



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 26th January 2022

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Present:

Ms J. E. Roland, Deputy Bailiff and Presiding Officer;

R. J. McMahon, Esq., Bailiff and Presiding Officer

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People's Deputies

S. E. Aldwell	J. P. Le Tocq
C. P. A Blin	M. P. Leadbeater
T. L. Bury	D. J. Mahoney
A. Cameron	A. D. S. Matthews
D. de G. de Lisle	L. J. McKenna
H. L. de Sausmarez	N. G. Moakes
S. P. Fairclough	R. C. Murray
S. J. Falla	C. N. K. Parkinson
P. T. R. Ferbrache	R. G. Prow
A. Gabriel	P. J. Roffey
J. A. B. Gollop	H. J. R. Soulsby
S. P. Haskins	G. A. St Pier
M. A. J. Helyar	A. W. Taylor
N. R. Inder	L. S. Trott
A. Kazantseva-Miller	S. P. J. Vermeulen

Representatives of the Island of Alderney

Alderney Representatives S. Roberts and E. A. J. Snowdon

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (States' Greffier)

Absent at the Evocation

Deputy C. P. Meerveld (*relevé à 9h 33*); Deputy A. H. Brouard (*relevé à 9h 35*); Deputies Y. Burford, V. S. Oliver, L. C. Queripel (*relevé à 9h 56*); Deputy A. C. Dudley-Owen (*relevé à 12h 06*); Deputy J. F. Dyke (*absent*)

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States of Deliberation

The States met at 9.30 a.m.

[THE DEPUTY BAILIFF *in the Chair*]

PRAYERS

The States' Greffier

EVOCATION

CONVOCATION

The States' Greffier: Billet d'État I of 2022. To the Members of the States of the Island of Guernsey, I hereby give notice that a Meeting of the States of Deliberation will be held at the Royal Courthouse, on Wednesday, 26th January 2022, at 9.30 a.m. to consider the items listed in this Billet d'État, which have been submitted for debate. Billet d'État II and Billet d'État III are convened pursuant to the provisions of Rule 2(4) of the States of Deliberation.

Procedural – Motion to consider Billet d'État III before Billets d'État I and II – Proposition carried

The Deputy Bailiff: Deputy Fairclough, are you going to move a motion to move the Proposition in relation to the Hybrid Meeting, in the absence of Deputy Meerveld?

Deputy Fairclough: Yes, madam, I will do that in the absence of the President and the Vice-President of the States' Assembly & Constitution Committee.

The Deputy Bailiff: States' Greffier, if we could deal first with the motion to move ... Deputy Meerveld do you wish to be relevé?

Deputy Meerveld: Yes please, madam.

The Deputy Bailiff: I think you might be off the hook, Deputy Fairclough! (*Laughter*). Could we have the motion to the Proposition for this to be dealt with first, please, States' Greffier.

The States' Greffier: Billet d'État III, Article 1, the States' Assembly & Constitution Committee, Rules of Procedure of the States of Deliberation – Hybrid Meeting on 26th January 2022.

The Deputy Bailiff: Yes, Deputy Meerveld. Do you wish to move a motion to move up the Order Paper?

Deputy Meerveld: Yes please, Madam.

30 **The Deputy Bailiff:** States' Greffier, Members, those who support the motion to move Billet d'État III up the Order Paper to be dealt with first, please indicate Pour; those against?

Some Members voted Pour, others voted Contre.

35 **The Deputy Bailiff:** I think we ought to have a recorded vote, please, States' Greffier. Just before you start the voting, Deputy Brouard, do you wish to be relevéd?

Deputy Brouard: Yes, please.

40 **The Deputy Bailiff:** Let's hope this all starts settling down soon. States' Greffier, when you are ready to call the vote.

There was a recorded vote.

Carried – Pour 29, Contre 5, Ne vote pas 0, Absent 5

POUR

Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Parkinson
Deputy Prow
Alderney Rep. Roberts
Deputy Roffey
Alderney Rep. Snowdon
Deputy Soulsby
Deputy St Pier
Deputy Trott
Deputy Aldwell
Deputy Blin
Deputy Brouard
Deputy Bury
Deputy Cameron
Deputy de Lisle
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Gollop
Deputy Haskins
Deputy Kazantseva-Miller
Deputy Le Tocq
Deputy Leadbeater
Deputy Matthews
Deputy McKenna

CONTRE

Deputy Taylor
Deputy Vermeulen
Deputy Helyar
Deputy Inder
Deputy Mahoney

NE VOTE PAS

None

ABSENT

Deputy Queripel
Deputy Burford
Deputy Dudley-Owen
Deputy Dyke
Deputy Oliver

45 **The Deputy Bailiff:** In relation to the motion to re-order, there voted Pour 29, Contre 5, with 5 absences. The motion is passed.

Billet d'État III

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

1. Rules of Procedure of the States of Deliberation – 'Hybrid' Meeting on 26th January 2022 – Proposition carried

Article 1.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled "Rules of Procedure of the States of Deliberation: 'Hybrid' Meeting on 26th January 2022 dated 12th January 2022, they are of the opinion:-

1. To agree to adopt the 'Rules of Procedure of the States of Deliberation' as attached as Appendix 1 of the policy letter in respect of the Meeting of the States of Deliberation on the 26th January 2022 to enable States' Members who wish to attend the Meeting remotely to fully participate.

The Deputy Bailiff: Deputy Meerveld, if you would like to present your Proposition in relation to the Hybrid Meeting.

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

A couple of weeks ago, SACC did a straw poll of a few Members and there was a general desire to have the option of a Hybrid Meeting at this Meeting for Members to consider. That was obviously before the current advice has changed, so I lay it before the Assembly for their consideration.

Thank you, madam.

55

The Deputy Bailiff: Deputy Taylor.

Deputy Taylor: Thank you, madam.

60 'Okay, campers, rise and shine and do not forget your booties because it is cold out there. It is cold out there every day.' Did no one get that? I just Googled *Groundhog Day* quotes and that is apparently number one. I would ask Members to vote against this as I explained in my speech on this the last time it came up. But I will not say any more.

Thank you.

65 **The Deputy Bailiff:** Deputy Gollop.

Deputy Gollop: Thank you.

70 I am a Member of SACC and one of my feelings is unless I have got an overwhelming issue of conscience or policy I must be loyal to the Committee, and indeed I am. Deputy Meerveld, and Deputy Queripel when he launched this on the last occasion, are commendably short and brief in their succinct way they put across the arguments.

75 I am going to support this and be in favour of it because I think we still have several hundred COVID cases on the Island and there are Members who, for one reason or another, are vulnerable, through age or health or young children, and we need to focus on safety. But I did point out at the Meeting and I will again that Deputy Queripel makes the point I should focus – and Deputy Meerveld – on one at a time because the issue today is very narrow. It is just on the Meeting to be scheduled for today and maybe tomorrow.

But there is also the incremental drift on the other hand of it becoming very regular, happening every month, for one reason or another, and I am not keen on doing that without much deeper

80 consideration as to the effect it would have on us as a parliament because, as my colleagues have
informed me but I knew this already, because I am a bit of an anorak, if you take for example our
cousins in the States of Jersey, they have stayed in hybrid mode and a surprisingly large number of
their politicians do not turn up in the Assembly for one reason or another and I think, judging from
the earlier vote this morning, some senior figures are already concerned that we risk drifting into a
85 different kind of Assembly.

So, marking that card, I think we should support this today, but think very carefully, especially if
COVID numbers drop further under the expert leadership of Deputy Ferbrache and the CCA, before
we acknowledge this, for certainly the March Meeting and very possibly the February Meeting.

90 **The Deputy Bailiff:** Deputy Inder.

Deputy Inder: Deputy Bailiff, thank you.

I think as Deputy Meerveld said, and I think he has probably very heavily caveated his very short
speech, he said this policy letter a couple of weeks ago and he noted as things moved on. We are
95 the States of Assembly and at the moment we are running under Emergency Regulations. Two
weeks ago, in this game, has been a very long time.

The 24th, I think it was, of this month I think the CCA told us that everyone needs to go back to
work and we should be here today. I took my LFT test this morning, just to let everyone know, I was
going to say positive, sorry, beg your pardon! *(Laughter)* I was, you will be glad to know, negative.
100 Do not forget what this was about. This was never about illness, or actually about COVID. I am going
to assume everyone here is sensible, all 40 people in the States, including staff, took their LFT test
and there is no one here who has got a negative test.

There is no reason whatsoever for us to have a Hybrid Meeting today. None whatsoever. We
have to, and again I am afraid Government is slightly behind the curve, if the people of this Island
105 are working in their offices and have gone back to work, there is no reason today we should be any
different at all and I would ask Members, including Deputy Meerveld, to reflect on the fact it was
only two weeks ago and if he would consider voting against his own policy letter, because I know
he thinks like I do.

Thank you.

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

Deputy de Sausmarez: Thank you, madam.

I think it is just relevant to point out that we do still have COVID circulating in the community.
115 We still are advising the community to act with good common sense and use that common sense
and apply caution where necessary. We do still have Members of the Assembly who are more
vulnerable and who I completely understand might not want to take that risk, especially as the
mandatory mask situation has been relaxed. Actually, to some extent that has increased the risk for
those Members. So, I think that it is as relevant today as it was at the last Meeting to have a Hybrid
120 Meeting and for that reason I will support it.

Thank you.

The Deputy Bailiff: Deputy Gabriel.

125 **Deputy Gabriel:** Thank you, Deputy Bailiff.

I will be very brief. We have a duty of care to our citizens, we have a duty of care to our co-
workers, let's call them our colleagues, and I am going to support this policy letter. If we were an
employer out in the workplace and we made it mandatory for people to attend or couldn't facilitate
them to attend remotely, then I am sure that they may be liable for some sort of tribunal, some sort
130 of issue and I do not want to contribute to that. I think we should make everything available for
people to attend and contribute.

Just because you are at home it does not mean that you cannot contribute. I myself was aware at the December Meeting that I attended remotely – because I was shielding, going for an operation that very afternoon. The hybrid situation worked very well because of course I did not want to contract anything last minute, preventing me from surgery.

As I said, right at the start, we have a duty of care to our citizens and to our colleagues, which I am going to support the policy letter and the hybrid working. For this Meeting only. I echo Deputy Gollop's comments that we should not allow this to slip because, with the modern technology that is available, fibre broadband, we could be attending a Hybrid Meeting from absolutely anywhere in the world, which I do not think should happen. As I said, we have a duty of care to our citizens to make decisions and to do that properly with the right forethought and structure.

Thank you.

The Deputy Bailiff: Deputy Roffey.

Deputy Roffey: Madam Deputy Bailiff, I do not agree with Deputy Gabriel that hybrid meetings work well. I do not think they do. I think they are a really poor substitute for an all-together physical Meeting. So, it would be very easy for me to jump on the bandwagon and say let's stop it now, particularly when we no longer have the formal advice for people to work from home. You could interpret that and say, okay let's follow our own advice, we are telling the public they no longer have to work from home so why should we?

But then I do ask myself, and this is where I do agree with Deputy Gabriel, what would a good, responsible and caring employer do. They might be telling their employees, 'Come back to the office,' but I think the vast majority of them would say, 'Unless you have a particular vulnerability that makes you nervous to do that,' because COVID is still ... It is great that it is going down but six months ago, a year ago, if we had 400-500 COVID cases in the Island we would have been shocked. Our attitudes have changed.

I do know that there are Members of this Assembly – not many but some – who have really legitimate reasons for worrying about their immune response to an infection. So, I am going to vote for this but, in doing so, I would urge every Member of the Assembly, all 40, to be here unless they have a really sound reason for having a heightened concern about it, not to use the fact that a Hybrid Meeting is available just to sit in the comfort of their own home.

I think that would be unfortunate. We should be leading by example by being here if we have no reason not to be, but I think it would be almost cruel, actually, to the few people who have got genuine reasons to be nervous about sitting in a room with 50 other people when you take into account the officials and the Public Gallery to say that they could not participate.

So, I am going to vote for this but, like Deputy Gollop, it is really on record that I do not favour moving to a permanent system. I am not saying this will be the last ever time because I do not know where COVID is going over the next few weeks now we have relaxed rules but it is only in the face of the pandemic that I do support it for this Meeting.

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

The Deputy Bailiff: Who still wishes to speak on this Proposition? Please rise in your seats. Do you wish to have a vote on this, Deputy Leadbeater?

Deputy Leadbeater: Ah, no. *(Laughter)*

The Deputy Bailiff: Deputy Matthews.

Deputy Matthews: Thank you.

I may well be quicker than the recorded vote. I was only briefly going to say a number of Members have stood up to say how much they favour in meeting in person and their concern that

Hybrid Meetings would encourage people, using Jersey as an example, to sit at home. I think we can say we have got pretty much almost a full house. I certainly know when I came in I struggled to find a place to sit. I know there is almost a full house that we have got here so it certainly is not transpiring that people are sitting at home.

I must admit, I sometimes find people's reticence about the idea of one or two or a few Members being able to join remotely puzzling. In business, it has been absolutely commonplace to have meetings where people have been working remotely, people have been working across many locations to have Teams meetings and all the other video conferencing technology that has been in existence for years and years.

It does not strike me as odd at all that if somebody, for whatever reason, was not able to attend they would be able to attend remotely. So, I shall be voting in favour of this Meeting and I am afraid I do not share the concerns that some others have expressed about a slide into remote working.

Sorry, I will give way to Deputy Taylor.

Deputy Taylor: Deputy Matthews, I am very grateful for him giving way. It is handy to just prove a point that if we are going into a Hybrid Meeting he would not have been able to do that. I do accept the comparison with industry and indeed Committee meetings that are taking place in a hybrid, but in a Committee meeting where it is hybrid, or in industry, you can raise your hand and you can actually continue a debate.

If we do again vote through the Hybrid Meeting we will lose the give-way Rule for the rest of this Meeting and I think, given the items we have on our agenda, I think that is a very important thing to be considering before we take this vote. But I would reiterate I am very grateful to Deputy Matthews for allowing me to make that point.

The Deputy Bailiff: Do you wish to reply Deputy Meerveld?

Deputy Meerveld: Yes, madam.

Thank you for the Members who have participated in that. I think, certainly from the SACC's perspective, the decisions around Hybrid Meetings have been difficult. The Committee as a whole, if I speak in general, do not like the Hybrid Meetings and I know a lot of Members have struggled with it. I think it raises a lot of issues. But it has been a necessity during these very difficult times, when we have not known from one Meeting to the next what environment we are going to be dealing with and this is very much the spirit in which this Proposition has been brought.

A couple of weeks ago we did not know where we were going to be now. My sincere hope is this is the last Hybrid Meeting we will ever have. I say that because I think the CCA is now leading us out of the restrictions that were imposed, quite rightly, to control COVID, and I am hoping that as a society we will learn to live with COVID and get back to a new normal and that this will not be necessary.

But if circumstances arise SACC will deal with it at the time. My sincere hope is that this is the last one. Having said which, this Proposition was proposed and I know that we have at least a couple of Members who are not present, one of which did express a desire to participate remotely, so despite Deputy Inder's request – and he does know my feelings about Hybrid Meetings – I am going to vote for this Proposition and encourage Members to do it for this Meeting, to enable a couple of Members to participate remotely if they wish and then, as I say, I sincerely hope we will have seen the back of Hybrid Meetings going forward.

Thank you, madam.

The Deputy Bailiff: Thank you. So, Members, the Proposition is in relation to the Hybrid Meeting for this Meeting, to agree to adopt the Rules of Procedure of the States of Deliberation as set out in that policy letter. Those who support the Proposition; those against?

Members voted Pour.

235 **The Deputy Bailiff:** The Proposition is carried. We will just take a moment to set up the Meeting. States' Greffier, do we appear to be functioning properly as a Hybrid Meeting?

The States' Greffier: We do madam, yes.

240 **The Deputy Bailiff:** Can I therefore invite those Members who are attending remotely to indicate whether they wish to be relevéed. I will go through each in turn. Deputy Burford, do you wish to be relevéed? I think you are still on mute, from what I can see. We will come back to Deputy Burford, I can see she has indicated on Chat but I would want to hear it orally. Deputy Oliver, do you wish to be relevéed? I am not sure that Deputy Oliver can actually hear me properly, because she has just said she wanted to be relevéed 'sir', so I am guessing she has not realised that I am not
245 'sir'. Deputy Burford, could you try again? Do you wish to be relevéed?

Deputy Burford: Yes please, madam.

250 **The Deputy Bailiff:** We have made contact! Thank you, Deputy Burford. Deputy Oliver, do you wish to be relevéed?

Deputy Oliver: Yes please, madam.

255 **The Deputy Bailiff:** And Deputy Queripel, do you wish to be relevéed?

Deputy Queripel: Yes please, madam.

The Deputy Bailiff: Thank you.

Statements

COMMITTEE FOR HOME AFFAIRS

General update – Statement by the Committee *for* Home Affairs

260 **The Deputy Bailiff:** Can I therefore invite Deputy Prow, on behalf of the Committee *for* Home Affairs, to present his Statement?

Deputy Prow: Thank you, madam Deputy Bailiff.

265 As we head into the second year of this political term the Committee *for* Home Affairs remains focused on the delivery of its identified priorities and I am pleased to be able to report that real progress has been made in each area. I shall address these in turn.

As actions are delivered, objectives will evolve, however, it is the Committee's view that meeting international standards, supporting sustainable population policy, fighting crime on an international stage and the delivery of an integrated justice policy forms part of the bedrock of Government policy. A view that has been endorsed by the Assembly through the Government Work Plan.

270 Each require a long-term commitment and investment and are individually critical to ensuring that the Bailiwick continues to be a safe and just jurisdiction in which to live and to do business. Some actions to achieve our objectives are already completed and others are in train, and some are a marathon rather than a sprint.

Justice is not identified as a top 10 priority; however, it is arguably a matter of great importance for every civilised community. Justice goes to the very core of the Committee's mandate and rightly enjoys a high degree of political and public interest. I shall therefore open on this subject. Justice policy, which was only added to the Home Affairs mandate last term, needs to continuously evolve to reflect the changes in society.

Successful Justice Policy can only be delivered through cross-committee working, delivered in partnership with professional stakeholders, the judiciary and the public. If justice is not always on the agenda, invested in and resourced our society we will always be looking to catch up. Through the Government Work Plan this Assembly agreed to 'develop a set of proposals and recommendations for a Justice Framework' and the Committee was pleased that resources were assigned to support the delivery of this work.

The Justice Review started an honest public, professional and political conversation. The resulting Report, published at the end of last term, was the product of a wide external review of the States' justice system, and produced 43 recommendations. The development of a justice framework is a progression of this work and continues the conversation. The justice framework will provide a tool to prioritise and phase work and provide visibility of government's justice priorities.

We are currently consulting politically on a draft framework and action plan with those Committees whose mandates are directly linked to the actions under consideration. Wider political engagement will occur in advance of the publication of the policy letter. It is intended that the framework and action plan will be submitted for debate at the May 2022 States' Meeting.

A number of actions that fall within the justice framework have already been prioritised, resourced and are progressing. In addition to the development of the framework, these include the Domestic Abuse Strategy, combatting sexual violence and the workstream looking at alternative and non-punitive approaches to the possession of small quantities of illegal drugs.

I am pleased that Deputy Andy Taylor and Advocate Peter Harwood, the Committee's justice lead, are supporting this work. The Project Board has already had a number of meetings, a terms of reference agreed, objectives and project plan set. The timeframe for the project completion is very short, with the ambition of lodging a policy letter at the beginning of May for consideration by the Assembly on 29th June.

The Committee received its first briefing on the Domestic Abuse Strategy in December 2020. We recognised the value of the work delivered and the need for further investment, particularly in services relating to sexual violence which might be delivered through a Sexual Assault Referral Centre (SARC).

In March 2021, as part of the Government Work Plan submission, the Committee highlighted an additional forecast revenue spend for the Strategy. This included funding a three-year pilot scheme for SARC which the Committee will be seeking to expedite this year starting with a full scoping and needs assessment.

The Committee will soon be consulting on proposals to broaden the Domestic Abuse Strategy which will strengthen our response to tackling domestic abuse and sexual violence. This is as a direct result of an extant Resolution which required investigation of the merits of establishing a Violence Against Women and Girls Strategy. While the Bailiwick may not have the breadth of social problems covered under such strategies in larger jurisdictions, there is a recognised need for improved services locally for all victims of sexual assault whatever their gender.

Turning to other priority areas, the Government Work Plan focuses on managing Guernsey's international obligations. This includes international standards in relation to combatting financial crime and the action of preparing for the upcoming Moneyval evaluation. This work is critical to ensure that our finance sector continues to thrive.

Money laundering is a serious global problem, the misery from both human and drug trafficking, serious fraud and government corruption, particularly with the less-developed countries, is real and as a jurisdiction we have a responsibility to play our part to quash it. We are focusing on recognising risks where they exist and doing something about them – taking action to futureproof our infrastructure. The establishment of the Economic and Financial Crime Bureau, a new specialist

investigative organisation, supports this objective and I am pleased that the Assembly will be asked to approve the legislation placing the Bureau on a statutory footing later in this meeting.

330 Following the UK's exit from the EU, the UK continue to develop their immigration policy. We are continuing to work closely with our UK and Crown Dependency partners to see how we can tackle recruitment issues, as all our Common Travel Area partners are experiencing similar challenges to our local experience. Work continues to progress to align with British digital border developments, implementing new digital services at the border to meet the requirements of the post-Brexit operating environment.

335 The Committee is leading the cross-committee steering group delivering the Population Immigration Policy Review, a top 10 priority. The objective is to deliver population policy that can respond to the Island's changing economic, social and environmental demands. The Review represents a good example of how we are working together as there are interdependencies across all principal Committees. The links are being made with the Tax Review, Housing Action Group, the Economic Strategy and skills needs, working with external stakeholders, pooling knowledge and
340 resources to make meaningful progress.

Dynamic population policy is essential in a small island environment with limited size and finite public services. It needs to be able to respond to immediate challenges, such as manpower shortages while supporting the delivery of long-term sustainable solutions to manage pressure on public services, housing stock and the environment. The project is progressing to an agreed timeline and is on track to deliver a policy letter to the States in quarter three of this year.
345

Adequate resources both in terms of manpower and money are necessary to support the successful discharge of the Committee's mandate. The Committee is currently anticipating an underspend in excess of £1 million for 2021 – although the figures are being finalised. Whilst savings are welcome, as a Committee we cannot be entirely pleased with this situation as the contributing
350 factors give cause for more general concern; rather the Committee hopes that the position will not be the same at the end of this year.

The prime cause is a significant number of vacant posts and a disruption to training, due to the pandemic. Whilst services are to be commended for not allowing this position to significantly impact on front-line service delivery, we must be clear the position is not sustainable. The Committee
355 recognises the challenges that, as a government, we are facing. Money is short, resources limited, and we live in a community which rightly has high expectations. We must work together if we are to deliver.

Thank you, madam.

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

Deputy de Lisle: Thank you, madam.

I thank the President for his report. Deputy Prow mentioned illegal drugs. When stopping
365 vehicles, and this is my question, are Police required to check for illegal drugs as well as alcohol on drivers?

