I have got proof now that you have got to look at things better than what we have been.

1165 I am talking about the Longue Hougue South reclamation area. The people who are supposed to be the guardians of biodiversity and other things actually voted to fill the Longue Hougue. I am not going to use the word 'e', but is that not strange? Were they offered something if they voted that way? I am beginning to suspect –

1170 **Deputy Hansmann Rouxel:** Point of order, sir.

Deputy Paint: I am not stopping.

The Bailiff: Point of order, Deputy Hansmann Rouxel.

1175

Deputy Hansmann Rouxel: Sir, I believe that the inference that Deputy Paint is making needs to be withdrawn. The inference that Members were voting because they received something is an inference that there was somehow a bribe.

1180 **The Bailiff:** Deputy Paint, I think that is a very fair point from Deputy Hansmann Rouxel. If you are making any suggestion that Members might have voted as a result of receiving something then that is a very serious allegation for you to make and I would invite you to withdraw that and clarify what it is you are saying.

1185 **Deputy Paint:** I was not making that accusation at all, sir. I do not believe there is any bribery that goes on in this Assembly at all. But deals can be made and that is what I was making.

The Bailiff: There may be discussions between Members as to how they are voting, is that what you are saying?

1190

Deputy Paint: Yes, sir.

The Bailiff: Thank you very much.

1195 **Deputy Paint:** I will clarify that. I do not believe that anybody in this Assembly would stoop low enough to be bribed for some gain for themselves. But they may be asked to vote in a particular way to achieve something else. That is what I am saying, sir. Is that okay?

The Bailiff: Yes, Deputy Paint. Please continue.

1200

Deputy Paint: Right, sir. I had to say that because I feel that there are a lot of things that do happen in around Guernsey, that are used – I should have said this in the last speech but I will say

it now anyway – that a conclusion to something is generally told, with experts, what conclusion have got to come to. That is what I believe might be happening and this is exactly the same as what I am speaking now. I have evidence of that, but I am not going to go through that now.

I am a huge doubter over this because of what happened, because the people that are looking at our biodiversity and everything actually all voted to fill in the Longue Hougue South. There is a meeting next Saturday or Sunday there and I am going to go to it because that is what I believe and that is what I will be saying. You just cannot start doing things one way and change to another because –

Deputy Merrett: Point of correction, sir.

The Bailiff: Point of correction, Deputy Merrett.

Deputy Merrett: I am sure Deputy Paint said that we all voted to fill in Longue Hougue South and of course we did not all vote that way, sir.

Deputy Paint: Then I ask Deputy Merrett if she is on E&I? (*Interjection*) I know she is not, that is why I just asked that. I said the Members of E&I.

The Bailiff: Deputy Tooley, please do not engage in a conversation with a Member who is speaking.

Deputy Paint: Sorry, sir, I was looking at her, but I was actually speaking through you.

The Bailiff: Deputy Paint, please continue your speech.

Deputy Paint: Thank you. I am not going to say much more, but I have really not a lot of faith in this global warming. I just do not. I think it has just been pushed on to the people and keeping them in fear. That is what I think and that is what I am happy to say.

Thank you, sir.

The Bailiff: Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

I think one of the issues here is writing a report of this nature, with strategies and policies and so on and so forth, and a lot of people will say, 'Another strategy, another load of policies that could have been put forward many years ago'. The fact is that what people want, I think, to see, and what is more important, is to see things done on the ground, rather than sending out all these reports and so on and so forth with all these ideas. And yet one is disappointed that a lot of things have not been done.

I think also with something like this, which is to mitigate climate change, one has to be very careful that we are not doing the reverse and going against, in fact, almost anti-climate change in some respects. I just take a look, for example, at a biodiesel. That has been put forward on page 100 as one of the action points for trials with regard to public transport. Biodiesel has been shown to emit more nitrogen oxide than burning mineral diesel. It is generally considered now as worse than mineral diesel.

That is not the way we should be going. I maintain we should be looking, and this is missed opportunities too, with this States, where we have missed the opportunity of bringing in, at least testing, if we are going to be testing, electric buses in the Island, which I stated before we went into buying more diesel buses. That was a missed opportunity with regard to Guernsey moving forward.

1255 But there are other opportunities that we have not taken. For example, the hospital incinerator in the middle of the Hospital, which is having an effect with regard to the health of Islanders, particularly in that area of St Andrew's and more broadly.

Deputy Soulsby: Point of correction, sir.

1260 **The Bailiff:** Point of correction, Deputy Soulsby.

Deputy Soulsby: The emissions from the incinerator are well within health limits and it is tested regularly. Although I will say they are looking at replacing the incinerator in due course anyway.

1265 **The Bailiff:** Deputy de Lisle to continue, please.

Deputy de Lisle: My point is that it should have been replaced years ago and taken out. You do not have an incinerator in the middle of a hospital. That is the last thing you do. You are supposed to be going into hospital for treatment, not to be polluted with pollutants from an incinerator.

1270 It is not only that, it is the power station as well. What action has been taken in terms of polluting St Sampson's residents and Island homes with sulphur and small particles, which are affecting the health of Islanders? These are actions that should be taken and we do not need a full policy strategy report to get on with it: we just do it.

1275 With regard to the work on nature, which was really biodiversity, I think we have to be clear here that the Environment Department has been working on biodiversity since 2007. As Minister of the Environment in 2007, I set in motion for Guernsey to become a signatory to the convention of biodiversity and proposed further designation of Ramsar sites in the Bailiwick to safeguard the natural environment. But that was in 2007. What has been done by the Environment Department since then?

1280 Now we have got a report on nature. But the report on nature is making the suggestion of biodiversity. It is a biodiversity report. Why change it to nature? Nature is more static in its term, rather than biodiversity, which is active.

1285 So I think we have to credit the Department where credit is due, that they have been working on this for a long time, and make the point that very little has been done rather than perhaps repeating the point that we should be doing something in this area. This is my point with these policies, strategies and so on. It is very important to be active. That might be one of the points that is being made by *The Press*, that it lacks ambition, the policy. In other words, there is some frustration out there that we are not active enough.

1290 Another point of mine is with respect to Deputy Brehaut, who talked about greenwashing. Now, I think one has to be quite clear here that on page 61, I think it is, of the document, there is talk about electricity generated off Island from 100% renewable energy sources. Well, we know that what we import is 75% nuclear.

Deputy Brehaut: Point of correction, sir.

1295 **The Bailiff:** Point of correction, Deputy Brehaut.

Deputy Brehaut: This is really an important point to make: that the French government oversee a regulatory body that certificate the generated electricity and the source has to be identified and the imported electricity is 100% renewable. It used to be 70% nuclear and 30% from the Barrage de Rance, but that simply does not happen any more.

Deputy de Lisle: The contract, as I understand it, is to 2022 and that contract remains the same as it was initially framed. That was with respect to nuclear energy. The point is we are also pushing the fact that we need to, in our energy policy, move towards another cable, to bring another 100 megawatts of electricity through that cable, when already the existing cable is providing us 85% of our electricity. You just wonder why we would be spending £100 million on that, rather than perhaps moving more dramatically into renewable, on-Island energy through solar and wind.

But just to get at that point of importing energy from the Continent. In November 2000, the world recognised nuclear power as dirty and this is another thing that is being spelt out with regard to the objectives here by Deputy Brehaut, wanting clean energy, clean sources. In November 2000, the world recognised nuclear power as a dirty, dangerous and unnecessary technology, by refusing to give it greenhouse gas credits during the UN climate change talks in the Hague.

Nuclear power was dealt a further blow when a UN Sustainable Development Conference refused to label nuclear as a sustainable technology. So I think we have to be very cautious as to the importation of energy from the Continent and in terms of nuclear power, which is not carbon-free, because of the operation of mining, milling, fabrication and enrichment of uranium. And the fact that nuclear power is seven times more carbon intensive than its closest renewable competitor, which is wind-power generation.

So I think, in conclusion, with the few words that I have made, it is more a matter of being active, being proactive and actually doing things; and also making sure that in fact we are going in the right direction in terms of reducing climate change. And you know, the Department has had many opportunities to see that some of the seething frustrations of the people of Guernsey are actually dealt with. For example, the Fermain wall, the steps there near the Aquarium.

Those sorts of things, a contract can be given, surely, quickly to local people to deal with these issues and get on with the job and show that the threats of sea level rise are dealt with as quickly as possible by taking action, rather than writing reports and providing excuses, rather than actually being dynamic and proactive with respect to working on current issues that will alleviate some of the climate change problems and biodiversity problems that we have at the current time.

Thank you, sir.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, I will be quite brief, you will be glad to hear I am sure. But I thought I would have to speak about the links between climate change and health, as many people would expect me to after four years in the job, because climate change and health are inextricably linked. Climate change adversely affects the wider terms of health.

It impacts on the quality of the air we breathe, the safety of the water we drink and in the Bailiwick the water that we swim and surf in. It has consequences for the supply and quality of food. Developing countries receive further hardship and devastation from natural disasters, something we currently do not experience. Rising air temperatures will likely see an increase in the incidence of skin cancers. Extreme high air temperatures contribute directly to death from cardiovascular and respiratory disease, particularly among elderly people. I think it was only a couple of years ago, Members might remember, the extremely high temperatures in France which caused quite a large number of excess deaths.

Pollen and other air allergen levels are also higher in hotter weather, which can trigger asthma, and ongoing temperature increases will only aggravate these burdens. Measures that discourage vehicle use will make the roads safer and may encourage more active travel within the community. Fifty six per cent of Bailiwick residents are overweight or obese and creating environments that

support physical activity will help to change this. Physical activity can also be used as a complementary strategy with other measures to prevent and manage mental health conditions.

1350 The Healthy Weight Strategy and the Mental Health and Wellbeing Plan for Guernsey are led by the Committee for Health & Social Care, but it is evident that there are common goals with the Climate Change Policy and Action Plan which can be achieved by working together. Indeed, this is a clear example of how health and well-being is a responsibility for the whole of Government, not just Health & Social Care, and how policy decisions we make here impact the wider determinants of health. It is not the first time that I have said that and I will keep saying it.

1355 Ignoring climate change will only create greater inequality, both economically and socially. It is as simple as that. I do agree with Deputy de Lisle that we need to see more action and I also think Government could do more and lead by example. Certainly, Health & Social Care has done its bit by reducing plastic in the PEH restaurant, supporting bus usage and e-bikes for staff, amongst other things. However, we can all do more and should, because climate change is real. The science proves it. The science was there when I studied climate change at university – which is yonks ago now – and it is overwhelming now. As I say, woe betide us if we ignore it. We will all be the poorer for it if we do.

So I do encourage Members to fully support the climate change policy letter.

1365

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

1370 I think Members will be relieved to hear I do not have a big grandstanding speech to make on this. I am glad we finally got here. I would say we were really keen to publish, actually, much earlier in the year, but decided it would be prudent to wait for Revive and Thrive, so that we could make sure that the two plans were working together in the same direction. So that perhaps explains the delay.

1375 Deputy Gollop was talking about champions and I was part of that conversation that he referred to. I think it actually points to one of the more fundamental problems that we have had with climate change. We have always had individual pockets. Climate change relates to so many of our States' policies and we have always had individual pockets of focus on it, but really this policy is the first opportunity we have had to bring all those threads together in a more co-ordinated way and actually get an understanding of that bigger picture.

1380 I think also, going back to Deputy Gollop's point, one of the massive problems that I have become increasingly aware of is that we just do not have adequate levels of expertise within the States. So we have different pockets of expertise dotted around but, actually, when it comes to things like championing environmental causes or action on climate change, really it comes down to those sort of happy amateurs, like me or whatever, to be jumping up and down.

1385 Individuals, as Deputy Dudley-Owen made the point, can and do and have made a difference and I hope they will long continue to do that. But frankly, we need to make it easier for them. We should not be relying in individual goodwill in that respect and it has become increasingly obvious that we do have a deficit of expertise and if we expect States' Departments, Committees, to be able to take account of actions and the impact on climate change and take action in terms of mitigating those impacts, then we really do need to step it up a bit and take it a bit more seriously. That is why we are advocating investigating setting up an advisory body. It is precisely for that reason we do need (a) more expertise and (b) a more co-ordinated approach so we have a uniformly robust framework.

1390 Deputy Gollop also talked about the citizens' assembly and I will take the opportunity to reiterate that this policy letter is for high-level policy. It sets out what we want to achieve. The Action Plan, as Deputy Roffey alluded to, is really putting some shape to how we think we might achieve that, and it is absolutely, fundamentally important that that involves a good degree of community engagement. And I completely agree with Deputy Gollop when he says we need to step up communication. That is indeed what we envisage doing, because it is absolutely vital.

1400 I would say that we are not planning, in proposing a citizens' assembly, we are absolutely not abrogating responsibility – it would not be. We are not proposing that the citizens' assembly would be making the decisions. We are proposing that the citizens' assembly informs the decisions that would still be the responsibility of the Committee and the States – ultimately the States.

1405 But I think it is really important, because it is quite easy to agree on what we want to achieve but how we achieve it could be done in so many different ways and some of those ways will be palatable to some and unpalatable to others. It is really important we do take quite a broad ... we test the temperature of the community, we understand where the enthusiasm for certain measures might be, where the red lines are, what measures people here think will work for people in Guernsey. It is so important that we tailor our response to what works in the Guernsey context and that is why we are proposing those measures.

1410 Deputy Brouard talked about Scope 3. I think Deputy Brehaut will probably pick up most of that when he closes. But I would say yes, I think we do have relatively good data on vehicles coming in. I think that is a worthwhile suggestion. I would say, though, that my understanding is that our data on what vehicles are no longer in use is much more patchy. We lost the mechanism to collect that data, so I think it is a lot more patchy. But I think it is a worthwhile suggestion and certainly it is something that we should be looking to.

1415 Also, he and I do sing from the same song sheet in terms of EVs. I absolutely agree with him that in terms of environmental impact and specifically climate change impact it might be better, in fact it probably is better to keep an older car running well for as long as possible. It is just that at the point that that vehicle might need to be replaced, what is the best thing to replace it with? It is also worth making the point that Deputy Brouard is absolutely correct that there is a lot of embodied carbon in the production of electric vehicles and I think it is worth remembering there is also a lot of embodied carbon in the production of ICE vehicles as well.

1425 Deputy Roffey talked about local planting and I would say it goes beyond planting, because actually one of the Propositions talks about prioritising local carbon sequestration projects and I would say that we tend to default to thinking of planting: 'Trees are good and it's all about planting trees'. That is certainly true to an extent, as long as you are planting the right trees in the right places. But I would say that actually the marine environment, in terms of carbon sequestration, is even more efficient. So we should not limit our scope in that respect and it is certainly something that we hope to prioritise, and not just through States-driven initiatives either. There is already an initiative up and running that is seeking to do exactly that and I think it will make it a lot easier for the community to invest in our own natural environment as part of that effort, which I think is really exciting.

1435 Deputy Paint mentioned Longue Hougue South and I think he is quite right that many of the people who are most committed to our environment did have to vote in favour of the Longue Hougue South site, and I would not say that is because anyone wants to put inert waste there. I cannot think of anyone. Certainly no one on the Committee actively wants to use Longue Hougue South for inert waste if there could be anywhere else. Actually, I would go so far as to say I would be surprised if we could find many people in the Island who would like to use that site for an inert waste facility.

1440 But the reason – I really would like to just clarify because Deputy Paint seemed to think there was something odd going on – is quite simply the fact that no one, and believe me we have tried to find a better, more practicable site and we just cannot, has yet managed to propose a better, viable alternative, and I am afraid that is the harsh reality. It is incredibly painful that is the situation that we are in.

1445 So I think that if the planning inspector decides that is the most viable site for it, we need to focus our efforts on doing everything we can to avoid impacting the environment there and, where that impact cannot be avoided, to mitigate it. I really would ask for the wholehearted support of this Assembly to do that. That is what it is going to come down to.

1450 So in the absence of any better, viable alternatives I think we have to make the best of a bad situation, frankly, and I really do hope that everyone puts their money where their mouth is and

gets right behind any measures we can to reduce the environmental impact and mitigate the environmental impact. I absolutely urge everyone to go down and take a look at what we have got and support it.

1455 Deputy de Lisle referenced electric buses, and Deputy Hansmann Rouxel and I were particularly keen on this. It did take some time and really quite a long amount of time researching before she and I would accept the fact that – certainly at that time – electric buses that meet our three key criteria of capacity, range and width just do not exist.

1460 Now, I live in hope and actually we are talking with Jersey, the Isle of Man and quite recently Gibraltar, to see if we might be able to work together towards meeting those requirements. But there are other alternatives as well and there certainly are possibilities of moving away from diesel, in the meantime – even though it is Euro 6 and a lot better.

1465 I really would just also reiterate the point that we did have the Energy Policy debate and we did make the point there as well, but I hope I can reassure Deputy de Lisle, that we do not import nuclear energy. Hopefully, we did stress that in the Energy Policy debate and that remains the case.

1470 Deputy de Lisle is correct in thinking that up until, I think it was January this year, we did rely on nuclear. It was about 70% of what came through the cable. But there was a change in policy earlier this year and I hope I can reassure Deputy de Lisle once and for all that we do not import nuclear energy. It is all from renewable resources, which I believe are hydro and wind, predominantly. I stand to be corrected on the finer details.

Deputy de Lisle: Point of clarification, sir.

1475 **The Bailiff:** You cannot have a point of clarification, Deputy de Lisle. If you want to have a point of correction, you can.

Deputy de Lisle: Point of correction then, sir.

1480 **The Bailiff:** If you are not making a point of correction but you are inviting Deputy de Sausmarez to give way, then you would simply stand without saying anything.

Deputy de Lisle: I think it is a point of correction, sir.

1485 **The Bailiff:** Let's see.

1490 **Deputy de Lisle:** I think the Department has to talk to Jersey and find out exactly what is coming through Jersey, because as far as I am concerned the grid is the grid. The grid is 70% nuclear. It is coming through Jersey. Jersey is saying that it is 30%/70% nuclear and hydro. Just how you filter then, in Jersey, through the grid to get to Guernsey to establish that it is all sustainable hydro, I do not know.

The Bailiff: Deputy de Lisle you have –

1495 **Deputy de Sausmarez:** I would recommend that –

The Bailiff: Deputy de Sausmarez!

Deputy de Sausmarez: Sorry.

The Bailiff: Deputy de Lisle, you have made your point. It is not really a point of correction, because there was no inaccurate or misleading statement from Deputy de Sausmarez.

So Deputy de Sausmarez to continue, please.

Deputy de Sausmarez: Thank you, sir, and I would refer Deputy de Lisle, this was covered on the debate on the Energy Policy and I would be happy to go through it with him afterwards if that would help.

Finally, I thank Deputy Soulsby for her very good observations on the relationship between climate change and health and I would say that actually climate change is not something that just affects the things in E&I's mandate. It really does affect things in a wide variety, across the board, and many different Committees' mandates.

So again, I really hope that this policy is something that will allow us to take a more cohesive, a clearer approach, and personally I completely agree with the sentiments about: let's crack on. Let's agree the high-level policy. I do not think there is anything particularly disagreeable in there, I would hope, albeit there are a few requests for clarification. But as other people have said, the really important bit is the action.

We need to agree a policy as a firm foundation and really crack on and I would say we are not starting from absolute scratch. There are obviously many workstreams that are already under way, and have been for some time in some cases, but we do need to pull these together and give it more momentum. We have waited too long, I think, to get to this point and it is just so important that we get to all those important steps afterwards. So I really hope this can be strongly supported by the Assembly.

Thank you.