The Deputy Bailiff: Deputy Prow to answer.

370 **Deputy Prow:** I thank Deputy de Lisle for his question. I assume he is making reference to the Police operational activities, with regard to combating drink driving and also drug driving. This is a matter that the Committee have taken an interest in. At the moment it is illegal to drive under the influence of drugs and I can assure Deputy de Lisle that this is a matter which the Police takes seriously and do investigate. The Committee is aware that new initiatives around combating drug
375 driving are in train and will come into force hopefully sooner rather than later.

Thank you, madam.

The Bailiff: Deputy Kazantseva-Miller.

380 **Deputy Kazantseva-Miller:** Thank you, madam.

It is really encouraging to hear that the deadline for the Justice Review policy paper is May of this year. I wanted to understand whether, as part of the process, the Committee is considering what has been dubbed the hidden sentence, which is the effects and repercussions on family members and wider community of the effect of the justice system on those prosecuted.

385 Thank you.

The Deputy Bailiff: Deputy Prow.

Deputy Prow: I thank Deputy Kazantseva-Miller for her question.

390 The Justice Review is very aware of all the issues surrounding the Justice Review. It is a wide subject. We are dealing with some 43 recommendations. I think the answer to the question is the Justice Review is about giving the courts the ability to have more tools in its capability to deal with offences and alternative sentencing.

I think the question has been asked is it around illegal drugs and all I would say to that is illegal drugs do have sometimes a devastating effect on families in themselves and I think this is a wider issue that needs to be addressed, together with Health & Social Care and the health strategies that flow from that.

Thank you, madam.

400 **The Deputy Bailiff:** Thank you, Deputy Prow.
Deputy Queripel.

Deputy Queripel: Thank you, madam.

405 Can the President tell me how much focus is being placed on looking into parental alienation after the Justice Review please? I did not hear him mention parental alienation in the Statement. I apologise if that was said. If Islanders want to contribute to the Review, how do they go about doing that, please?

Deputy Prow: I thank Deputy Queripel for his question. I did not specifically mention parental alienation in my update speech but it is certainly an issue that will be addressed and taken on board as part of the Justice Review.

Thank you, madam.

415 **The Deputy Bailiff:** Deputy Gollop.

Deputy Gollop: Thank you.

Yesterday, I heard through one of the media an interesting interview with an Island recruitment consultant, who made again the point that there is a shortage of people and skills in many areas, from finance and retail to care and hospitality. She expressed the perspective that there was potentially harm to the economy through wage inflation, as well as a skills shortage. Is Home talking to Economic Development about therefore the need for further review of migration policy, particularly in respect to what we used to call the Housing Law?

425 **The Deputy Bailiff:** Deputy Prow.

Deputy Prow: I thank Deputy Gollop for his question.

The answer to that is an emphatic yes. The Population and Immigration Review, which is dealing with these issues, Economic Development is part of that Review and indeed the Vice-President of Home, Deputy Vermeulen, is also a Member of Economic Development. So, there are very good

430 synergies and close working between Economic Development and Home Affairs and that is as it should be.

Thank you, madam.

The Deputy Bailiff: Deputy Kazantseva-Miller.

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Deputy Kazantseva-Miller: Thank you, madam.

The States is underway with significant property rationalisation programmes and also the digitisation programme. I do not think the President gave an update on how Home Affairs and the States is affected by property rationalisation and also how the programme of digitisation of, potentially, the various services of Home Affairs is going?

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The Deputy Bailiff: Deputy Prow.

Deputy Prow: I thank Deputy Kazantseva-Miller for her question.

445

I think the best way I can answer that is, as with all Committees, there is very good dialogue with Policy & Resources on both those aspects, around property, and indeed in transforming IT to where we are. I think Home Affairs, like a lot of Committees, has legacy problems with property and with IT and these problems are very difficult to solve quickly. I think the best answer I can give is to give an assurance that we are working with Policy & Resources on these initiatives and we hope to both bring the Home Affairs estate fit to purpose and also to improve our IT situation, because it is sorely in need of improvement.

450

Thank you, madam.

The Deputy Bailiff: Deputy St Pier.

455

Deputy St Pier: Madam, how confident is the President of our preparedness to meet the challenges of the Moneyval visit in 2023 or 2024?

Deputy Prow: I thank Deputy St Pier for his question and I also thank him for his interest and support which is very welcome. I think this is an absolute imperative. I think the Committee for Home Affairs, working with Policy & Resources, really needs the support of this Assembly to drive forward what we need to do.

460

We have a very successful, very well-regulated finance industry and what we must do is make sure that, against the Financial Action Task Force recommendations, which Moneyval evaluate us against, that we are doing what we are required internationally to do. I can assure Deputy St Pier there is an absolute determination for me as President and my Committee to do all we can to deliver and indeed we are bringing legislation to the Assembly this afternoon. There will be other legislation, other initiatives that we need to drive through. I agree with the Deputy, a positive Moneyval evaluation is imperative.

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Thank you, madam.

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The Deputy Bailiff: Deputy Cameron.

Deputy Cameron: Thank you, madam.

475

The COVID-19 pandemic has created a perfect storm for the spread of misinformation and disinformation. As a result, an 'infodemic' has now been declared by the World Health Organisation. We have local groups discussing dangerous alternative remedies to vaccination, one of which includes the highly lethal instructions on consuming household bleach. Given the clear risk of that this disinformation has to cause serious harm to the population of Guernsey, could Deputy Prow inform me of what steps his Home Affairs Committee is taking to address this problem?

480

The Deputy Bailiff: Deputy Prow.

Deputy Prow: I thank Deputy Cameron for his question. I appreciate he is asking the question to the Committee *for* Home Affairs but I think it is a question he could pose to the Committee *for* Health & Social Care and indeed to all Members of this Assembly. Disinformation on the internet is a subject I could speak about for a great deal of time. I certainly have not got the time in response. All I would say is I would thank the Deputy for highlighting the issue and it is not a matter that the Home Affairs Committee could possibly solve in isolation.

Thank you, madam.

The Deputy Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, madam.

I thank Deputy Prow for answering the first part of my question. There was a second part, which was how do Islanders wanting to contribute to the Justice Review actually go about doing that, please? Is he able to provide me with those details?

The Deputy Bailiff: Deputy Prow.

Deputy Prow: Thank you, madam.

I thank Deputy Queripel for his question and I apologise that I did not answer it when he first asked. He is right to raise it, consultation is absolutely key. Where we are at this stage is to produce the framework and to publish how that framework can be delivered. In the first instance, we are consulting with committees of the States and with the stakeholders in the judiciary. Once that stage is completed, there will be a public consultation on what proposals we are seeking to put forward to this Assembly, so I can assure the Deputy that public consultation is a key part of the Justice Review framework.

Thank you, madam.

The Deputy Bailiff: Deputy St Pier.

Deputy St Pier: Madam, from memory, the first phase of the Justice Review, whichever document that identified data collection as one of the weaknesses in the States that needed to be addressed – and Deputy Prow's Committee may not be alone in having gaps in terms of the access to, or provision of, good data collection. Would Deputy Prow agree with me that, when he referenced resources, one of the likely areas where resources will be required will need to be focused on the matter of the collection of good quality data?

The Deputy Bailiff: Deputy Prow.

Deputy Prow: Thank you, madam.

I thank Deputy St Pier for his question and it is a very good question and he is right. The Gemma Buckland Report in the 43 recommendations and in the substance of that report highlights that a lack of data around the criminal justice system, from end to end, is lacking, and this does hamper us as politicians to make the right decisions. Deputy St Pier is also right that to fix these issues with regard to an end-to-end IT system, which will improve the justice system, from electronic notebooks to police officers on the ground to the process, to the Law Officers of the Crown, to the courts, will require a significant investment, which will need to be scoped, so I thank Deputy St Pier for his question. It has been identified in the Report and certainly the Justice Review will be taking this forward.

Thank you, madam.

The Deputy Bailiff: Deputy Gabriel.

535

Deputy Gabriel: Thank you, madam Deputy Bailiff.

In late last year, Guernsey Police were authorised secondments of 10 officers to work in Guernsey, coming from the UK. Those 10 officers' secondments, I understand, end on 31st March this year, while new recruits are being trained. Is the President confident that when their secondment ends, of the UK officers – the minimum requirement was three years' experience in the force, I understand – that the new recruits will fill that vacuum and there is enough presence on our streets for people to feel safe and there is also enough strength in depth of experienced police officers to address any issues we may have. Is there a problem in the Police Force and the GBA with the recruitment and retention of officers?

545

Thank you.

The Deputy Bailiff: Can I just remind Members they can ask more than one question in this session, so they do not need to put all their questions in one. Anyway, Deputy Prow, you now have three-in-one.

550

Deputy Prow: Thank you for that, madam.

Deputy Gabriel's question is a good one. I think I will start by agreeing with him and confirming to him that there are recruitment issues with the Police, less so with the Border Agency, and that it is of concern to the Committee and these concerns have been addressed.

555

There is a mechanism for mutual aid, so we do have the ability where we need to and where, say, resources are light and scarce, we can bring in officers on mutual aid. Officers that have done a stint of mutual aid will return to their forces but we can ask for other officers from other constabularies to come in. I think that deals with that point.

560

I think I am going to run out of time in answering this question, madam. To answer the question, yes there are recruitment pressures. Is the Committee confident they are being managed? Yes they are, they are being assessed on a daily basis and the Chief Officer of Police, working with Human Resources under P&R, is working to ensure that we do have a Police Force that is fit for purpose. But, yes, recruitment pressures are of concern and are continually monitored. But I can reassure the Deputy, this Assembly, that there are sufficient police officers to discharge a safe and secure Bailiwick.

565

Thank you, madam.

The Deputy Bailiff: Thank you, Deputy Prow.
Deputy Blin.

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Deputy Blin: Thank you, Madam Deputy Bailiff.

Could the President of Home Affairs update us on the situation regarding work permits, employment and immigration aspects there? I am now becoming concerned and aware that there are growing number of business employers within the hospitality sector and the ancillary services, including the cleaning companies, the launderettes etc. where they were particularly initially very grateful to work that was undertaken by Home Affairs with the changes on extending their employment permits up to a maximum of seven years and not beyond. That has now reached that critical point, so could the President please explain to us what work has been taken beyond that, because there are more steps that need to be taken and if he is open to further ideas and support from industry on this?

580

Thank you.

The Deputy Bailiff: Deputy Prow.

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Deputy Prow: I thank Deputy Blin for his question.

The answer to that is the Committee *for* Home Affairs, working with Economic Development, are absolutely alive to these issues and both the immigration work permit regime and the population management regime are permissive. The skills and the jobs that Deputy Blin has been talking about are in scope and permits will be issued in those circumstances.

590 We are working very hard and we are listening to industry around how we can better recruit from off-Island. There is an Economic Development initiative in this area and the problem is it is the perfect storm, because there are job shortages not only in this Bailiwick but globally, so we are competing across the whole of the globe for these very precious resources.

595 So, I can give Deputy Blin assurance that working with Economic Development, we are absolutely alive to this, and I would encourage any employer who is having difficulty, to get hold of the population management administrator and his staff and to go through these issues with him. Because, time after time, we have found answers to these issues when they arise.

Thank you, madam.

600 **The Deputy Bailiff:** Deputy Prow, can I remind you of your minute-and-a-half limit. It is just that question was only one question as opposed to the three questions of Deputy Gabriel, where I allowed you latitude.

Deputy Prow: I apologise.

605 **The Deputy Bailiff:** I will allow the questions to run on a bit if anybody is watching the time. Deputy Inder.

Deputy Inder: Thank you, Deputy Prow, for your update.

610 Deputy Prow, just currently, I am going to ask you about drug seizures over the last two years. I am genuinely intrigued. If you look at the UK drug figures the cannabis by far, by a country mile, was something like 130,000 seizures, this is England and Wales, whereas the next one down was cocaine at around 19,000. I am genuinely intrigued and he may not have the answer now, would he be prepared to give States' Members the figures over the last two years of drug seizures within the
615 Island, over the Bailiwick, and whether there has been an exceptional rise, a flattening out, or a diminishing of those seizures?

Thank you.

The Deputy Bailiff: Deputy Prow.

620 **Deputy Prow:** I thank Deputy Inder for his question.

The Police do publish an annual report, which does outline not only drug seizures but prosecutions as well, which includes the activities of the Police and includes the activities of the Guernsey Border Agency. But I am very happy to furnish Deputy Inder with the updated figures;
625 they are annually reported. I think the question of the availability of drugs in the Bailiwick is a public concern and a matter that I would welcome sharing with him.

Thank you, madam.

The Deputy Bailiff: Deputy de Lisle.

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

I am getting calls with respect to noisy motorcycles and the disturbance resulting. Now, I know that there have been meetings in the past, one of which I attended at Moores some time back with regard to this problem of disturbance. Can the President update the States on what actions are
635 being taken with regard to noisy vehicles, particularly motorcycles –

The Deputy Bailiff: Deputy Prow.

Deputy de Lisle: – although I realise when I ask this – *(Laughter)*

640 **The Deputy Bailiff:** Sorry, Deputy de Lisle!

Deputy de Lisle: – that the vast majority of course ride within the Law.
Thank you.

645 **The Deputy Bailiff:** Deputy Prow.

Deputy Prow: Thank you, madam.

I again thank Deputy de Lisle for his question. I think the last time I stood up to speak about noisy motorbikes, one went past the window, which rather endorsed the point! Briefly, the
650 Committee for Home Affairs is aware of the public concern around noisy motorbikes, does share those concerns and we are working with Environment & Infrastructure, perhaps more so on improving the Law, which does require a better definition around noise, and I am happy to say that, with the President of E&I, we have come up with hopefully an initiative where we can try and progress this term.

655 But it is not a matter that has reached the level of priority of the Government Work Plan and it is difficult to resource and, frankly, there are other, more pressing priorities, including safety on the roads. But I can assure Deputy de Lisle that, where we can and when we can, we will hopefully come back to this Assembly with some changes to the legislation.

Thank you, madam.

660

The Deputy Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam.

665 Can the President confirm to me whether or not the Population and Immigration Review Panel will be examining, looking at the £244 CTA access cost that has been put on us by the UK as part of that review, because clearly that is a big barrier to employment?

The Deputy Bailiff: Deputy Prow.

670 **Deputy Prow:** I thank Deputy Leadbeater for his question and I agree with him that the cost of visas, which are now required because of the UK leaving the EU, is an impediment and a problem. I think that is a matter of operational detail, which is not really discussed at the review level but I can assure him that the Committee for Home Affairs is alive to the problem this causes but to a great extent, due to our participation in the Common Travel Area, this is out of our hands. Certainly, when
675 we speak to the Home Office in the UK, the concerns around costs will be raised. Thank you, madam.

The Deputy Bailiff: Perfect time.
Deputy Inder.

680 **Deputy Inder:** Just following the question from Deputy de Lisle, and I have found this odd for years and years, it seems the noisy motorbike issue is always a policing issue. It absolutely is not. There is not a bike that comes out of a European or a –

The Deputy Bailiff: Deputy Inder, is this a question or is this ...?

685

Deputy Inder: Probably more of a question. I will head to a question bit, madam. Would Deputy Prow agree with me that the issue is not necessarily noisy bikes on the road, it is the modification of the exhaust in the first place that causes the problem and the best thing for him to do would be

690 push back to Environment & Infrastructure and ask them to look at the modification in exhausts because that, in an instant, would solve that problem, would he agree?

The Deputy Bailiff: Deputy Prow.

695 **Deputy Prow:** I thank Deputy Inder for his question. To a degree, I do agree with him in the sense that the solution that he is putting forward, together with other solutions, would be a legislative matter, and this is what I am very happy to be working with Environment & Infrastructure to come up with as pragmatic a solution as we possibly can. I can give him an assurance that is what we are trying to do. Just to add to Deputy Inder's point, it is not just motorbikes, it is any vehicle that is making excessive noise for whatever reason.

700 Thank you, madam.

The Deputy Bailiff: Deputy de Sausmarez.

705 **Deputy de Sausmarez:** Thank you, madam. Would the President agree with me that actually it is already illegal to modify the exhaust in that way, so the legislation already does cover this? Thank you.

The Deputy Bailiff: Deputy Prow.

710 **Deputy Prow:** Yes, I would agree with the President. The point I was trying to make is that we need to be looking at that legislation and the legislation in the round. But I thank the President for her question and I agree.

Thank you.

715 **The Deputy Bailiff:** Deputy Haskins.

Deputy Haskins: Thank you, madam.

Is the President aware, I am sure he is aware, that the speeding offences from 2015 have gone down and down each year? Are people driving safely – or more safely – or is there a problem with the enforcement? Surely this is a critical, fundamental issue for the road safety that he mentioned.

720 Thank you.

The Deputy Bailiff: Deputy Prow.

725 **Deputy Prow:** I thank Deputy Haskins for his question.

It is a very difficult question for the Committee *for* Home Affairs to answer. All I would say is that we were talking about Police resourcing. Yes, there are pressures and priorities on the Police and that is a fact. But the Police do a very good job and are very cognisant of road safety issues and do their level best. It is incumbent upon us all as Members of this Assembly to encourage people who use our roads to do so in a safe manner and I am sure the President of Environment & Infrastructure would agree with me on that.

730 Thank you, madam.

The Deputy Bailiff: Deputy Queripel.

735 **Deputy Queripel:** Thank you, madam.

I am sure Deputy Prow already knows that parental alienation was first replaced in the 1980's by a psychiatrist named Richard Gardner. When he spoke, this was on fathers, and did not include mothers, so why on earth he called it parental alienation who knows. With that in mind, could

740 Deputy Prow give me an assurance that research into parental alienation here in Guernsey will include mothers as well as fathers?

The Deputy Bailiff: Deputy Prow.

745 **Deputy Prow:** I thank Deputy Queripel, again, for his question. I must give him reassurance that, under the Justice Review, all such issues will be given the due consideration within the priorities of that framework, which includes that subject, which is obviously dear to his heart. Due consideration will be given.

Thank you, madam.

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The Deputy Bailiff: Thank you. Deputy St Pier.

Deputy St Pier: Madam, from memory, there is a commencement Ordinance due next month for part of the Sexual Offences Law. Is Deputy Prow able to advise what the timeframe is for commencement over other parts of that Law? Obviously, it was an extensive piece of legislation and it will take a long time to get onto the statute book and commencing it in all its parts. I guess this would be regarded as a priority by many and if he is able to update us on the timeframes.

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The Deputy Bailiff: Thank you. Deputy Prow.

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Deputy Prow: Yes, I again thank Deputy St Pier for his question.

This is very important legislation. He is absolutely right. The Committee *for* Home Affairs will bring to the Assembly a commencement Ordinance for a substantial part of the legislation and is working very hard on the underpinning Ordinances, which will affect the rest of that legislation. Off the top of my head, I have not got the actual timescale in front of me but I would be very happy to email him with that information in full and I will copy Members of the Assembly with that and I thank him for his question.

765

Thank you, madam.

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

Deputy Kazantseva-Miller: Thank you, madam.

The Committee has committed to bringing forward the launch of the Sexual Assault Referral Centre and also signalled it is possible it will be done through a commissioning model. Could the President indicate whether the discussions with third sector providers such as Safer, Bailiwick Victim Support and any other relevant charity have already started or are yet to begin?

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The Deputy Bailiff: Deputy Prow.

780 **Deputy Prow:** I thank Deputy Kazantseva-Miller for her question.

Yes, the question of the Sexual Assault Referral Centre is high on the priorities as I have outlined in my update Statement and she is absolutely right, a commissioning model, we believe as a Committee, is the way forward, and we are at the stage where we are going to start to scope what is required and go out to those third sector organisations that are best placed to deliver it. That will form part of a policy letter, which will come back to this Assembly.

785

Thank you, madam.

The Deputy Bailiff: Deputy Matthews.

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

The President mentioned the project, which is the project to look at non-punitive approaches to the possession of small quantities of illegal drugs, a project on which I am a Member, which I can confirm is progressing. Would the President agree with me that some of the options for diversion and deferral and depenalisation could produce a very valuable contribution to the Justice Review and to the justice system on the Island, if examined and presented?

The Deputy Bailiff: Deputy Prow.

Deputy Prow: Yes, I thank Deputy Matthews for his question.

He is probably in a better position than I am. I do not actually sit on that particular panel. As I said in my Statement, Deputy Taylor and Advocate Peter Harwood are the representatives of Home on that committee. Perhaps what I can say to him is I very much look forward to the proposals that come out of this. I certainly hope that whatever does come out of it does provide an alternative and does seek to look at whether treatment is needed in a particular case or whether education is needed and to perhaps address the reason why people find themselves in possession of controlled drugs. I think the best way I can answer is say I, and presumably the rest of this Assembly, look forward to the outcome and I wish them well in their deliberations.

Thank you, madam.

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Yes, returning to the Justice Review, I am aware that you are consulting with other Committees on many wide issues and also that we have a Housing Action Group working strongly. My question is will the Justice Review, amongst other things, look at how Home Affairs can work with other Committees and departments on emergency housing provision for perhaps people coming out of prison or perhaps people in domestic violence situations, who need separation for their own personal safety and wellbeing?

The Deputy Bailiff: Deputy Prow.

Deputy Prow: I thank Deputy Gollop again for his question.

I think this is not just about a matter for review, I can tell him that the professional services, the Prison, the Probation, are working with the Police, working with professionals in Health & Social Care. There is a whole raft of work that goes on as business as usual and which is being developed. Whilst the Justice Review will take a strategic and policy view of these things, a lot of these initiatives are dealt with by the professionals and supported by the Committee. He is right to raise them because they are very important issues.

Thank you, madam.

The Deputy Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam.

There has been a bit of talk today about illegal drugs. Deputy Inder, I think Deputy de Lisle spoke about it as well. Illegal drugs are an important topic to discuss because they can be very harmful to society but would Deputy Prow agree with me that it is the diversion and the abuse of prescription drugs that cause the most death and destruction amongst our community?

The Deputy Bailiff: Deputy Prow.

Deputy Prow: I thank Deputy Leadbeater for his question and this is a matter that he and I have discussed, so he already knows my view. I certainly agree with him that diversion of prescription drugs is a very big and real issue in this Bailiwick and I agree with him that this is also a matter that

needs to be addressed alongside looking at the harms that are caused by controlled drugs. So, in essence, yes I do agree with him and I thank him for the question.

845 Thank you, madam.

The Deputy Bailiff: Deputy Gollop and I think that probably brings us, after he has asked his question, to a close on questions.

Thank you.

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Deputy Gollop: Thank you very much, Madam Deputy Presiding Officer.

As a member of the Living Streets Committee and an occasional attendant, I welcome the new alliance for road safety, which Police, Ambulance and other professionals take part in. Will improving education and attitudes towards vulnerable road users and effective policing of pedestrians and roads be an important part of Home Affairs over the next year, to ensure we stay safe?

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The Deputy Bailiff: Deputy Prow.

Deputy Prow: I again thank Deputy Gollop for his question.