The Bailiff: Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

I just want to pick up what Deputy de Sausmarez has said, that this climate change policy letter touches on the mandates of all of our Committees and to say that I am fully supportive of it. There would have been a time in the past when people might have thought that Economic Development considerations were in conflict with planning for climate change or green issues. But those times are very definitely in the past.

Today, environmental, social and governance investing is very much the hot topic in the investment markets. In the response to the Covid-19 pandemic, the world is focusing investment programmes on climate change. For example, the EU has announced an enormous package of investments across the EU in response to Covid-19 and about half of the vast sums of money that they are going to plough into the European economy will be going into climate change actions.

The result is that there is an enormous opportunity now, in the world of international finance, to get on board this train. Guernsey, fortunately, starts in a very good position, because for some years now, long before Covid-19, Guernsey has been trying to position itself as a global leader in green finance. That positioning turns out to have been extremely prescient because, as I say, ESG investing is now the flavour of the month.

So, with these vast sums of money going into climate change projects, Guernsey's experience in terms of green finance, our experience in terms of fund administration, we can hope to capitalise on the opportunity and for Economic Development this represents a very hopeful way forward for the Island.

We have the skills here. We have a growing reputation, not only from our work on green finance, but also enhanced, if you like, by our reputation for having managed the Covid-19 crisis extremely well. Guernsey is in a great position to get on to this train, this bandwagon of money flowing into green projects.

Now, the opportunity will only be there if Guernsey walks the walk, as well as talking the talk. We have some good credentials for advertising ourselves as the green Island. We have a recycling

rate of 73%, which is one of the highest in the world. Jersey, just across the water, which unfortunately for them went for an incinerator, has a recycling rate of 30%. So Guernsey's green credentials are very strong already, but we have to make a really substantial effort to decarbonise our economy.

1555 Roughly two thirds of all our carbon emissions come from, in two areas: home heating and road transport. The other third is a bit more intractable because it includes air transport, sea transport and so on, areas which it is quite difficult to decarbonise using the technologies that are available today. No doubt solutions will emerge in the future. We will see electric aircraft, we will see electric ferries. But they are mostly some 10 years or more away for the sorts of ranges that we have to

1560 cover.

But in terms of road transport and home heating, the opportunity is there right now to decarbonise our economy and that is two thirds of our emissions. So we need to set in train a programme to basically replace oil and gas in the home heating system, with electricity and to electrify the road transport fleet. Only electricity, amongst all the means of transmitting energy, is both potentially carbon free and potentially renewable.

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Now, in the short term, we cannot hope to generate all of our electricity requirements from renewable energy. It will require massive investment, potentially even in say an offshore wind farm, to increase our production of renewable energy up to levels which make the Island self-sufficient. Those sorts of projects, those grid-scale projects require not only a lot of money but they will take a lot of time and will be pretty controversial in some cases.

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But in terms of simply replacing on-Island use of hydrocarbons with imported electricity, which is from renewable sources, that can be done very quickly and very easily. It will require reinforcement of the on-Island grids. You cannot simply switch all home heating over to electricity, for example, and expect the on-Island infrastructure to cope with the existing loads or the future loads.

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But it is a very complicated process, forecasting future electricity demand. We have these secular changes which are driving us towards more use of electricity in place of hydrocarbons, but at the same time we have growing energy efficiency which is reducing the demand for energy. So balancing those two out and trying to come up with an estimate of what the future requirements will be for electricity is a task for the wisdom of Solomon. Guernsey Electricity are fully engaged in that process and have been thinking about that for years – thinking very instructively about it, I may say.

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So the opportunity is there. We have the means, I believe, to achieve this. We are absolutely surrounded by renewable energy sources which we can exploit. We have massive capital flows through the Island to invest in appropriate projects and Guernsey can have a very bright future as a global exemplar of the renewable circular economy. So I see this, for Economic Development, as a massive area of opportunity, not as a threat, and I strongly urge all Members to support this policy letter.

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The Bailiff: Alderney Representative Roberts.

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Alderney Representative Roberts: Thank you, sir.

This does not actually relate to Alderney, but I am going to speak on it anyway, because I do support it. The Earth has experienced climate changes long before man ever trod the Earth. Even long before my good friend Deputy Ferbrache and myself trod the Earth in fact!

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Climate change has happened before and it will happen again and again. A new Ice Age is coming, despite the melting glaciers. New movement of populations will be forced upon the world, impacted by the seven-fold increases in population, up from one billion to an unsustainable seven billion-plus, and all in the space of little more than a century.

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But this environmental change would happen anyway, naturally. I used to be a sceptic on climate change, as I saw no marked rise in sea levels that would have caused me to change my view and convince me otherwise. My views have changed now. I have turned from poacher to gamekeeper in my environmental view of the world. The four corners of the world seem to be on fire. Floods,

droughts, storms that were never seen before. The decrease in insects has impacted on the birds that they support, and so in turn numbers have plummeted by some 70% in some places. Insects pollinating our crops, and indeed all plant life. These losses will threaten those at the top of the food chain – namely, us.

I am now totally convinced that we need zero emissions and it is man that will destroy the very oxygen we breathe and it is man that will simply cease to exist, maybe much sooner than we think or contemplate. Weather patterns and sea temperatures all over the world are symptomatic of accelerated damage of carbon fuels, where some of this damage may now be unrepairable. We may be reaching the point of no return.

Alderney is supporting and recognising the green energy need for a future-proof and surviving world. Tidal power is being forwarded from our Island, and Guernsey and Alderney need to work together and perhaps pair and invest on a clean and lucrative future. We need to support green travel, including the new, groundbreaking aircraft initiative from Harrison Aviation. This is surely the future and we have an opportunity to be world leaders here on these Islands, whatever the service format of that may be that will be acceptable to all locally. Cheaper, cleaner, electric travel is a no-lose opportunity that conventional aircraft simply cannot offer.

I would like to see all here standing for the States to give assurance of support for a carbon-free future and to be world leaders. Alderney and Guernsey working together alike in their manifestos. An enormous opportunity for the Bailiwick to prosper in this new income stream, for that is what we truly need, unlike my black eye, sir! But should we fail to act, the consequences are unimaginable and dire.

The world belongs to our children and their children's children. Their future is ours, for we will surely be judged by our actions or our lack of actions. I fully support this as it would be plain daft not to do anything else. We must set an example for the rest of the world to follow. I hope they do, as I did, realise man's folly and realise it in time.

The Bailiff: Deputy McSwiggan.

Deputy McSwiggan: Sir, thank you.

I thought Alderney Representative Roberts spoke very well and I want to respond to his speech by taking a moment to talk about building back better, language that we have all been learning to use recently. I think that particular phrase was one that Deputy Soulsby and I were bouncing around well before it became the common language of our recovery and the reason why it was familiar, perhaps, coming from our perspective, is because it is the language of sustainable development. It is the language that we use in the context of overseas aid, of international development, in the wake of disasters that are far more common there than we have so far had to experience here.

It is a philosophy of making sure that we learn from things that go wrong and we are more resilient in future, not because we hope the future will be brighter, but because we know the future will be more challenging. I think that is one of the really tough realities that we have to confront, in the wake of Guernsey's recovery from the pandemic and the rest of the world's ongoing battle with it, is that, actually, this is nothing but a dress rehearsal. The effects of climate change on the world around us are already being felt.

The kinds of needs that we have to meet, the kinds of disasters that we have to respond to that I see in my role on the Overseas Aid & Development Commission, are wounds of climate change. They are hurting the world beyond us quite significantly already. We are talking about this as some future emergency that we need to forestall, whereas for many people it is already a very harsh reality. What we are trying to do is to repair as much of that damage as we can and, I suppose, to prevent as much of that damage reaching our shores as we can.

I think that it is worth looking to the world beyond us and trying to recognise what we can learn from the world beyond us, to inform the way that we respond to climate change. Because the health challenges, the economic challenges, the food security challenges, all of that, we are in a blessed

and privileged position; that it is going to happen to other people before it happens to us, nine times out of 10. So we have opportunities to learn from the wider world.

We also have a real responsibility to continue our commitment to overseas aid and to make sure that we are playing our part in trying to heal some of those wounds of climate change, because we are getting all the benefits of a very developed and very carbon-intensive economy and we are inflicting all the harm of that somewhere else. So we do have to continue our commitment to making that good for others, as well as for ourselves.

It was just that point that I wanted to make in response to Alderney Representative Roberts' speech because it reminded me that other people are going through challenges we are only beginning to imagine in our own context. There is a world of wisdom out there that Guernsey can take and apply to our own situation; from other small island jurisdictions, who face far greater, far more existential threats than we do and from other jurisdictions not like us in that way.

We have begun to recognise that by using the language of building back better and thinking about our Covid recovery and thinking about some of the actions we can take in that recovery. We have begun to recognise that wisdom is out there by saying, 'Okay, this Climate Change Action Plan can be framed around the Sustainable Development Goals, because wisdom that is good for everyone else is good for us too'.

I just think when this Climate Change Policy is developed and put into action, we must not be afraid to be creative and to learn from others and we must also remember the responsibility and the duty that we have to others to make sure that the damage that we have already done, damage that we are never going to be able to set perfectly right, does not hit them any harder than it is already doing.

We take action to be there when food security is disrupted for most of Africa next year, because Covid has not only disrupted growing season but it has also disrupted supply chains, and again when that happens because changing weather patterns arising from climate change mean that it happens again and again and the opportunities for recovery and resilience in between become narrower.

Things are going to get worse before they get better. The external context is going to get worse before it gets better. But the only way it stands a chance of getting better and the only way we, as a community, stand a chance of getting through it, is if we take this kind of thing seriously and we take the actions that are set out in this Plan and we take them with more speed and more ambition even than is set out here.

So I will certainly be supporting the Plan.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

Deputy Inder mentioned about Proposition 15 in his speech. If you look at paragraph 10.13.1 it says:

... banning the importation of new petrol and diesel cars and vans in line with the UK's proposals ...

So the detail says cars and vans. But obviously we hope by the time 2035 comes around that, for example, my son's tractors will run on electric. As we know, we are talking about electric planes and electric marine ships. So there is a hope that we will get there at some point but we want to be in line with UK proposals, as we said, and I think their proposals are just for cars and vans at this stage.

He also mentioned about Proposition 16 and also there has been mention about electric buses. You can look at them both together because when we looked to replace our buses, the manufacturers told us that 20 of the new Euro 6 buses will produce the same nitrogen oxide and particle matters as just one of the Euro 3 buses. So although we did not make the step because, as Deputy de Sausmarez said, they were not available, we did make a massive improvement in terms of the pollution produced by the buses. And that is why Proposition 16 is there, because what we want is that vehicles are not imported into this Island which are as polluting as the old buses were.

Many cities have banned diesel vehicles from them and we just want improvement. But it is to investigate and bring proposals back. So we want to look at it but, as I said, many other cities have banned all but the least polluting diesel vehicles.

In relation to Deputy de Lisle, perhaps he has heard the same words from Deputy Brehaut and Deputy de Sausmarez. I will just repeat it again: there was a new agreement with the French in terms of the electricity this year. Actually, it is certificated, it is renewable and we actually pay a small premium extra for that renewable fuel, above what we were paying before, but we are importing renewable fuel. It does not look any different when it comes down the line but it is certificated and it is 100% renewable.

That leads into what Deputy Parkinson was saying, because the challenge is for us is to decarbonise and they only can do that with renewable fuel, renewable electricity. But in order to do that, we need to have a reliable source which is available 365 days a year, 24 hours a day. The only way you can do that is having a combination of sources and it is the fact that you have from the French, wind, solar, tidal, wave and hydro, that they have all those sources available, which means that we can have 100% renewable energy in terms of electric. Obviously, that is the way forward. I totally agree with him that we have to decarbonise, but it is a massive project for this Island to take forward and we have to do it as soon as possible. But it has to be affordable.

The one area that he did not mention in terms of generating carbon, is we are very good in terms of renewable, in terms of recycling our waste, but unfortunately we have a number of quarries which have waste which is breaking down and producing carbon. So although Jersey is incinerating their waste, they do not have the quarries that we have. Of course that is going to take a period of time before that waste is broken down and stops producing carbon. So that is one area that will happen naturally over a number of years that we cannot do anything about. There have been a number of proposals over the years to try and capture it but none have been reliable.

The only other point I wish to make is about Longue Hougue South. In over 50 sites that we looked at, this is the best practical, environmental option. Ideally, you would not fill in that area but we have to have a construction industry. If we are going to have an economy and we are going to take our Island forward in terms of decarbonising it, we have to have a construction industry that is capable of doing that.

You cannot have an economy and a construction industry without an inert waste site. Ideally, you would not have that, but this is the best practical, environmental option. People will always criticise it. Yes, we will do as much as we can to mitigate any damage that is caused by it, but there is no other solution, other than having to export all our inert waste.

I will give way.

Deputy Inder: Thank you, Deputy Dorey, for giving way.

Just back to that point, 16, far from me to get fixated on something, and Deputy Brehaut may be able to tidy up, but I thank you for referring to it. There were two things I was interested in. One is the hobbyist, and that is that bit of the collectors' vehicles, which I think are legitimate things, and that could be debated or that could be brought forward for another day. I am sure some consideration will be given.

But importantly, I think, and I do not know an awful lot about modern cars, we are up about the Euro 6 standard. Now, according to this:

will allow ... the importation of only the latest [European] standard vehicles.

In my view, if you stick with that, that is brand-new cars forever and a day, whereas a Euro 5 and a Euro 4 is not necessarily as bad as one with no standard, but it is not that awful that the second-hand car market – because that is what we import over here, often is the case – is it reasonable to effectively say that the only cars that can be bought in Guernsey from whenever the proposal be brought and the date set, are brand-new cars? I do not think that is reasonable in an Island this size.

Deputy Dorey: We are not talking about cars. We are talking about diesel-powered vehicles and some of the worst polluting ones are the large HGVs. As I said earlier in the speech, 20 of the Euro 6 buses produce as much pollution as a Euro 3. So there are step changes in those standards. But yes, the hobbyists, I am sure, can be allowed for in any proposal that comes back to the Assembly.

This is to investigate and bring proposals back to the States. This is just to look at it. I think it is worth looking at because we can make an improvement in terms of polluting vehicles in this Island. This Island has been responsible for importing, people have imported vehicles cheaply which are very polluting to this Island. That is what we want to stop. We want to have a high standard so we do not bring in highly polluting vehicles when there are far less polluting vehicles available.

I think I have finished my point on the best practical, environmental option and the importance of having an inert waste site so that we can go forward with the construction industry, so we can build a nature centre.

I give way.

Deputy Hansmann Rouxel: Thank you, Deputy Dorey, for giving way.

It is just to expand on the point he is making about Propositions 15 and 16, particularly Proposition 16. That investigation needs to look at it holistically.

Deputy Inder: That is not what it says.

Deputy Hansmann Rouxel: Yes, but an investigation is an investigation and already we do look at other things, like bridging technology, which allows the emissions of the polluting diesels to be reduced. There are other things like biofuels and whether those things will be coming in.

Deputy Inder: Point of correction ... I cannot ... Sorry. I cannot, it is a give way.

Deputy Hansmann Rouxel: I understand the frustration from Deputy Inder but I cannot understand why he will not accept an investigation that will be coming back to the States by the end of 2021.

Deputy Inder: Because that is not what it says.

Deputy Dorey: Thank you. It does say:

... and to bring proposals to the States by the end of 2021.

I have got nothing more to say on that. I will just say that I completely agree with Alderney Representative Roberts' speech and I think we are at the point of change and we have just got to decarbonise our economy and move forward so that we can have a better world to live in for all of us.

Thank you.

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

It is literally a two-second question. I just wanted to know why Proposition 1(a) was actually by 2050, if there was a reason for that?

I will give way.

Deputy de Sausmarez: I probably jumped to my feet slightly too enthusiastically there. I did not even let Deputy Oliver finish her question, but I am really glad she raised it because this is something that I had hoped to talk about actually. It is a bit of a theme, especially with people who have been very keen to see for some time Guernsey take a more proactive approach to climate change and our international responsibilities

What I would say is that Proposition 1 talks about the legislation and the way I sometimes describe it is as a bit of a backstop. It is completely aligned with international standards and it makes sense when you look at it in relation to what everyone else is doing. I would say it does not commit you to only doing it by 2050 and, as I sort of said when I spoke, one of the reasons we are very keen to ensure there is a lot of community engagement in terms of the Action Plan is because there are various, in fact multiple, many multiples of ways that you could achieve whatever target you see fit to put in, but it will depend on where the community sits in terms of how acceptable those measures are. They might be very enthusiastic about some, they might feel that some are unpalatable and unachievable.

So I would say that the date that we set into legislation, as per Proposition 1, is not the same as the date that we might achieve it. It is perfectly possible that if the community suggests through the various engagement methods that we are proposing that that target could be brought forward, because the measures would be acceptable, that we could achieve it earlier and I certainly hope that would be the case.

Deputy Oliver: Thank you. That has answered my question.

The Bailiff: Deputy Merrett.

Deputy Merrett: Thank you, sir. I can be quite brief.

I was concerned earlier in the debate that we were not actually going to have a debate, but after hearing from Alderney Representative Snowdon and Deputy McSwiggan – I say it how I say it and apologise. *(Laughter)* I cannot pronounce it!

The Bailiff: Deputy Merrett, I think you heard from Alderney Representative Roberts.

Deputy Merrett: Thank you. That is even better. Alderney Representative Roberts!

Other than those two speeches, which I thought were thus far the most substantive of the Assembly, I do feel at last we are potentially having a bit of a debate on this. I agree with, very much, what they both said and I thank them for doing so, because I was concerned, sir, in the debate that when some speakers were expressing their views, as they completely have the right to do, there appeared to be other Members that just were perplexed that a Member could believe something different from themselves. That makes me very uncomfortable because as Members we all have opportunity to stand and speak and a lot of cancel culture I felt was going on. I just find it very uncomfortable.

So I am very pleased we have heard from those speakers. And there is going to be discontent and disagreement on Longue Hougue South and what I am pleased to hear, when Deputy de Sausmarez spoke, was she did change her language from, 'We need to find an alternative site', half way through the language was changed to an alternative solution, which I think would be my preferred choice. I have tried, with the majority of the States' agreement, to try to do something alternatively, especially in the first instance.

The other thing I do agree with is that we all, as individuals, need to take responsibility for our actions regarding reducing, reusing, recycling, etc., be that a plastic cup, be that the vehicle we are able to afford and purchase, and try to make informed decisions in our consumer habits and the ways we live. I completely and utterly agree with that and I think part of that is not casting aspersions at the way other people live, but trying to educate, inform and engage with those members of our community and further to try to work towards this common goal.

I agree with the Propositions. I have two concerns with the Propositions, I think one probably more than the other. There is this bounce around between Deputies about when is an investigation an investigation, but what I cannot find, I am sure Deputy Brehaut can advise us, and maybe I have just missed it –if I have, I apologise – is the cost of these investigations.

1855 We are being asked to approve Propositions and it would be good to know the cost. Usually we appear to know the physical cost of everything – and, of course, the value of nothing – but I cannot find anywhere here alluding to the cost of some of these Propositions before us today, which I think would be helpful if we are trying to make decisions based on the cost of doing something, the cost of doing nothing. I cannot find it in here, so that would be good.

1860 The other thing, because I think lots have been covered, particularly by Deputy McSwiggan – I know I cannot say it, I apologise, I have rehearsed it, I cannot do it – because she spoke so well. It is the small things I alluded to earlier, sir. I am a bit disappointed, maybe disillusioned because there are things that we could do. I absolutely understand, I have been watching this Assembly and part of it – not just watching it, engaging with it – for four and a half years and there are occasions when
1865 Environment & Infrastructure have brought something forward which would help towards this high strategy and they do get mightily criticised for it.

I do not know whether that is engagement and bringing the community along with us. I do not know if that is the case – potentially it is, maybe it is not, but I think that probably is the case. And there are things that could be done. One thing I suggested to the Committee which could be, in my
1870 opinion, an easy win, was the opportunity back in 2017 I think, sir, when some 'Boris bikes' were basically being sold off. I saw a massive opportunity, especially connecting not only the Bridge to Town, for the topography is flat and for many people it is an opportunity to use an alternative to a motor vehicle. But also between Admiral Park – I will declare an interest, sir, because I think Lovell Ozanne are something to do with Admiral Park – to connect that sector of our community who are
1875 working in offices, etc. into St Peter Port by a Boris bike scenario.

I am trying not to be disingenuous and I am trying to be positive. But maybe that is something the new-formed Gavin's gang could bring forward (*Laughter and interjection*) to increase the infrastructure and the opportunity that members of our community would have to potentially go to their place of work, go to their place of residence, and commute between the two in a relatively ...
1880 I am not going to give way Deputy de Sausmarez, purely because I thought the last give way turned into a speech from Deputy de Sausmarez, and that is just my opinion. So I am not going to give way to Deputy de Sausmarez. She had the opportunity. Usually I would, but when Deputy Oliver gave way I thought that was a bit of a speech. So I am not going to give way on this occasion.

That interconnectivity, on a daily basis, where a member of our community may feel the need to drive a vehicle to work for whatever reason, but during the working day may wish to connect with
1885 either the Bridge or St Peter Port, then the opportunity to rent or hire a bike, I just think it is quite an easy win. So maybe that needs to be in partnership with the private industry – I understand that. Maybe those conversations have been taking place. I have voiced it, gosh, two or three years ago, and I have not had any update.

1890 That kind of thing I think we could potentially do. But the Propositions in general, I am content with. I am pleased to see that it has been brought before this Assembly. I must admit I did doubt that. I thought that it would not be pulled out of the bag. I appreciate it has been done, sir, and I thank E&I for doing it. But I am aware that of course a consequence of that is that other projects and other policies have not been brought to this Assembly. With the resources I understand E&I
1895 have, I guess they put it in the best possible place by providing this paper and I do thank them for it.

So with that sir ... I was hoping to ... do not worry, I will sit, sir, thank you. (*Laughter*)

The Bailiff: Members of the States, we will now adjourn this Meeting until 2.30 p.m.

*The Assembly adjourned at 12.33 p.m.
and resumed at 2.30 p.m.*

**Mitigate Climate Change –
States of Guernsey Climate Change Policy & Action Plan –
Debate concluded –
Propositions carried**

1900 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, sir.

1905 I will be short with my comments. Initially just to commend the Committee *for the Environment* & Infrastructure for bringing this policy letter through, albeit at the end of term. We have, on the Committee *for Economic Development*, had quite some consultation and engagement with the Committee, which has been pleasing over the last few months and therefore it will not be a surprise to anyone to learn that I am very supportive, especially since I teamed up with Deputy de Sausmarez, who led on an amendment which I hope has gone some way to shaping this policy letter. That was some time ago last year.

1910 I do have two questions to ask the President when he sums up. The first is that the nature strategy aligns with the UN Sustainable Development Goals. In the Revive and Thrive strategy that we saw last month, which we approved the initial draft of, that seeks to adopt an amended version of the goals for the Bailiwick of Guernsey. Now, I wondered if the President could clarify how that alignment with the UN development sustainability goals marries up with any proposed amended
1915 Bailiwick sustainability goals. And if those Bailiwick sustainability goals are different, how are we going to fit square pegs into round holes, in regard to the nature strategy?

The second question that I have for Deputy Brehaut is around a Woodland Strategy, another amendment that myself and Deputy de Sausmarez teamed up to effect last year. I have not seen any mention of that in the nature strategy, but I do think that there has been some work done on
1920 this and I would be very grateful for a very quick update in his summing up. And if the Woodland Strategy has been completed, maybe the President would be kind enough to circulate that to Members.

Thank you very much, sir.

1925 **The Bailiff:** Deputy Smithies.

Deputy Smithies: Thank you, sir.

1930 There are those who are sceptical about climate change and I must confess I am not entirely convinced. I am a lot less sceptical than I was, rather like Alderney Representative Roberts. But that is not a reason to vote against these Propositions, this very good policy letter.

With apologies perhaps to Deputy de Sausmarez, who gave a very lucid and limpid explanation of why the inclusion of an independent advisory body and indeed a citizens' assembly. Those are two Propositions which I cannot go along with. I think they are unnecessary, they are likely to be costly and I just do not see that they are going to bring anything to the party.

1935 Similarly, I do sympathise with Deputy Inder's reservations about 15 and 16. Not that I am a great petrolhead, although being an engineer you might think I would be inclined in that direction. Fifteen, yes, it does, perhaps, we need some reassurance that the old car club will not be discriminated against. But Proposition 16 I find myself even more at odds with. Just to read it:

To direct the Committee for the Environment & Infrastructure to investigate and necessary steps ...

1940 There is a verb missing. Whether that verb is 'take' or 'consider' is very different. 'To direct the Committee *for the* Environment & Infrastructure to investigate and necessary steps ...' There is something a bit odd about that. If it is 'take', then that is a direct instruction to do something about it. If it is 'consider', that is a different matter. They will come back with some report on it, I think.

1945 Then there is the get-out clause of course, 'with certain permitted exceptions', which I am glad to see that is there. But I am just not too happy with the wording. So I think I will vote against that one as well. If we could have a separate vote on 11, 12, 15 and 16, I would be grateful, because I will be voting against those four. The rest I am very happy with.

1950 **The Bailiff:** Before I call Deputy Ferbrache, I think, Madame Procureur, that that 'and' should be 'any'. I think it is just a typo.

Deputy Smithies: Ah, that is another interpretation.

1955 **The Bailiff:** But Deputy Brehaut will clarify that in due course. But I think that is just a typo in Proposition 16.

Deputy Ferbrache.

Deputy Ferbrache: Thank you, sir.

1960 I think that is right, because it does not make sense otherwise; 'and to take necessary steps' I suppose would also make sense. I came in yesterday and I said I was not in a very good mood. I am in a much better mood when I read something like this and I will be in an even better mood when we come later in the week to talk about the sports policy letter, which I think is truly excellent and will have my full support. As will this.

1965 I do not really like advisory groups, etc., because that is a lot of people talking around a table, having cups of tea and going off to talk about something else another day and nothing ever gets done. But I understand all that. I read 16, it is a direction of travel. But it is going to come, as Deputy Hansmann Rouxel says, it will come back before the States. It will be for the States to consider it then in 18 months' time, or 16 months' time, or two years' time, whatever it may be, and look at it then.

1970 But these are important proposals. Some people actually criticised them as not being expansive enough. I think they are probably a good starting point in relation to where we are going. So when I read it I thought, 'This makes good sense, I am happy with it', and there are times to be 'applaudatory' – if that is the right word, if not I have made it up – in relation to people's work. This is a good piece of work. I commend it.

1975 The only point I would ask Deputy Brehaut to perhaps consider – and he may or may not be in the States, because I do not know whether he is going to stand or not or whether he will be elected but, whatever – in relation to this is to ensure that motor cars just do not become the province of the rich. Because the trouble is if you have got to buy new cars all the time, only affluent people tend to afford those.

1980 That is the only thing that worries me and I see Deputy Trott, who has got a great big car and I have got a tiny little car, smiling at me in relation to that. But that is the only concern that I have got. That these principles, which are extremely good, extremely sensible and balanced, do not leave behind those who are disadvantaged.

1985 **The Bailiff:** Deputy Graham.

Deputy Graham: Thank you, Mr Bailiff.

I rise to speak on a very narrow point, and very briefly, and that is to say I am certainly going to support this policy letter in all its detail and I do congratulate the Committee on producing it, albeit it would have been great if we could have seen it earlier on. But there you are. Such is life.

1990 The narrow point I just wanted to challenge was really the narrative that is emerging in some areas of the community that this is a generational thing. I think it is quite easy and glib to say the young have embraced this with enthusiasm, the whole business of a green Guernsey, and they are up against some very institutional resistance from predictable age groups and so on.

1995 That may or may not be true to a certain extent, but I do want to challenge it because I think we have to distinguish between the virtue-signalling of some – which is common to all age groups, but the young are not immune to it – and a genuine commitment to doing something about it. Also, accepting some of the consequences that emanate from it. I shall be totally convinced when fewer sixth formers want to drive their cars to school! That will be an interesting test.

2000 I was quite amused, although I did not spread it around at the time, when all those wonderful few hundred students marched Le Vale to Court Six here last year, whenever it was, and we all went out and said, 'Jolly good show'. One of them had a placard on his chest and it said: 'Gamers for a greener Guernsey.' So, just partly winding up, I went and had a very private discussion with him and I said, 'What do you do your gaming on? Is it iPads and iPhones and laptops and so on?'. 'Oh yes', he said. I said, 'Well, do you realise how damaging to the environment the production of the mother cards are for these?'. He said, 'No, tell me about it'. So I told him that some of the raw materials that go into the manufacturing of motherboards are actually not only in themselves rare, but also the mining of them is actually sometimes done in very anti-social conditions. And he said, 'Never mind, we'll make them out of plastic!'. That not only revealed an ignorance of what the motherboards are made of, but also it is an interesting reaction. There they were, marching to get rid of the plastic and so on, and that was going to be the solution.

2010 It is probably an unfair example but I think it is illustrative in fact that we have got to take the young with us on this and taking the young with us is actually going to confront them with some of the manifestations of the decisions we make here. If that is in the end things like, 'You can't drive your car to school' or other things that really hit where it hurts, that will be the big test and I wish the next States all the best in getting that message over.

2015
The Bailiff: Deputy Hansmann Rouxel.

Deputy Hansmann Rouxel: Thank you, sir.

2020 I wanted to respond to Deputy Graham just on that point and that is one of the reasons why we need to have a citizens' assembly, because it is beyond just virtue-signalling, but it is actually getting the message out what genuine real changes people can make in every day which will move us forward, as opposed to these big ticket, scary changes that you can holler about, but actually the small things that you do in your day-to-day life and make changes in your day-to-day life will actually all add up.

2025 It is easier, like the big protest, is easier ... and I think in the sort of media culture that we have today, and especially with people growing up with that, it is much easier to latch on to a big, loud slogan than it is to appreciate the smaller things that you can do and change. That is one of the reasons why the citizens' assembly is very important, but the advisory board ... Now just responding to my colleague who sits next to me, Deputy Smithies, regarding the advisory panel or board, Deputy de Sausmarez did outline that we do not have those expertise, or we do in pockets, but it is accessing those expertise.

2030 In response to Deputy Ferbrache, who generally dislikes advisory boards, I have to say that before I came into politics, I would have been one who just said, 'Yes, you need an advisory board, and it is this big part of Government and extra people'. I know from my experience of these four years how our system, which has a sort of small Government but third sector reliance, is finding its way to create mechanisms where we are not just employing a marine biologist in the Civil Service. We still need those expertise and we still need to access those expertise in the community, and we still need to pay for those expertise, but it is the vehicle of how we design the advisory board, is I suppose the point I am trying to make; is that it harnesses the community expertise that we have, without creating bigger Government.

I think that is a frustration on my part, as a politician, trying to get more spent on things. But if we are genuinely going to commit to that structure of how we operate, we need to make sure that those mechanisms work efficiently. That is why we have things like the Social Investment Fund and all of those different aspects.

So that part of the policy letter, it is not just a blank cheque, and I think that is an important point to make. There is no blank cheque in this policy letter. Yes, there will be costs, but there are also benefits. There are benefits to nature, there are benefits to the future and there are also massive benefits to the economy if we get this right. I will leave it to my President to sum up and reply to the rest.

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

Just a quick comment. It is regarding, in 1(b), I am not quite sure why we need to be going down the road of imposing a legal requirement to make a statement in the States. I just think the Law Officers and St James' Chambers are pretty busy and we do not need that much bureaucracy to be told we have got to do a statement to the States. E&I are able to make statements as part of a programme. I just do not think that is a requirement. I will be voting against 1(b).

The Bailiff: Deputy Tindall.

Deputy Tindall: Thank you, sir.

Firstly, I would like to congratulate E&I on this production of the policy letter and the direct, succinct action plan, and the fact that it has been produced in such a short space of time. I think the actions make mitigating climate change that much easier, the way it has been set out and the way it has been separated, so we can clearly see how it affects all of us.

Climate change is obviously an extremely important part of the recovery strategy. It means States' policies and States' practices and the States' will to do so is so important. This is not something this Assembly should hand over to the Civil Service and sit back and watch. We must ensure that when delivering or overseeing the delivery of their operational functions that they are easily assessed and, where practical, address the consequential impact on climate change of their actions.

This is where the political versus operational responsibilities clash. We need to all be involved, ensuring each area of Government is playing its part. Committees should ask, in my view, for each item on the Committee agenda: what and how are we helping climate change with this piece of work?

This is of course in addition to asking: what does this do to help the health and wealth of our Islanders? But as other speakers, in particular the Presidents of HSC and Economic Development, climate change mitigation does include supporting health initiatives and does provide economic opportunities.

It was noted in the Energy Policy that it will interact directly with a number of existing and under development policies, plans, strategies and workstreams across the States. These include the Climate Change Policy Action Plan of course, which we are debating now; the Long-Term Infrastructure Investment Plan; the Hydrocarbon Supply Programme; the Integrated Transport Strategy, which is obviously mentioned quite a bit; the Economic Development Strategy, including renewable energy; and of course – you will be surprised to know that I was going to mention this – the Island Development Plan.

The IDP has many policies supporting mitigation of climate change. The spatial strategy of the SLUP, through the IDP, aims to concentrate the majority of new development in the main centres and the main centre outer areas. This is to maintain the vitality of these areas, well-served by shops and services, but this will assist in reducing the need to travel by motor car. Reducing the need does not stop it, just reduces the need.

2095 Policies to encourage a range of travel options, including by bicycle, on foot and proposal for public infrastructure that will assist in providing greater transport choice. Policies for sustainable development designed to take into account the use of energy and resources and any adverse impact on the environment through paying particular regard to location, orientation, and appearance, form of construction, materials used, and resilience to climate change and flooding.

2100 Understanding the relationship of the built and natural environment and how the IDP works to do that is important. That is why the DPA would benefit greatly from the citizens' assembly. These people will be involved in advising on mitigating climate change and will help to see how all the good bits work in the IDP, but also feed back how they can see it being improved.

Paragraph 7.5.8 in the policy letter says:

... increasing the size of Guernsey's natural environment and carbon rich habitats through nature conservation and sustainable land management practices ...

2105 As announced, all five of us, of the DPA, agreed to adopt the Strategy for Nature and will use the Strategy for Nature in the development process at an early stage, i.e. at pre-app discussions, and for the future looking at applying biodiversity net gain principles. Specifically what the IDP does already to embrace nature-based solutions to help preserve and mainstream our natural capital and diversity is through the Sites of Special Significance (SSSs), Areas of Biodiversity Importance (ABIs), Tree Protection Orders (TPOs), and to an extent the Agricultural Priority Areas; and now, of course, 2110 the Strategy for Nature, the supplementary planning guidance.

I think it relevant to point out the benefits at this point of Environmental Impact Assessments, or EIAs. The 2007 Ordinance identifies development which requires assessment and the ability to scope what should be covered. The DPA must take account of the EIA in its decisions on planning applications and if it feels it is incomplete it can ask for more matters it deems appropriate to be 2115 included. Schedule 5 sets out what statements should include. Having:

.... a suitable and sufficient assessment of the main significant effects ... on the environment including effects on population, fauna, flora, soil, water, air, climatic factors, material assets (including the architectural and archaeological heritage) and landscape ...

And:

specify how it is intended to remedy or mitigate and manage the likely significant adverse effects ... and ... enhance any likely significant beneficial effects on the environment ...

These EIAs are extensive documents. They are a fantastic source of information and really need to be in the library to collate all this information for future use. The main EIA statement for Longue Hougue, for example, is 859 pages long, although there is a non-technical 39-page version.

2120 I would recommend all those going to the event at Spur Point this Sunday to read this short document at least, because they will see that the EIA completed by STSB actually recommends many mitigation measures which will modify the original proposal, including stepping back from Spur Point to keep the landscape character and respect the biodiversity interests of that area. That said, this is still not the last stage and more work is required. I just think it is a really good example of 2125 what we do now and what we can build upon.

The next DPA will no doubt work closely with E&I on many of these workstreams and hopefully also on the consultation on the Revive and Thrive action plans, bringing together all these policies and strategies whenever that occurs. As Deputy de Sausmarez and Deputy Parkinson said, these actions touch on all Committee mandates. If we work together, these outcomes will benefit 2130 everyone. Not just in Guernsey but even in Alderney. I am not giving way. The actions set out in the Propositions are vital.

Whilst I still think we should declare a climate emergency, because it will show we really intend on putting these words on the page into actions, this is a good start. I ask Members to support these Propositions. It will affect all our lives and the lives of those yet to come.

2135 Thank you.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

2140 Just briefly, speaking in response to something Deputy Lowe said, because I would agree with her and would vote against Proposition 1(b) if the effect of this Proposition is indeed to impose a legal requirement on the Committee *for the* Environment & Infrastructure to make a statement in this Assembly, but I do not think it is. I am not saying that was necessarily what Deputy Lowe was implying, but I think the requirement is that effectively the Committee *for the* Environment &
2145 Infrastructure annually would need to report to the Island, effectively, on the progress made in the matters which 1(b) refers to.

There is no difference in the sense that a law would have to be drawn up which imposed the requirement but I think, actually, that one of the problems that we always have in the States is passing policy and then not carrying it into effect or, more often, passing quite high-level strategic documents and then not putting into effect the actions necessary to deliver them.
2150

I think there are a range of things that can be done about that. The Scrutiny Committee could become involved, but it has very limited resources. The Assembly can become involved but – I do not mean this disrespectfully – it is so busy trying to micromanage Committees that it does not have much time left for accountability.

2155 So what are the other range of options that are available to ensure that Committees do actually do the things which the States are meant to have required them to do? I actually think that we ought to use legal requirements like the making of an annual statement more often, because clearly, while committees may be able to deviate, and freely do – not necessarily obstructing, but deviating – from Resolutions of the States, sometimes with impunity, it would not be so easy if it was a legal requirement.
2160

For that reason, sir, although I do accept Deputy Lowe's point that there would need to be a requirement drafted into law and it would take a draftsman some time, but it is going to be negligible, I should not think it would be very complicated legislation. I think on balance it is worth imposing the legal requirement envisaged in 1(b) because it will make it more likely that there will be action as a result of this report.
2165

Thank you, sir.

The Bailiff: Deputy Trott.

2170 **Deputy Trott:** Thank you, sir.

Very briefly, there are a couple of comments worth making with regards the way this report is put together. I think it is an excellent piece of work and it is the final sentence in the first paragraph of the executive summary that shows the journey we have been on, in my view, because that sentence reads:

A recovery planning principle is to mitigate and/or compensate for climate change impact, to safeguard our environment and to support community and economic well-being.