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I also thank him for highlighting those initiatives because they are important. I know they are supported by the Police and those organisations that do their best to keep our roads safe. We do meet regularly with Environment & Infrastructure and discuss road safety. It is high on our agenda and so I hope that gives him the reassurance that he seeks.

Thank you, madam.

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The Deputy Bailiff: Thank you, Deputy Prow.

ALDERNEY REPRESENTATIVE ON BEHALF OF THE STATES OF ALDERNEY

General update –

Statement by a Representative of the States of Alderney

The Deputy Bailiff: I now invite Alderney Representative Roberts to give his Statement on behalf of the States of Alderney.

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Alderney Representative Roberts: Madam Bailiff and fellow Deputies, I am delighted and honoured to present this first annual report from Alderney 2022. I have divided this report into two sections – firstly dealing with our work throughout 2021 and the current situation, and secondly, our plans and expectations for 2022.

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However, before proceeding to those matters, I am pleased to say that we welcomed our new Chief Executive, Kath Jones, at the beginning of the year and we also elevated Liz Maurice to the position of our States' Treasurer. We are very proud of our Civil Service, States' Works and Emergency Services teams who do a fantastic job, often under intense pressure, to keep our Island running. We are also proud to be part of the Bailiwick of Guernsey and thank you for the support you have always given Alderney, never more so than in these challenging times.

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The current situation: the blossoming relationship we have with Guernsey continued throughout 2021 not least with the expressions of support from the new Guernsey States' Members and the Civil Service. Testament to this is the smooth working relationship in the continuing COVID pandemic and support for Alderney's businesses and workforce, together with a successful vaccination programme and the supply of LFT kits distributed to everyone on our Island.

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We have been pleased to welcome so many of our Guernsey committees and colleagues during the year, a real first. Economic Development, Health & Social Care, Education, Sport & Culture all

visited to get a better understanding of our Island. Other highlights included the visit of Deputy Ferbrache accompanied by Deputy Chris Blin who met with the States of Alderney and held a public engagement session, and a visit by the President of Overseas Aid & Development, Deputy Mark Helyar, Policy & Resources' treasury lead, who visited, both, on several occasions to meet with States' Members and the Chamber of Commerce.

Furthermore, the Alderney and Guernsey Joint Working Initiatives have been agreed to identify where support or shared services can be utilised by the Alderney Civil Service to improve efficiencies and avoid duplication. As a result, policy proposals will soon be forthcoming around health and social care as well as early years and nursery provision, to complement transferred services.

The economy. There is good news and not so good news on the financial front. The good news is that broadly we came in above budget in 2021 and revenues were bolstered by significant amounts from property taxes. Now that Alderney can retain the duties it collects, this excess will be held in a Reserve Fund which can be used to offset any future challenges.

On the downside, the COVID risks facing the Alderney Week team and insufficient volunteers meant that Alderney Week was cancelled last year and only some small side events happened. In addition, similar risks also meant that the Hill Climb and related events were also cancelled. Yet despite these challenges, our hospitality sector and local businesses remain upbeat about the Island's prospects for 2022, and so do I. Our Visit Alderney Team already have good working relations with Guernsey colleagues to make the most of our offering.

Connectivity. We welcomed Aurigny's new CEO Nico Bezuidenhout last year and were pleased with his assurances to maintain Alderney service levels to both Guernsey and Southampton. Now that the PSO is in place for the next five years and the subsidy can be agreed we can focus fully on upgrading the Airport not only with runway refurbishment but also future proofing with a longer runway and accompanying transformation of the terminal, should these be agreed by Policy & Resources and this Assembly.

The Little Ferry, operated with a States of Alderney subsidy, provided a much-loved service between our Islands in the summer season and a new privately-operated fast motorboat service was also launched to provide additional capacity. Meanwhile, the Economic Development Committee is considering expressions of interest for this year's ferry service. The issue of transport links is of paramount importance to the people of Alderney and essential to our economy as you will see later in this report when I turn to future plans and aspirations. This is also my personal view, as air links are paramount to us improving our economic development. Too few seats discourages business investment, it is time to search away.

In 2021, we formed a Housing Task Group to work with the Civil Service, the Alderney Housing Association and local businesses to draw up a fresh policy to address the many pressures on Alderney's housing supply. Our Islands share a common need for enough homes of the right types for young families, key professionals, seasonal workers and the elderly and vulnerable. We are determined to resolve the issues we face in the provision of sheltered housing accommodation, social and essential worker housing, and affordable housing for young families.

Energy. As with all responsible jurisdictions, we are considering renewable energy options and ways in which we can reduce our carbon footprint. Our energy production uses fossil fuel and is very expensive and unsustainable, while our local waters and our climate offer ideal alternatives. Therefore we have a special Energy Group tasked with coming up with the answers.

The Employment Law. At the end of last year, we took the first step in making the Island more attractive to new young professionals as well as for the existing workforce. We enacted the Conditions of Employment (Alderney) Law which gives our workforce the right to a terms of employment statement in plain English. Until now, our employment law has been limited to work permits and employer liability which is not in line with other forward-looking jurisdictions. But it is only one small step and we intend to bring further legislation – including a statutory minimum wage – to enhance working relationships and thus promote Alderney as a great place to work and live.

Emergency services. Two years ago we took the Alderney Ambulance Service under the wing of
940 the States and placed it under an emergency services umbrella combined with the Fire & Rescue
Service. It was agreed back then that the Ambulance Service would be subject to a full independent
review after 18 months. However, pandemic restrictions both in the Bailiwick and the UK made it
very difficult to arrange this review.

It took place last autumn when the UK Association of Ambulance Chief Executives (AACE) made
945 seven urgent recommendations which were immediately accepted by the General Services
Committee. Important changes have been agreed but at the time of writing, full details have yet to
be announced. However, part of the solution agreed following the report involves the employment
of medical professionals and there will be a cost implication to be addressed by Treasury.

It is important to stress here that the AACE held nothing back in expressing praise for the
950 paramedic in charge and the 11 volunteers, who showed such enthusiasm and commitment above
the call of duty. Alderney is in a safe place.

The harbour. For two summer seasons in the pandemic, harbour staff have faced additional
duties such as extended watch-keeping and manning an additional patrol vessel and were unable
to carry out some of their normal harbour duty tasks. This and fewer visiting yachts caused an
955 inevitable impact on the harbour's balance sheet.

We unfortunately had two main problems at the harbour. Firstly, the States took possession of
the new Sennebogen Crane in January 2021 but it was not commissioned for use for several days
due to lockdown and delays in getting the engineers in. Then it broke down and it took two weeks
for the manufacturer and supplier to rectify the fault, forcing us to hire a substitute crane from
960 Jersey to offload essential Island supplies. The question of compensation is currently being
discussed with the Crown Law Officers.

The second issue was with the dinghy pontoon. Due to issues with the pile structure, it was
decided to shorten the pontoon but this, too, failed. We then successfully reinstalled the full
pontoon system but in order to prevent a repeat of the problem, we have commissioned a full
965 structural survey so that remedial work can be carried out in time for the 2022 season and an
additional feasibility study will provide options and costs for a new pontoon system in 2023.

Connaught Care Home. Costs for the Connaught Care Home extension, originally budgeted at
just under £1.3 million, escalated as a result of supply problems and building costs, increased costs
of £700,000. We are grateful to the Policy & Resources Committee for swiftly approving our decision
970 to increase the budget because, as I have said before, the need for care accommodation is most
pressing. The extension will create 13 additional residential rooms for long-term care and/or respite
care, together with clinic rooms and offices.

Tourism. It has been a delight to welcome so many friends and colleagues who have staycated
in Alderney and we hope you will continue to enjoy our first-rate hospitality for years to come. We
975 also look forward to what we hope will be a resumption of tourism from the UK and elsewhere at
the levels we once enjoyed.

With this in mind, the General Services Committee working with our Tourism Office and an army
of volunteers has continued to upgrade our heritage sites. Further improvements have been carried
out at The Nunnery, which attracts thousands of visitors a year and in 2021 opened the iconic
980 Wartime Naval Direction-finding Tower, The Odeon, as an exhibition and educational attraction. In
addition, the Victorian Fort Doyle with additional German fortifications is also being refurbished as
a heritage site with considerable help from Alderney Society volunteers.

And now I would like to finish by polishing the States' crystal ball to provide you with a glimpse
into our plans for the rest of this year. The Island Plan. We created a plan that mapped out some
985 realistic goals for the coming years and then asked Islanders to say what their priorities were. About
a quarter of Islanders duly responded and their recommendations were then collated and accepted
by the States in January.

Within the six key themes of the economy, energy, connectivity, community development, the
environment and governance, Alderney placed improving transport and connectivity at the top of

990 its agenda along with developing renewable energy resources and creating a meaningful housing policy.

Right up there as well were a community strategy that delivers improved primary health care, sports facilities, mental health services and provision for an ageing population, as well as identifying the key drivers that attract new business to the Island and implementing change to encourage investment.

What is different this time is that each aspect of the plan is the responsibility of a committee, sub-committee or working group which must report progress back to the States for ongoing review. It is a 'living document' that remains open to public input and regular updating. So, it is still in its construction. Hopefully, in time, it will have plenty of big 'done' ticks against each section. And it will work alongside the States of Guernsey Work Plan to ensure we are co-ordinated where we need to be.

There are exciting projects that will emerge from this plan as it is brought to fruition, including facilities that will warm the hearts of Islanders and visitors alike, and the early stages of a harbour development plan, otherwise known as the Braye Opportunity Area.

And finally, we are also progressing our Governance Review which will make the process of governing more efficient and more transparent. I hope you can see from this report that despite challenges and difficulties, Alderney has enormous potential and the will to drive progressive policies through to fruition to the benefit of the whole Bailiwick.

Now I would just like to add a short personal comment from Alderney Representative Snowdon, just our personal feelings of how it has been over the last three years, currently in our fourth year. I would just like to add a short, personal comment from Alderney Representative Snowdon and myself over the time. In what is our fourth year with two Assemblies, over this period I believe we have forged much. We both regard you not only as colleagues but personal friends. Whatever happens with certain moves to alter our public plebiscite in Alderney, we shall still carry that friendship back home.

I would like to thank the Bailiff for all his and her help throughout the time, in our sitting arrangements, enabling us a swift exit to the Airport at times, much to the annoyance of our neighbour Deputy Queripel, sometimes, because he used to sit here! Indeed, all the staff involved in these difficult times that work within this Court have been so professional and a great help to us at all times. I would like to thank them for that too, please.

Alderney Representative Snowdon and myself work closely, not only in Guernsey but in Alderney, to give a united force from the northern part of the Bailiwick, our Bailiwick. We believe we have provided vital consistency. We are more than friends, with our children born in Guernsey, and our many families have left us with many cousins over both Islands. I have many. That makes us more than friends, it makes us family, and we are just beginning to realise it. Thank you Guernsey for all these things and let's look forward with optimism.

The Deputy Bailiff: Thank you.

Deputy Inder.

Deputy Inder: Deputy Bailiff, Alderney Representatives, thank you for, as usual, your regular update but the future for Alderney, in my view and I think it is mentioned in the Island Plan, is a young, virile, active population. What population plans and initiatives does the Government of Alderney have in place to address the imbalance of the ageing population for surely the youth is your future?

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: You are absolutely right and I thank you for that question, Deputy Inder. Alderney is constantly looking at new ways to attract younger families. Although our

costs of everyday things are higher, we do have a lower rental market. We do, considerably. This should be a way that we can attract younger people.

We are going to work with Economic Development very shortly and I would like to see this on a three-monthly basis where we can work together. You have got more expertise in Guernsey, you might see it from a different view of what we can do in Alderney to redress that demographic balance because it does want definitely altering, because we need those young people vitally. So, let's work together, let's find a way.

Thank you.

The Deputy Bailiff: Deputy Aldwell.

Deputy Aldwell: Thank you, madam, and thank you Alderney Representative Roberts, that was a really nice update, thank you. I just wanted to ask you, with connectivity being imperative, as you have told us, are you happy with the progress on your runway?

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Thank you, madam.

I would like quicker progress, obviously. Alderney longer runway – things do need to change. It is at its end of life. The terminal is at its end of life and things have to be replaced but these have to be done with a business case, of course. Alderney needs to help itself as well. Okay? We need to work together. Alderney needs to help itself.

I think this is the first time that we are actually getting these messages across between Alderney Representative Snowden and yourselves that we want to work together, we want to help ourselves. I am well-known as an advocate of a longer runway – 20,000 seats would, in my view, provide more business interest, increasing our contributions to Guernsey, saving money on air charters, along with a swifter response bringing more safety for Alderney residents. More opportunity for larger executive jets, it future proofs Alderney and connects us to the rest of the world.

Savings not only on large Dornier losses but much more on *[inaudible]* savings, on pilotage, on training and maintenance. It will save Aurigny a fortune over the years. We await the business case of course but it sounds promising for both Islands, financially, over a number of years and there are very few small operators left in operation around the world anyway.

The Deputy Bailiff: Thank you. Deputy Roffey.

Deputy Roffey: Thank you, madam.

Would Alderney Representative Roberts agree with me that the way people are elected to seats in the States of Guernsey is of legitimate interest to the States of Guernsey and that includes the two Alderney Representatives that sit in this Assembly?

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: I would totally agree with that. Your input over the years in bringing this arrangement together and sitting us down as partners and allowing us to have a vote in your Assembly, I cannot thank Guernsey enough. When it was done, the advocate who actually brought it forward ... and long may it continue.

The Deputy Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, madam.

In his Statement, Mr Roberts said Alderney have an Energy Group, which has been put in place to come up with answers. He did not tell us what those answers are. I am hoping he can answer my

question. Can Mr Roberts give me an update, please, on where Alderney currently are with progression of a tidal power plant off of their shores? I believe I am right in saying the contract has been signed to put one in place.

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: We are constantly searching for this but I would like to see, actually, a joint energy plan. I believe this is actually happening, Deputy Queripel, because we need to work together as fiscal partners. Alderney has got a tremendous tidal power. In between France and Alderney it is right up there with the very top tidal streams in the world. We do have a strategy, we are working together with Guernsey and ourselves to forward this and I thank you for that question. It is very important. It is the future.

We are also looking at solar and we are also looking at wind. Somebody came up with something that they wanted to put right on top of Fort Albert. There would be a lot of pushback on that, I think. Anyway, it is slightly more expensive at the moment, tidal power, than solar or wind, but these costs will come down. Technology. You imagine how big that phone used to be. I have heard it said before, things take turn within a minute, somebody will discover another way. So, I would like Deputy Queripel to be confident that Alderney is doing absolutely everything. If he needs any more detail of it, I can write to him if he so wishes.

Thank you.

The Deputy Bailiff: Deputy Blin.

Deputy Blin: Thank you, Deputy Bailiff.

I would like to thank Alderney Representative Roberts for the very clear and good presentation about Alderney. I had the privilege of spending last weekend over there and noticed that actually all the food places and the eateries were extremely busy but I also did notice that a lot of places were closed due to shortages of staff.

So, part of my question is how do you see that and will you be working with Guernsey on this? Also, the youth. Deputy Inder spoke about the youth of Alderney. Now, some of them, I know two individuals through Alderney Representative Snowdon, that have actually moved to Guernsey, lack of crèche or facilities, etc., and opportunities here. So how do you envisage us, because we need Alderney as part of the Bailiwick as a tourism and drive, how do you see us working better together in that aspect and also ensuring that, although we are welcome to come to Guernsey, to keep people in Alderney to keep the economy –

The Deputy Bailiff: Deputy Blin, I think you have asked two questions and you are also running over time! Alderney Representative Roberts.

Alderney Representative Roberts: Yes, it is an ongoing problem, the demographics of the Island and we do need young workers and working age families, but it is the same in Guernsey. You actually do have, to a lesser problem, the same problem. It is just because Alderney is so small, it affects us more. However, it needs a smaller change to change that demographic than it would in Guernsey.

Perhaps we could encourage/poach some of your younger people to come and work in Alderney because of our lower housing costs. If we can educate that sort of thing. They are much lower, our rental. I cannot believe some of the rental in Guernsey. That is a real problem. We do not have that problem. We have the problem of higher fuel purchase. For instance, our green ordinary petrol for £197.7. It is just below two quid! So, you can see, there are swings and roundabouts, for the lower accommodation that is an attraction and I will be honest with you, I do not know why that has not helped us.

1145 Also, there is the availability of houses to rent. That has to be changed. We have to encourage people who only live on the Island, sort of, two weeks year, or holiday homes. We have to encourage them to rent those and make those houses available to the public. There are ways and there are means of doing that.

1150 **The Deputy Bailiff:** Thank you.
Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, madam.
Building on the questions regarding renewable energy, in 2020 the lease for 12 Megawatts of tidal power had been transferred to a new joint venture called Normandie Hydroliennes, which is a joint venture between Simec Atlantis, Normandie Development Agency and other investors. It is a huge project, hugely funded by regional development funds and investors. The plan is obviously to produce electricity on the French side of Raz Blanchard, so this is a very specific renewable energy, huge renewable energy project. So the question is specifically what is the Government of Alderney doing to capitalise on this opportunity?
1160 Thank you.

The Deputy Bailiff: Alderney Representative Roberts.

1165 **Alderney Representative Roberts:** Currently we are looking at our own waters. It will be a short answer because I might have to write to you on that one. We are at heads of terms at the moment and we are looking at other proposals and we are just watching the situation at the moment. That is as detailed as I can give you. I can give you much more detail if I write to you.

1170 **The Deputy Bailiff:** Deputy St Pier.

Deputy St Pier: Madam, is Alderney Representative Roberts able to give us an update on the status of the public swimming pool, in terms of the timeframe for its completion and also whether there will be any cost burden on taxpayers, either for its capital cost or its ongoing running costs?

1175 **The Deputy Bailiff:** Alderney Representative Roberts.

1180 **Alderney Representative Roberts:** Yes, I thank Deputy St Pier for that question. It has been an ongoing thing, our swimming pool. It has been a bit of a ... I will not give the word to describe it. But things are moving forward. We have got the Sports Foundation now involved and they are quite keen on furthering everything down there. So, I believe that things are finally moving, like lots of things seem to suddenly start to move, and we are very hopeful that we can get this up and completed and get some direction very soon indeed. We need it.

1185 We have also got to look at when we actually finish it, and it is something that Alderney needs, the cost of running it. The ongoing costs of keeping a swimming pool and keeping the sports hall can be very expensive, as you full well know, within this Assembly with certain establishments you have here. So that has to be taken into consideration. But we do need a swimming pool. Our children do not have a swimming pool at the moment. I do not know in education whether it is a requirement to have a swimming pool. It may well be. I do not know. So we will have to look at that as well. But things are progressing and the Sports Foundation are taking an active part.
1190 Thank you.

The Deputy Bailiff: Thank you.

Deputy Taylor: Thank you, madam Deputy Bailiff.

1195 Following on from Deputy Roffey's question and I am not sure if I just misunderstood Alderney Representative Roberts, if he would agree with me, that the Alderney plebiscite should remain with the public to pick the Alderney Representatives in the States of Guernsey, that is what he was saying?

1200 **Alderney Representative Roberts:** Well, this is certainly my personal belief, and it is the personal belief of one or two more. The plebiscite was first invented by the Romans in 492 A.D. so it has long-proven popular with the public. Moves by some powers in Alderney, in power, are to adjust the public's right of plebiscite, the right of choice by the people, the granting of permission to offer a plebiscite to the Alderney public many years ago, in my view, is an implanted right to choose two representatives to represent them in the States of Deliberation.

1205 It is just my view and one or two other's. It is constitutional, I feel, but I am sure my good friend Deputy Meerveld will correct me should I be wrong. It has provided friendly consistency and it has moved us to a better place and I thank Guernsey for its history in this and its continuation and Alderney vote can only be a good thing for improving the Island's fiscal temperature.

1210 **The Deputy Bailiff:** Thank you. Deputy Gollop.

Deputy Gollop: In the earlier speech, which was well-received, Mr Roberts from the States of Alderney, referred to the development of nursery care and crèche facilities. There were several media features last year, which indicated the lack of such affordable child care was a constraint on younger, more virile people that Deputy Inder and others might wish to see locating to Alderney, even from Guernsey. What steps are being taken to ensure resilience of people of suitable age and qualifications to run such services staying in Alderney?

1220 **The Deputy Bailiff:** Alderney Representative Roberts.

Alderney Representative Roberts: Thank you, madam.
Yes, this is also an ongoing thing and it is included in the Island Plan, which I spoke about earlier, so we do hold a priority on this. Childcare is all about encouraging people to live on Alderney of a younger age group, with children, and they have got to have childcare if they are going to work and I thank you for that question, Deputy Gollop, because it is very ... to what we are saying.

1225 As I said, the Island Plan includes this, this is just one of the areas that we will be exploring. Put that in place, put a good school in place, a good nursery in place, and you have got everything in place to bring people to the Island that can contribute and not people that perhaps come to the Island and then are a bind on our Health Service. We need proper demographics. I hope we can get it. Guernsey has the same problem, as I said, but I think your childcare is a lot better than ours. Correct me if I am wrong.

Thank you.

1235 **The Deputy Bailiff:** Thank you. Deputy Queripel.

Deputy Queripel: Thank you, madam.
Mr Roberts and I have often questioned the input of the Alderney Liaison Group in the past and the letters of communication between those involved. Can he tell me please if he thinks the Alderney Liaison Group, as it stands currently, is actually fit for purpose?

1240 **The Deputy Bailiff:** Alderney Representative Roberts.

Alderney Representative Roberts: Actually it has improved a lot. It is actually doing very well. It has improved from what it was a few years ago; it is almost unrecognisable. Guernsey and

Alderney are talking more than ever before and we have got all these committees who are engaging in our ways and it is so welcome it can only improve. Alderney Liaison Group is alive and well.

Thank you.

1250 **The Deputy Bailiff:** Deputy Gabriel.

Deputy Gabriel: Thank you, Madam Deputy Bailiff.

1255 In his update, Alderney Representative Roberts mentioned the Braye area of opportunity, I think was the phrase he described. No doubt this is going to be a huge amount of investment, private or public, and will rely on the protection of the Alderney Breakwater. Is Alderney States happy with the current arrangement for the protection of Braye Bay by the breakwater and Guernsey's involvement in that?

The Deputy Bailiff: Alderney Representative Roberts.

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Alderney Representative Roberts: Thank you, madam.

1265 Yes, I am very happy with the arrangements at the moment. I think the work has been done. It has been done well. I thank Guernsey for that because Guernsey took responsibility for the breakwater to do with defence payments and it is going very well. They do a very good job. It is well-maintained at the moment and we have had some terrible storms and it is holding up. They have got new technology, they can paint stuff over – I do not really understand it – but they have got new stuff. I am being honest here!

1270 The Harbour Development Plan, yes, that would need private money, of course, and there are people interested and there are people searching for investors to do it. We need a marina. We need a small marina, nothing the size of yours. Really the breakwater is our marina. Because we would not have any boats in Alderney if it was not for the breakwater and the money that the Victorians spent on that was incredible. All we had was Douglas Quay. Could you imagine that, the water coming into Braye then?

1275 We would not have Le Banquage, it would not have existed. You can tell, because all the Banquage gardens and soil, they are all sand. So it was all once beach; whether that was before the breakwater or what year that was I would not know. It is the same at Longis.

1280 We look forward to that and we have got differences of opinion where the marina should be. I have a different opinion of where it should be. I think it should be closer to Braye itself and not out in the middle of the bay, so this is just one of the things going forward that we have to develop. A lovely place, Alderney. I do not like to see change in Alderney. I am a bit –

The Deputy Bailiff: Thank you, I am going to call time on that answer now.

Alderney Representative Roberts: Thank you! *(Laughter)*

1285

The Deputy Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, madam.

1290 Alderney Representative Roberts spoke about the harbour crane. He will know that the previous crane's life was shortened by a history of poor maintenance and poor protection from the weather. What reassurance can he give us that lessons have been learned and the new crane will have enjoyed its full, anticipated life. I know that perhaps in its early days, quite apart from one or two mechanical problems, there did appear some concerns as to whether those lessons had indeed been learned.

1295

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Yes, I thank Deputy St Pier for this one, because I have been involved in this one. I have been critical of this one. You all know Alderney well and our quay goes straight out in front of the breakwater. Now the breakwater is only a couple of hundred yards out and we get spray over the wall. That comes over even in calm weather. When we get a big tide, that spray will be like a drizzle coming across.

If at the weekends, for instance, or the crane is not in use, it should be stowed out of that drizzle because it is that drizzle which erodes it ... It used to be done. Now, we have a plan for a crane shed across the other side, at Grosnez, which we have taken back responsibility from the States of Guernsey now, and we have got a crane shed and we are going to shorten the gib of the crane so it can be stowed within this shed and hopefully that is going to solve the problem.

Now, I was so concerned about this and I have been so annoyed and so involved about the crane not being stowed and there has been a conflict of opinion about it and it should not be sat out in a drizzle of sea salt all the time. A big investment of nearly £1 million and I was furious when it was not actually looked after properly. I will continue to question that one.

Thank you, Deputy St Pier.

The Deputy Bailiff: Thank you.
Deputy Blin.

Deputy Blin: Thank you, madam.

Could I ask of Alderney Representative Roberts, any progress, update or ideas in the direction towards potential of the ferry. I know there was talk about the different size, etc. Any news on that?

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Thank you, madam.

Yes, there is some progress. We have had some tenders in. A potential candidate has not been chosen from that group as yet but some of them were promising. I hope to get it through because time is a factor, is it not? It is January now. We have got to think, summer season comes, we have got to be ready. We have got to have things in order. Ducks in a line. But where we are at, at the moment, we have got several on the table and we have not chosen one yet. But I do not want too much delay. I would hope it would be done by the next four weeks, the next P&F, an applicant is chosen to do the service because we cannot wait.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: Alderney Representative Roberts, if Alderney was a French island, there would be two immutable facts. One, you would not be generating your own electricity, you would be plugged straight into that and almost certainly you would have a marina. There is no two ways about it. France would have bought you a marina.

I have heard over the years Fort Clonque was going to happen, the marina is going to happen, but things do slow up a bit. Can the Government of Alderney not just walk away from their opinions on the marina, get a group of business people, go out to pitch and allow them to do it and let them get on with it? We do hear, time and again, this is going to happen, but I am fairly sure, 15 years ago, we could have been having the same conversation. It does strike me as strange that things do not move on an awful lot in Alderney. It might be the reasons because Bob has got a different opinion to Sharon.

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: That is a very good point. Bob and Sharon. I will tell you a story about Bob and Sharon, shall I?

1350 **The Deputy Bailiff:** Just remember you have only got a minute and a half!

Alderney Representative: It is about personalities, is it not? Personalities should not be in government. Personalities slow the whole process down and when you will not work with somebody because of personalities, it is against the detriment of what we stand for. We have to sit down and
1355 work together where we have different political opinion, whatever.

Now, I hope you are not trying to sell us off to France, because you said all these things! But I believe we can put them in place. We do have somebody that is interested in doing the marina but what we need is for them to come back with the investors. That stops that. This Island Plan is to push this forward and this is what we are doing. We value your advice from Economic Development.
1360 That is why I want to meet with you every three months and you can voice these opinions and we can work together and let's do something about it together.

The Deputy Bailiff: Deputy Trott.

1365 **Deputy Trott:** Thank you, madam.

Alderney Representatives Roberts and Snowdon's passion for Alderney is laudable. I have a passion for fairness and equality. I was delighted to learn of Alderney's heaving eateries and low rental costs. The revenue subsidy from Guernsey taxpayers to Alderney residents is, as I know both Representatives understand, a staggering £3,000 per person per year. Or over £6 million. The capital
1370 allocations over the last 20 years have been even more generous. My question, madam, is are these figures widely understood and appreciated by the 2,000 souls in Alderney?

The Deputy Bailiff: Alderney Representative Roberts.

1375 **Alderney Representative Roberts:** Thank you, Deputy Trott.

Over the local picture, I will give you Alderney revenue expenditure, we are now self-sufficient, with this being met from Alderney Property Tax, the Document Duty and fuel tax and this places no burden on Guernsey any more. So it is also self-sufficient from gambling surpluses.

The way this could be addressed, actually, is to reduce the cost of transferred services. This would
1380 hopefully be in collaboration. I have no doubt that efficiency savings could be made in some areas, without detriment to effectiveness. However, largely a matter for States of Guernsey, as a wider part of any review service as in Guernsey, we have to raise more taxes in Alderney. This would be part of any valid initiatives. But the ability to do this is constrained by demographics. If Alderney attracted more working age people, it would bring more tax and the answer is within the initiative of us all.

Alderney needs to change, I agree, but looking back it is very negative to continue this repetition,
1385 which we already know. We need to overcome, and I believe we are on the very verge of doing so, that this Assembly recognise, all of us, there is a problem. But instead of negative comments recognise that problems need solutions and we are examining them. That is the difference, I have now found in my fourth year here – five minutes, compared to many of you, but nevertheless is
1390 true. Looking here, it should not be about personalities constantly locking horns, it should be Bailiwick first, so solutions, please.

The Deputy Bailiff: Thank you. Deputy Gollop.

1395 **Deputy Gollop:** Thank you, again.

In the last States I was pleased to be a Member of the Transport Licensing Authority and Mr Roberts was also a Member, and our President would take an impartial view. My question to the States of Alderney is are they personally happy with their own powers in relation to transport licensing and, in this context, their air situation, which of course applies potentially to more than
1400 one airline, looking at their routes connecting with England, Guernsey and France and Jersey.

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Yes, this goes back to change and the longer runway because things clearly need to change. We have a five-year PSO. We are not in the fourth year of that. As that decreases, we have no guarantee that the service with a Dornier would continue because of the losses. That is one thing we have to look at.

Also, Alderney is not happy at the current service that we get. We have only got two aircraft, as you know. If one of them goes sick then we are left with one. If we get an air-med, for instance, that takes that aircraft out of the game for two hours because it has to come back to Guernsey, it has to have the stretcher fitted and then it has to go back to Alderney. If that aircraft is in Southampton, it has got to fly all the way back to Guernsey, pick up the stretcher, put it in by engineers and fly it to Alderney and that is a two-hour delay on the rest of the service, not just a delay on the patient that is waiting to be taken to hospital.

If we had a longer runway we would be using a purpose-built aircraft here, which gives a fantastic service. The stretcher sits in all the time. Within half an hour they are in the air, the patient safer probably by an hour from Alderney. So, that is a good reason for me to be optimistic for the future. So, at the moment we are not happy with the fragility of it and we worry about the future but we do feel that there is a future and our licensing, we are happy with the licensing, and we examine every aspect of the licensing, like we do in Guernsey.

The Deputy Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, madam.

Alderney has been a little bit of a pioneer in actually uncovering the value of natural assets in the Bailiwick such as really the unique position in the bird migratory season and, through the works of charities like the Alderney Wildlife Trust, Alderney Bird Observatory, that work has been really exposed. Would the Alderney Representatives think perhaps there is a bigger opportunity of capitalising upon environmental tourism and converting Alderney, really, to a mecca of nature of tourism?

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Another question close to my heart. They do very good work indeed and I was disappointed that Alderney did not actually support the ABO, the Alderney Bird Observatory, more. Alderney is placed in a very close corridor to France and lots of birds migrate up through the narrow channel and drop off Alderney. We have had some of the rarest findings in the British Isles and we all know that the community of birders will travel anywhere if they think there is a rare bird living there. To me, this was an opportunity missed by not giving them perhaps more support.

I am still going to try and get them support because we have got a very good man across in Alderney, who is very high up and highly regarded by the British Bird Association and I would like to take that forward particularly. Some get more support than others; the ABO, I think, have fallen short with their support from the Government. They do not recognise what I recognise. I like to watch birds, so I am a bit of an ornithologist, an amateur, layman, and I can see the potential in that. Good potential.

Thank you.

The Deputy Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, madam.

Over the years, the issue of how to honour, respect and memorialise some of the Occupation sites in Alderney appears to be quite a controversial topic in Alderney. I am wondering whether

1455 Alderney Representative Roberts is able to advise whether any consensus is emerging on that topic in a way that would perhaps help bring some closure on that?

The Deputy Bailiff: Alderney Representative Roberts.

1460 **Alderney Representative Roberts:** I thank Deputy St Pier. Another that is close to my heart as well. The things that went on in Alderney, I do not think everybody knows the full story. Alderney, as you know, was evacuated and I had four generations of my own family on those boats. I had my great grandfather, my grandfather, my grandmother, my father, my mother and my unborn sister. Five generations out on those boats.

1465 So, I feel strongly about what happened during the War. We hear stories and reports and the reports are probably not as they should have been and we are looking into that now. The protection of those sites, Deputy St Pier, is going into the Land-Use Plan and it is going to be integrated in our upgrade of our Land-Use Plan, which we do every five years. I was involved in the last one. I am not involved in this one. Alderney Representative Snowden will be involved in this one but I can assure you we will put every effort on this very sensitive subject to remember the poor souls and how they
1470 suffered on our Island of Alderney when we were not there.

The Deputy Bailiff: Deputy Gollop.

1475 **Deputy Gollop:** My mother, amongst many other people, was grateful to benefit from Alderney services and living in the Connaught Home. In the speech we heard about the cost overrun of the capital extension but that has been hopefully resolved. My question is are the States of Alderney and Policy & Finance happy that there are sufficient care facilities for the older generation and those who need care, looking forward to what, probably, will be an even more ageing population in the short to medium-term?

1480

The Deputy Bailiff: Alderney Representative Roberts.

Alderney Representative Roberts: Thank you, madam.

1485 Yes, Deputy Gollop that is why we are actually extending the Connaught Care Home, to provide more beds. You know the Connaught Care Home probably far better than I, you have probably been there far more times than I, with your visits to Alderney with your late, dear mother, who I knew very well.

1490 That is why we are seeking to improve it. So at the time and tying in with that we are doing the extra stuff that we do need and we are looking to improve the demographics. So, it is a two-pronged fork, really. It is two problems in one. They are very good. The people there are absolutely fantastic, as you know, and the way they have gone through the pandemic and protected the public, Liz Bowskill, who runs the Connaught, does a fantastic job there. Are Alderney happy that it is enough? We are never happy we have enough. You want wriggling room, do you not? But I believe this extension was essential for us, we had to do it, because of the increased beds, and yes we are.

1495

The Deputy Bailiff: Thank you. That brings questions in relation to the Statement from Alderney Representative Roberts to a close. Thank you, Alderney Representative Roberts.

Questions for Oral Answer

POLICY & RESOURCES COMMITTEE

The third sector and Gift Aid – Commissioning of Government services; cap on Gift Aid; payroll lump sum donations

1500 **The Deputy Bailiff:** We will now go to the questions and it is you, Deputy Falla.

Deputy Falla: Thank you, madam.

A question to the President of Policy & Resources. What progress is being made towards increasing the commissioning of Government services from the third sector?

1505

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Thank you, madam.

1510 The States are already in a number of commissioning arrangements at varying degrees of maturity. The Health Improvement Commission, the Arts Commission and the Sports Commission are just three examples. I also understand that work is progressing on future commissioning partnerships to support mental health and wellbeing and on the establishment of a Nature Commission.

1515 Deputy Soulsby is the Policy & Resources Committee lead on commissioning and she has directed officers to complete a new commissioning framework in quarter two of this year, for full consultation with the charity sector, which will build further on the shared values established by the Social Compact, through setting out principles and ways of working.

1520 I know that discussions with the Guernsey Community Foundation and Association of Guernsey Charities will continue to be part of the development of that framework. What we are aiming for is a consistent approach across the States that enables our world class charities and voluntary sector to fully utilise their skills and competences in partnering with the States to deliver services more effectively and efficiently. We also acknowledge the role of the Social Investment Fund in supporting this work through to deploying funding that enables the delivery of commissioning objectives, aligned with the Government Work Plan.

1525

The Deputy Bailiff: Deputy Falla, supplementary question?

Deputy Falla: Two supplementaries, please. Firstly, could more be done to strengthen the relationship between our world class third sector organisations and our Government and to create more mutually beneficial, cost-effective and outcome-focused partnerships?

1530

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Absolutely.

1535

The Deputy Bailiff: Deputy Falla.

Deputy Falla: Thank you, madam.

1540 I understand that the original concept proposed in the Strategy for the Third Sector document, by the Association of Guernsey Charities in 2019, for the Social Investment Fund, included using States' funding to develop new third sector organisations, which would take on the work currently undertaken by the States, where such organisations could deliver services more efficiently,

effectively and cost-effectively. Could the Social Investment Fund mandate be widened to incorporate this objective?

1545

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Thank you, madam.

Yes, I think that is a good idea and I think it should be looked at.

1550

The Deputy Bailiff: Deputy St Pier, supplementary question.

Deputy St Pier: Yes, I have a couple of supplementaries as well, madam. Deputy Ferbrache did say that the framework, I think, is being led by Deputy Soulsby, but I wonder whether he is in a position to answer this question. Does he know whether the framework will focus on the commissioning of outcomes rather than merely the commissioning of services?

1555

The Deputy Bailiff: Deputy Ferbrache.

1560

Deputy Ferbrache: I am grateful to Deputy St Pier for reminding me that Deputy Soulsby is the lead on this and she nodded to me in the affirmative.

The Deputy Bailiff: Second supplementary question, Deputy St Pier.

1565

Deputy St Pier: Thank you, that is reassuring, madam.

I am wondering also whether Deputy Ferbrache would agree with me that actually the commissioning of outcomes from third parties and the third sector does require significant skills and resources on the side of the States in order to properly manage those contracts and those skills and resources may not presently exist and that is one of the challenges which the States will probably have if it wants to increase the amount of commissioning, that it will need to ensure that it can properly manage those contracts?

1570

The Deputy Bailiff: Deputy Ferbrache.

1575

Deputy Ferbrache: The answer is yes, but I think there may be another question.

The Deputy Bailiff: Would you like a supplementary question, Deputy Soulsby?

Deputy Soulsby: This is the first question I think I have had all day. Would the President agree with me that work is currently being undertaken to put together the necessary resource to enable the proper commissioning to take place?

1580

The Deputy Bailiff: Deputy Ferbrache.

1585

Deputy Ferbrache: I did not disagree with that but the point is I am aware of that and that is the case.

The Deputy Bailiff: Any more supplementary questions? Deputy Falla, your second question.

1590

Deputy Falla: Would the Committee consider raising the cap on Gift Aid, which enables charities to reclaim tax on donations made, to be more in line with Jersey, which has a limit of £500,000.

The Deputy Bailiff: Deputy Ferbrache.

1595 **Deputy Ferbrache:** The Vice-President of Policy & Resources, Deputy Soulsby, met with the leads of the Association of Guernsey Charities last week, on 18th January and this was, I am informed, one of the matters discussed, we – that is P&R – recognise that this is a longstanding ambition of the Association of Guernsey Charities on behalf of its members and one which it has argued very well with eloquence and passion.

1600 Work is being done in respect of this proposal for the Committee to consider. We will also discuss this proposal further with the Association of Guernsey Charities in due course. However, it would be helpful to consider this as part of a wider review of potential initiatives to support the charitable sector.

1605 **The Deputy Bailiff:** Do you have a supplementary question, Deputy Falla?

Deputy Falla: There has already been a number of reviews, consultations and engagements with the umbrella bodies representing the third sector over recent years. The commissioning framework aside, what would the wider review, to which you refer in your answer, look like?

1610 **The Deputy Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: What has happened, it seemed to me, when I became President of Policy & Resources, is that this had been ignored. Deputy Falla, in a previous question, asked about the 2019 initiative. So therefore, we believed, and Deputy Soulsby is charged with this and she has taken up that charge very well, that this should be developed in a wider concept because there is a lot to that. It is not only the finance, which is very important, people have to have money to pay their bills and develop their product. It is also very important where work can be done more effectively by the charitable sector it should be done by the charitable sector rather than by Government, and if that means a change of resources, that will need to happen.

The Deputy Bailiff: Supplementary question from Deputy Gollop.

1625 **Deputy Gollop:** Yes, Deputy Ferbrache has almost put words in my mouth because he says many services could be provided by the third sector rather than by Government. Would it not therefore be apposite that moving forward, towards a much more generous Gift Aid and employee donation route would indeed facilitate the growth of the voluntary sector at the expense of Government and therefore benefit society?

1630 **The Deputy Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: I think it is probably part of question three, that Deputy Falla will pose in just a moment, and there is an answer to that question so, when I answer that question, there may well be a supplementary from Deputy Falla, which I would endeavour to expand upon.

1635 **The Deputy Bailiff:** Your third question, then, Deputy Falla.

Deputy Falla: Would the Committee consider introducing payroll lump sum donations, deducted by an employer from the donor's salary and attracting tax relief in favour of charities?

1640 **The Deputy Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: As with my previous response, the Vice-President Deputy Soulsby met with the leaders of the Association of the Guernsey Charities, as I say, on 18th January, and this was another of the matters that was raised. We recognised that this too is a longstanding ambition of the Association of Guernsey Charities on behalf of its members.

Work is being done in respect of this proposal for the Committee to consider. I recognise that Deputy Falla is the Government business lead on the Committee *for* Economic Development so his views and observations on business readiness of such a proposal, particularly in relation to small and medium-sized enterprises, would be welcomed as part of the Policy & Resources Committee's consideration.

The Deputy Bailiff: Supplementary question, Deputy Falla.

Deputy Falla: Thank you and I thank Deputy Ferbrache for the answers to these questions.

I would be happy to glean the views of the business community as to their appetite and willingness to adopt a payroll giving but would the President of the Policy & Resources Committee agree with me that it would be helpful to add payroll giving functionality to the revenue services returns creator, to minimise any associated administration for businesses?

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Unequivocally. Anything that lessens administration, that makes it easier. The proposal is a good one, it just needs the detail. What has happened too long in relation to the third sector, as Deputy Falla again alluded to in one of his earlier questions, too much talking and little action. The purpose of Deputy Soulsby's initiatives is that there will be action and results.

The Deputy Bailiff: Thank you. Supplementary question from Deputy St Pier.

Deputy St Pier: Two supplementaries. The first one tongue in cheek, madam. Given the number of times that Deputy Ferbrache has referenced the Vice-President, do you think it would have been of assistance if she had actually responded to this series of questions?

The Deputy Bailiff: Deputy Ferbrache,

Deputy Ferbrache: She asked me to answer the questions. *(Laughter)*

The Deputy Bailiff: Your second supplementary question.

Deputy St Pier: We will leave Deputy Soulsby to ask, perhaps, a further supplementary in response to that answer!

More seriously, in responses to the questions, both this question and the previous question on raising Gift Aid, does the President agree with me that one of the significant challenges, of course, will be the cost on the public exchequer, which of course probably Deputy Helyar will need to consider very carefully. It has historically been one of the significant constraints in this area?

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Deputy St Pier is absolutely right, that is one of the considerations and that will be a matter, we have already looked at that issue, but it is a continuing issue and the point is well made.

The Deputy Bailiff: Deputy Soulsby, supplementary question.

Deputy Soulsby: Thank you, madam.

Will the President agree with me that Deputy Ferbrache actually said that he would be answering that question and will confirm that Deputy Soulsby did not say, 'please would you answer those questions'?

The Deputy Bailiff: Deputy Ferbrache.

1700

Deputy Ferbrache: It is a matter of semantics, madam. *(Laughter)*

The Deputy Bailiff: Deputy Soulsby, second supplementary question.

1705

Deputy Soulsby: Can I just say that does Deputy Ferbrache agree with me that he could quite properly answer the questions that are being asked of him this morning.

The Deputy Bailiff: Deputy Ferbrache.

1710

Deputy Ferbrache: I hope so.

COMMITTEE FOR HEALTH & SOCIAL CARE

Loneliness Strategy –

Progress of holistic work, practical steps taken and importance given by HSC

The Deputy Bailiff: Thank you.

Let's move onto the second set of questions, please. These are from Deputy Gollop to the Committee for Health & Social Care.

1715

Deputy Gollop: Thank you, Madam Deputy Bailiff, and I thank Deputy Brouard and the Committee for Health & Social Care for producing and printing the question. My first question is how far has the Committee for Health & Social Care been able to progress holistic work on a loneliness strategy?

1720

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, madam.

1725

The Committee for Health & Social Care is not working on a strategy that solely considers loneliness. Nor has the States of Deliberation directed the Committee to do this, because it is recognised that matters affecting wellbeing, including loneliness or isolation, are affected by a range of social, environmental and economic determinants.

1730

Supporting those who experience loneliness to increase their social connections requires a collective effort from businesses, the health and voluntary sector, the community as a whole and individuals and is not just the responsibility of Government. The Committee is aware that late in 2019, as part of the Supported Living and Ageing Well Strategy, the States commissioned some research from the Guernsey Community Foundation into the extent of the third sector services that were directly or indirectly available to support those experiencing loneliness.

1735

The findings identified loneliness as a widespread, multi-factorial problem that could be brought on or exacerbated by a range of issues and which sometimes had deep-seated causes. It also highlighted the importance of the work of many third sector organisations in the community for reducing Islanders' feeling of loneliness overall, while acknowledging that more funding would allow for provision to be developed further.

Thank you.

1740

The Deputy Bailiff: Is this a supplementary question, Deputy Gollop? **(Deputy Gollop: Yes.)** Thank you.

1745 **Deputy Gollop:** My supplementary question here would be the Committee responds that the Supported Living and Ageing Well Strategy, as part of the States-commissioned research, which showed *[inaudible]*. In view of that, why has there perhaps not been more focus on the policy on this from both the Committee and in relation to work within the third sector that Deputy Brouard has identified?

1750 **The Deputy Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you.

As Deputy Gollop knows, as part of his mandate on ESS is the SLAWS initiative and it is for him to take that forward as leading on it, the commissioning was done through, I believe, Policy & Resources in the last term, under the lead of Deputy Stephens, and the report has been produced. But there needs to be more work done on it and more resources put in but the Deputy is better placed than me to lead on this particular issue.

1760 **The Deputy Bailiff:** Supplementary question from Deputy Queripel.