2175 Now, a little later on in the report, we are reminded that Guernsey has made some significant progress and I think the community can be justifiably proud because we have made relatively good progress, we are told, in reducing greenhouse gas emissions to date by just under 29%, compared with 1990 levels. That is a reduction that would have been around 35% had the electricity cable fault not occurred in 2018. But of course, it is not just – it goes on to talk about greenhouse gases in
2180 particular – what we are doing domestically that is so significant. It is what we are doing internationally through Guernsey green finance, and one of the most spectacular achievements of Guernsey green finance so far is the creation of a carbon sequestration fund that is anticipated to remove 1.65 million tonnes of carbon from the atmosphere.

2185 This is a fund that is administered from Guernsey with some local investors and it is an example of Guernsey not talking the talk but walking the walk and it is something we should all be very proud of.

Thank you, sir.

2190 **The Bailiff:** Well, with no other Member indicating a wish to speak on this matter, I turn back to the President of the Committee, Deputy Brehaut, to reply to the debate.

Deputy Brehaut.

Deputy Brehaut: Thank you very much, sir and Members.

Yes, the missing word is 'any'. That is the word that was missing. So I will apologise for that.

2195 **The Bailiff:** It is not missing. It is just typed in wrongly.

Deputy Brehaut: Yes, sir: 'and' rather than 'any'.

2200 We will just start with, Deputy Inder was the first person to speak in relation to the report, and Deputy Dorey was right. In 10.13.1 it refers to the sale of vans and cars. We know that there will have to be exceptions, because some commercial vehicles have got, for example, the fire engines have a lifespan of 20 years or something like that. So we appreciate that there will be some commercial vehicles that do not fall squarely within that and exceptions will be made. And exceptions will be made for classic vehicles.

2205 I think the determining factor around things like that is just how much longer hydrocarbons are available for. Classic cars used to rely on, I think it was lead-free petrol, or with lead-added or something, or some variant. Not many places sell that type of thing now. But ultimately, I think for Deputy Inder, sir, the task over the months and years ahead is to convert his very nice classic vehicle into an electric vehicle, which will be a nice little project for him.

2210 Ultimately, all of these things, they are dictated by legislation external to Guernsey. The motor industry, nobody makes a car for Guernsey. Nobody manufactures a car specifically for Guernsey. The market is where it is. The market is moving to EVs and Guernsey will clearly benefit from that. What we have to guard against is Guernsey not becoming, as we go into 2031 and the UK is looking to offload as many of the ICE vehicles that it still has and they come down our way because we have not got any legislation in place to protect ourselves in that regard.

2215 Now, it was Alex Herschel – I can name her, because she is not a civil servant – and she has done some very good work with regard to the Strategy for Nature, and she said she went into the schools and initially, incidentally, she just posed the question to the children, 'How often do you go to the beach?'. She was quite shocked at how many children at the primary school did not or had not been to a beach. So she was taking the beach into the classroom for them, with seaweed and other prompts and bits of pieces – (**A Member:** Wrack.) wrack, indeed, yes. – to teach the children what nature was all about. But she was very surprised that, an Island this size, so few people, so few children, were taken to the beach.

2225 Deputy Gollop is right that each Department will need to lead the way either on the big picture policy stuff or on the doing bit and the weekly/monthly doing bit. Most buildings have facilities managers and the States' facilities managers will be aware of what their obligations are and delivering on that.

2230 Deputy Gollop also remarked on the necessary change that would have to take place to enable the uptake in EVs, electric vehicles having the charging points and issues such as subsidies for electric vehicles. I find this really fascinating because in that election period before 2016, the States of Guernsey approved the Integrated Transport Strategy and that Integrated Transport Strategy said promote the use of electric vehicles, a subsidy if necessary, and improve the Island's infrastructure. That was the then Environment Department, who met with enormous pushback when it came to the legislation phase.

2235 I was, I suppose, very pleased to hear the representative from the Guernsey motor trade, the strongest opponents of the Integrated Transport Strategy at the time, say recently what Guernsey needs to do is invest in infrastructure for electric vehicles, subsidise EVs and make them more accessible.

2240 So in short, the market has moved much more quickly than we imagined. In 2015, 28 electric vehicles; as of today, probably in excess of 1,000 and that is not actually with some of the commercial vehicles factored in. I think the last garage to be built in Guernsey, the last showroom to be built in Guernsey until recently, does not have petrol pumps. If people frequent a garage that is almost within the boundaries of the Airport, they no longer have petrol pumps. So the market is moving and businesses are adapting to that.

2245 I did mention in my speech with regard to Scope 3, because the point has been raised by Deputy Brouard before and, as we were saying, there is no off-the-shelf remedy for this yet, but we are alive to that. What frustrates us, unfortunately, is when the States moved from motor taxation to taxation on fuel on the basis that polluter pays, in a falling hydrocarbon market, which is interesting, once we have done that, it meant that we lost track of the number of vehicles on the roads and where they were going.

Regrettably, vehicles at times can be like litter on the streets of Guernsey because they are insured, they are parked on the road and they do not go anywhere until they are eventually disposed of. So whatever mechanism we can come up with for future taxation of motor vehicles, then we need to make sure vehicles are in free, constant circulation, or not on the roads at all.

2255 This idea that electric cars are – no pun – as pure as the driven snow. In manufacturing electric vehicles, there are issues. There are certainly issues, or were in the early days, with the mining of precious metals and the disposal. Although it has moved to recycling of the batteries, there is still something of an issue. But the two words that should focus our mind when it comes to petrol and oil are the Middle East.

2260 If we just think, really, of the torments, the misery, *Exxon Valdez*, there is a tanker sinking off Mauritius through carrying oil, the environmental degradation that has cost the Earth the planet, through the consumption of petrol, oil and gas. I do not want to digress too much. I was interested to hear recently that the first elected government of Iran was deposed because of the involvement of British Petroleum and the British Government, which led to the Shah returning to Iran. And we all know there was an Islamic Revolution in Iran, which led to more political unrest.

I do beg your pardon, I will give way to Deputy Paint.

Deputy Paint: Thank you, Deputy Brehaut. It is just a point of correction.

2270 *Exxon Valdez* sunk in Alaska and did spill a large amount of oil. It was not Mauritius. The recent one has been Mauritius and it was fuel oil.

Thank you.

2275 **Deputy Brehaut:** Yes, I had them as two separate incidents. I did not mean to link them like that. I said that a vessel was sinking in Mauritius and there had been an incident with the *Exxon Valdez*.

2280 Deputy Paint said, and I think what we need to touch on here because it is used against E&I a great deal, we happen to have in our mandate environment, and we have infrastructure. People say, 'When are you going to deal with environmental issues and when are you going to deal with the infrastructure issues that are out there as well'. So when we are tasked under our mandate with dealing with something like Longue Hougue, which is an infrastructure project, we have to balance that off against the considerations that we have in this Environment Department. But the States must have more confidence in the processes that we have. There is a live planning process.

2285 Now, there is more than Environmental Impact Assessment going on at the moment and people really need to be honest, if I can say that, and truthful with themselves. If people are opposing Longue Hougue South because they have legitimate concerns over maerl grass, over eel grass, over scaly crickets, over gabbro rock, those are real issues that need to be resolved. If the States at any

time act on the Requête, with regard to building a second harbour in St Peter Port and that Environmental Impact Assessment says, 'As much as you want a second harbour, what are you going to do with your eel grass, your maerl grass, what are you going to do with translocation?'

2290 These issues do not go away. These issues simply do not go away. Because the tension between, on a small Island community, the tension, the demands on land and those competing demands sometimes ... well, we know that politicians and the community will be at odds with one another. The issue of course with Longue Hougue South, we have to be careful. That is a live planning issue at the moment, so we have to be very careful what we say about that.

2295 The former Environment Minister, Deputy David de Lisle, who I think, respectfully, was ahead of his time in 2007 with some of the initiatives that he came through with, including cycle paths, which these days I can tell him, generally, meet a little bit more resistance than they did in those days. But the trial of biodiesel would be a trial. It is not to say we would do it. The trial would conclude whether it was cleaner than what we are currently doing.

2300 The distinction over Biodiversity Strategy ... I think Biodiversity Strategy over nature, people understand nature and people understand the natural environment. When you are going around the schools it is clear that the children understand nature and the natural environment. Biodiversity might mean something very different to them.

2305 He also raised the issue of why are we investing, potentially, another £100 million in GF1, when we have renewables on our doorstep? Well, you can spend £300 million – because that would be money – you would spend £300 million on a wind farm to generate 60% of the electricity that you need. So it would make sense, therefore, to go with GF1 and utilise renewables from our French neighbours.

2310 Deputy Merrett posed a question: how much is it going to cost? I have to say, who knows? But I will give an example. If I was the president of the telecoms board in 1990 and I came to this Assembly and said, 'We have a plan and we will move from the telephone that is in your house to a hand-held device and on this hand-held device you can do more than make phone calls, because there would be this thing called the internet, and then moving back from the internet you will have a tablet and everyone in your home will have more than one of these things called a tablet, some of you will have a laptop. How much will it cost?' Well, we would not know.

2315 I do not know how much I have paid over the years on mobile phones, tablets and laptops. All I know is there are clear benefits and it is impossible to cost, sometimes, transitions over that time. But I think we can conclude that that transition has been a good thing.

2320 I thank Deputy Soulsby for her very supportive speech and I also commend Deputy Parkinson for his very supportive speech, and realising and grasping the nettle. We had a very small number of emails that were critical of, I was going to say Energy Policy because he did speak about the Energy Policy, but we have had emails criticising the Climate Change Action Plan saying it is for 'lefties', that it would damage the economy and it would cost a fortune. What Deputy Parkinson did was made us realise the potential in the economy, the potential for the investment and positive growth that is beneficial to the community as a whole.

2325 I welcome Alderney Representative Roberts' epiphany, his conversion. Welcome aboard! I think most people, respectfully, are making that journey and we should not be so arrogant or presumptive that we have all the numbers, facts and knowledge. People have to make that journey in their own time.

2330 Deputy Dudley-Owen, I do not know exactly where we are with the Woodland Strategy and I will give an assurance that I will update her as soon as I can after this meeting. I do not think the intention was to have the UN guidance necessarily overlaid to the Revive and Thrive document. I think it was a question of taking the most appropriate, the best bits, to make it work, rather than using a template that works in other places.

2335 Deputy Graham, I think a lot of younger people ... it is an interesting point. A lot of children, as he will know, are driven to school. But most children, the vast majority, tend to take the bus back. So the education is in the home as well, isn't it? So if parents are popping into Town to go to work

and they choose to take their child to school on the way there, when there is another provision for the children, that is a discussion they need to have.

2340 The legislation that needs to change, that will make the difference, I think is these PLEVs, personal light electric vehicles, because Guernsey is, although I am responsible for aspects of legislation, still a bit hung up on what we like to see on our roads. And we have defined these 50cc, 100cc, 125cc categories, we put electric bikes into categories, but with the personal use electric vehicles like scooters and actual moped scooters, I think we are just going to have to loosen up the regulation
2345 a little bit, so the child does not default to ... although two-strokes are being outlawed in parts of Europe, that their children do not default to motorbikes over personal use electric vehicles.

I thank everyone who has participated in the debate. With regard to Deputy Lowe's point, tying in with what Deputy Charles Parkinson was saying, it is to produce an annual statement, not to the States, but to give the security to the industry that the States is doing the right thing. If people are
2350 out there investing multi-million pounds in green initiatives because Guernsey is going low-carbon zero, if that is the intention, that is the direction that is given, we have to be held to that. We have to produce a bulletin like the greenhouse bulletin and that we need legislation to do that. So I would ask Members to support this.

Before I give way to Deputy de Sausmarez, I am just reminded I did not respond to a point by
2355 Deputy Ferbrache, which was that we are not pricing people away from the motor vehicle. We are not. In fact, options on transport, particularly electric vehicles, are getting cheaper by the day. So there was this idea at one time that electric vehicles were prohibitively expensive when clearly they are not the case.

I will just give way to Deputy de Sausmarez before I sit down.
2360

Deputy de Sausmarez: Thank you, sir.

I am grateful to Deputy Brehaut. I just thought it might help Deputy Lowe to clarify that the reporting that we currently do, which is Scope 1, is a legal requirement anyway, through the Kyoto agreement and so this would be extending the scope of that reporting.
2365

Deputy Brehaut: Yes, what she said!

I would ask Members to endorse the report. Thank you.

The Bailiff: Members of the States, there are 19 Propositions on which votes need to be taken. I have noted that some Members would like Proposition 11 and Proposition 12 taken discreetly and
2370 also Proposition 15 and Proposition 16. I am not sure if they can be taken together or whether they need to be taken separately. There is also a request to take Proposition 1 split into two, so that (a) and (b) are taken separately. Are there any other Propositions on which Members would wish to vote discreetly outside of those?

2375 In that case, Members of the States, I will put first to you Proposition 1(a).
Those in favour; those against.

Members voted Pour.

The Bailiff: I declare that carried. And Proposition 1b. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare that carried and therefore the entirety of Proposition 1 has been carried. I am going to put Propositions 2 through to 10 to you collectively. Those in favour; those against.

Members voted Pour.

2380 **The Bailiff:** I declare Propositions 2 to 10 carried.

Proposition 11, on its own. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 11 carried.

Proposition 12 on its own. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 12 carried.

2385 Propositions 13 and 14, taken together. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare both Propositions carried.

Can I take Proposition 15 and 16 together or do they need to be done separately? (*Interjections*)
Separately. Proposition 15 on its own. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 15 duly carried.

2390 Proposition 16 on its own. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 16 also carried.

And finally, Propositions 17 to 19, taken together. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare those three Propositions duly carried, which means that all 19 Propositions have been carried *aux voix*.

POLICY & RESOURCES COMMITTEE

2395

IX. Improving Living Standards – Propositions as amended carried

Article IX.

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled 'Improving Living Standards', dated 2 March, they are of the opinion:

- 1. To agree that the following policy should be developed as a priority policy (to be known as "Improving Living Standards") for potential incorporation in the Future Guernsey Plan (2020 - 2024) with the following vision statement: "To provide an environment which supports those in our community most at risk of deprivation and gives them the opportunity to thrive", and*
- 2. To direct the Policy & Resources Committee to co-ordinate the delivery of this priority area in accordance with the terms of reference described in section 4 of the Policy Letter.*

Amendment:

To delete all Propositions and replace therefor:

- 1. To direct the Policy & Resources Committee to incorporate within the scope of the Recovery Action Plans for the Recovery Strategy, the vision and objectives for Improving Living Standards set out in Section 4 of the Policy Letter; and*
- 2. To direct the Policy & Resources Committee, when developing measures for reporting on progress with the delivery of the Recovery Strategy and supporting Recovery Action Plans, to incorporate the proposed Key Performance Indicators for Improving Living Standards, or similar subject to the monitoring and measures available, described in Section 5 of the Policy Letter.*

The States' Greffier: Article IX: Policy & Resources Committee – Improving Living Standards.

The Bailiff: I invite the President of the Policy & Resources Committee, Deputy St Pier to open debate on this matter and I should explain that he is also going to propose the amendment in the course of his opening and that the amendment will be run in general debate thereafter.

Deputy St Pier.

Deputy St Pier: Thank you very much sir, and thank you for agreeing to manage the debate in that way.

The intention of the Improving Living Standards proposals, of course, is to make living standards and well-being a priority within our future policymaking for the next term. The policy letter acknowledges that there are many factors which contribute to an individual's living standards. Not just their financial well-being of course, but also their physical and mental health, their access to education and personal safety and so on.

The original Proposition sought to enable the States to co-ordinate work on a wide range of areas relating to living standards and that is still the intention. But with the impact of Covid-19 changing the landscape of policymaking, the Policy & Resources Committee is proposing through the amendment to align its Improving Living Standards proposals with the Revive and Thrive Recovery Strategy and to ensure that the subsequent recovery action plans include focus on improving living standards. Really just to align matters.

Covid-19 of course has had a huge impact on people's well-being in all sorts of ways and we have included within the short report, the amendment, which draws on the provisional analysis of a community survey, which has literally just been finalised and put into public domain, or is going into the public domain today and Members will see a full copy of that in due course. We have provided a summary in order to give an overview of some of the effects of the Covid-19 experience on the community and on individuals.

The Committee having lodged the original Propositions in March, ahead of the escalation of Covid-19, they were drafted to be compatible with the Future Guernsey Plan and planning process and sought to introduce Improving Living Standards as a new policy priority area within the Plan. Since then the States has adopted Revive and Thrive Recovery Strategy as the strategic framework governing the scope of future initiatives. While the context has changed, the issues in the policy letter of course have not and remain highly relevant.

The amendment seeks to make a technical change, as I would describe it, to ensure that the Improving Living Standards proposals are compatible with the strategic framework now in place and to provide for the future management of this proposed area of policy development as part of the States' recovery from Covid-19.

So while on the face of it, at the moment, it is simply technical, its effect would be to require the States to build into the scope of the recovery action plans work to provide an environment that supports those in our community most at risk of deprivation and gives them the opportunity to thrive. There is of course a lot more I could say, but I think that is probably enough by way of introduction and opening debate. And, of course, I will be very pleased to respond to matters that arise during the debate.

Thank you, sir.

2440 **The Bailiff:** Deputy Stephens, are you formally seconding the amendment?

Deputy Stephens: I am, sir. Thank you.

2445 **The Bailiff:** Thank you very much.
So, Deputy Ferbrache.

Deputy Ferbrache: Sir, I do not really understand why we have got this policy letter at all. I do not see that it adds anything because what it tells us is that we should be doing things about domestic abuse – well, we know that – that we are generally better off, that we have got less crime, 2450 that we are going to have pension problems that will continue increasing as people live longer and we are going to have less of a working population, that we have got to look at the justice system – a justice review – that we have got to look at our taxation policy in the round. Do we not know that already? Why do we need another report?

2455 One of the Propositions is to agree this should be developed as a priority policy with the following vision statement:

To provide an environment which supports those in our community most at risk of deprivation and gives them the opportunity to thrive.

I think we all agree with that. But why do we need a pretty thick document to tell us that? I agree with that statement unreservedly but do we not actually want to provide an environment which supports all of those in our community and gives everybody the opportunity to thrive? Is that not what we really want? So why do we need pages and pages? We know we want a good education 2460 system, we know we want a good health system, we know want good employment, pensions etc.

2465 So this is just ... I suppose I am defeating my own purpose really, because I am talking about it. But I am talking about it because hopefully – it is not a realistic hope, but – it should short-circuit debate. Because these are all things that are sensible but it does not need a lengthy debate on it and it certainly did not need a policy letter on it. So it is verbiage, if I can say so, in my most polite and respectful way.

Deputy Inder: Sir, I would like to move 26(1), please.

2470 **The Bailiff:** Okay. Deputy Inder wishes to move a motion pursuant to Rule 26, paragraph 1. Will those Members who wish to speak in debate please stand in their places?

In the light of that, Deputy Inder, do you still wish to put the motion to the Assembly?

Deputy Inder: Yes, sir; 26(1), please.

2475 **The Bailiff:** Members of the States, I remind you that under Rule 26(1), if you are minded to vote Pour it will mean that there will be no further debate on this matter, other than there will have to be the necessary speeches to wind up and vote on the amendment and then the final Propositions. If you want to have a short debate on this matter, if it is going to be a short debate, then you vote Contre.

2480 Those in favour; those against.

Some Members voted Pour; others voted Contre.

The Bailiff: I declare that lost.

Deputy Inder: Sir, could I have a recorded vote, please?

2485 **The Bailiff:** Very well. Deputy Inder is requesting a recorded vote, which is his entitlement after a vote has been taken.

I have been asked to remind you, Members of the States, that when we have a recorded vote the idea is put your microphone on before you speak and turn it off afterwards; and speak clearly into it, please, so that the votes can be heard throughout.