Deputy Queripel: Deputy Brouard said in his response that the States had not directed HSC to pursue a loneliness strategy. The Department does not have to wait for the States to direct them to do anything because departments come up with their own initiatives to progress. So does the President not agree with me that HSC could be and should be a lot more proactive as to pursuing a strategy to combat loneliness?

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you.

1770 I do not think Deputy Queripel fully listened to the answer I gave to the first question. It is not only for HSC, it is for all of us in the community, for all of us in the Assembly, to look at loneliness. It is part of us, as part of our society. I think, picking up on the lead for this was through the SLAWS strategy, which is through ESS. We of course have a part to play in health, very much so, but of course we do also have priorities and unfortunately, with resources as they are, we do have to prioritise where we put them.

1775 So, we do rely very heavily on the third sector through football teams, to youth clubs etc., who provide facilities for people so that they do not have the full effects of loneliness, but it is not just for us as the Health to do this, it is a society thing and I welcome the support of everybody as we try and make it as best as we can for those who are feeling lonely or isolated.

1780 **The Deputy Bailiff:** Supplementary question from Deputy Leadbeater.

Deputy Leadbeater: Would the President agree with me that if Health & Social Care was to pursue a loneliness strategy, as recommended by Deputy Queripel, that something would have to be dropped in its place?

The Deputy Bailiff: Deputy Brouard.

1790 **Deputy Brouard:** I thank Deputy Leadbeater very much. It is indeed exactly that. What other strategy would you like or what other services would you not do? Unfortunately, we do end up, especially in Health, very much looking at the acute end of issues. The broken leg needs to be fixed now. Some of the things like loneliness, it is a much more difficult concept to get around and a lot more work would need to be put into it. That is why we are very much reliant, as a society, on the third sector and sporting organisations and the private sector, businesses, business-owners to look after their staff and the welfare of the families that they are employing.

1795

The Deputy Bailiff: Deputy Soulsby, supplementary question.

Deputy Soulsby: Thank you, madam.

1800 I totally agree with what the President of Health & Social Care just said about everybody's responsibility. Is he, then, pleased to hear that work that is being undergone by the Douzaine Liaison Group, working with the parishes, we are looking at how the Douzaines can help support and manage and deal with loneliness in the community?

The Deputy Bailiff: Deputy Brouard.

1805

Deputy Brouard: Yes, indeed. Very much so. I think also there was an initiative, I think, in the last term, that Deputy Le Tocq and I were talking about with regard to having electronic devices that people can use in their own homes to connect them with families who they are no longer able to see or are not available on Island. There are lots of different initiatives going on. So, I thank you for that question, Deputy Soulsby.

1810

The Deputy Bailiff: Your second question, Deputy Gollop.

Deputy Gollop: And if I may be permitted, I would like two supplementary questions after this. Question two. Do Members of the Committee *for* Health & Social Care consider combating loneliness an integral part of community health, wellness, social prescriptions, and mental wellbeing?

1815

The Deputy Bailiff: Deputy Brouard.

1820

Deputy Brouard: Thank you.

Yes. Recognising the adverse impact that loneliness can have, the Guernsey and Alderney Wellbeing Survey was amended to include questions on both emotional and social loneliness to establish the scale of this issue in the community. The findings of the most recent survey conducted in 2018 show that in the general population, 15% of Islanders are classed as intensely emotionally lonely and that 32% are intensely socially lonely.

1825

There is some evidence that young people aged 16-24, those living in affordable housing, those with high drinking habits and those with mental, emotional health conditions are more likely to experience higher levels of loneliness than the general population. Addressing the causes of loneliness and isolation does not just fall within the remit of the Committee *for* Health & Social Care, there are wide determinants across all Committee areas and society.

1830

The Deputy Bailiff: Your first supplementary question, Deputy Gollop.

Deputy Gollop: My first question is, commendably the Health & Social Care Committee have pioneered social prescriptions, mental drop-ins and worked closely with Guernsey MIND and other organisations. Given the answer makes clear that high risk drinking and those with mental or health conditions and social, financial issues are particularly affected, will the Committee be working even more closely with Guernsey MIND and other organisations, realising loneliness is actually part and parcel of mental health services?

1835

1840

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Yes, thank you for that supplementary. I think absolutely. Very much so and that has been reflected in the pilot that we had over the Christmas period for those who need some emotional support over the Christmas period. So, thank you.

1845

The Deputy Bailiff: Your second supplementary question, Deputy Gollop.

1850 **Deputy Gollop:** I think the answer is a good one because it not only identifies a third of the Island being intensely, socially lonely, but a sixth being intensely emotionally lonely, which I can empathise with. Therefore, my question is many SLAWS and other facilities focus on the socially lonely, such as drop-ins, older people's activities, community groups, but what policies would Health & Social Care like to do to look more at emotionally lonely or isolated people?

1855

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: I think, with unlimited resources, unlimited time, unlimited funds, I think we could all do a lot more and this is one of the difficulties we have. Also, these things are transient as well. I sometimes feel lonely in a crowd. I am sure other people do as well. We all have our different feelings at different times.

1860

There is obviously more that we could do but we do have to concentrate on some of the priorities that we have and we do very much rely on some of the third sector with regard to the loneliness issue. But if there is anything that anybody can do in their own Committees to make life better for people, then please that is what we need to do as a society. We need to have everybody engaged in looking after everybody.

1865

The Deputy Bailiff: Your third question, Deputy Gollop.

1870 **Deputy Gollop:** Thank you very much.

What practical steps in terms of activities, courses, cafe facilities and therapy is the Committee for Health & Social Care taking to alleviate loneliness for people of all ages and genders, including people of diverse ethnicity and sexual orientation?

1875

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you.

The Committee for Health & Social Care recognises that loneliness is not necessarily something that can be addressed through the formal Health & Social Care services only. But rather through a range of opportunity available in the community, through employment and by creating an environment that is both inclusive and supports health and wellbeing.

1880

HSC helped to facilitate the Bailiwick social prescribing initiative, which was launched by the Health Improvement Commission in July 2021, in partnership with Public Health services, primary care and the third sector. Given that the scheme is a comparatively recent addition to the local offering, there is not yet detailed statistics on its impact but initial feedback has been positive and there is an acceptance across the British Isles that social prescribing has a positive impact on people's mental health and wellbeing, including loneliness, and reduces demand on other health services.

1885

Of course, there are many other third sector organisations who work closely with HSC, too many to mention individually by name, that provide valuable services to enable people to live independently, stay connected to others and participate in community life and activities and the Committee does not underestimate the significant contribution of this to the health and wellbeing across all levels of our society.

1890

Thank you.

1895

The Deputy Bailiff: Prior to your supplementary question, Deputy Gollop, Deputy Dudley-Owen, do you wish to be relevéed?

Deputy Dudley-Owen: Yes, please, madam.

1900 **The Deputy Bailiff:** Thank you.
Deputy Gollop, your supplementary please.

Deputy Gollop: Thank you very much.
Welcome, there. My supplementary is: I am pleased with the response that the Bailiwick social
1905 prescribing initiative was successfully launched but will the States, in one form or another, be given
an update as to the effectiveness of social prescribing not only in terms of resource allocation but
to silence any sceptics that initially raised an eyebrow?

The Deputy Bailiff: Deputy Brouard.

1910 **Deputy Brouard:** Thank you for that.
I think that is a very good point, Deputy Gollop, and I will try and incorporate it in one of the
updates to the States' Members every six months. So, either the next one or the one after that, I can
assure that that is put in. Thank you very much.

1915 **The Deputy Bailiff:** Second supplementary question.

Deputy Gollop: Yes, I was on a sub-group in the last term, as an individual rather than as a
politician, which was looking at extending a mental health wellness café facility and it has been
1920 commendable what the Mill Street/Mansell Street ex-Caritas Café does, nine drop-ins and also
health connections. But we actually failed to get what we really wanted, which was a second
Beacon's open almost 24/7, which was not just a café for people with mental and emotional health
areas but also a drop-in where people could find out information and resources, including
minorities. Given resources, will Health & Social Care, with other Committees, work to ensure that
1925 that idea can continue and thrive?

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: I am not sure of the initiative that Deputy Gollop speaks of but if he would
1930 like to put some details down to us after this Meeting, I would be very happy to look at it. We are
of course looking at bringing forward our mental health facilities, with regard to a café or linking
up with being able to extend the hours for those people who need some additional support, but if
Deputy Gollop would like to make contact with the Committee, we would be very happy to look at
what he is considering.

1935 **The Deputy Bailiff:** Thank you.
States' Greffier, the next item on the Order Paper, please.

Billet d'État I

ELECTIONS AND APPOINTMENTS

COMMITTEE FOR HOME AFFAIRS

1. Police Complaints Commission – Appointment of two members –

Miss Rebekah Johnston and Mr Steven Melbourne appointed

Article 1.

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled "Police Complaints Commission - Appointment of Two Members", dated 25th October 2021, they are of the opinion:-

- 1. To appoint Miss Rebekah Johnston as an ordinary member of the Police Complaints Commission for a period of 4 years with immediate effect; and*
- 2. To appoint Mr Steven Melbourne as an ordinary member of the Police Complaints Commission for a period of 4 years with immediate effect.*

1940

The States' Greffier: Billet d'État I, Article 1, the Committee for Home Affairs, the Policy Complaints Commission – Appointment of two members.

The Deputy Bailiff: Deputy Prow.

1945

Deputy Prow: Thank you, Madam Deputy Bailiff.

I rise briefly to seek the support of the Assembly for this policy letter. The Committee for Home Affairs is pleased to nominate Miss Rebekah Johnston and Mr Steven Melbourne to be ordinary members of the Police Complaints Commission for a term of four years, with immediate effect.

1950

The Chairman of the Commission recommended these appointments and considers that both candidates have the necessary experience and qualities to play a positive role on the Commission and further complement the group's dynamics.

Madam, while I am on my feet, can I take this opportunity to thank the Police Complaints Commission for all their hard work and skills?

1955

Thank you, madam.

The Deputy Bailiff: Thank you, Deputy Prow. If nobody wishes to speak, we will go straight to a vote. Those who support this Proposition please indicate now; those against?

Members voted Pour.

The Deputy Bailiff: Proposition is carried.

1960

URGENT PROPOSITIONS PURSUANT TO RULE 18

CIVIL CONTINGENCIES AUTHORITY

**Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) Regulations, 2022; and
Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (Amendment) Regulations, 2022 –
Debate commenced**

The States are asked to decide whether they are of the opinion to approve the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2022.

And:

The States are asked to decide whether they are of the opinion to approve the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) Regulations, 2022.

The States' Greffier: Propositions laid pursuant to Rule 18 of the Rules of Procedure. The Civil Contingencies Authority – Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2022.

1965 **The Deputy Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Madam, would it be convenient to take, with your leave, both matters together. Both this and the next matter?

1970 **The Deputy Bailiff:** Yes, I am perfectly happy with that. Greffier could you kindly read the second Proposition?

The States' Greffier: Yes, madam. The Civil Contingencies Authority (Emergency Powers) (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) Regulations, 2022.

1975 **The Deputy Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Thank you.

1980 Madam, with both Rule 18s engaged and if there is any matter in relation to that no doubt somebody will raise it, in relation to the main Regulations, if I can call it that, the main provision is that in relation to the blue channel, in other words the Common Travel Area, there would be no restrictions, in relation to the green list – we do not have any on the red list, as far as I am aware at the moment – but in relation to the green list, PCRs would go and you would have to take a lateral flow test.

1985 In relation to the amendment to the Regulations, face masks would go. They went this morning but let's hope they continue to go although people will wear them, hopefully, in sensible situations, and you have been commendable, madam, in relation to that and a plaudit for that. I think you are the only one at the moment wearing one. Sorry, I was not looking at Deputy Brouard and Deputy de Sausmarez, I apologise to them. Also, there is a consequential one because the Court of Appeal
1990 Law comes into force on 7th February so, therefore, that provision would fall away. But, other than that, I commend these Regulations and the amendments thereto to the States.

The Deputy Bailiff: Deputy Kazantseva-Miller.

1995 **Deputy Kazantseva-Miller:** Thank you, madam.

First of all I want to say I really welcome the developments of the CCA over the last few days and so on but I do want to rise today and raise a number of points, if you may allow. Obviously, as we understand, the relaxations and the de-escalation of the Regulations have come off the back of a rapid reduction in cases. However, what is interesting is that we have kind of had very much a cliff drop, basically a line, in terms of cases and interestingly it coincides very much with the removal of the requirement for PCR testing, which took place at the beginning of last month.

Coincidence or not coincidence, really from that point on there was a clear drop, reduction in cases and I really stand to be corrected. That just seems to be kind of unnatural. If we look at the way the cases developed over any of the previous waves, it was always a much more gradual decline. I hear anecdotal evidence from people I speak to, sole traders and so on, people just do not dare to test or to declare testing because they are worried of early isolation requirements.

What I am trying to say is that, and I appreciate that we also conduct other surveillance testing and so on, so we do not rely on the data based on the declared lateral flow tests and so on. I do appreciate we are taking a multi-faceted approach. But I do want to raise the concern that, in reality, we do not know how many cases we really have in the community. So, we are kind of basing the de-escalation, yes, on numbers, but I do want to question that evidence in terms of actually the cases in the community. However, I do want to say I support the de-escalation on all aspects.

However, the other question, I had to some of the CCA colleagues just around Christmas, which was when we were still maintaining the 10-day isolation requirements and I questioned, based on what studies and evidence are we still requiring a 10-day isolation period, not a nine, eight, seven and so on. I literally asked that question on the morning of when the CCA then went ahead and changed those requirements.

What really surprised me was the answer that was given to me, that the 10-day isolation requirement was off the back of a study that was conducted in October 2020. That was, at that point, more than, obviously, a year ago. We were basing as a fundamental restriction of people's freedoms and of health requirements around the 10-day mandate based on evidence dating back from over a year ago. Basically, to me it felt it was outdated evidence, basically, to base such important restrictions of freedom on. So where we are today, why am I saying all of those things? I guess the CCA and Medical Director of Health have always been very strong around the importance of taking an evidence-based approach. I have raised the questions around whether we know how many cases we have in the community, that is one. Whether we care about that right now, probably that is another question, but whether we have those numbers, probably not. Also the evidence around the restriction, isolation and so on.

This brings me to the point of why I really raised, probably still continue opposing the Regulations, is really the difference in approach we continue taking in terms of how people who are vaccinated are treated and how people who are unvaccinated are treated. Even with the latest press release yesterday, there is really no mention of change in approach at this stage towards unvaccinated. If I am correct, basically the differences right now are, and I have tried to look at the website again and all the press releases, so what I see is that the differences are obviously in travel, so if you are coming from a non-CTA area, if you are unvaccinated, you need to take a PCR test on day one, you have to take a PCR test on day eight. Why do we still really need that? Why day eight, not day five, like with LFTs? Why PCRs, not LFTs?

That is really one question. A real difference in approach to travel for unvaccinated and the vaccinated and really the other one, and I am not sure if it still holds, but it is on the website, I have not seen any updates in the press releases, if you are unvaccinated and you have been either a household contact of a positive case or a close contact of a positive case, from what I understand, you are still required to stay home for 10 days. I really have no idea on what evidence these kinds of restrictions are based on.

So, I really rise to oppose the continued, I will call it, discrimination of how we treat unvaccinated people but especially because we have started de-escalating the measures to the community that is vaccinated, I think it is becoming even more disproportionate how we are continuing to treat those who are unvaccinated.

I urge the CCA to really look at it as a priority because, at this stage, it really feels disproportionate. I would like us to continue to be community aware. We raise vaccination as a personal medical choice, a personal choice made for all the different reasons we might want to make, not because Islanders might feel under pressure to take vaccination due to reasons related to the restrictions on their freedoms and due to isolation requirements, due to travel requirements and so on.

I think we have to respect that and given the really high levels of vaccination and boosting that the community has adopted, they have adopted because they wanted to do it. Let those who do not want to take that approach, it is their choice. They will pay for the consequences if there are health consequences to pay for it. But let's just stop taking a discriminatory approach.

Thank you.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

I am just going to take the opportunity to respond to some of the points that Deputy Kazantseva-Miller made, to ease the burden on Deputy Ferbrache. These are all really good questions and I am glad to have the opportunity to, hopefully, help shine a bit more light and provide a little bit more clarity over some of these.

The first issue that Deputy Kazantseva-Miller raised was around the steepness of the decline, the fall-off in case numbers that we are seeing with the new version, which I am afraid I am going to stubbornly call Omicron. Everyone else calls it Omicron but I am going to carry on and stick to the correct pronunciation O-mi-cron.

It is actually typical of this variant. It is a highly virulent variant compared to other variants and actually the shape of the peak is very similar to what we have seen in other places. It is typified by a very sharp increase and a very sharp decrease. So, actually, it is exactly as we would expect. It is actually a sharper peak than some other jurisdictions have experienced because we put in measures early. The most crucial measure being the booster programme, in fact, and also because we took other non-pharmaceutical interventions and put those in place as an early response.

So, we were very lucky that it probably had something to do with reducing the overall height of the peak, if you see what I mean, the overall case numbers, which were obviously far higher than any other that we have experienced, any other wave that we have experienced. But, actually, the duration of that peak, the breadth of that peak was reduced because we put in those early interventions. But I have to say that the shape of the peak itself, the steepness of the decline, is typical of the Omicron variant.

Even though it did coincide with moving away from PCR testing, which was just a necessary factor of sheer case numbers, apart from anything else, I would say that Public Health – I hope I am not speaking out of turn here – are satisfied that is a pretty accurate reflection of what was actually going on in the community. So, I hope I can give Deputy Kazantseva-Miller and others some reassurance on that particular point. I think, also, I hope I am not stepping out of turn, but I think the response from the community to the LFT testing and the reporting thereof has been really commendable as well. Really good.

The next area that Deputy Kazantseva-Miller raised was about the difference between how people who are unvaccinated and fully vaccinated are treated. The first thing that I would say is that it is not actually correct. Let's start with the reasons why they are treated differently at all. That is an unvaccinated person is still more likely to contract the virus in the first place and more likely to transmit the virus and, specifically, I think one of the factors that is relevant to that is because they are more likely to be infectious for longer.

So, people who are vaccinated, even though it is possible for vaccinated, indeed fully vaccinated and indeed boosted people to contract the virus they are likely to, obviously not experience as severe disease as well, but they are also likely to get through it quicker and not be as infectious to others. So, actually, when Deputy Kazantseva-Miller said they make a choice and they pay the

2100 consequences, actually I think it is important to recognise that there are consequences for the whole community of that. That is one of the reasons why I think it is really important to emphasise the importance of the booster programme.

I am really sorry if this is a small diversion, but it is a super-important point that we know that, particularly when dealing with the Omicron variant, the booster, people who are vaccinated up to and including the booster, have got good levels of protection, whereas below that not as good, even from natural infection. So, the booster is singularly important in that response.

Also, just to clarify, unvaccinated contacts of positive cases are not mandated to stay at home for 10 days. They are requested to stay at home for the reasons that I have outlined but it is certainly not a legal requirement. Hopefully, that explains some of the things. When it comes to the differences, again, hopefully some of the things that I have already touched on, like the duration of the likely infectious periods will explain some of the differences.

I give way ... I cannot give way.

The Deputy Bailiff: I am afraid there is no give way because we are in a Hybrid Meeting.

2115

Deputy de Sausmarez: I am very sorry, I cannot give way.

Hopefully, that explains some of the differences but obviously this is a process of de-escalation and we are moving as reasonably as we can towards a state where these kinds of measures will not be necessary.

2120 Thank you.

The Deputy Bailiff: Deputy Taylor.

Deputy Taylor: Thank you, madam.

2125 I needed to jump pretty quick to try and beat Deputy Soulsby because it may be that she might respond to some of the points and I would not be able to give way to her, for silly reasons.

I want to start by actually saying that I fully endorse the vaccination programme. I cannot make that point strongly enough, even if I did have better vocabulary skills. I feel I have mentioned it probably in speaking out and questioning the Regulations does kind of tie you in to the anti-vax movement. I want to distance myself from that. But I do still want to pick up on a few points relating to unvaccinated people.

I am not sure if I have interpreted this right, so hopefully it can be picked up on but, looking at the current travel restrictions, from outside the CTA, fully vaccinated travellers come in fine. Unvaccinated travellers come in, they need a PCR test on arrival but they still need to isolate until the day eight negative result. Reading through the Regulations, though, and this is where I do not know if I have got it mixed up, there seems to be a caveat for under-12s, so the requirement to isolate would not apply to an under-12.

The isolation requirements – if any – would be based on the responsible adult they are travelling with. So, if the adult they travel with is fully vaccinated, boosted, whatever, there is no isolation requirement, so the child does not need to isolate. It just looks like a bit of a hole in the cheese. If I am under 12 and I have a parent who is not vaccinated, it makes absolutely no difference to my transmission of the disease, the effect the disease has on me, how it is going to affect me, anything like that, and as Deputy de Sausmarez pointed out, if you are unvaccinated, the likelihood of you getting it more severe, for longer or increasing the chance of you transmitting the virus, disease, call it what you will, is increased.

I do not think that makes any difference whether you are 12, 13, 14 or 15. If you have got it, you can spread it. It feels odd that your parents' vaccination status would make any difference. So, if I had a vaccinated parent who comes in with a child, under-12, who would be unvaccinated, that is fine, it makes sense it should not be extended to that young person. They would not need to isolate.

2150 But the parent on the other side, if they did not have their vaccine and they were not the responsible adult on the travel tracker site for the child, they have not been vaccinated, they would

be required, even though they could have come on with Condor, they could have sat in the same cabin for several hours, presumably they would have been on the same holiday, met the same people outside of the Common Travel Area, so the risk of infecting others seems to me identical. I am not a virologist or scientist, so could a little bit of clarification be given on that, why there is that discrepancy there? The way I see it, you are either at risk of infecting others or you are not.

But then I was just a bit concerned on the vaccination status. I did send around an email last night. I need to get my testing page up here. Active cases by vaccination status and age, the largest age group, according to the gov.gg website of active cases, is the five-nine, followed closely by the nought-four age group, who are all naturally unvaccinated. Whether that does suggest that vaccines are working or not these are people who would have been free under the now lapsed legislation to roam without masks on.

The highest risk, the highest infected group and they can roam free without any real concern there. I am not saying we should be locking up all the children because that is just wrong. But it just does not really add up. I have made public my views on isolation requirements previously, but they will be gone so I will not come back onto that.

Deputy de Sausmarez in her speech really drove home the requirement for people to get the booster to protect them. I am fully behind the vaccination programme but I would like to read, just to get it right, from the World Health Organisation, who I think we rely on for some advice, a page from them. Just an excerpt. It said:

We are trapped in pandemica but we know a way out. The fastest way to end the pandemic is to ensure vaccines are available to everyone everywhere. But, right now, only a few countries have widespread access to vaccines, which means the virus will continue to mutate across borders and wreak havoc for everyone around the world. We ask once again for the countries and companies that control the global supply of vaccines to prioritise supply to COVAX and AVAT now. Join us in our fight to end the pandemic.

So it strikes me as a population, which is highly vaccinated, my own maths works out we have done 2.5 doses per head of the population, 73% of the adult population are boosted. Whilst that is great for us in dealing with Omicron, I do wonder if that is to the detriment of others and on the point of those people who are unvaccinated, I come back to the original point about non-Common Travel Area testing requirements on arrival, because there is a large section of the world that has not had access to the vaccines. We have.

We have had the access to those vaccines and it is to the detriment of many other countries in Africa, who we may now be, I think I have seen some media release, relying on for labour and we are looking at but we are going to force them to isolate and take two tests for eight days if they did want to visit our Island, our country, that has had the benefit of all these vaccines and easy access to them.

I do not think we are being particularly fair in the approach. I do support vaccination but I just do not think we are being particularly fair and I think there are too many holes in these bits of legislation for me to support. I will not go on any further than that because I think most people know what way they are going to be voting and, as much as we like to say we have evidence-based decisions, I do not think there is any piece of evidence that I could put forward or any argument I could put forward that would change Members' minds. On that note I will sit down and ask people to consider voting against this.

The Deputy Bailiff: Thank you.

We are going to adjourn for lunch, now, Deputy Inder, but I make a note that you were popping straight up. So we will adjourn to lunch and reconvene at 2.30 p.m.

Thank you everybody.

Deputy Meerveld: If I can just remind Members, we are going to do a demonstration of simultaneous electronic voting, if you can stay in your seats for a few minutes.

2200 **The Deputy Greffier:** Deputy Meerveld, is that happening in here? So the electronic voting sampling is going to happen here and I think you need to be able to see that screen. Is that right? Yes.

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

**Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) Regulations, 2022; and
Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (Amendment) Regulations, 2022 –
Debate concluded –
Propositions carried**

The States' Greffier: Propositions Pursuant to Rule 18 – the continuation of the debate.

2205 **The Deputy Bailiff:** Thank you, States' Greffier. Deputy Inder.

Deputy Inder: Thank you, madam.

2210 Members, I genuinely think this is a day of celebration. Those that were in the last Assembly, almost two years ago in a few weeks' time, we were all taken into a room, I think it was the Cambridge Room. The first time I had met the Director of Public Health and, effectively, the message from Public Health was, you have got to accept as lay people, as we all are, coming from different parts of industry, when someone as significant as the Director of Public Health tells us, 'By the way, guys, you are going to have to close the Island tomorrow or we have potentially got 1,100 dead,' suddenly the L'Ancrese Tank Wall and education does not mean so much any more.

2215 That is what happened. Now, what happened straight after that? The CCA rose. Back then, of the existing Members, it was Deputies Soulsby, St Pier and – who else was there? – (*Interjection*) more of existing Members. Of course as the Treasury lead we had Deputy Trott. They were writing the book as they went along. We had four human beings plus a couple of observers and of course advice from the Crown Officers, were thrown into what was something no one ever expected.

2220 We went into lockdown 1.0. Deputy Trott at the time, because we were in some communication, was working extremely hard as Treasury lead. Lots of our businesses were switched off. Cheques were starting to be written, so there was an intense amount of work done by four normal people who have got the same vote as all of us, doing what they could do in very difficult circumstances.

2225 At the time, we were trying to deliver an election through a pandemic – I had forgotten about that! – so, I was a bit busy elsewhere. Then we went into variations of lockdown 2.0 but, two years on, I actually think this is a day of celebration. It really is a day of celebration. The current version of the CCA have done everything they can do. Same types of people, just in different circumstances.

2230 I remember Deputy St Pier, unfortunately he is not here now, I do remember in one of the debates he actually said along the lines of – he might have said it privately to me – he said it, 'It is easier to lock people down than to get people out.' Actually telling people not to do anything is a hell of a lot easier. This weaning off process has been incredibly difficult for this current CCA.

2235 Strangely enough, in an odd way I think this CCA has had a far more difficult task than the old CCA and that is taking nothing away from the previous CCA. I think we need to reflect on that. It has got absolutely nothing to do with what is front of us today but I am going to thank the current CCA for moving towards what can only be de-escalation, looking to something that looks like normality, putting some confidence back into those businesses that have suffered, and there have been hundreds if not thousands, so I think this is a good day for Guernsey, so I will be supporting

the Regulations as they stand. I am going to personally thank CCA for doing the job that they probably did not know they were ever going to have to do. So, thank you.

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: I found a lot to support in what Deputy Kazantseva-Miller and Deputy Taylor said earlier. I too have felt there have been anomalies. To cite an example, on Sunday, I was rebuked by a lady – rightly – for sitting too close to her in church because the church authorities had made it clear that there was an aisle behind that. But the very same lady was sitting just one pew ahead of me at a humanist funeral the following day, in a completely different venue, because that was under different rules.

There was a paradox, it seems to me, that people were free and are free to go out to corporate hospitality venues, to bars, to cafes, to hotels, to events, hopefully not to parties of the UK Prime Minister kind, but at the same time there have been quite severe restrictions for those in certain categories. I too read the guidelines, what do you do if you are a potential contact who is traced and I saw there was a distinct difference for those who were not vaccinated than those who indeed were. Now we hear today that, although the wording by definition really, was trying to encourage people to be responsible, it may not have had the force of Law and they could in fact, even if they were unvaccinated, have gone out and about, probably some did in certain circumstances.

As Deputy Inder and others have said, one of the issues has been that, although we have had relatively free borders and freedom of activities and all kinds of things from pantomimes to rock 'n' roll had gone on – hopefully relatively safely – there has been a situation that if you test yourself and you do a lateral flow and you turn up positive, you are under an obligation to self-isolate for up to 10 days – seven days – I think we reduced it, effectively, to between five and six days, but that of course is a strong message to somebody who relies on it, as a self-employed person or worker or somebody in that kind of scenario.

Then you run the risk that people, in some cases, may not totally honour their obligations under that and we have not seen, fortunately, any prosecutions or much, as far as I know, Police activity on people who have not gone by the rules in that particular respect. But it is clear that anomalies were creeping in. The anomaly about the children was also raised.

I would also like to take the opportunity here to say that, although we cannot afford to have money trees for every business person in difficulties, it is pretty obvious that, in certain areas such as events and hospitality and tourism guides and those kinds of situations the situation of the last few months has been uncertain, whereas for other businesses they have done just as well, maybe in some cases even better. So that is an issue that goes beyond the CCA but also needs to be considered. I think a more relaxed environment is what we need.

Although, I suppose you can never compare one place with another because you are comparing apples and pears but I have been somewhat intrigued to hear that places as diverse as the Netherlands and New Zealand, when they have had a significant increase in Omicron tendencies, have gone ballistic and gone for complete shutdowns and we have been remarkably sanguine in that respect. Even when we went in a few weeks from a few hundred to 2,300 at the height and yet we continued regardless because we were reassured that the incidence of severe illness or, most regrettably, death was rare.

That brings me to another point, really, that there have been media reports from Jersey, in which a medical expert there is attributed to have said that people who are unvaccinated are 30 times more likely to be in hospital than those who are not. I wondered if those figures are borne out by the Guernsey experience.

Although I do support the freedom of choice for people not to have vaccinations in many situations, I think the facts within the guidance of medical confidentiality and other areas, I think we actually do need to have clarity as to whether people have been more likely to be significantly ill, upsetting themselves and committing resources to their care, along those lines.

2290 What are the facts about people who are vaccinated and those who are not and the other side
of it would be people who have been vaccinated but for some reason have had an ad-reaction? I
have heard, anecdotally of cases of that kind as well. But I think transparency for the community
would allow people to make up their own minds rather than relying on Karen on Facebook or
whoever that is. A notional Karen, as Deputy Inder's apocryphal person. That is where I am, freedom
2295 but more factual information about the chances of being ill or not in the current situation and
perhaps comparison with other communities.

The Deputy Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, madam.

2300 I want to empathise, I have the utmost respect for every Member of the CCA and our Director
of Public Health. They have always laid measures in front of us with the very best of intentions. I
really do get them. But, as is my right, my views are different to theirs in many respects and have
been for some time now. I respect their views and in return I ask them to respect mine because,
2305 once again, for the same reasons I voted against the measures in the past, I will also now be voting
against these measures in front of us.

I would like to just spend a moment dispelling the rumours out in our community regarding
pressure being put on any Deputy who votes against the CCA measures. Apparently pressure is put
on the Deputy who votes against the measures by the Presiding Officer and their fellow Deputies.
Well, I have spoken against and voted against the measures on several occasions in the past and
2310 not once have I been subjected to pressure or been harassed in any way by the Presiding Officer or
any of my colleagues. So, I hope my saying that dispels those rumours once and for all. In closing,
madam, I ask for a recorded vote, please, when we go to the vote.

Thank you.

2315 **The Deputy Bailiff:** Thank you. Deputy Soulsby.

Deputy Soulsby: Thank you, madam.

I nearly did not have to stand up because Deputy de Sausmarez answered the questions that I
was going to answer, to help Deputy Ferbrache out, but Deputy Taylor said that I ought to so here
2320 I am. I would just like to go back on Deputy Kazantseva-Miller talking about the number of cases
and, yes, the number of cases could be higher than are reported. That is quite likely.

What we are concerned about now is less the number of cases than how is our Hospital coping
and I think as of today we have three cases, so that is where it is important, knowing that the
Hospital is not overwhelmed. We have been doing it for two years so no wonder everybody really
2325 wants to know what the cases are every day but when it comes from the CCA's point of view it is
making sure that health services and critical services are not overwhelmed, and they are not at the
moment.

Deputy Taylor, talking about anomalies and children not being vaccinated. I do not think now is
really the time to go into all that detail but I would just say to Deputy Gollop, who is saying different
2330 anomalies have come out, they have done from the start really. We have been making it up as we
go along, we have tried to be consistent and appropriate and I remember when we went into
lockdown and then had ... going into lockdown but saying which services were considered essential
and which were not, and we got a whole raft of people saying. 'I am essential', 'Why is that essential
and that not essential?'

2335 Then, when we came out of that, saying which businesses could operate and setting levels of
five people in an office and people saying, 'Why can't it be six?' It has never ever been an exact
science. We rely on the scientists in terms of virology and how the virus is but there are still all
manner, so many different permutations to this. We could never know for certain how things would
turn out. What we were doing made sense in terms of risk. Risk was always the thing. What is the

2340 risk where we are now, how can we make sure we do not overwhelm the Hospital, do not make services come to a grinding halt and do not have excess deaths?

I was interested, on one of the pieces of paper we were given as we came in this morning by some people. They had done some research, which was actually interesting because it showed how the number of deaths per year had gone up and down and I could say, 'Yes, it was high in that year because I know we had a high flu season.' But then implying that because there were no excess deaths from the figures that meant we had overreacted. But I would have thought that was an example of the success of the measures that we had, that we kept the death rates down. That was just a little side point, I would say,

I totally agree with Deputy Taylor that we should be doing more to support other countries to enable them to vaccinate their population. I think it has been pretty poor of other developed countries that have been stockpiling vaccines for themselves. They should really be trying to get them to particularly the developing countries which do not have the resources that we do. (A Member: Hear, hear.) I would really like to push that more.

Guernsey has done a lot so far with the help of the Overseas Aid Development Commission with Deputy Blin there, but I think it would be really great if, given where we are now, we could do far more for those in a less fortunate position than ourselves. Deputy Gollop talked about how New Zealand and the Netherlands have been taking a different approach as we have been more relaxed. We could afford to be more relaxed because of the vaccination programme and we know that, despite New Zealand ... we have followed, certainly in the first year and into the beginning of last year, very much the same approach as New Zealand and we were looking at what we were doing and saying, 'They are following the same thing.'

But it diverged because our community really took to having the vaccine and that has enabled us to be where we are now and so we can have so many thousands of cases but only three people in hospital. That is really where I think I will end but just to ask people to support what, hopefully – they may not be – but they may hopefully be the last Regulations that the Assembly might need to approve.

Thank you.

A Member: Hear, hear.

The Deputy Bailiff: Deputy de Lisle.

Deputy de Lisle: Madam, thank you.

My position has not changed with regard to the action we should be taking, particularly I am in favour of testing, of course, at the borders. I see no testing or isolation requirements for travellers coming from the Common Travel Area, for example, but some are coming in and getting positive test readings. So, I think we have to be wary, particularly when the levels are high; 450 is still high, although I realise and I am appreciative of the fact that our numbers have gone down from those hectic levels that were higher than anywhere in Europe, as reported.

I would support, and certainly not be in favour of the announcements of relaxation with regard to border testing. The virus comes into the Island, initially, and it comes in through the borders. It does not just fly in by parachute, it comes in through our borders.

While I am on my feet I would like to also make the point that I believe we are looking at 2022/9 and 22/10 and, if we are looking at both, because I do not have an objection to a more liberal stance on the covers that people are using with respect to face masks and so on, which I take it as 2022/10. It is just that if we are dealing with both, please can we have a vote separated on the two, so that people like myself can make that adjustment as we see fit.

I would also, while I am on my feet, like to ask – and perhaps the Chief Minister, the President could answer this: we were supposed to have a report on long COVID. I know a long time ago Jersey had their report on that and we were promised that we were going to get a report and I have never seen it.

I would like, actually, to have that because there is no doubt that a lot of people suffer quite a long period after being infected and, in fact, if you speak to people, some six months and even a year after they are having effects. So, I would like to know exactly what we have done in terms of research with regard to long COVID, so that we can provide information to people that are asking us as Deputies what the situation is and what we found out in our community as to how many, for example, have been suffering from long COVID and what measures are being taken to support those people.

Thank you, madam.

The Deputy Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, madam.

I am sure a lot of this is all going to come out in subsequent debates so I will mention two main points. One is, in response to Deputy de Sausmarez, in which it was said, if you are unvaccinated, you are more likely to contract the virus and if you are vaccinated you are more likely to get rid of the virus sooner, which on the face of it might be absolutely true. But there is one sub-group of that, which might mean it is not true, if you have already had COVID recently, within six months, because your natural immunity is such that it is the same as what the vaccine has done.

I think that is one of the anomalies that people are picking up on, certainly the public are. One other, and this is because Deputy Soulsby did say, and quite rightly, that this is a risk-based approach, of course. But I would like to point out that double-vaccinated means two doses. Fully vaccinated, I apologise, means two doses, even if they are more than six months ago.

I cannot give way –

Deputy Soulsby: Point of correction, madam.

The Deputy Bailiff: Deputy Soulsby.

Deputy Soulsby: There is actually discussion about what fully vaccinated is but, actually, fully vaccinated in various contexts is actually two doses plus a booster.

Deputy Haskins: Thank you. I think that answers my question. Thanks.

The Deputy Bailiff: Deputy Bury.

Deputy Bury: Thank you, madam.

I am really just standing as a matter of record, as I have had members of the public and colleagues query my abstention on the Regulations over the past few sets. A member of the public levied the 'You are paid to have an opinion' accusation, which we absolutely are. Abstention is not my favoured use of one of my votes. However, abstaining for me was not that I did not have an opinion. It is very rare that I do not have an opinion, as my friends will attest to. *(Laughter)*

As a matter for the record, abstentions for me have been that with such a broad ranging set of Regulations that cover so many matters but only for or against that binary choice, I have found it quite difficult to fully support or fully oppose. So, that is why I chose an abstention previously. I am of course the Vice-President of Health & Social Care and again I think that has complicated people's perception of my point of view; them perhaps not realising that, despite that position, I have very little to do with the Regulations or the restrictions that come out of the CCA.

What I do have, of course, is involvement in the vaccination programme and, like Deputy Taylor, I am fully supportive of it. Obviously, I have been a Member of the Committee signing it off. However, that still does not mean that I do not have questions or concerns or have not challenged along the way to ensure that we are doing the right thing by our community and I am conscious that people who have concerns are not all dismissed out of hand.

2445 With regard to the vaccination programme, while I have always been supportive, so that those who wish to get vaccinated absolutely can do, I have always wanted it to be a choice, which of course it has remained so. However, bringing this point back to this set of Regulations and the point that Deputy Kazantseva-Miller was making in terms of treatment of unvaccinated people and vaccinated people, the more restrictions we put on unvaccinated people, the less of a choice it becomes and that has always been a concern of mine.

2450 Within the Regulations that we are looking at today, obviously retrospectively, there are elements of it that concern me and have done. It is not about the changes that we are making now but it is the base foundation Regulations that we have been using and just amending as we have gone along. So, my concerns pertain to the different treatments of vaccinated versus unvaccinated in the position we find ourselves today.

2455 There are also elements of the Mental Health Law amendments that concern me: the tribunal being allowed to be constituted by one individual and also, as has been brought to attention and publicly by members of the public, the quite strong wording of some of the Regulations, particularly in terms of imposition of testing and detention and those are things that do concern me. Those sorts of definitions I have raised within HSC and of course I have always been assured that we do not do that and I know that conversations have been had around the powers that the Police have but they do not use them.

2460 Ultimately the nub of the matter for me is that they could be and where we are now, I do not think that those definitions and what are currently included in the Regulations are proportionate for where we are now. So, today, I will be voting against, because I feel sufficiently strongly about those matters to vote against today, so I just wanted that to be a matter of record but also to show that it is not against the entire Regulations and that is the complexity of the matter that they are so broad-ranging but we only have that binary choice.

Thank you, madam.

2470 **The Deputy Bailiff:** Deputy Ferbrache, for you to reply.

Deputy Ferbrache: Thank you, madam.

2475 Of course, we are going to have a debate later in this session on a policy letter which deals with COVID generally and perhaps there has been some overlap in this debate on that issue. But there are three words that I would ask Members to consider: responsibility, proportionality and vaccines.

2480 Now, in relation to responsibility we all, as Members of this Assembly, have a duty to act responsibly. Now, we have got two sets of Regulations that we are considering. Let's deal with the amendment ones first. Vote against those if you like, because that says you do not have to wear face masks from one minute past midnight last night. Vote against the provision in relation to the Court of Appeal – Regulation 22 of the Main Regulations says a Court of Appeal can sit outside the Bailiwick. Vote against that. There is going to be a Law coming along on 7th February anyway, so get rid of it. Just pat yourself on the back and vote against those.

2485 But if you vote against the main set of Regulations – and it would be illogical to vote against those – you should vote for both. We would have no Regulations from now, no Regulations at all. So people would be able to come in and out of the Bailiwick, there would be no restrictions at all as to what they could do. The unvaccinated would be able to come in.

2490 We also are a little Island in the ocean, we are a little Island in the Channel. I do not want to sound like John Donne there, the poet, about whatever it is, I cannot remember what he said anyway, he has been dead a long time and I have not read his poems for a long time and I never really understood them anyway. He was talking about how small the islands were in relation to the island communities, the world generally.

2495 We are all an integral part of the world. Now our External Relations officers – and we are so lucky as we are in so many ways in the States of Guernsey to have such able people – not only have they to deal with Brexit, not only have they to deal with the new treaties that are coming about, they have also had to deal with these issues in relation to the CCA Regulations externally. If the Assembly

were to vote against these proposals today and they were kicked out, people could come in and out of the Bailiwick whether they came from a 'green' country, wherever they come from.

That is at odds with the UK policy. Now do we really want to be at odds with the UK policy, when they may be changing their policy shortly. We do not know. Do we really want to cock-a-snook at them to show how powerful and independent we are? I do not think we do. Also, Deputy Haskins, I will deal with his point about COVID gives you an immunity. I am somebody who had COVID not all that long ago, I lost a stone-and-a-half, I put some of it back on again, I felt absolutely awful for weeks. That gave me some immunity. It did not give me as much immunity as the booster, which I had afterwards. Booster gives you that immunity.

We have got 72%-73% of our adult population who are fully vaccinated, i.e. the two initial jabs plus the booster. We want to get that from 72% to as near as 100% as we can. It will never be 100%. There has been a bit of a slowdown because some people have been more relaxed in relation to that so, therefore, we are encouraging them.

Because let's look at the statistics. You can argue with whatever you like, you cannot argue with the statistics. The first lockdown began in March 2020. It was the longer of the two lockdowns, it lasted eight-nine weeks, whatever it lasted. It was a real shock. It came out of a clear blue sky and we had dark clouds over us, figuratively, for months.

Two hundred and 52 people during that lockdown, 252 during the whole of that lockdown, the maximum figure at any one time was 161. Sixteen people died. Why? Because we did not have any vaccines at that time. On recon, we then had the passage between us. Sadly over the period of COVID we have had 30 people in the Bailiwick die. Thirty. That is a low percentage compared with anywhere else. When you look at our statistics I think we are either the least in the world or one of the least in the world *per capita*. That is fantastic.

But that is still 30 lives that have been lost. Thirty families have had to suffer loss of a father, a son, a mother, a brother, a sister. Thirty lives. Omicron found its way upon these shores on 9th December. We have had about 5,800 cases of Omicron from 9th December to 25th/26th January. We have had five deaths. That is five deaths too many but it is five deaths compared with 16, against 252 some 18 months ago.

Now, why? Because of vaccinations. Because vaccinations work. I have a lot of people say, 'I have got the right not to be vaccinated.' Of course they do. I would not oppose anybody saying somebody had to be physically vaccinated. That would be abhorrent. I would never, as Chairman of the CCA, I would never put my name to that. (**A Member:** Hear, hear.)

But responsibility was what I said. You have a responsibility not only to yourself but to the other members of the community and if you choose – and you do not choose for medical reasons in which case everybody understands that, whether that is physical health or mental health – if you choose not to be vaccinated you are being irresponsible. (**A Member:** Hear, hear.) You have a the right to do that, that is your democratic right. Because not only you are putting yourself at risk you are putting other people at risk.

Over the last, since I have been Chair of the CCA, I have been so ably assisted by Deputy Soulsby, Deputy de Sausmarez, both of those have helped an elderly gentleman today with their speeches and I am very grateful for that, Deputy Prow, Deputy Brouard and our able Representatives from Alderney and Sark – fantastic contributions.

But we have been so ably assisted by Dr Brink, Dr Rabey and many others. So ably assisted. None of us go into those meetings – and we have had so many of the last 15 or 16 months – and blindly accept what we are told. We challenge it. We listen to it. We are influenced by it. But we make our decisions because it is us, the politicians, that make those decisions. Not one of us, in our term – and I am sure it is equally applicable to the previous Members of the CCA – like making any of these decisions. We do not want to make them. We do not want to restrict people's civil liberties, we do not want to do any of that. But you have got to look at the greater good of the community.

We can all be as self-indulgent as we like. We can put our hippy beads on, we can run down the street naked, we can do whatever we like. We can do all those kinds of things, but we have got to act responsibility and in a balanced way. If we do that in a responsible and balanced way, when

there is a need, we impose restrictions; when there is not a need we relax them or take them away. Now, because the COVID has fallen off a cliff – it has not completely fallen off the cliff, the figures can go up again just as they have gone down – we are able to make the recommendations in these Regulations that we have talked about.

But this is not the last variant. It is not Omicron and that is it. There is already another variant or sub-variant, which when they did a test recently, Dr Brink and her team did a test, 10% of this new variant were in this Island. Now because Dr Rabey does not know, we do not know the full circumstances of how transmissible it is. It is probably more transmissible, but how serious it is, that has got to be looked at.