2490 Greffier, please.

There was a recorded vote.

Not carried – Pour 12, Contre 21, Ne vote pas 3, Absent 3

| POUR | CONTRE | NE VOTE PAS | ABSENT |
|------------------------|-----------------------|--------------------|------------------------|
| Deputy Inder | Deputy Fallaize | Deputy Ferbrache | Deputy Laurie Queripel |
| Deputy Lowe | Deputy Hansmann | Deputy St Pier | Deputy Leadbeater |
| Deputy Smithies | Rouxel | Deputy Stephens | Deputy Mooney |
| Deputy Paint | Deputy Graham | | |
| Deputy Le Tocq | Deputy Green | | |
| Deputy Dudley-Owen | Deputy Dorey | | |
| Deputy Prow | Deputy Brouard | | |
| Deputy Oliver | Deputy McSwiggan | | |
| Deputy Parkinson | Deputy de Lisle | | |
| Deputy Lester Queripel | Deputy Langlois | | |
| Deputy Trott | Deputy Soulsby | | |
| Deputy Meerveld | Deputy de Sausmarez | | |
| | Deputy Roffey | | |
| | Alderney Rep. Roberts | | |
| | Alderney Rep. | | |
| | Snowdon | | |
| | Deputy Tindall | | |
| | Deputy Brehaut | | |
| | Deputy Tooley | | |
| | Deputy Gollop | | |
| | Deputy Le Clerc | | |
| | Deputy Le Pelley | | |
| | Deputy Merrett | | |

The Bailiff: Members of the States, I am satisfied that that vote has been lost. There voted Pour 12, Contre 21, three abstentions, three absentees. That is why that motion was lost. Who wishes to speak in debate?

Deputy Roffey.

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Deputy Roffey: Thank you, sir.

I have to say I have some sympathy with the comments of Deputy Ferbrache, in the fact that when I first saw this I thought it was fairly insipid motherhood and apple pie. I think the amendment slightly improves the situation on that and actually gives a bit more focus on this. But I still find it difficult to completely park my cynicism because over decades I have heard many such bland assertions that we are going to do something to improve living standards. While of course Deputy Ferbrache is right, we want to improve everybody's living standards, I presume the focus is on those who have poor living standards at the moment and making sure that they can enjoy the life that we would expect everybody to enjoy in Guernsey.

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So of course I will support this and I hope something comes of it, but I am not holding my breath, particularly after the reception to Scrutiny's report on in-work poverty not that long ago. I can really only think of one time that we actually did take concerted action to improve living standards for those who are struggling in this Island. That was after the Professor Gordon report from the Townsend institute, who identified pockets of particular poverty in Guernsey. The two worst areas he found were single pensioners and larger families on low incomes.

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At that time, very considerable action was taken about single pensioners. The then Insurance Authority, under Deputy Owen Le Tissier, instigated a significant increase in the proportion of what was then the married couple pension for the single pensioner, recognising that a lot of the costs that a couple would have would also be there for a single person.

The area we have not done very much about is larger families on low incomes. In fact, in a way, the last Assembly, for the best of reasons, actually aggravated their situation, because by bringing together the Rent Rebate Scheme from social housing together with what was then Supplementary Benefit into Income Support, which was absolutely the right thing to do because the previous situation prejudiced those living in the private sector, but by doing that it actually impacted ... the rent rebate benefit that people got did not form a part of the benefit limitation. That was sat outside that.

But when the two were brought together, even though the benefit limitation is now much higher than it used to be, they are actually disadvantaged because families, large families ... and by that I do not mean the sort that Deputy Ferbrache and Deputy Trott were talking about, was it this morning or yesterday, with 16 or 17 siblings. I am in the same boat. My gran, Ida Torode was one, I think of about 14. I do not talk about it much because I think that former Chief Minister would probably have a heart attack if he knew we were related. But I am not talking about those sort of families ... (*Laughter*) And we are, if he is listening he now knows! (*Laughter*)

I am talking about families of, say, four children. Because of what we did and the benefit limitation, very often they are not living on the sort of money, and not because there is no working, we are talking about top-ups, not people who are feckless and have never done a stroke of work in their life or whatever we had earlier. These are people with moderate-size families living in conditions that the last Assembly, when they discussed SWBIC, decided was intolerable poverty.

It is no good Deputy Fallaize shaking his head. That is the impact on a number of families of the benefit limitation at the moment. So my plea: as part of Revive and Thrive, can there be some attention on that? Actually, if this States would just stop the sort of resistance and *Daily Mail* reaction that we always get every time Employment & Social Security try and rectify that by putting up the benefit limitation specifically to help that group of people, that would be enough. That is all we need.

So I just use the vehicle of this – I know it might irritate Deputy Inder that I should want to use parliamentary debate to raise an issue that I think needs ventilating, but – I use the opportunity provided by this slightly insipid policy letter to really urge that that should be a key criteria. If we want to improve living standards, these are people who specifically have problems at the moment.

If they are paying their full rent, which used to be helped by – particularly if they were living in social housing – they used to have rent rebate, they no longer do, they now have to decide whether to use their limited money to pay that rent, which now means they have less to spend on their children and in other ways, on clothes, food and everything. It is not a huge number of people, but it is still enough for us to be ashamed of, I think, and we should do something about it.

The Bailiff: Deputy Gollop.

Deputy Gollop: Sir, Deputy Roffey has already spoken, but Deputy Le Clerc and the Committee on ESS know very well that I sometimes get a bit frustrated at the meetings too. I say I do not want to do any more policy and analysis, I want to do grandstanding. Because it seemed to me, for 22 years ... and I want to do the verbiage too, despite what Deputy Ferbrache said. I have sympathies with the way some people voted to curtail the debate. But I remember being part of the Assembly – Deputy Lowe was there, Deputy Ferbrache, possibly Deputy Roffey – when we actually sealed off the investigation by the late and great Deputy Pritchard, which was to look at anti-poverty, corporate anti-poverty. And a whole Corporate Anti-Poverty Strategy was set up.

Good things came out of it, as Deputy Roffey has reminded us, in terms of the strategic uplifting of the old age pension, and there was at the time a genuine move. We reorganised States rents. We then did it all over again. We refocused States housing and social housing, which led to the not

altogether desirable objective of evicting people who were considered no longer to need social housing, because that had possibly adverse consequences on both the market and the community.

2565 But it nevertheless focused resources upon those who needed it most.

But where the grandstanding comes in is I am aware that the *Daily Mail* readers out there – I do not know how many there are in Guernsey, but – are quite vocal, perhaps, in *The Press*, Facebook and various other, as they call them, the socials – perhaps in the election ballot box – and they are not happy in some cases with our social policy. When I say the people do not want this, 2570 Deputy Langlois or somebody will say to me, ‘Well, who are the people, John? You can’t just say that.’ And it is always very questionable.

But we heard Members in the last few days again come out with the views about how their constituents or family were hard-working, thrifty people who saved all their lives, and ended up paying a penalty in older people’s care, or in some other way, and other people gained everything. 2575 But the irony is, once you go down the route of this form of social policy methodology, that is precisely the goal that you end up with. Deputy Roffey has flagged up the real issues of relative poverty that larger families face, especially if they are renting in the private sector. But did we not hear voices saying, not necessarily in this debate, ‘Oh, the families get it all, it is the pensioner who does get everything,’ and all the rest of it.

2580 The problem with this kind of report is it imagines you can segment society into those in poverty and those who are not. It is not like that. It is a continuum. I think too much of the time social policy, rather than actually working on a mixture of universal and targeted approaches. Such as, to be fair probably a good initiative we are going to see later, on family allowances, has ended up taking away from Peter – not Deputy Ferbrache or Deputy Roffey necessarily – and giving it to Paul, whereas we 2585 should have been more focused on expanding the economy, restructuring taxation in a different way and actually meaning that you did not necessarily see the most needy benefit from the almost-most needy losing out.

I think that has been where we have gone down the route. Even at the time when the corporate anti-poverty agenda was flagged up, I said yes to that. But you actually need it to look more at 2590 income differentials in Guernsey and people who are just about managing. Because, I do not know if party politics or partnership politics is a good thing, but one positive that sometimes comes out in other places of so-called party politics is that you will get a group of competing candidates and grass-roots organisations that will be putting across policies that are there to appeal not to the richest in society, or necessarily the poorest, but the people in the middle who will make the 2595 difference.

I do not think we see enough of middlebrow politics in order so that people who are part of the squeezed middle are benefiting. That is why it requires perhaps a more rigorous approach than we see in this report, which to a certain extent is more generalistic and covering what already happens. In that sense it is unnecessary because it duplicates the work of Employment & Social Security and 2600 other areas.

It does not seem to have much emphasis on the cost of medical services in Guernsey, for example, that covers existing areas. It mentions the Fiscal Strategy, in a curious kind of way, because the point it appears to make is one needs to improve living standards without in any way – where is it now? – damaging the economy or society. Well, you have to be more specific than that. It looks 2605 to start reviews on things that we should already be much clearer on what policies we need.

It reads more like analysis rather than something you can actually take and say, ‘We are doing this/We are not doing this’. Again, it refers to affordable housing, key worker housing, without any specifics. In fact, the irony is Policy & Resources, wearing a different hat, will sometimes come to Committees like ESS and say, ‘You need to cut the costs, you need to cut the maintenance. You 2610 cannot have this resource’. So how, on the one hand, can we be tackling corporate anti-poverty, when on the other hand we are not necessarily getting the resources necessary to move forward with it? For example, on page 40, 6.117, you get the bland statement:

It has been clear for many years that Guernsey faces significant fiscal and policy challenges.

Well, we have known that for 15 years, for a start.

As the current political term draws to a close, the scale of these issues has become increasingly apparent. The Policy & Resources Committee is to commence a review ... in order to ensure that the tax system is able to support the delivery of public services in the long term.

Then it goes on to say that nothing should ... do that in any way that is detrimental ... It:

... will not consider any form of capital taxes which are considered incompatible with Guernsey's status as a finance centre.

2615 And:

... it may be necessary to raise significantly more revenues in the medium term if public finances are to remain sustainable.

It does not actually give you any specific policies that you need to grasp hold of and actually work with, and that to me is a problem. One cannot do these policies entirely by analysis. You have actually to either put out what amounts to ministerial can-do statements as part of budgets and get a vote on it one way or the other, or you delegate it to the Departments concerned.

2620 This appears to put it all together, describe what is going on, without giving a road map, and also not being too clear on whether it is central policy, delegated policy and also whether the solution is to radically change the way we deliver services and raise revenue or whether it is just incrementally shift things here and there, like we have been doing for a dozen years.

2625 So I think really this is the kind of thing that has to be reconsidered immediately by the next States in a much more beefy and focused way.

The Bailiff: Deputy Leadbeater, is it your wish to be relevé?

2630 **Deputy Leadbeater:** Yes please, sir.

The Bailiff: Thank you very much.
Deputy Stephens.

2635 **Deputy Stephens:** Thank you, sir.
Policy & Resources Committee is responding to Resolutions from 2019:

... to review and assess the impact of current initiatives ...

And:

... to undertake preparatory investigations of policies successful in breaking poverty, with a specific focus on generational focus.

2640 In doing this, the Policy & Resources Committee did not restrict its focus to any one aspect of poverty or any one demographic, but instead sought to expand the approach to cover a broad definition of deprivation and a wider scope, on the basis that deprivation can take many forms, many of which are closely interrelated and more challenging to tackle than simply raising the household income.

2645 The Improving Living Standards proposals seek to establish a framework to enable the States to treat the issues surrounding poor living standards and deprivation in a holistic manner. The Policy & Resources Committee, in taking this approach, does not seek to impede or duplicate work already under way, but rather to provide a framework within which that work can be co-ordinated and reported on. It also creates a framework against which progress can be monitored at a strategic level.

It is not an accident or an oversight that the Improving Living Standards proposals seek to address the bigger picture before tackling the detail of any one particular aspect of that landscape. This is entirely appropriate and reflects the Policy & Resources Committee's responsibility to co-ordinate policy and lead the policy planning process, to allocate and manage resources and facilitate cross-Committee policy development.

The Policy & Resources Committee's policy letter explains that in a number of areas the States is already working to improve living standards. In putting forward the amended Propositions, we are seeking to provide a framework within which the future States can approach this work in a joined-up manner.

I would like to bring to Members' attention just a couple of examples. First is of something that is happening already, and it may be that Deputy Soulsby wishes to add to what I say later. This is that ensuring low income does not impact on health. It is an aim of the Partnership of Purpose programme, I believe, and prior to the Covid-19 pandemic the Committee for Health & Social Care had been working on proposals for a policy letter on affordable primary care for all in the context of the Partnership of Purpose.

The same policy letter explains that the Committee for Health & Social Care's work on the affordability of primary care, is likely to run into the next term of the States, when, and I am quoting, 'it may well form part of the health-focused recovery plan'. The second issue I want to raise is one that is particularly complex. This policy letter recognises that deprivation may be generational in nature and it includes, as an objective, supporting and encouraging households at risk of generational deprivation in a number of areas where these would improve living standards. For instance, to participate fully in work and in education.

However, the policy letter also cautions that tackling generational issues is generally much more complex than alleviating situational poverty, with a broader range of support required to tackle multiple risk factors. In other words, no one single action will address this issue. So it is that the framework that we are suggesting to improve living standards needs to cover a wide range of policy and allow for a holistic approach. I commend the proposals for further work on living standards to this Assembly.

Thank you, sir.

The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir. Sorry, Deputy McSwiggan.

These are harder times, and although the Island has managed well during Covid, we have seen an increase in those needing help through Income Support and receiving Unemployment Benefit. Recent statistics from Guernsey Welfare show that the increase in people that have had to use a food bank during lockdown has increased. But even prior to lockdown we had people needing to use food banks in Guernsey.

Of the 423 households helped during lockdown, 1,216 in those households were children. That for me is the shocking face of living standards in Guernsey and we need to do more. The problem is this is a nice report with lots of well-meaning words, but does it make a difference to people's lives? It takes action, it takes resources and it takes the willpower to follow through. That is what will actually make the difference and I hope that if we support this paper today the next P&R Committee will stand by this report and invest the resources and the commitment to their policy paper, and give the relevant Committees the support they need to fulfil their obligations and outstanding Resolutions. **(Several Members:** Hear, hear.)

Paragraph 1.2 of the report says:

In a developed economy it is expected that the government and the community will assist those most in need; that those who have more will help support those that need more.

2695 Well, that was not the message that I got this morning from some Members. It was very sad for me hearing some of the comments in the long-term care debate and I believe they have a completely misguided view of many in our community.

I will give some facts and figures. As at 1st August, we had 3,456 people on Income Support. Of these, 955 were undertaking some form of work. That is 28%. Many of the 72% remaining will not be the workshy or the lazy. They will be pensioners. We have got 900-plus pensioners on Income Support. There will be those with a work requirement who we will be helping to find a job and lastly, there will be those without a work requirement, as they will never work because of severe sickness or disability. That is the truth. Those are the facts.

2705 This paper and previous papers talk about early intervention. We all know that is essential. But as I have said in previous meetings, we talk about early intervention and we tinker around the edges with initiatives and policies that would really help, but we almost always pull back when it comes to the funding.

2710 The problem is we want immediate results. We are driven by KPI targets. But we know that the real changes take many years. The families that need help are vulnerable. They lead complex lives that often go back through generations. We give up too soon on those interventions that would really make a difference. My plea is support early interventions but also support ongoing programmes.

2715 During an update from the Children and Young People's Plan meeting last week, we had one very good and positive piece of news and that is Health & Social Care have finally got up and running the Strong Families programme. Great news, but we have just waited too long for this.

2720 Through Income Support and the welfare reforms agreed by this Assembly, those in intolerable poverty are being picked up by ESS. However, we know some still do fly under the radar. Some by choice and some through pride. We know that there is further work required on looking at the benefit limitation, earnings disregard and capital allowances, as there are still families assessed as in need, families with children, but due to the benefit cap we cannot help.

2725 Income Support rates of benefit are based on a basket of goods. It is the process by which ESS can justify its benefit rates. But the basket of goods is in need of both review and repricing and the results of these separate processes could prove to be expensive. This is essential, not only to inform future Income Support levels, but to also give an indication of the cost for those families targeted in this report.

2730 With the uncertainty of Covid and with Brexit, I think basic food costs will be rising again this year and this will hit lower income households the most. Not just those on Income Support but those just above the level of support that this policy also wants to assist. The basket of goods repricing is a piece of work that the ESS Committee sees as a priority. But let me give a warning: the current basket is based on a 10-year-old figure, only uprated by RPIX each year, and that review will highlight that benefits rates will probably need to increase. Many will baulk at this. So if you vote for this policy paper be prepared to support the need to provide benefits based on the real cost of living. The vision statement on paragraph 1.5 states:

To provide an environment which supports those in our community most at risk of deprivation and gives them the opportunity to thrive.

2735 If you cannot support and really back this statement today then you should not be voting for this policy paper today, because I am warning you that it will come at a cost.

2740 Finally, sir, this will probably be my last speech of this political term and, just in case I do not get another opportunity, I would really like to thank the ESS staff and my Committee members, including non-States' members. I believe we have made progress on social welfare policy this term, in some areas. The major milestone being the Income Support changes we introduced in 2018. It has been a privilege to be part of the Committee and I thank my Committee members for their perseverance and support this political term, particularly on the social policy reform.

Thank you. (*Applause.*)

The Bailiff: Deputy Fallaize.

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Deputy Fallaize: Thank you, sir.

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If that was Deputy Le Clerc's last speech – although she said 'of this political term', I do not know if there was a code in that – I would like to commend her and her Committee because I think actually, in terms of effectiveness, her Committee has been probably the outstanding Committee of this States' term. (**Several Members:** Hear, hear.) I think that in particular in the area of social welfare policy, they have made significant progress.

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I want to make two or three points, sir, having said all of that. I am actually inclined to vote against these Propositions because I think in this area of policy there is just such a disconnect between things which are written in visions and aspirations, and policy which the States is prepared to adopt when it comes to the crunch, more particularly when it comes to funding it.

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I just cannot see the point in trying to conceal that in fancy words. I think it would be better to adopt less ambitious aspirations and make sure that they are funded and delivered, rather than pretend that Government is going to do significant things in this area and then, invariably, not provide the funding. I might be persuaded otherwise, but that is the way I feel at the moment.

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Now, in terms of the benefit limitation, the effect of the benefit limitation is set out at paragraph 6.7 and paragraph 6.8 and let's remind ourselves the effect the benefit limitation has. The States decide, this Assembly decides, the requirement rates for families of varying sizes living in Guernsey, based on an index of a basket of goods. Once the requirement rate is set, it is effectively that the States have adopted what they consider to be necessary for a family, with reference to the size of the family, to have in terms of income in order to avoid intolerable levels of poverty. Those are the words in the States' policy.

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What the benefit limitation does is then to say, even though your income can be compared to your requirement rate and we can calculate what you would need in terms of Income Support to have enough income to avoid intolerable levels of poverty, we are not going to provide you with that level of support. We are going to provide you with a lower level of support, in some cases a much lower level support, because we have this completely arbitrary thing called a benefit limitation which is imposed as a kind of a benefit cap. Although, it is generally misunderstood. A lot of people when they are criticising the benefit limitation think that it is a limitation on the amount of benefit that a family can receive. It is actually a cap on the income which a family can receive, which more often than not is supplemented by States' benefits rather than made up exclusively of States' benefits. But that is the effect.