COVID has not gone away. We cannot ring the bells of joy and say that we have not got a problem with COVID going forward. It will be here tomorrow. It will be here next week. It will be next year. But we have got to get on with life. We cannot live in black holes, we cannot live in caves. (A Member: Hear, hear.) So, what we are doing, the restrictions in the main body of the Regulations, the first Regulations, are pretty timid really.

They say blue arrivals, CTA, no restrictions. Green countries outside the CTA, you will take your lateral flow test when you get here and if it is negative you are fine. If you are not vaccinated – and it is your choice not to be vaccinated – but you are more transmissible ... Let me come back to Dr Rabey. Dr Rabey has told us on more than one occasion, because bear in mind most of the population are vaccinated, that two thirds of the people who have been in hospital with serious conditions for COVID, two thirds are unvaccinated people.

Proportionately, Deputy Gollop talked about, somebody said in Jersey it is 30 times. I do not know if it is as high as that but certainly we have been told that it is a multiple of quite a few if you are not vaccinated. So, if you do not want to enact these Regulations, if you just want Guernsey to be an open port from 3.10 p.m., 3.15 p.m. whenever we include the recorded vote that Deputy Queripel has asked for, do not vote for these Regulations.

But these Regulations are made proportionately. We are advised by the Law Officers every time we make these Regulations, there is a little mantra that they carefully go through, that we have to act proportionately. Either H.M. Comptroller or H.M. Procureur goes through with us very carefully and we take heed of it and we ask that we are reminded of that every time we make a regulation.

So vaccines have proven their worth. Responsibility: it is our duty to act responsibly, not just so we feel really good. Deputy Taylor said there are too many holes in these Regulations. Deputy Soulsby has dealt with that. We are not writing a legal thesis, we are acting –

Deputy Taylor: Point of correction.

The Deputy Bailiff: Deputy Taylor, you have to wait until I allow to speak. Deputy Taylor.

Deputy Taylor: To quote Deputy Soulsby in response to my question, she said, 'Now is not the time to go into these anomalies.' So she did not address the concerns that I had, as Deputy Ferbrache has just said she did.

Deputy Ferbrache: I accept that he corrected me but he corrected me wrongly. Because what he said, and I wrote the words down accurately, was there were too many holes to support these Regulations. I am quoting what he said, not what Deputy Soulsby said, and I believe I quoted him accurately.

We are not doing a legal thesis, we are doing balanced, judgemental decisions that we are making. I did not hear Deputy Taylor, who I have considerable respect for and I feel is a very able Member of this Assembly, come up with one constructive suggestion on this topic during his speech, as to how we could react and how we do it – not one constructive comment. We, who are mandated, because of our responsibilities and the offices that we hold to act on behalf of the CCA, we cannot be so glib. We have to act responsibly. Therefore, I ask you to make these Regulations.

2600 **The Deputy Bailiff:** States' Greffier, there has been a request for a recorded vote and also that the two Propositions are dealt with separately, so could you deal with number 9 first?

Carried – Pour 30, Contre 6, Ne vote pas 0, Absent 3

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Meerveld	Deputy Queripel	None	Deputy St Pier
Deputy Moakes	Deputy Taylor		Deputy Dudley-Owen
Deputy Murray	Deputy Bury		Deputy Dyke
Deputy Oliver	Deputy de Lisle		
Deputy Parkinson	Deputy Haskins		
Deputy Prow	Deputy Kazantseva-Miller		
Alderney Rep. Roberts			
Deputy Roffey			
Alderney Rep. Snowdon			
Deputy Soulsby			
Deputy Trott			
Deputy Vermeulen			
Deputy Aldwell			
Deputy Blin			
Deputy Brouard			
Deputy Burford			
Deputy Cameron			
Deputy de Sausmarez			
Deputy Fairclough			
Deputy Falla			
Deputy Ferbrache			
Deputy Gabriel			
Deputy Gollop			
Deputy Helyar			
Deputy Inder			
Deputy Le Tocq			
Deputy Leadbeater			
Deputy Mahoney			
Deputy Matthews			
Deputy McKenna			

2605 **The Deputy Bailiff:** In Proposition 2022/9, there voted Pour 30, Contre 6, there were three absentees. The Proposition was passed.

Carried – Pour 35, Contre 1, Ne vote pas 1, Absent 2

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Meerveld	Deputy Queripel	Deputy Taylor	Deputy St Pier
Deputy Moakes			Deputy Dyke
Deputy Murray			
Deputy Oliver			
Deputy Parkinson			
Deputy Prow			
Alderney Rep. Roberts			
Deputy Roffey			
Alderney Rep. Snowdon			
Deputy Soulsby			
Deputy Trott			
Deputy Vermeulen			
Deputy Aldwell			
Deputy Blin			
Deputy Brouard			
Deputy Burford			
Deputy Bury			
Deputy Cameron			
Deputy de Lisle			
Deputy de Sausmarez			
Deputy Dudley-Owen			

Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Gollop
Deputy Haskins
Deputy Helyar
Deputy Inder
Deputy Kazantseva-Miller
Deputy Le Tocq
Deputy Leadbeater
Deputy Mahoney
Deputy Matthews
Deputy McKenna

2610 **The Deputy Bailiff:** So Proposition 10 of 2022, there voted Pour 36, one abstention and two absences. I declare the Proposition was passed. (*Interjection*) Greffier, could you just check whether there was in fact one Contre? Deputy Queripel, would you mind confirming what your vote was, please? There is some misunderstanding of exactly what you said.

Deputy Queripel: It was Contre, madam.

2615 **The Deputy Bailiff:** Thank you. In that case, the voting was as follows: Pour 35, Contre 1, there was one abstention and two absentees, I still declare the Proposition passed.

The Bailiff enters the Assembly. The Deputy Bailiff exits the Assembly.

The Bailiff: Please do sit down, Members. Greffier.

LEGISLATION LAID BEFORE THE STATES

**The Parochial Elections (St Peter Port) Regulations, 2021;
The Offences (Fixed Penalties) (Guernsey) Order, 2021;
The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey)
(Amendment) (No. 3) Regulations, 2021**

2620 **The States' Greffier:** The following legislation is laid before the States: 146/2021, The Parochial Elections (St Peter Port) Regulations, 2021; 149/2021, The Offences (Fixed Penalties) (Guernsey) Order, 2021; 151/2021, The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) (No. 3) Regulations, 2021.

2625 **The Bailiff:** Well, Members of the States, we will note that those measures have been laid at this Meeting. There have been no motions to annul received.

LEGISLATION FOR APPROVAL

COMMITTEE FOR HOME AFFAIRS

**2. The Economic and Financial Crime Bureau and Financial Intelligence Unit
(Bailiwick of Guernsey) Law, 2022 –
Proposition carried as amended**

Article 2.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

The States' Greffier: Article 2, Committee for Home Affairs – The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022.

2630 **The Bailiff:** I invite the President, if he so wishes, to open any debate on this.

Deputy Prow: Thank you, Mr Bailiff. There is an amendment to this. Sorry, yes, I shall open on the matter. Thank you, sir.

2635 In November last year, this Assembly overwhelmingly supported the proposals to introduce legislation to create a statutory office of Director of the Economic and Financial Crime Bureau and to provide the legislative framework for the Financial Intelligence Unit.

2640 The structure and functions of the bureau and the Financial Intelligence Unit have been revised and redesigned by the Director of the FCB to enable both bodies to strengthen Guernsey's response to investigate financial crime and to improve the recovery of unlawfully derived assets housed in this and other jurisdictions. The work of the bureau will also demonstrate to Moneyval that Guernsey is committed to enhancing its posture against the risks of money laundering and terrorist financing. I ask this Assembly to support this amendment and approve this Law.

Thank you, sir.

2645 **The Bailiff:** Did you say, Deputy Prow, that you have got an amendment to move to this?

Deputy Prow: Yes, sir.

2650 **The Bailiff:** Do you want to now move the amendment, please.

[Amendment](#)

In the Projet de Loi entitled "The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick Guernsey) Law, 2022" (Article 2 of Billet d'État No. 1 of 2022), in paragraph 5 of Schedule 1, for subparagraph (2) substitute - "(2) The document shall, unless the contrary is proved, be deemed – (a) to be the document which it purports to be, and (b) to have been issued by or on behalf of the Director or Deputy Director or, as the case may be, to have been signed by the person by whom it purports to have been signed, without proof of his or her identity, signature or official capacity."

Deputy Prow: Yes please, sir, if I may. Could I ask the Greffier to read it, please, sir?

The Bailiff: Of course you can. Greffier.

2655 **Deputy Prow:** Thank you, sir.

The States' Greffier read out the amendment.

The Bailiff: Thank you very much. Deputy Prow again.

Deputy Prow: Thank you, sir.

2660 Could I open by thanking the Law Officers of the Crown for bringing this matter to the attention of the Committee. This is very much a technical matter but I shall explain. This amendment proposes a minor change to the Law relating to proof of documents as set out in Schedule 1 of the Law. This concerns documents issued by the Director of the Economic Crime, the Deputy Director or a delegate. Holders of office that have investigatory and law enforcement functions under the Law.

2665 The amendment removes a provision which stated that these documents, on their own, could stand as evidence of matters contained in them and replaces it with a new Proposition that deals only with the question of whether the documents are what they purport to be, not the evidential status of the matters they contain. This has been done to remove the theoretical possibility that the provision might be used inappropriately to shortcut normal evidential requirements, which of course, sir, was never the intention. I ask the Assembly to support this amendment and to approve the Law.

2670 Thank you, sir.

The Bailiff: Thank you very much.
Deputy Vermeulen, do you second that amendment?

2675 **Deputy Vermeulen:** I do sir. I second that.

The Bailiff: Thank you very much. Any debate on the amendment? In that case, Members, I will put to you the amendment to this draft Projet de Loi, proposed by Deputy Prow and seconded by Deputy Vermeulen. Those in favour; those against?

2680 *Members voted Pour.*

2685 **The Bailiff:** I will declare that amendment duly carried. Is there any debate on the Proposition as now amended, or the draft Law as now amended? I see no one rising and therefore I will put to Members the Proposition to approve the draft Projet, as amended. Those in favour; those against?

Members voted Pour.

The Bailiff: I declare that duly carried. Thank you.

DEVELOPMENT & PLANNING AUTHORITY

**3. The Land Planning and Development (Visitor Accommodation)
(Amendment) Ordinance, 2022 –
Proposition carried**

Article 3.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022", and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 3, Development & Planning Authority – The Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022.

2690

The Bailiff: Deputy Oliver, is there anything you want to say in opening?

Deputy Oliver: No, sir. This is the policy letter, so it has just come into Law.

2695

The Bailiff: Does any Member wish to make a contribution on this matter before I put it to the vote? In that case, Members of the States, I will simply ask you whether you are minded to approve the draft Ordinance? Those in favour; those against?

Members voted Pour.

The Bailiff: I will declare that duly carried.

STATES' TRADING SUPERVISORY BOARD

**4. The Pilotage (Amendment) Ordinance, 2022 –
Proposition carried**

Article 4.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Pilotage (Amendment) Ordinance, 2022", and to direct that the same shall have effect as an Ordinance of the States.

2700

The States' Greffier: Article 4, the States' Trading Supervisory Board – The Pilotage (Amendment) Ordinance, 2022.

The Bailiff: The President of the Committee, Deputy Roffey, is there anything to say in respect of this matter?

2705

Deputy Roffey: Not really, sir. It is very straight forward. The States have agreed to reduce the size of the Pilotage Board and this Ordinance simply makes that so.

2710

The Bailiff: Anyone wishing to speak in debate on this piece of draft legislation? No. In that case, Members of the States, I will put that matter to you as well. Those in favour; those against the Proposition?

Members voted Pour.

The Bailiff: I declare the Proposition duly carried.

COMMITTEE FOR ECONOMIC DEVELOPMENT

5. Guernsey Electricity Limited – Licence Exclusivity in the Conveyance and Supply Areas of the Electricity Market – Proposition carried

Article 5.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Guernsey Electricity Limited - Licence Exclusivity in the Conveyance and Supply Areas of the Electricity Market' dated 29th November 2021 they are of the opinion: -

1. To direct the Committee for Economic Development to issue a direction to the Guernsey Competition and Regulatory Authority as set out in paragraph 3.8 of the policy letter, requiring the Guernsey Competition and Regulatory Authority to maintain GEL's existing licence exclusivity in the supply and conveyance markets until such time as the States has considered and agreed both an updated Electricity Strategy and a new licensing framework for the energy sector to support the development of on-Island renewables.

2715 **The States' Greffier:** Article 5, the Committee for Economic Development, Guernsey Electricity Ltd – Licence Exclusivity in the Conveyance and Supply Areas of the Electricity Market.

The Bailiff: I will invite the President of the Committee, Deputy Inder, to open debate. Deputy Inder, please.

2720 **Deputy Inder:** Thank you, sir, Members. Good to see you.
The policy letter for the States asks us:

To direct the Committee for Economic Development to issue a direction to the Guernsey Competition and Regulatory Authority as set out in paragraph 3.8 of the policy letter, requiring the Guernsey Competition and Regulatory Authority to maintain GEL's existing licence exclusivity in the supply and conveyance markets until such time as the States has considered and agreed both an updated Electricity Strategy and a new licensing framework for the energy sector to support the development of on-Island renewables.

2725 At this point, sir, Members, I must remind people that this is a direction that came from the 8th September policy last year, entitled *Guernsey Electricity – Interim Amendments for Tariff Regulation* – off the back of the Deputy de Sausmarez and Deputy Haskins amendment, which instructed us to report back to the States and this is where we are today.

The proposals set out in this policy letter are intended to provide stability in the market for electricity until the Committee for the Environment & Infrastructure and the Committee for Economic Development, have completed their respective work on the new electricity strategy and the review of the regulatory arrangements in the electricity, wider energy sector.

2730 GEL need some certainty, even if only in the short to medium term, about its position in the electricity market if it is to keep investing in their network. Maintaining the current exclusivity arrangements on an interim basis would enable GEL to continue investing in the Island's essential electricity infrastructure, pending a decision on what the electricity market will look like in the future.

2735 It is important to note that extending exclusivity for conveyance and supply will not affect the ongoing operation of recent new entrants to the electricity market, including Little Green Energy,

IEG, and fuel supplies. That is because the exclusivity does not apply to the electricity generation market, where these companies have been issued licences. These companies have been exempted by the GCRA from the requirement to hold a supply licence.

2740 Finally, sir, Members, the Committee has consulted with the GCRA and it has raised no objections to the proposals. Further, the Committee has also consulted with the States of Alderney and the Chief Pleas of Sark. Both confirm their agreement with this approach. I therefore commend this policy letter to the Assembly and ask States' Members to support Proposition 1.

Thank you, sir.

2745 **The Bailiff:** Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

I will not be supporting this Proposition. My concern is the lost time and uncertainty to bringing in competition from the private sector to provide support for on-Island solar renewable energy. The Electricity Strategy, sir, is not intended to be submitted before the States until late in 2022 and the licensing framework is unlikely to be put in place until the end of 2023, at the earliest.

2750 This is a serious political problem that Islanders want sorted now. The uncertainty and negativity and barriers to the installation of solar need to be completely swept away forthwith. Not to wait for years. Others are way ahead of us and the industry is driving forward at fast pace and we cannot afford to wait two or three years, or more. Time is of the essence.

2755 You could say the GEL monopoly is playing for time. Time to adjust tariffs and prices at will, time to implement barriers to solar through tariff and price adjustments and impose high standby charges. Time to continue planning for a £100 million second cable link to France. All designed to further dependency and work against the immediate promotion of local, renewable energy. The fact is that in those two or three years, we could be that much closer to energy independence and satisfying fuel poverty in the Island through local private sector investment in solar developments.

2760 The policy letter compounds the error made previously to take GEL out of GCRA regulation. This means GEL, Guernsey Electricity, is regulated by its own shareholder, STSB, and not an independent regulator, GCRA. Forthcoming tariffs will be approved by STSB. The issue here is the uncertainty left to private industry and the public at large as independent oversight of Guernsey Electricity is critical in determining fair tariffs and prices. Independent regulation protects consumers and competition in a monopoly context. We need impartiality, sir, to champion consumer rights and encourage competition, not discourage it.

2770 Without independent regulation, there will be less transparency for Islanders, and more opportunity for hidden costs. The thrust must be to encourage production of locally grown, clean electricity and provide for fair competition in the interests of all Islanders.

2775 Guernsey Electricity has already indicated its strategy, to move from pricing based on per unit of electricity consumed to a 50-50 fixed charge and a variable linked to electricity use. This would cost you and me, sir, more, and others, and be against consumer interest. We would pay half of our bill before using any electricity. Sir, renewable technology also is not able to compete with that. It is a barrier to resolve fuel poverty. All the private sector wishes for is a fair, level playing field.

2780 Commercial businesses Island-wide want to play their part now, not in three years' time, in decarbonising the Island and ensuring that their businesses are demonstrating sustainable objectives. They wish to install solar PV and battery storage systems but unfortunately their wish to demonstrate a sustainable package is blocked by the imposed Guernsey Electricity standby charge, which is applied for systems over 25 kilowatts installed capacity.

2785 A 100 kw system would attract an £8,220-a-year charge without using a single kilowatt. This is another barrier and although the Energy Policy calls for local renewables to be promoted in the Island, businesses cannot understand what STSB is going to do with this punitive charge, now it is responsible for electricity tariffs going forward. Many Island businesses, sir, have sustainable investment programmes of 100 kw solar PV systems on hold due to blockage brought by the standby charge.

2790 The standby charge is killing the investment projects at the very time the GFSC is calling for licensed businesses to assess their own climate change impact and responsibilities. With the demand for electricity estimated to increase by over 30% in the next 30 years in the Island, it makes good sense to supply this energy demand increase by private investment, with long-term contracts and vision, and not to block private investment, not to put that potential investment on hold.

2795 The Guernsey Energy Policy calls for greater competition in the renewables sector and more on-Island renewable energy generation to provide greater energy independence. There is fear that tariffs and prices will be adjusted due to scrapping independent regulation, which would make it financially unviable to have independent renewable electricity generation on Island from others wishing to enter the market, which could cost Islanders a chance of cheap power.

2800 That is, of course, other than agreeing to the costly £100 million additional cable link to France, which is undergoing planning by Guernsey Electricity and would substantially increase electricity prices in Guernsey in future. It would add to our dependency on sustainable nuclear power from France.

There is also, sir, the matter that exposure to fuel price volatility –

2805 **Deputy Roffey:** Point of order, sir.

The Bailiff: Point of order, Deputy Roffey.

2810 **Deputy Roffey:** I have tried to hold off interrupting Deputy de Lisle because I was going to pick it up in debate but the points he is addressing have got absolutely nothing to do with the contents of the policy letter. This is to do with supply and the grid, it is not to do in any way with monopolies on generation or tariffs. There is nothing in this policy letter that relates to the generation of electricity.

2815 **The Bailiff:** Deputy de Lisle, I think that is right, is it not? I was wondering when you were going to come back to the direction and whether you support it or do not.

2820 **Deputy de Lisle:** I am just coming back to it, sir. *(Laughter)* I thank you for that. Of course, this is directly linked to that other fundamental but I was going to say there is also the matter that exposure to fuel price volatility in years to come could increase tensions in the Island and negatively affect many Islanders least well off, sir, already in fuel poverty.

2825 A States' policy change on energy is needed to address this problem, which is likely to be even more significant in the future but, in all, sir, I would ask Members to reject this policy letter and single Proposition before us and consider carefully the implications in carrying this forward and my concern is the lost time, two-three years, of the uncertainty to bringing in competition from the private sector to provide support for on-Island, solar renewable energy and the pressing need to act now.

Thank you, sir.

2830 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Thank you, sir.

2835 I appreciated much of Deputy de Lisle's speech. Although it was slightly off much of the subject, it is a broad topic, because you are dealing with here the conveyance and the supply and the directive we are voting for today to give to the regulator, which itself seems a very cumbersome methodology of doing it, when you look into it, we could still have the same scenario at the back end of 2024, because there is no guarantee that the Energy Policy will be ready, acted on in that time. There is uncertainty too perhaps about the charging structures.

I know, with my legislation hat on, that some of the legislation being worked on does not have references to some of this simply because there is a gap. In a way, it is ironical Deputy Roffey

2840 intervened there and got us back on track because this is kind of like where Economic Development, on one side of you, sir, and STSB on the other, and E&I, have an intersection because Economic Development have this role with the regulator and yet the STSB have the overall corporate guidance on managing electricity in the broader infrastructure.

2845 You have also got Environment & Infrastructure, with their knowledge of energy, and it just seems that we need to be somehow going faster on energy thinking, because I do get waves given me along the lines of 'we are missing out here'. We want to encourage energy conservation, we want to encourage microtechnology. You hear about all kinds of places giving money for installation, for renewables and we are not stopping people, necessarily, but we do not have a structure that motivates them, either financially or legally.

2850 We must break through this and get going somehow by the end of this year. Yes, I will support it because it is just here, it is a logical dimension of where we voted for in the autumn. But it is not the way to go and I think if we are still here in a year's time, without progress, not just from us but from the private sector out there, we are just losing opportunity.

2855 **The Bailiff:** Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

I just want to say we had this debate in September last year, so I think the issue was really extensively debated and obviously, yes there was some opposition but that policy letter was approved with an amendment. We are really just looking at the legislation now. I do not believe anything has happened that has provided any new information that would change the outcome of that debate.

2865 As Deputy Roffey said, this has nothing to do with tariffs, generation, installing solar panels by consumers, really nothing to do with that. What is really important is that actually the Energy Policy – and please, Deputy de Sausmarez, do correct me if I am going off in completely the wrong tangent – advocates for shared infrastructure as part of the Energy Policy and what this legislation is trying to do is provide a bit more time to just figure out how we are going to do that. So, in the absence of any new information between the debate we had in September and now, I think we should just get on with voting for this legislation.

2870 Thank you.

The Bailiff: Deputy Queripel.

2875 **Deputy Queripel:** Sir, thank you. I will start by commending Deputy de Lisle for making such an informative and enlightening speech. I urge my colleagues to not only take note of all that he said but to act upon it and vote against the Proposition in front of us. Deputy de Lisle made some extremely pertinent and valid points in his speech. The most pertinent and the most valid point he made was that if this Proposition succeeds today it will be to the detriment of the community and surely we need to all be concerned about that? In closing, sir, I will ask for a recorded vote, please.

2880 Thank you.

The Bailiff: Deputy Roffey.

2885 **Deputy Roffey:** I have to say to Deputy Queripel, through you sir, I am puzzled how it will be to the detriment of the community. If it was holding back in any way investment in alternative renewable technology, that would be. This has nothing to do with electricity generation, or tariffs, which may be seen as having an impact on the attractiveness or otherwise of alternative energy generation. I am passionate about transitioning to a carbon-free system of generation. I am going to be advocating this strongly, probably when the electricity strategy comes back, that we need to absolutely accelerate and put turbo-charging into that transition.

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To me, the best way to do that is to inject money and the best way to inject money, I think, is to have a renewables organisation, not to actually carry out the work, because we have got firms that will carry out the work, but to actually finance it, and I would like to see that community investment would be allowed in that because I think there are many of us that would actually like to invest community shares in that sort of organisation.