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So we could have a situation where, under the terms of policies agreed by the States and calculations agreed by the States, a family, invariably a reasonably large family these days, families with perhaps four children or more, where their requirement rate is calculated to be tens of pounds or, in some cases, hundreds of pounds above the benefit limitation, but our Income Support system will not support them to that extent. It is just capped at the benefit limitation.

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As it says at paragraph 6.8:

... there are still 25 larger families who are affected by the cap.

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These are families with four children or more and they could be families of all ... We know broadly speaking what their size is, but the image that they invariably are not in work is probably very false – I do not know, I do not have the latest figures or the latest data – but they are going to be families of varying make-up and yet the benefit limitation is denying them the support which this States has established that they require to avoid intolerable levels of poverty.

And, respectfully, some of those today who will sign up to this very lofty vision, I cannot remember what it is now – I thank Deputy Stephens –

To provide an environment which supports those in our community most at risk of deprivation and gives them the opportunity to thrive.

2790 – would be the very first to defeat any attempt substantially to increase the benefit limitation, which is exactly the thing which is needed to allow all those larger families to avoid deprivation and the opportunity to thrive.

So I have sort of reached the point where I am fed up with all the visions and the aspirations and the words. We just need to see more investment and more funding in this area of policy, because I am afraid that that is the only thing that is going to make a substantial difference.

2795 That said, I think that the proposals of the Social Welfare Benefits Investigation Committee from the last States, which this Committee *for* Employment & Social Security implemented, are making a substantial difference. The number of families in Income Support who are falling short of their requirement rate is smaller and the number of families who are closer to the line of deprivation is fewer than it was as a result of those reforms.

2800 Deputy Gollop said that the policy had been based to some extent on robbing Peter to pay Paul. Now, he was right, but the problem that that Committee faced and which Employment & Social Security always face, is that the level of support that is required here is very significant and politically it has never been possible to obtain the necessary additional support from general revenue.

2805 Deputy Dorey's old Social Security Department came closest but the old Policy Council sent a couple of Members away on a course, or something like that, and the vote ended up being turned, I think, on one or two votes, and the proposals were lost. Since then, no Committee has come close to getting that kind of level of support from general revenue.

2810 So what SWBIC, the former Committee, did was to say if we can raise investment funding for families in the greatest need, through a combination of increasing general revenue funding and reallocating within the social welfare system, so that some of those families who are recipients of social welfare but better off have some of their support taken away and it is redirected to some of those families who are poorer. I think that that policy was justifiable because the only alternative was to allow families in the poorest circumstances not to obtain further assistance. But it is regrettable that there is not more funding from general revenue.

2815 I think it is an interesting report. It is full of useful information, it is quite a well-written report, I am not criticising it as a piece of information. What I am saying is it clearly does not provide for any kind of reassurance about action. It just provides an aspiration and then sets out what some of the problems are. But the real issue here is the two policy shifts, or policy objectives or drivers, which are necessary to resolve deprivation are economic growth, which is probably the most effective, and redistribution. Now, I think that this States has been a bit light on both, to be perfectly honest. It is very difficult for a Government to drive higher levels of economic growth. It is very easy to say, and I am not criticising those people who do say it, because it is necessary, but it is quite difficult in policy terms for a Government to shift rates of economic growth.

2825 But clearly, if there are not healthy rates of economic growth, society will become relatively poorer and when that happens, the poorest will suffer most. So high levels of employment, a very active labour market and reasonable levels of economic growth, are probably the most effective social welfare policy there is. But there is also a need to consider redistribution and that has been a dirty word in this Assembly, slightly less perhaps in the previous Assembly, but in most States in recent times there has really been no appetite for redistribution and there needs to be if there is going to be a significant positive impact on families in the most deprived circumstances.

2830 Finally, sir, I was shaking my head when Deputy Roffey was talking because although what he was saying was strictly true, as a snapshot in time, by closing the Rent Rebate Scheme and transferring families to Income Support or requiring those families to pay a more realistic rent, it did have the effect that he suggests, but I think you cannot just take a simple snapshot in time. If you look at recent years, I think when I entered the States the benefit limitation was something like £425. It is now £850.

2840 There has been a very significant shift by successive Committees *for* Employment & Social Security and their predecessors in pushing up the benefit limitation and that has made a very significant effect for a large number of families in a positive sense and, if there has been no other

progress made in relation to social welfare benefits, I think that move has been significant and it needs to be continued.

I cannot remember, which is a terrible admission because we only debated it yesterday, what the benefit limitation will be for 2021. Deputy Le Clerc said to me that it was being increased only by RPI ...

Oh, I give way to Deputy Roffey.

Deputy Roffey: It is not Deputy Fallaize's fault because we did not debate it yesterday, we only debated the contributory schemes yesterday. The non-contributory schemes are now aligned with the Budget debate. So it will be for the next States to decide what the benefit limitation will be for next year.

Deputy Fallaize: Okay, I thank Deputy Roffey for that. I did not need to make that admission! (*Laughter*)

The question will be, what is the benefit limitation going to be from 2021? Because I think this journey of increasing the benefit limitation ... I think it was, as I say, about £425 not that many years ago. Then it went to £670 in 2018, £750 in 2019. It is £850 now. The question, a serious challenge for the States, will be what is the benefit limitation going to be in the year 2021? Because if this upward journey of increasing the benefit limitation above the rate of inflation is not continued, then larger families will be materially poorer than they are at the present time.

But my parting shot is, when I was on the Committee for Employment & Social Security, every time we tried to raise the benefit limitation, we faced a very significant challenge from the Treasury. And the support of the Policy & Resources Committee is going to be critical if the upward journey of the benefit limitation and getting more money to those families who need the greatest support is going to be maintained. So I hope those Members who are putting this policy letter before the States today will remember that when it comes to converting the aspirations into the levels of benefit which are actually set in States' debates.

Thank you, sir.

The Bailiff: Deputy McSwiggan.

Deputy McSwiggan: Thank you, sir.

I am glad I waited because what I am going to try and do now is Deputy Fallaize's speech in reverse – not literally. (*Laughter*) And there will not be any subliminal messages. I will be quite blatant about the messages. (**A Member:** Hear, hear.)

Deputy Fallaize said, essentially, let's stop making promises that we cannot keep. If we have all these grand words and we are failing to deliver them then we need to think again and maybe make promises as small as our ambitions.

I get where that feeling comes from and I share it often. But I see grand words as, if you like, the grappling hook thrown over the ramparts of the castle. The hard bit is then pulling yourself up the rope, and that takes successive States quite a lot of effort to get up there. But you have got a hook.

For as long as we have a States obsessed with prioritisation and, as Deputy Fallaize well knows, several past States have been obsessed with prioritisation and no doubt several future States will be obsessed with prioritisation, it is important for those of us who do want to see progressive change in this Island that the things against which we can prioritise include commitments such as improving living standards for those who are most deprived.

So I am not going to look a gift horse in the mouth in that sense, but I do come at this from a very similar position to Deputy Fallaize, and I am really going to set out a hypothesis. And it is this: I believe the Policy & Resources Committee do not believe a word of this policy letter and it is just a bureaucratic land grab.

The problem for Policy & Resources is that there is nothing they can say in the course of this particular debate that is going to change my mind and the reason for that is because of something

else they have already published alongside this policy letter, which happens to be their letter of comment on the policy letter that I will be opening for Employment & Social Security, which is why Deputy Le Clerc said she may not be speaking again. The proposals that we, together with HSC and ESC, are bringing to address some of the things that could actually improve living standards.

Now, of course there is something that Policy & Resources could do this week to change my mind, which is to be rather more forthcoming in their support for those proposals than they were in their letter. But up until that happens, and I trust it will happen, then I have to leave that hypothesis hanging, because if we cast our mind back to the in-work poverty report that the Scrutiny Management Committee published, then we will remember what some of the most pressing causes of in-work poverty were. They were things like being unable to afford to go to the doctors, being unable to afford to go to the dentist. Members, we have proposals in front of us this week that would allow us to address those costs.

Deputy Stephens said deprivation may be generational. She is absolutely right. But one of the ways to address intergenerational deprivation is to build up cultural capital through a rich educational offering, which allows people to take advantage of the opportunities that are there in society. Again, there is an opportunity on the table to do so. If the Policy & Resources Committee embrace that wholeheartedly then I will trust that this policy letter is meant in earnest and is not a bureaucratic land grab. There are useful words in this policy letter, sir, and I am going to adopt them in the hope that the next States will use them wisely. But if I want to believe them here and now for this States, this week, then that is what the Policy & Resources Committee will need to do.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, you will be pleased to hear that I will now be briefer than I thought I was going to be before, because Deputy McSwiggan said it all for me. I was going to respond far more to Deputy Stephens and yes, I could go on about social determinants of health, (*Interjection*) which I have done more than once, and I have no intention of doing so again because people hear it from me. I would like to hear it from other people apart from those people that really get it here. I would like to know that other people understand the importance of the social determinants of health.

The policy letter does share about what the HSC have been doing in terms of addressing that and we have spoken before about primary care. Deputy McSwiggan mentioned it there. It feels odd that this policy letter comes from P&R. Various Committees have given input to it, but why it should come from P&R. It seemed to me something that should be a cross-Committee report, which we all owned in some way. It just feels like we have been told something, well, we already know. We get it and it just does not feel that ... Why should we be told something we already know?

Finally, just to reiterate what Deputy McSwiggan said, getting that policy letter was one thing, but then to get the letter of comment, which just seemed to undermine everything that is written in this policy letter. I can support the policy letter, of course. But I do feel that juxtaposed against that letter of comment, it does make it all seem rather odd.

The Bailiff: Deputy Graham.

Deputy Graham: Thank you, sir.

I am going to vote against the Propositions, but I feel I need to explain why. In fact, I think Deputy Le Clerc has probably explained why in her very pointed speech. It is because, far from making me feel good if I do it, I shall feel bad, because I shall have the knowledge that I am voting for something the cost for which I do not have a clear idea about, let alone how to raise the money for it, what it entails and so on. I am just not going to go down that road.

Call me old-fashioned, but I am a sucker for clearly defined objectives and detailed, costed plans on how to get to those objectives. Most of the time I will respond very positively to those. I think it is the 'vision' word that killed my interest off, really. It is rather like coriander and aniseed and marzipan: any meal with that in it and I am just put off the whole thing. (*Laughter*)

2945 I am reminded of those early days – and I am desperately trying not to be cynical here – back in 2016, when we were up at Beau Sejour in the Cambridge Room with those drop downs and putting stuff on to fit in with visions. I did not believe in it then, but I promised myself I would not be negative about it and allow any sort of cynicism to spread. I am desperately trying not to do that.

I am not as cynical as Deputy McSwiggan about the motives behind this policy letter at all. I am accepting it in good faith and have little doubts about that. But I really cannot bring myself to support something for which I have no idea how I would in the future, if I was still in the States, bring myself to support it in terms of raising the money for it and prioritising within it. I hope that explains why I will be voting against the Propositions and I hope Members will not think it is because I lack a social conscience.

2955 **The Bailiff:** Deputy Lester Queripel.

Deputy Lester Queripel: Sir, thank you.

2960 I am all in favour of any proposal that seeks to improve living standards for the underprivileged and the disadvantaged out in our community. I resonate completely with the vision statement on page 3, which reads as follows:

To provide an environment which supports those in our community most at risk of deprivation and gives them the opportunity to thrive.

2965 What a wonderful aspiration that is. Who would not sign up to that? As we all know there are a number of people out in our community who fall between the cracks and they are not caught by the safety nets we have in place. I am sure the vast majority of my colleagues in the Assembly have worked with people in that position in their time in the States and most of the almost 300 cases I have worked on in the last eight years have been to try to help those people who do fall between the cracks and they are in need of support and there is no safety net.

2970 Some have been cases where people are, as we heard this morning, asset rich and cash poor, and some have been where people are asset poor, as well as being cash poor. They have very little. They struggle every single day of their lives to survive.

2975 I would like to take this opportunity to, through the Chair, thank the staff at Employment & Social Security for their help over the years with many of those cases, especially the staff at Income Support, who have always done their absolute utmost to help me resolve those cases. I would like Deputy Le Clerc please to take my thanks back to the staff, through the Chair again, sir. But of course their resources are limited and they have to work within specific boundaries. So the reality is that despite the best of intentions even Income Support can only provide so much help, and people remain in need of support.

2980 I am reminded of the case not so long ago when I was being directed from Department to Department, led a merry dance, going around in circles, because no Department wanted to take responsibility. I was getting absolutely nowhere. So I called on Deputy Le Clerc to help me, and I knew she would do her best to help me and I thank her publicly for helping me.

2985 Together, we were able to get the lady involved in the case some help. But there were areas where we could not provide any help at all. So even though the lady is severely disabled, she is wheelchair-bound, she has got the use of one hand, being deprived of the other through severe arthritis, and even the good hand is riddled with arthritis, she still falls between the cracks and that is absolutely appalling in this day and age. She cannot get any additional help from the States at all. Her life is a continual painful struggle, every single minute of the day and night.

2990 This is 2020. We are talking about here, in an Island which we are always told is an extremely affluent Island. Well, if it is so damned affluent, how come the affluence does not filter through to the people that need it the most? (**A Member:** Hear, hear.) Please stop saying this is an affluent Island. If it is so affluent, get out in the community and work with the people who need support from that affluence. It is disgusting that people like this lady should have to have such a struggle to survive every minute of the day and night, in this day and age, in such a wonderfully affluent Island.

2995 So like others have already said, sir, we can only hope that these are not just unattainable aspirations and well-intended words on paper, because aspirations and well-intended words on paper look impressive, but do absolutely nothing at all to improve the lives of people who fall between the cracks and will continue to fall between the cracks if there is no action applied to these words.

3000 There are a lot of people out in our community who do still fall between the cracks. The vast majority of the 300 cases I have worked on were people who fall between the cracks, but it is not only those people. It is their members of their family who are impacted as well, because of this lack of support. That cannot be allowed to continue.

3005 So once again, I will do like I have always done. I will sign up to these wonderful words and these aspirations in the hope that safety nets will be provided for members of our community who need them and who currently fall between the cracks.

Thank you, sir.

The Bailiff: Deputy Green.

3010 **Deputy Green:** Thank you, Mr Bailiff. I can be very brief.

It is difficult to get too enthusiastic about this policy letter, but I think, contrary to what Deputy Fallaize was saying, I would rather have this commitment in the grand plan, or whatever the next States is going to call it, than not. I think I would rather have it there, and this is the point that Deputy McSwiggan made a moment ago. It would be too easy to block the progression of all policies in this area if it was not in the plan, whereas if it is then at least there is that hook that you can then scale the castle with.

3020 But I think it is about willpower, really, and it is about political will in terms of what the next States will do with this. We will be debating an excellent policy letter later on in this sitting. I will not go into that. But there are real issues. I think all of the conclusions that were made in the In-work Poverty Review that my Committee did earlier this term still stand and that is where I think that the next States has got to really hone in on.

3025 Of course, in this documentation, and with the sort of commitment that is going to be made, the issue of poverty has been broadened out. It has been extended to include the notion of generational poverty, which I absolutely accept is an issue and I will come back to that in a moment. But the focus of our review was very much on in-work poverty, because the evidence seemed to suggest that the old-fashioned social contract idea that if you go out to work you should expect to have enough money from that income, from that employment, to pay for the cost of living, the cost of life, your housing, your health care, etc.

3030 But Deputy Le Clerc said just before that 28% of those on Income Support are in fact in work. And we know from the evidence that households that do go out to work, that have either one or two members of their household who do work, who are not able to actually meet the cost of living and that is something that Covid-19 has only made worse for a lot of people. In fact the pandemic has exposed many of the inequalities in our society all the more. It is more pressing than it was even when we did that review in 2018, I would suggest.

3035 There is some very useful and interesting information in this policy letter. We should not be churlish about that. But, as I think Deputy Gollop said, the time for analysis and analysis and analysis is over. It is a time for, actually, deeds rather than words and that is what the next States is going to have to do, in my view.

3040 Just one other point, which is we talk a lot about the benefit limitation and the problems that that encapsulates. Actually, calling it a benefit limitation is part of the problem, I think. It might be handy somehow if we could change it, because it is an income cap rather than a benefit limitation. I do not know whether that is actually the position in statute and maybe that is the problem. The importance of language is quite important here when trying to communicate exactly what we are talking about.

3045 So I just come back to one final point, sir, which is this issue of generational poverty. This issue has actually been talked about by the States previous to this one and probably the one previous to that. Guernsey is a small-scale community, sir. If we cannot identify the sorts of families that we are talking about and put in packages of action and intervention to deal with these sorts of families, then no community can. We have the advantage of scale in that respect.

3050 So often in the States, in politics, the fact that Guernsey is such a small community is a disadvantage. Actually, it was an advantage in dealing with Covid-19, fortunately. But this actually is an area where our small scale should lend itself to us being able to put together a proper package of intervention to deal with the sorts of generational poverty, because we know the sorts of families we are talking about and if the political will existed it could be done. I just question whether that will exist.

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The Bailiff: Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

3060 I wanted to make a few points with regard to this, very quickly. The first is that the fact is that the cost of living is already very high in Guernsey – very high – and it is going up and up. And it is going up and up on all of us, no matter what income level we find ourselves in. But, as has been indicated – the squeeze is basically on everyone, but – the squeeze is on those with lower incomes particularly and right now, with the current situation in Guernsey with Covid, a lot of people are losing the work that they had before. So we are in a worse situation perhaps, in terms of the pressure and the squeeze on people at the lower end and in the middle as well.

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So if this is Deputy Le Clerc's last session in which she will be pushing for improvements in living standards and so on, I would like to commend her and her Committee for the work that they have done this term. I have been critical, mind you, particularly with regard to Income Support, because of the way that it has been done, particularly this business to increase the benefit limitation, which has been driven in part by the removal of the Rent Rebate Scheme and the Supplementary Benefit, the combination of the two. It has not been pointed out that that has cost us £4 million a year, additional, that has gone into Income Support.

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The fact is it is a pity that we could not find another way of lifting the incomes of people at the lower end without actually going to the extent of increasing the benefit cap to the extent that it has. Now, I am sure in London, for example, they have got as many people, proportionately, in the lower income level that need help as we have in Guernsey. Yet they have made sure that the income cap is in the £500 range. In fact in London I think it is £400-and-something. I did have the figures. That is per week, rather than £850.

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It would have been nice if we could have done something there rather than ... I had a lot of calls on this from people living in States houses that just saw the problem with the Rent Rebate Scheme being taken out, and the Supplementary Benefit and the Rent Rebate Scheme being pooled into this Income Support. They just felt that it was going to have a major effect on them.

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Sure enough, we found ourselves not only paying another £4 million, but also with another 800 families on Income Support. So Deputy Fallaize and Deputy Roffey have mentioned these points. I thought I would just clarify where I stood on this. I just feel that we should not have done that. We should have looked at it a lot more carefully. It went through the States a few times and it was rejected and rejected, and I think it should have been rejected in the last term. Not that something should not have been done, but that perhaps another way might have been used to do it. And I would like to –

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Deputy Fallaize: Point of correction, sir.

The Bailiff: Point of correction, Deputy Fallaize.

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Deputy Fallaize: Sir, I am sorry to interrupt Deputy de Lisle, but the benefit cap which he refers to in England is a benefit cap. In other words, a cap on the amount of benefits that a family can receive. The benefit limitation in Guernsey is not a benefit cap. It is an income cap and the two are quite different. Whatever the argument Deputy de Lisle is making, I think he needs not to be comparing apples and pears, respectfully.

The Bailiff: Deputy de Lisle.

Deputy de Lisle: There has been concern in England, as well, with regard to the levels. I think it is up to us, then, to adjust the terminology that we use, as Deputy Green has suggested, rather than confuse issues. But the fact is that having the benefit support at that level is open to criticism and I think that it is not necessary, because I agree with Deputy McSwiggan, when she makes the points, as she does, that there are other ways of dealing with this situation.

She talks about the Health Benefit grant, for example. That could be pushed up. Why not? There are many people that turn to me and say, 'I cannot afford to go to the doctor'. Why is that the case? They should be able to go and we should make the adjustments right there. The same as the nurse, not going to the nurse. Why not? Because it is too expensive, and not the nurse but for the doctor, £50-odd every time you go in the door. That is a lot of money and a lot of people will not do it as a result.

So my plea, then, is in reality to look at some of these other areas and stop taking the benefits away from people, Guernsey, for goodness' sake, particularly with respect to people on fixed incomes and pensions. They should not be hearing the possibility that the Health Benefit grant might be taken away, that the exemption from prescription charges might be taken away, that they might have to sell their homes for long-term care. They should not be hearing these statements. Please, there are many more ways, as Deputy McSwiggan has suggested, for us to deal with inequality and low incomes rather than perhaps in the manner that we have done it in the past.

Thank you, sir.

The Bailiff: Deputy Merrett.

Deputy Merrett: Thank you, sir.

I can be relatively brief, because I think a lot of the points have been made more dramatically than actually I have words in my vocabulary to do so, by Deputy McSwiggan and Deputy Graham. I also stand to support what Deputy Green said. In fact, sir, SMC did have a letter of comment they were going to submit towards this policy letter. I think it would have been as precise as some of the speakers aforementioned.

Then you get to the stage, sir, where in 2018, we had In-work Poverty, 2019 we had States' Resolutions, we are going to get this and then maybe in 2021 we will get something else. It looks to me as if we have had a very busy Civil Service, who have accumulated all of the workstreams that are already in place or already have some direction for, they have got the data together, which of course is useful, and they put it into this paper.

It always appears to me, after serving four years now – and I have only gone back over this term of office that I have served in relation to what has not happened or what could potentially happen if we do approve something later on in this debate – it appears to have this, 'We must get the economy right because the banquet of the economy will be so sufficient that all of the crumbs from that banquet will fall down to social and environmental policy and we will be able to actually move forward'. I just think if we have not learnt that lesson by now then I do not think we ever will.

I think when Deputy Lester Queripel spoke, I absolutely resonate with his passion and his commitment, because it is one of the privileges of serving the community and serving our constituents that we meet people. People contact us and they really look to us, in my words, to be a conduit, to try to access what they need to remain in the Island, to be able to put food on the table, pay utility bills, etc. They want to do so independently or with a high level of self-respect.

I have been to ask before, advise before, to go to the douzaine and there is a version of a pot of money – I am talking in generic terms – which would help these people out in the short term. But then they go to the douzaine, they meet, it is all confidential. The members of the community that I persuaded, to a certain degree, to use that access have been able to usually have something. But I am perplexed that many members of our community at points in their lives have to go to that kind of almost a procureur of the poor scenario still.

I have been privileged to try to help and assist these people, although I have been very clear, sir, that I am not a qualified social worker, that I am not a psychiatrist, but I will do my ultimate best to try and get them the information or the support that they need. And I think Deputy Lester Queripel is quite correct in his analysis that it is very difficult.

Supposedly, no doors will be closed to Deputies and if we ask for information and we are trying to get access to something, we should be able to find our way through. But as Deputy Lester Queripel said, that is very difficult and at times you do feel like you are being pushed from pillar to post. Sometimes I would have made, for example, three, four, five enquiries until I managed to find either the Deputy, to be frank, sir, or the civil servant that actually will stand up and say, 'Okay, Deputy Merrett, this is where you need to go. This is what you need to access. Try this, try that'.

Yes, Deputy Le Clerc, but also in the early days I had lots of support from Deputy McSwiggan, who would meet members of the community with me in a public, open space, following working protocol, and would actually work with me and try to help me enable those members of our community to access the provisions that are in place and also to recognise where the provisions are not in place.

I remember early in the term – I do not really wish to remind Deputy McSwiggan of this, but I will – there was a particular amendment, and I am not going into detail, but Deputy McSwiggan and I got very passionate about it. And to see a Member so upset in the Assembly when it fell by such a degree, because I do not think this Assembly, in all frankness, sir, really understands some of the scenarios that some of our community are dealing with on a daily basis.

So what do I do? Do I just go, this is just vanilla, this is a correlation document, you put it all in one place, well done, agree to your amendment and let's wait until the Revive and Thrive is fixed out. Potentially that could be very early in the political term, depending on the ballot box, or potentially it could be a bit longer. Or do I just say, as Deputy Graham has alluded to, actually, it is a little bit pointless, because there appears to be, and this is why I support what Deputy Green said as well, have we actually got the political will? I have got the political will to try to improve living standards for our community and enable them to access what is currently provided.

But I just do not understand, I am really confused, it is another juxtaposition. Because we have this here, which alludes or ... Well, are we agreeing something? Yes, to agree something, to direct something if the amendment passes, and then we have another policy paper, which could deliver it, and then we are told that we really should not be doing that at this juncture. I just do not understand it. It is just a complete juxtaposition in my world.

I am hopeful that Deputy St Pier can give me the assurances that I seek, as much as he can, being one member of Policy & Resources, because of course we do not have a dictatorship and we do need to have enough across our Assembly to actually agree and to move forward. So I am hoping Deputy St Pier can do that and I thank again Deputy McSwiggan for her speech, because I think she just nailed it on the head, and also Deputy Le Clerc.

If it is, unfortunately, that that is Deputy Le Clerc's last speech, I do also wish to put on public record my thanks, because in my opinion this is the one Committee of the States that has actually tried their utmost to do something about social policy and as much as Environment & Infrastructure have come under fire from certain elements of our community, Employment & Social Security appear to come under fire more from some sections of this Assembly, especially throughout debate.

So I do wish to place on record my thanks and I look forward to the summing up, because I am hopeful, but hope does not put food on the table. Hope does not get a child to see the doctor. Hope does not get a dental appointment. I comment that I am hopeful that there will be some political commitment from the President of Policy & Resources today to actually deliver on some

3200 of this. Some of our community are living in hope because that is what gets them through. But actually, we do get to a point where we need to actually fund this and deliver it. And if the other policy paper that could do some of that does not pass then I think this will be a very sad day for Guernsey.

3205 **The Bailiff:** Deputy Hansmann Rouxel.

Deputy Hansmann Rouxel: Thank you, sir.

3210 This is just looking at the Propositions that we are being asked to look at and try and pick out how this is going to work when we now look at the recovery plan. So the original Propositions are going to be replaced, hopefully, with better Propositions. And, in Proposition 1, directing Policy & Resources to incorporate within the scope of the recovery action plans for the Recovery Strategy the vision – I know Deputy Graham loves that word – for improving living standards as set out in section 4 of the policy letter. Proposition 2 also makes reference to section 5.

3215 Section 4 of the policy letter provides that framework but what I would like to understand is, in order to put your money where your mouth is and do what needs to be done is actually fund these areas instead of it being just motherhood and apple pie, is how the parts in section 4 are going to realise that action. Yes, we are going to get these recovery action plans that are created. How is this framework that is in section 4 going to be incorporated and will it realise what everybody is saying? Will it marry up our intentions with some resources to actually action and tackle what this sets out?

3220 In the summing up, I would hope to hear that from Deputy St Pier, purely because the Propositions that were originally are still in the policy letter, because we have not voted on the amendment yet, the original Proposition 2 was to 'direct the Policy & Resources Committee to co-ordinate the delivery of' policy priority areas 'in accordance with the terms of reference described in section 4'. It is the same section 4 that is now referenced in section 1. But extrapolating from these two sets of Propositions you can look at the recovery action plans are a mechanism to co-ordinate the nice intentions and vision in section 4. But I would hope that we could get some indication of how this is actually going to be actioned and we are actually going to see that marrying up of our intention with the resources to get this achieved.

3230 In the original report it has many interesting things and I was glad to see that in the living standards in section 6.16 to 6.18, it did acknowledge the cost associated with living with a disability as something that is on the radar, and that it is in there and is not just something that gets discussed and bandied around often when talking about social policy and particularly in relation to the Disability and Inclusion Strategy. There is actually an acknowledgement of this. Again, acknowledging it is one thing. We really need to see what is going to be done to address this issue.

3235 It is just one of the many areas, but up until now it has not really been in black and white.

Deputy St Pier might not be able to give those assurances. I will still vote for the amended Propositions in the hopes that the Recovery Strategy will provide, this will help the recovery action plans put some meat and resources into these different areas, that we can start to see some real recovery.

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The Bailiff: Deputy Tindall.

Deputy Tindall: Thank you, sir.

3245 Deputy Hansmann Rouxel did exactly what I was intending to do, which was compare the different sets of Propositions. I am going to do the same but with a slightly different twist. Yes, the original Propositions, the vision, Proposition 1, Proposition 2, section 4. In that Proposition 2 it talks about:

To direct the Policy & Resources Committee to co-ordinate the delivery of this priority area ...

Whereas in the amendment, that direction of P&R to co-ordinate is replaced by Proposition 1, which talks about incorporating it:

... within the scope of the Recovery Action Plans for the Recovery Strategy ...

3250 And that is where my problem starts. Because obviously, at the moment, as we have had many occasional reasons to comment, we do not actually know what that framework is. We do not know how it is to be set up. We have a blank page in the Revive and Thrive. But what we do now have, miraculously, is an amendment to another policy letter that we are going to be discussing – that has not been laid, I appreciate that, but is going to be discussed on this agenda – which incorporates
3255 developing proposals for the political Government structure of the Revive and Thrive recovery action plans.

That clearly says to me it is a bit odd that it is another policy letter completely unrelated to this and, in fact, not as wide, but we will deal with that later. Because ultimately it comes back to the point Deputy Hansmann Rouxel was saying: what is going to happen with this? Because what it
3260 actually says in 4.4 is:

The intention behind a separate policy area for “Improving Living Standards” is to provide a framework for co-ordinating and reporting activities which will contribute towards the achievement of the specific objectives.

Now, Proposition 2 in the amendment does talk about these key performance indicators described in section 5 and those performance indicators will do the job of reporting. That is fine. I accept that. I am perfectly happy with that. So it comes back to co-ordination. The mandate of P&R is all about co-ordination and then we go back to what exactly we have done so far.

3265 The individual workstreams mentioned in 4.3, justice policy, future model of care, Housing Strategy, improving education, etc. And it is this co-ordination that I really have concerns about because, I am sorry, but that is the bit that I feel has been lacking. I have little to point out to say, ‘Oh, that’s a good example’, and with no ... a blank page on what is being proposed for the Recovery Strategy and a lack of illustration in any documentation, it really means that I am having difficulty
3270 in understanding how on earth we can move from what we all know is the right thing to do to go into something that can actually get done.

I too conclude, in exactly the same way as others have done, that you see a letter in relation to another policy letter on our list which is completely contradictory to this approach, which just galled me and makes me feel, we know the issues, we just need good leadership to co-ordinate and that
3275 is what we need and that is what must happen from now on.

Thank you, sir.

The Bailiff: As nobody else is rising to speak, I invite the proposer of the amendment, Deputy St Pier, to speak to the amendment, and if he wishes to also speak in closing the debate. But they can
3280 be done separately if you prefer.

Deputy St Pier: I will deal with them together, sir, as I think that makes most sense. I thank Members for contributing to the debate.

Clearly this policy letter and the amendment has not received the warmest reception in the
3285 Assembly today. In essence, Deputy Ferbrache was really raising the question, why have we got it at all? Of course, the policy letter itself was very much driven by the Resolutions of this Assembly in relation to the development of the Future Guernsey Plan, the Policy & Resource Plan. Deputy Ferbrache did not much like that planning process either, so it was perhaps inevitable that he was not going to much like this policy letter, which has its genesis from that process.

3290 I think most of the debate was a useful tour of some of the issues around improving living standards and some of the issues of poverty in our community. But I think, perhaps dealing with some of the issues almost in reverse order, Deputy Tindall’s request and indeed those of Deputies Hansmann Rouxel and Merrett in terms of what is going to emerge from the passage of these Propositions, I do understand Deputy Tindall’s frustration, perhaps, or concerns in relation to the
3295 approval of this without knowing what is in the recovery action plans.

I think we of course all suffer from this feeling of really wanting to have everything before we can agree to anything, but I am not sure I am in a position, really, to salve that particular problem for Deputy Tindall, any more than make that comment. Marrying up the intention with the resources – I am not giving way – which was in essence Deputy Hansmann Rouxel's challenge, and I would say that of course is precisely the purpose of this whole planning process.

What I sense is some frustration and reluctance from some Members of the States to the whole prioritisation process. They do not necessarily see value in it, see it as being a barrier to decision-making and I do not wish to get drawn into the other policy letter, which we will debate in due course. Suffice it to say that clearly that is an example where Members have felt that they wish to just get on and take some actions, but outwith the context of the whole. But I will not comment further until we come to that debate.

But the only responsible response, I think, to Deputy Hansmann Rouxel, is that is the purpose of seeking to deal with matters in this way, in a disciplined way, to allow priorities, to treat this as a priority area and that will then drive our further decisions in due course around the allocation of resources, of course, which is not always just gold, it is often people, to enable things to happen. That is what this process is for. I hope, if the process does work, that is what it should produce in the recovery action plans in due course, recognising that this is an area that requires attention.

I think Deputy Green was, in a very lukewarm sense perhaps, the warmest supporter of the policy letter and I think giving a fairly fair analysis that it does actually pull together all the issues and it pulls together all the work that is going in across the patch, which otherwise we would not have had visibility of. We would just know there is a bit going on over there and a bit going on over here, and we would continue to look at those things in isolation.

As ever, with so much of what we do in relation to planning and planning in this way, it is never perfect first time. It is an iterative process. I will continue to argue that this is perhaps better than nothing and I think, paraphrasing, that is probably what Deputy Green was saying, and on that basis, I think it justifies support.

I think Deputy Soulsby's comments about whether it would have been better as a shared policy letter from the Committees, rather than Policy & Resources taking a co-ordinating role and producing it itself, is a valid one, making the point that actually in essence this tells the Committees what they already know. But of course it is actually bringing it together for the benefit of all other Members.

Is it a cynical land grab? I think my only response to that, to Deputy McSwiggan, sir, is P&R have quite enough land without wishing to grab any more. So it really is not a cynical land grab. I hope she will take that as sufficient reassurance on that point.

Deputy Fallaize's comments, I think, both when he spoke and in the interventions to Deputy de Lisle's point, Deputy de Lisle's speech in relation to benefit limitation, were particularly valid, because there is often confusion over that and he dealt with the point, to which I can add nothing. With that, sir, I do ask Members to support both the amendment and the final Propositions.

The Bailiff: Members of the States, the first vote is in respect of the amendment proposed by Deputy St Pier and seconded by Deputy Stephens which, if approved, would have the effect of deleting the two Propositions and replacing them with two different Propositions.

Those in favour; those against.

Members voted Pour.

The Bailiff: I declare the amendment duly carried. Now, without further ado, we can move straight to the vote on the two Propositions. Is there any request that they be taken distinctly? No. There are two Propositions derived from the amendment that you have just approved, Members of the States. I put them both to you together.

Those in favour; those against.

Members voted Pour.

The Bailiff: I will declare both of those Propositions duly carried.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

**X. Review of the Code of Conduct
for Members of the States of Deliberation –
Propositions carried**

Article X.

The States are asked to decide:-

Whether after consideration of the policy letter entitled "Review of the Code of Conduct for Members of the States of Deliberation" dated 25th February 2020, they are of the opinion:-

- 1. To agree that the position of Commissioner for Standards should be established:*
 - a) to investigate alleged breaches of the Code of Conduct for Members of the States of Deliberation, replacing the States' Members Conduct Panel; and*
 - b) to investigate allegations of abuse of privilege, replacing the Privileges Panel.*
- 2. To agree that the Commissioner for Standards should be made responsible for keeping the operation of the Code of Conduct and its associated procedures under review and for making recommendations for change to the States' Assembly & Constitution Committee, as necessary.*
- 3. To direct the preparation of such legislation as may be necessary to give effect to the above decisions and paragraphs 3.6 to 3.8 of the policy letter.*
- 4. To agree the changes to the Code of Conduct for Members of the States of Deliberation, and other procedural recommendations, as detailed in the tables under paragraph 4.2 of the policy letter.*

3345 **The States' Greffier:** Article X. States' Assembly & Constitution Committee. Review of the Code of Conduct for Members of the States of Deliberation.

The Bailiff: I invite the President of the Committee, Deputy Inder, to open debate on this matter.

3350 **Deputy Inder:** Sir, with your grace, my VP, Deputy Jennifer Merrett has done all the work on it and I would like her to lead the debate.

Thank you, sir.

3355 **The Bailiff:** So I am going to invite the Vice-President of the Committee, Deputy Merrett, to open debate.

Deputy Merrett: Thank you, sir.

It is my pleasure to open debate on this policy paper, on behalf of not only SACC but also the review panel that formed to assist in our deliberations. I believe it is appropriate, sir, to put on public record, my thanks to those Deputies external to the Committee that made up the panel. That was Deputy Green, Deputy Hansmann Rouxel and Deputy Paint. Thank you.

When elected on to SACC, at the very first meeting I offered to pick up the baton of leading the review of the Code of Conduct and the Panel, which undertook a comprehensive review, appended as a policy paper, that has two almost distinct sections. The first section asks this Assembly to agree to establish a Commissioner for Standards, whilst the second section recommends amendments to some of the current Code and procedures, whilst adhering to internationally recognised best practices.

Proposition 1 asks the States to agree to the aforesaid Proposition of the position of a Commissioner for Standards. That is to replace the States Members' Conduct Panel, and to be responsible for any investigations into allegations of abuse of privileges. Proposition 2 gives the Commissioner for Standards responsibility for keeping the operation of the Code and associated procedures under review and for suggesting changes to the Committee for consideration. Proposition 3 asks the States to direct the preparation of legislation required to put the post into effect.

Now, I need to be clear, sir, these Propositions are not any reflection on the difficult work that the existing States Members' Code of Conduct Panel have undertaken. It is a desire to bring the investigation process in line with other jurisdictions and to seek to improve the perceptions of independence, impartiality and the general operation of the Code. Our community's confidence in the process and actions should be of paramount importance.

Now, at this juncture, I do wish to put again on public record my thanks for the difficult, and sometimes very public, work that the States' Members Code of Conduct Panel members present and past have been tasked and agreed to undertake. The Review Panel considered the existing Code and procedures against the Commonwealth Parliamentary Association's Recommended Benchmarks for Code of Conduct applying to Members of Parliament and suggested some changes to the Code and associated procedures as a result. This is set out in Proposition 4 and in the tables listed under paragraph 4.2.

The key aim is openness and transparency. For example, a dedicated page on the gov.gg website, so members of our community can more easily access information including guidance notes, timeframes, etc. so that they know what to expect and how to proceed, for example, with regard to how to submit a complaint, where any reports that have been published can be accessed, which will include details of substantiated and unsubstantiated complaints which have become public knowledge.

It also recommends that States' Members should have the opportunity to attend a standalone session as part of their induction and as part of ongoing development programmes. This has been including in the forthcoming on-boarding and ongoing development sessions due to take place later this year and a review of sanctions is also suggested.

There are changes to the text of the Code of Conduct detailed in this section. It was a member of our community, sir, who suggested that States' Members, when sworn in, that the Oath should be updated that requires them to swear to abide by the Code of Conduct, and we agree with them, so we are also recommending this change.

It was suggested that the Code of Conduct should make it clear that States' Members must attend States' meetings and be in the Chamber unless they have a reasonable excuse. This is already our normal practice and including it in the Code will make sure everyone accepts that is our expected standard.

Other recommendations seek to make it clear that:

In the interests of natural justice, a complaint should be made ... in private and not publicised until [it] has been determined and the decision communicated ...

It also recommends that a panel, or the commissioner, if appointed, can:

initiate an investigation if it believes that a breach of the Code may have occurred.

Further, it recommends that an appeals process should be introduced, because without an appeals process our standards of procedural justice fall far short of what they should be. This will help improve the fairness and transparency of the Code of Conduct process for everyone.

Now, sir, I appreciate this can be quite a dry area to consider. However, further to reading and reflecting on the Panel's and SACC's conclusions, I hope all Members will approve the Propositions before the Assembly today. Because today – it could be today – we have the opportunity to improve our community's confidence in the Code of Conduct complaints procedure for Members. We could also approve accessibility, openness, transparency and accountability.

Now, we have worked long and hard on this and commend the Propositions to the Assembly. We hope that all Members are supportive of this policy paper before them today.

Thank you, sir.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir.

I am going to support these proposals because the idea of a Commissioner for Standards who will replace the Panel and would be able to initiate, off his or her back, their own investigations was very much the policy and the direction of travel when I was on SACC as well. So the new Committee has reached the same conclusion as the old Committee did.

But to be perfectly honest, if I thought I would have stood any chance, I would have brought an amendment today to scrap the whole shooting match. I actually would like to get rid of the Code of Conduct. I know it would be hugely misunderstood and it would be, 'There's Roffey, he wants to run riot and misbehave and be free from any sanction for doing so'. But I have to say, it came in in 2006, I have spent most of my time in the States before there was a Code of Conduct. I do not believe behaviour is one whit better now than it was before a Code of Conduct.

In fact, if anything I think it is worse and one of the ways it has got worse is actually the misuse of the Code of Conduct by States' Members to bring mischievous complaints against their colleagues and to weaponise the whole process.

I know I would not have got the support, so I did not bother – politics is the art of the possible. I will do this as a second best, but the best thing would be to scrap the whole darned lot.

The Bailiff: Deputy Lowe.

Deputy Lowe: Deputy Roffey beat me to it. I think you read my notes, Deputy Roffey! I was reading this, I had actually written on here, 'Scrap it!'. You cannot vote against it because you are

still going to have it in place. But the current Code of Conduct is just not fit for purpose, for all the reasons that Deputy Roffey has said.

3445 It is very mischievous, with States' Members putting in a Code of Conduct. There are members of the public who have not even contacted a States' Member who go straight to the Code of Conduct before they find out the facts or anything like that and it encourages, I think, some unfortunate situations; and even when complaints have gone in. One of the principles: have respect for one another. There was one – and I am going to read it – that went out. It was in the public domain and it was when a certain States' Member sent another email to another States' Member and said that he was unpleasant, untrustworthy, disingenuous, treacherous and a 'selfish snake of the worst kind'.

3450 That was all over the papers. So I am not saying something here that was not ... it was published. That was from Deputy Sandra James against the late Deputy Mike Hadley, and it was thrown out. Now, if that does not tick the box for respect for a States' Member, it just makes a joke of the Code of Conduct, in my opinion. So it has been going on for a long time. It is very unfortunate that we have situations like this and these types of complaints being sent in, which really, if they are not going to tick the box for what we have actually set for respect, do not have it.

3455 That has been a bone of contention for many States' Members and, as I say, it happened last term. Indeed, we have seen some this term as well. We cannot throw it out because we are still stuck with it, Deputy Roffey. Unless you would like to go outside and do an amendment and I will second it for you! It is not to say that we will go around and start misbehaving because it does actually ... Yes, I am quite happy to do it, Deputy Roffey. If you want to do it, I will do it –

3465 **The Bailiff:** Deputy Lowe, can I just remind you not to have a discussion across the Chamber with another Member.

Deputy Lowe: I am sorry, sir. Through you, sir. You could take a Code of Conduct! I am only joking. Thank you, sir. Apologies.

3470 Anyway, I just think, great, if you are going to have a commissioner, absolutely right. Get it right, get somebody there. Get somebody independent. It was new when it came out. The appointments were from the Bailiff, they were not from in here. We did not put them through.

3475 I know, again, it was done in all good faith. But the public perception, because there were so many ex-States' Members on it, people were saying, 'They are going to look after their own – they worked with those before'. So let's have somebody independent. Let's get the process sorted out. Let's get some meaningful Code of Conduct if we are going to have it. But it is no use looking at what they do in the UK. When you have got over 600 people in a government in the UK, you cannot actually go and cut and paste something and put it here, because it just will not work, and has not worked. And I think they have tried that before, as well.

3480 So I look forward to whatever the commissioner will do, whether I am in the States or out of the States. But it has got to improve on what it is at this moment in time.

The Bailiff: Deputy Graham.

Deputy Graham: Thank you, sir.

3485 I feel I have a duty to speak on this, because at one stage it was almost as if I was claiming a monopoly on complaints against the Code of Conduct! (*Laughter*) For the record, there were complaints made to the effect that I had breached various sections of the Code of Conduct on 11 occasions. (*Laughter*) And for the record, on one of those alleged breaches, I was found in one sentence of a multi-email exchange to have used language that was probably a little more 'robust' than might otherwise have been the case, I think were the words of the findings against me.

3490 I like to feel that I am not really excessively a rude person. But for those who think I am, you have seen nothing yet, I can tell you! (*Laughter*) Perhaps it is that there are still people out there who have got very thin skin. I have no particular wish to perpetuate the Code of Conduct arrangements

as they are, because one might be exonerated of them and indeed some of my fellow members of the Committee for Education, Sport & Culture were summarily exonerated.

They are, at the time, very tedious things. They usually come at very busy times for the Committees, for the individuals. That may well be, sometimes, the motive behind making them. They are tedious and they do in fact take up a lot of your time and I can imagine that, for some Members, they may even be distressing, and that is regrettable.

Having said that, I am not totally sure that the answer is what is being proposed. I am just wondering whether an answer is needed at all. Because it seems to me there is justification for treating States' Members differently to anybody else in the community on the basis that we enjoy privilege for what we say or produce in writing within this Chamber.

To that extent, the remedy there is the Presiding Officer has the powers to stop a Member in full flow. But to the extent that he or she cannot undo something said, then we have the Privileges Panel, which is convened from amongst ourselves to deal with alleged breaches of that and I think that is a fairly simple, move-fast response to that.

But when it comes to what may be done, said or written outside of this Chamber, I just wonder whether we need anything at all. Why should we in theory be, or in practice, treated differently to any other members of the community?

I will give way.

Deputy Indor: Thank you, Deputy Graham, for giving way.

With the emergence of parties at the moment, and let's pretend one of them dominates the Assembly in the next –

A Member: Very unlikely.

Deputy Indor: Very unlikely. I know it is incredibly unlikely, looking at what has happened at the moment and increasingly getting worse by the day. But let's pretend for a moment. Would it not be better to at least go into a future Assembly with an established Code of Conduct then get rid of one now, rather than allow a dominating Assembly by a party? I would like to see them get rid of a Code of Conduct. I would rather see them do it, than take the risk right now. I just want you to give that some thought.

Deputy Graham: That was a helpful intervention because it reminds me I may have given the impression that I wanted to keep the thing in its current form. I do not. I say scrap it. Retain the privilege bit, with the Privileges Panel, and have nothing to replace the rest. Because there is the criminal law to resort to for people if our conduct offends that. I presume there are laws of libel and slander still out there. There are various levels of employment legislation that limit how one can conduct themselves with one's fellows and also, for example, with civil servants and so on. There is the GDPR that is lurking there for everybody.

What is so special about us that we need a special Code of Conduct? If the answer proves to be in pragmatic terms to have this commissioner, I probably cannot bring myself to vote against it. But I am not totally convinced that anything is necessary at all.

The Bailiff: Deputy Le Tocq.

Deputy Le Tocq: Thank you, sir.

I will be brief. Good to come in after Deputy Graham because he raised a question as to whether this particular suggestion of Propositions before us, is this new system will improve matters. I do believe it is. I was pleased to be able to serve on the sub-group from SACC, along with Deputies Merrett, Ferbrache and Paint. I think we had a good cross-section there of people who could see that the system was broken, either through experience or just knowing that is the case, knowing people who have been through it.

My own experience ... and this is something that I feel it is a shame we could not get this in place earlier. It was certainly too late for this Election. But I was, along with Deputy Parkinson I think when we were candidates for the last election were taken to a Code of Conduct that I found out through *The Press* informing me, and of course it was timed brilliantly to come up at the time of election campaigning. It was obviously ruled out of order, but the damage had been done. I spoke to a number of people on the doors, 'Oh, you have got a Code of Conduct hanging against you, so what do you think of that?'. I was not able to respond in any particular way because of the case involved.

Basically, in answer to Deputy Graham's challenge, there is not clearly a perfect system. There is not a system that deals with the issues and to some degree what Deputies Lowe and Roffey were suggesting would make some sense. But that is going to be read totally wrongly by all of our population and we cannot certainly be suggesting that. So please let us not have an amendment for that.

I think we have got to put something in place. It is clear that the Jersey system, which basically this is based on, has been in place for some time and seems to have improved matters quite considerably from all angles. So I think, at the very least, we should give it a go and let it have some time to embed and make a judgement as to whether it is an improvement or whether we can improve it further.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

I had not intended to say anything in this debate. I think whenever we have these policy letters on a thing that is to do with what we do and all the navel-gazing, they go on for far too long and really I am quite happy to support the proposals here. But I thought I had to stand up, given comments made by Deputy Lowe in respect of a former Deputy earlier and that former Deputy was not able to defend herself.

I do not think she gave the context behind what happened in that Code of Conduct at that moment of time, because it was preceded by another Code of Conduct at a very difficult time in relationships on the then Health and Social Services Department. I think the context is very important to understand in relation to what happened there and I thought I should make that clear, given that the former Deputy was not able to defend herself here.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

Deputy Roffey referred to when the Code of Conduct was established in 2006. At that time I was only watching the States and had been for a few years, for part of the time, working at *The Press*. I am in no doubt at all that civility between States' Members has significantly deteriorated since the establishment of the Code of Conduct.

I cannot prove that the two are linked but my view is that it cannot really be disputed. I think that, particularly in this Assembly, the scope to disagree agreeably appears to have been lost and if anything can be improved between this term and next term, I hope it is that.

I am quite sympathetic to these proposals and I commend the States' Assembly & Constitution Committee for tackling this issue. But I think that the two main problems with the Code, the way it operates at the present time, are first of all, it is really quite inaccessible to the public. The people who actually need access to the Code of Conduct are members of the public and the whole thing is quite inaccessible. Most people will not even know it exists and those who do find that the process of making submissions makes it all quite inaccessible.

The people who in my view should have absolutely no access to the Code at all, who are Deputies, find it very easy to have access. All it takes is you sit down in front of your computer with a grudge, or at least being very annoyed, you bang out some relatively vexatious stuff, some sort

of report, log it into the Code of Conduct, normally issue a press release at the same time, and of course the job has been done.

3600 Whatever the Code of Conduct Panel find, the aim of the exercise, which is to identify publicly that Deputy X has been subject to a Code of Conduct complaint and has to be investigated, has been achieved. I think there have been numerous examples since the Code of Conduct was introduced where that has happened.

3605 In my view, Deputies should not be allowed to submit Code of Conduct cases. I always remember a former Chairman of the Code of Conduct Panel, and I regret now when I was President of this Committee not proposing that Deputies should not be permitted to lodge Code of Conduct cases, because he asked us to propose that. He said, 'In my view, if Deputies have to resort to Code of Conduct complaints against each other, the whole political system is breaking down and it just gives the appearance of Deputies acting like children'.

3610 I do accept that there are some circumstances in which one Deputy may have a legitimate Code of Conduct case against another Deputy. But I think those numbers are far outweighed by the number of blue on blue – as Deputy Inder calls it – cases which are basically vexatious, without foundation –

3615 **Deputy Inder:** They do backfire.

Deputy Fallaize: – and sometimes, if there is any justice, backfire.

3620 I would like to know what these proposals are going to do to address the fact that the Code is inaccessible to the public at the present time but too accessible to Deputies. I am sympathetic to the idea of a commissioner, but I do not actually think that the main problem with the Code is the Panel. I think the main problem is the procedure around how complaints can be submitted, on what grounds and who can do the submitting.

3625 My view, actually, is that if there is going to be a commissioner – and I genuinely would like some clarity on this from Deputy Merrett, because I do not think it is fully clear in the proposals – the commissioner should have the complete authority over all parts of the process. I do not think anybody should be able to lodge a Code of Conduct case without the commissioner authorising it.

3630 It is fair enough. Deputy X can phone the commissioner up, or send the commissioner an email and say, 'I think Deputy Y has breached ...' whatever in the code. I do not think that should be considered the submission of a case. I think that the commissioner should have to press the green button that the commissioner accepts a case should be heard, before there is any sense that that case has been lodged.

3635 I would appreciate some clarity from Deputy Merrett about whether that is going to be the process because at the present time, I am not quite of the view that there should not be a Code of Conduct – I think there is some value in a Code of Conduct – but I think the people who should have access to it do not, or do not have ready access to it. The people who should be kept well away from it have easy access to it. It is that that has created the problem with the present Code, which I think, in theory, is fine. Actually, I think the words of the Code by and large are worthwhile, but in terms of the way it operates, it is a complete nonsense.

3640 **Deputy Leadbeater:** Could I try Rule 26(1) please, sir?

The Bailiff: Deputy Leadbeater is asking to see who wants to speak still in this debate. So, will Members who have not yet spoken and who are planning to speak in the debate please stand in their places?

Deputy Leadbeater, is it still your wish?

3645 **Deputy Leadbeater:** Yes, please.

The Bailiff: Members of the States, I will put to you the motion pursuant to Rule 26(1) that debate on this item be terminated, subject to the usual winding up processes.

Those in favour; those against.

Members voted Pour.

3650 **The Bailiff:** I will declare that carried.

I will turn then to Deputy Merrett, as the Vice-President of the Committee, to reply to the debate.

Deputy Merrett: Thank you, sir.

I think, for once, I was pleased that carried. I am not enthused with the guillotine, but on that occasion I think I was relatively pleased, which is a bit odd, but still. So, Deputy Fallaize asked some questions about accessibility and I am sure he was listening to my opening speech when I, and I can repeat it to him and it is in the paper, that one of the keys aims, there was transparency, for example, on the community page. We are trying to ensure that members of our community can more easily access the information. That is what we are trying to do. We are trying to put it in one place.

I absolutely appreciate that not all members of our community have got access to the internet, but we are trying to move forward to try to ensure or help or assist members of our community, having it in one place, what they can expect, the timelines and any cases found or unfound that have hit the public domain. So I did actually say that when I opened up and I – I am not giving way, simply because I want to vote before 5.30 p.m. *(Laughter)* Sorry, but that is it.

So then Deputy Fallaize asked about the associated procedures. I can resonate with his concerns and what I have observed in this political term regarding Deputies making complaints against other Deputies. Proposition 2 does say that the Commissioner for Standards hopefully will be more independent and certainly perception of objectivity should be there. It will be for the Commissioner for Standards, if approved today, sir, that any procedures under review and make recommendations to SACC.

If that does not help with the objectivity and some independence to actually – rather than what one Deputy thinks should happen, compared with another Deputy – have that independence overlooking it and saying, ‘Actually, we believe this/that, what do you believe?’. Now, if that, if approved, the Commissioner for Standards is not able to do that, then they will not be fulfilling the role that we expect them to fulfil and I think the role has been quite clearly articulated in the policy paper.

I did not want to do a point of correction, but I will refer to it briefly. We have not looked at the UK and copied them. It does not say that in this paper. That is not what we have done. What we have done is benchmarked ourselves against the Commonwealth Parliamentary Association, and the Commonwealth, as I am sure Members know, is far more than just the UK.

So while I absolutely resonate with what Deputy Lowe said about the independence opportunities this could provide, I absolutely resonate and agree with Deputy Lowe on that point, the point about the independence and the perception of objectivity. Now, lastly, I am concerned, I was concerned, that we should scrap this because you are elected and, do you know what, do what you want, behave as you like for the next four years, and there will be no sanction, there will be no element of recourse for our community or for anybody to actually hold to account elected Members other than at the ballot box four, four-and-a-half years later.

If Members really think that is acceptable that we should be *carte blanche* because we have been elected, so therefore: do as you wish. Now, I think if approved today, having Members swear the Oath and actually swear to abide by the Code of Conduct would be helpful because I have had reason to believe on occasions that some Members, potentially, might not have read it or understood it or interpreted it in the way that I did. And that is fine, because that is up to them. But

3695 I think that if we actually have it and we have it, as suggested, as part of our induction, then actually there is no reason for any Member to break the Code of Conduct if they have sworn to an oath to actually abide by it.

3700 So I am hoping – and it is a dreadful thing called hope that I have; I am an eternal optimist – that this could lead to a more independent, objective way of members of our community, and when elected you are still a member of the community, just to point that out, obviously, to actually be able to hold elected Members to account, as I said, other than at the ballot box.

3705 So to me, sir, I think these are pragmatic, they are reasonable and they are progressive. Once again, I will thank the Members that have supported this. Obviously I did say SACC and members of the panel, but I agree and I apologise to Deputy Le Tocq. I should have made it quite clear that Deputy Le Tocq was a member of the panel. But he was and I appreciate the fact that he was and committed the time to assisting the panel and SACC coming to this conclusion.

So with that, I am hopeful that you will be patient to allow us to take the vote this evening, if possible, sir. Thank you.

3710 **Deputy Fallaize:** Sir, may I ask a question of H.M. Procureur? I think it is very relevant to one of the proposals.

The Bailiff: Yes, Deputy Fallaize. A question, if you want clarity.

Deputy Fallaize: Thank you.

3715 It is on this business of the oath. If a person having been elected in what is, as I understand it, a sitting of the Court swears on oath that they will uphold the Code of Conduct and is then later found to have breached the Code of Conduct by the commissioner, or following a complaint, is that person liable to a charge of perjury or any other legal recourse?

3720 **The Bailiff:** Madame Procureur, are you able to assist?

3725 **The Procureur:** Well, sir, it would depend very much on the facts of the case. I certainly cannot give a one-word answer to that on such a general observation. But it is very unlikely to do so, I would have thought – off the top of my head – just in relation to the Oath. But it very much depends on the facts of the case.

The Bailiff: Is there any possibility, Madame Procureur, that what is suggested in relation to the oath, because it says, 'update the oath of office before June 2020', cannot be put into effect?

3730 **The Procureur:** Absolutely, sir.

The Bailiff: Members of the States, I am going to put the Propositions to you in two batches. The first is Propositions 1 to 3, because that is about introducing a new commissioner for standards and then legislation associated with that.

3735 So, on Propositions 1 to 3: those in favour; those against.

Members voted Pour.

The Bailiff: I declare those three Propositions carried.

Then turning to Proposition 4, which is to change the Code of Conduct terms immediately. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 4 also carried.

3740 We will now adjourn the Meeting of the States of Deliberation, please, until 9.30 a.m. tomorrow morning.

The Assembly adjourned at 5.33 p.m.