All of that is for another day. This, as we have been reminded, goes back to what was being debated in September, which was how many grids do we want in Guernsey, while waiting to decide how we are going to transition? Do we want the job to go on over the next few months and actually allow multiple grids to develop, because I think it is quite likely that, far from Guernsey Electricity becoming a monolith, they would actually be retreating into nothing more than providing the framework, the national grid, which other people will actually convey their energy across; but we could really jigger that if we actually do not hold off those few months until we consider that.

I think regulation and the regulator has an important part to play, but if we vote this down, we are basically asking the regulator for the next year or so to determine the future direction of our Electricity Strategy. That would be an abrogation of Government. It is not just me that thinks that, the regulator thinks that. He is being consulted, or the office is being consulted by Economic Development and the Office of the Regulator has supported this measure as the logical and sensible way to go.

People are conflating three things, whether the STSB should have a role in setting tariffs, there will be an opportunity next month to debate that. How we should develop alternative energy, there will be multiple opportunities to debate that, in particular, I am told in the third quarter of this year, the Electricity Strategy.

This is to do with the national grid and keeping a cohesive and sensible national grid as we decide how we are going to develop our transition from a carbon-based energy policy to hopefully a carbon-free based policy. As has been said, we did debate this in depth just a few months ago and if people want a re-debate of that, fine, we can debate everything two or three times, but there is nothing new and we should just move forward. We have more important things on the agenda.

The Bailiff: I will turn back to the President of the Committee, Deputy Inder, to reply to that debate.

Deputy Inder: Thank you.

I am not just going to move to the vote because I think it is worth a response. I am not going to be too unkind to Deputy de Lisle because Deputy de Lisle's views have been fairly fixed for a very long time. I have heard a variation on that speech before and to be perfectly frank with you, through you sir, I have got a lot of sympathy with what Deputy de Lisle says. But that is not what happened on September 8th and this policy letter today is a consequence of that decision. We were asked to return to the States with a policy letter, as explained in the opening speech, asking you, as the Assembly, to affirm that direction. So, we have done our job.

But I will pick up on one thing – again, entirely unrelated to this policy letter, but they are actually more related to the Machinery of Government but it came directly from something Deputy Gollop said. I think there is an issue, a general issue, where regulation lies in this Government. But it is often the case Economic Development has the G the C the R and A, amongst other regulators, yet we are supposed to have the levers on the economy.

Now, I am told time and time again, on a number of occasions, you cannot do that because you hold the regulation. My suggestion to Deputy Meerveld, who I believe is sitting on the new Machinery of Government review and I think it is Deputy Soulsby as well, please, whatever you do under Machinery of Government, move the regulation completely out of the political body so we can get on with policy development.

There is no point us being here, as politicians, and getting told when we sit on committees, you cannot do that because the regulation lives under your mandate. Move the regulator completely out of the active committees and create a body of regulators or whatever you want to call it. We

cannot be precluded from developing policy just because, under what is quite clearly a broken Machinery of Government, we cannot be held to this great lie that as regulators we cannot develop policy. So, on that sir, I would ask to move to the vote and would like everyone vote in favour of Proposition 1.

Thank you very much.

The Bailiff: Thank you very much. Members of the States, there is a single Proposition. There has been a request for a recorded vote, so over to you, please, Greffier.

Carried – Pour 27, Contre 5, Ne vote pas 2, Absent 5

POUR

Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow
Deputy Roffey
Deputy Trott
Deputy Vermeulen
Deputy Aldwell
Deputy Brouard
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Sausmarez
Deputy Dudley-Owen
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Gollop
Deputy Haskins
Deputy Inder
Deputy Kazantseva-Miller
Deputy Le Tocq
Deputy Leadbeater
Deputy McKenna

CONTRE

Deputy Queripel
Deputy Blin
Deputy de Lisle
Deputy Helyar
Deputy Mahoney

NE VOTE PAS

Alderney Rep. Roberts
Alderney Rep. Snowdon

ABSENT

Deputy Soulsby
Deputy St Pier
Deputy Taylor
Deputy Dyke
Deputy Matthews

The Bailiff: Members of the States, the voting on that Proposition was as follows: there voted Pour 27, Contre 5, two Members abstained and five Members were absent when the vote was taken. Therefore I declare the Proposition duly carried.

COMMITTEE FOR HOME AFFAIRS

6. A New Guernsey Anti-Money Laundering / Combating the Financing of Terrorism Forum – Motion withdrawn

Article 6.

The States are asked to decide:-

Whether, after consideration of the Policy Letter 'A New Guernsey Anti Money Laundering / Combating the Financing of Terrorism Forum' dated 22nd November 2021 of the Committee for Home Affairs, they are of the opinion -

1. To endorse the policy approaches set out in the Policy Letter;

2. To agree to amend the *Terrorism and Crime (Bailiwick of Guernsey) Law, 2002* and the *Disclosure (Bailiwick of Guernsey) Law, 2007* (and to make such consequential and incidental legislative provision as may be necessary) to:

(a) enable information to be shared between the Financial Intelligence Unit and third parties in line with the information-sharing provisions in the *Crime and Courts Act, 2013*,

(b) introduce confidentiality provisions applicable to any information shared under the provisions referred to above, and

(c) introduce a power for the Committee for Home Affairs to make regulations to introduce a process whereby reports made by the private sector to their head offices or other linked organisations in other jurisdiction are notified to the Financial Intelligence Unit; and

3. To agree to amend the *Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002* (Commencement, Exclusions and Exceptions) Ordinance, 2006 (and to make such consequential and incidental legislative provision as may be necessary) to:

(a) extend the exemptions from the provisions in the *Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002* to questions asked in relation to assessing the suitability of any person for the purposes of

i. participation in the proposed Guernsey Integrated Money Laundering and Terrorist Financing Intelligence Task Force,

ii. the granting by the Alderney Gambling Control Commission of an eGambling licence or certificate, and

iii. employment within the Alderney eGambling sector, and

(b) add to the list at Part II of Schedule 1 all authorities within the Bailiwick of Guernsey whose functions include handling sensitive information linked to financial crime.

4. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

The States' Greffier: Article 6, the Committee for Home Affairs – A New Guernsey Anti-Money Laundering / Combating the Financing of Terrorism Forum.

The Bailiff: In respect of this item of business, there has been a Motion to Withdraw received, proposed by Deputy Prow and seconded by Deputy Vermeulen, so I am going to ask Deputy Prow to move that motion and reminding Members that, pursuant to Rule 24(12), debate on this motion is strictly limited to it and no other issues relating to the substance of the article or Proposition to be debated, at this stage.

So, Deputy Prow, please.

Motion to Withdraw

To resolve that the propositions and Policy Letter entitled "A New Guernsey Anti-Money Laundering / Combating the Financing of Terrorism Forum" be withdrawn.

Deputy Prow: Thank you, Mr Bailiff.

I wish to address the Assembly on the reasons behind the Motion to Withdraw and, sir, it is with regret that I find myself in the position of having to ask the Assembly for their support to withdraw this policy letter. In fact, I apologise to you, sir, and I apologise to the Assembly.

However, the Chair of the Association of Guernsey Banks, approached all Members of the Assembly on last Friday expressing concern that feedback following consultation had not been duly taken into account. As a Committee, we were quick to respond and Members will note that a written response to that concern has been circulated to all Members and a reply to the Chair of the Association of Guernsey Banks.

We have concluded that, despite the extensive engagement that took place, there was clearly some misunderstanding of what the public and private partnership was seeking to achieve and the benefits that it would bring for all involved. While a number of those concerns involved issues of

operational practice and those are outlined in the letter I referred to, rather than Government policy, and so it would not be appropriate to include them in a policy letter, they are important. Industry support for the forum from the outset is crucial and we have clearly more work to do, sir.

I have reached out to the AGB and, with the support of officers of the Committee, will be looking to work through the concerns in the coming weeks. This is an important development, particularly bearing in mind that we are going to be subject to a Moneyval inspection and I can assure the Assembly that this will return to the States at some stage, if the Motion to Withdraw is successful. So, sir, I would simply ask Members to support this Motion to Withdraw.

Thank you, sir.

The Bailiff: Thank you very much. Deputy Vermeulen, do you formally second the motion?

Deputy Vermeulen: I do, sir.

The Bailiff: Thank you, very much. I do not see any Member rising to speak on the Motion to Withdraw at this stage. Deputy Trott.

Deputy Trott: I wish to speak briefly, sir, and really to compliment the Home Affairs Committee and particularly its President Deputy Prow for the manner in which they have handled this. It is unusual for things to get to this stage in our process when there are concerns to the extent that were expressed by the Association of Guernsey Banks, that our mechanisms have not filtered out. We have things like finance sector forums, the Guernsey International Business Association. I could go on but all of these organisations help our debating forums to ensure that these sorts of things do not happen.

When they do happen, rarely, the mature, dignified and statesmanlike approach is that that has been undertaken by the Home Affairs Committee. I fully support this motion and particularly commend them for their actions.

Two Members: Hear, hear.

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, thank you.

Briefly, I fully support this Motion to Withdraw what is in front of us today. Like Deputy Trott, I want to put on record my appreciation to the Committee, commend Home Affairs for seeking leave to withdraw this policy letter and its Propositions. They realise they value of engaging in additional dialogue with banks here in the Island and they deserve credit for adopting that approach.

But prior to the Motion to Withdraw being laid, I had written a speech, which actually had in it the word 'JMLIT' should be replaced by the word 'dimlit' because, just like the Association of Guernsey Banks, I was in the dark and in need of illumination. So all credit to Home Affairs, for laying the Motion to Withdraw. I ask for a recorded vote, in closing, please.

The Bailiff: Is there any reason, Deputy Queripel, why you are not putting your camera on?

Deputy Gollop: He cannot.

Deputy Queripel: It is not working, sir, I am afraid.

The Bailiff: That is a shame.

Deputy Gollop: None of them are apart from Milly

3030 **The Bailiff:** Any other Member wishing to speak on the Motion to Withdraw? No. Deputy Prow, do you wish to reply to that short debate?

Deputy Prow: No, thank you, sir, except to thank both Deputies Queripel and Trott for their support and their words. Thank you, sir.

3035 **The Bailiff:** Well, Members of the States, there has been a request for a recorded vote and therefore we will have a recorded vote on the Motion to Withdraw this Item of Business, proposed by Deputy Prow and seconded by Deputy Vermeulen.

Greffier.

3040 *Carried – Pour 37, Contre 0, Ne vote pas 0, Absent 2*

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Meerveld	None	None	Deputy St Pier
Deputy Moakes			Deputy Dyke
Deputy Murray			
Deputy Oliver			
Deputy Parkinson			
Deputy Prow			
Deputy Queripel			
Alderney Rep. Roberts			
Deputy Roffey			
Alderney Rep. Snowdon			
Deputy Soulsby			
Deputy Taylor			
Deputy Trott			
Deputy Vermeulen			
Deputy Aldwell			
Deputy Blin			
Deputy Brouard			
Deputy Burford			
Deputy Bury			
Deputy Cameron			
Deputy de Lisle			
Deputy de Sausmarez			
Deputy Dudley-Owen			
Deputy Fairclough			
Deputy Falla			
Deputy Ferbrache			
Deputy Gabriel			
Deputy Gollop			
Deputy Haskins			
Deputy Helyar			
Deputy Inder			
Deputy Kazantseva-Miller			
Deputy Le Tocq			
Deputy Leadbeater			
Deputy Mahoney			
Deputy Matthews			
Deputy McKenna			

3045 **The Bailiff:** Members of the States, in respect of the Motion to Withdraw, proposed by Deputy Prow and seconded by Deputy Vermeulen, 37 Members voted in favour, no Members voted against. There were no abstentions, two Members were absent at the time of the vote, and therefore I declare the Motion to Withdraw carried, so we will not debate the substantive matter.

Billet d'État II

POLICY & RESOURCES COMMITTEE, COMMITTEE FOR HEALTH & SOCIAL CARE, COMMITTEE FOR HOME AFFAIRS

1. Living Responsibly with COVID-19 – Debate commenced

Article 1.

The States are asked to decide: -

Whether, after consideration of the Policy Letter entitled 'Living responsibly with COVID-19' (dated 20th December 2021) they are of the opinion: -

1. To direct the Committee for Health & Social Care to bring proposals as soon as is practicable to amend the Public Health Ordinance, 1936, to confer powers on the Medical Officer of Health to order the self-isolation of, and impose other restrictions or requirements on, persons already within the Bailiwick who are infected, or suspected of being infected (e.g. contacts of cases), with Coronavirus; and to confer on the Committee for Health & Social Care the power to make regulations to extend the powers to other notifiable diseases, further to its consideration of the clinical judgement of the Medical Officer of Health and the advice of Her Majesty's Procureur.

The States' Greffier: Billet d'État II, Article 1, the Policy & Resources Committee, Committee for Health & Social Care and the Committee for Home Affairs – Living responsibly with COVID-19.

3050 **The Bailiff:** I am going to invite the Vice-President of the Policy & Resources Committee, Deputy Soulsby, to open debate on this matter. Deputy Soulsby, please.

Deputy Soulsby: Thank you, sir.

3055 It is inevitable that, having experienced a major life event and as we emerge out of it, that we look back and consider what we have been through. So that has been for me, as we began to see the real possibility that we may be coming out of the upheaval of the last two years.

What came to me almost immediately were not my words but those of a far more eminent writer, and I will read them now.

It was the best of times, it was the worst of times. It was the age of wisdom, it was the age of foolishness. It was the epoch of belief, it was the epoch of incredulity. It was the season of light, it was the season of darkness. It was the spring of hope, it was the winter of despair. We had everything before us, so we had nothing before us. We are all going direct to Heaven, we are all going direct the other way – in short, the period was so far like the present period that some of its noisiest authorities insisted on its being received for good or for evil in a superlative degree of comparison only.

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So, as I am sure many here will know, go the opening lines of Charles Dickens' novel about the period of the French Revolution. Although written 160 years ago about a very different event that took place over 70 years previously, these words seem to encapsulate the world we have lived in over the past two years. We have seen the best of times, with a strong community spirit that demonstrated what Guernsey Together was about; the worst of times as we saw the impact of COVID for the first time sweep across the world and eventually onto our own soil in March 2020.

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It has been an epoch of belief, as we have trusted in our experts and an epoch of incredulity as the virus mutations have tested us again and again. It has been a season of light, as we kicked out COVID and came out of the first lockdown. It was a season of darkness as we had a second lockdown just seven months later. There is not a single person in the Bailiwick who has not been affected by the events over the last two years. We have been through a rollercoaster of experiences as

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something we cannot even see has played with us, constantly looking to replicate and change in order to survive.

We have been humbled by it but we have not been broken by it. This is why it is important that today this Assembly takes the opportunity of this simple Proposition, that asks the Committee for Health & Social Care to work up proposals to help us in the future and reflects on exactly what we achieved.

Speaking personally now, it has been hard, having been so involved from the beginning, not to think about where we could have done things differently. On the one hand, I am proud of what we, as a community, have achieved. Whilst every death is felt acutely, mortality rates from COVID are half of those of other Crown Dependencies. Whilst restrictions have been imposed to mitigate against the threat of the virus, we have experienced more freedom during this time than many other jurisdictions.

We have one of the highest vaccination rates in the world, which has meant we can talk about the end game. Some businesses have been negatively impacted, primarily those that rely on tourism and hospitality. But others have shown resilience, with the economy bouncing back faster than we ever believed it would.

However, on the other hand, whilst in some ways what we have gone through in the last two years has made us stronger, it has also left scars. Every one of us who has lived through the last 24 months bear the scars caused by something we cannot even see. Or rather by the actions taken to manage its impact. Young, old, rich, poor, employers and employees, teachers and pupils. I could go on.

Having been involved from the start I can say, hand on heart, that acting in the best interests of the people of the Bailiwick has been front and centre of each decision that has been made. I know that is true of myself, I know it is true of the CCA Members last term, of Deputy St Pier, former Deputies Lowe and Brehaut. I just know it is true of the other HSC Members responsible for managing the first lockdown, Deputy Prow and former Deputies McSwiggan, Tooley and Tindall. And I know it is true of the current CCA, of Deputies Ferbrache, de Sausmarez, Brouard and Prow.

Not forgetting the invaluable involvement from our sister Islands. Firstly, James Dent and subsequently Bill Abell from Alderney, and Conseiller John Guille from Sark. The support we have had throughout has been superb. Obviously, the Public Health team headed by a Medical Officer of Health. The establishment of a contact tracing and testing system and the provision of clear information have been critical to making the right decisions.

But there have been many others behind the scenes, from Law Enforcement and teachers, to medical professionals and border teams, the third sector and other volunteers, who have put in many hours to get us where we are today and I am sure I can speak for others when I say the direct support we as politicians have received from the senior Civil Service team has been exemplary.

Because people have worked together both inside and outside the States, we are now entering the end game, or we believe so, given what we know today. The CCA has published its blueprint, whereby it can step away from the active response role it has taken for the past two years.

Now the genesis of the policy letter began in the second half of last year, when there were questions of the need to continue Emergency Regulations. It appeared things were calming down, borders had been opened and things looked like they would settle down. It was on the back of this that the CCA requested the Policy & Resources Committee to investigate whether the management of COVID could now be undertaken differently.

However, this work has been going on against a background of a rapidly changing situation. Since work began on the policy letter, we have seen the Delta virus arrive, which resulted in the need for various changes to our border entry requirements and use of masks. And hot on the heels of that, when the policy letter was published, along came Omicron, with recommendations to work from home if possible.

Since publication, the situation has eased and we have a blueprint to see us to the end of Regulations. Some may say that makes the policy letter unnecessary. However, I disagree. I think this is the perfect time to take stock and debate where we go from here. Personally, I think it does

not matter the system we choose to keep our Island safe because it is the people in it that will make the difference. However, what is true is that we should not have to rely on emergency powers any longer than we absolutely need to and that clearly leads to consideration of what alternative structures could be put in place.

The first CCA Regulations were issued in March 2020, which gave power to the MOH in respect of testing and self-isolation, which have broadly remained the same for the entire period. However, far from being new, unprecedented, Draconian powers, to a very large extent they clarified the post-holder's existing powers and also added additional safeguards that are not in the existing Public Health Ordinance of 1936.

Indeed, they strongly reflect the wording in the equivalent English legislation. In addition, the CCA introduced changes in relation to the borders that have changed on a regular basis as the extent of the virus in its different guises in other jurisdictions ebbed and flowed. From the very beginning the CCA also gave powers to the Committee for Home Affairs, to enable changes to opening hours of premises holding liquor licences. Soon after that, powers were given to HSC to place the Bailiwick into lockdown and manage its emergence from it.

By the second lockdown, it was decided, in order to streamline the process and reduce the demanding workload, especially on key political roles and senior officers, that the CCA would manage the lockdown itself.

Emergency powers have been required to ensure we have the necessary mitigations in place to ensure our hospital and critical services would not be overwhelmed and that we not have excess deaths as a result, whilst vaccination levels were low. Regulations were put in place to enable the first of the vaccinations to be administered, which meant we could embark on what has proven to be one of the most successful vaccine rollouts in the world.

As was expected from the start, the vaccination programme has been our way out and got us where we are today. The system has worked well, but not without concerns being raised about the long-term reliance on emergency powers. One such concern has been the fact power has been seen to be concentrated in a small number of people and, to some extent, the wider body politic has been able to provide only limited scrutiny to decisions made in its name.

That is understandable. However, it must not be forgotten that the operational aspects of managing the pandemic are still sat within Committees. In addition, the powers and responsibilities of the CCA are set out in Law in a way that is not the case for any other Committee. Both the Bailiff and H.M. Procureur or H.M. Comptroller are present at each meeting.

There is effectively a quadruple lock when considering whether Emergency Regulations are required. Firstly, that an emergency has occurred, is occurring or is about to occur; secondly, it is necessary to make provision for the purpose of preventing, patrolling or mitigating the emergency or aspects or effects of the emergency; thirdly, the need for provision is urgent; and finally, that H.M. Procureur has advised the Civil Contingencies Authority about the proportionality of making the Regulations.

The Regulations laid by the CCA lapse every 30 days. Members can support them or not, albeit that they have been in force until such time as they lapse or are annulled. As much as it is totally understandable that Members may feel they are not making those decisions and they agree or disagree with the measures being taken, it really should not be forgotten how quickly decisions have had to be made, sometimes within hours.

It is also not how a system works in any event. We delegate powers to every Committee to make Regulations in areas related to their mandate. That is part of the normal Machinery of Government. I will not repeat what is in the policy letter, but in summary, whilst there were contrary views, the overwhelming opinion from the Members of the Committees sponsoring this policy letter was that it would make sense for the emergency powers invested in the MOH, in relation to testing and self-isolation, to be incorporated into the Public Health Ordinance 1936 and that effectively other impositions, such as restrictions on the borders, would be best left with the CCA, because of the established and tested safeguards for our community.

3175 Any other alternative would only lead to more complexity and make it difficult to act nimbly, which has been proven to be critical in the management of the virus. The policy letter answers the question that was asked of it, i.e. is the use of the CCA the best means of managing the virus on an ongoing basis? As a body comprising Presidents from across the States, that sits outside of the everyday workings of Government, it can monitor the situation and make decisions swiftly. As a
3180 body that is required under Law to act appropriately and proportionately, it must ensure that Regulations are only continued for as long as absolutely necessary, to mitigate against an emergency occurring or the effects of an emergency that is occurring or has occurred.

Of course, that does not answer wider questions that Members would like answered, such as over the general powers of the Medical Officer of Health, or the make-up of the CCA. Indeed, it
3185 does not cover-off more generally how the last two years have been handled and whether there are wider lessons to be learned. These are genuine questions that need to be considered and there are amendments that seek to deal with these matters.

Since January 2020, when I was first advised by the MOH of the existence of a novel virus in China, that was a cause of some concern, this felt we have been on a never-ending journey, with a
3190 twist and turn on an almost continual basis. Decisions have had to be made in hours, not days, weeks or months, impositions have been placed on our community that have not been seen in peacetime. We have seen real changes in how we work that would normally take years to materialise.

It is only now we really are getting out of that very long tunnel into the light and are able to look
3195 at how we got here and build on what we have learned. We must not lose sight of our successful management of COVID, nor the position of strength we have, which could so easily be weakened by distraction.

We must work hard to make decisions that give us a position of even greater strength; not only for any future pandemic but also to build our economy and improve the lives of all our Islanders. I
3200 welcome the debate and hope Members, like me, see this as a real opportunity to show how we can work stronger together in the new light into which we are now emerging.

Thank you, sir.

The Bailiff: Members of the States, there have been five amendments to this Proposition that
3205 have been submitted. I am going to take them in number order, just so that you are aware of the running order now and therefore I am going to invite Deputy Parkinson, who is the proposer of amendment 1, to move the amendment that he is proposing please.

[Amendment 1](#)

To insert an additional new Proposition: "To direct the Civil Contingencies Authority to submit for consideration by the States a Policy Letter and suitable Propositions for the approval of any blueprint or strategy for the ongoing management of COVID-19."

Deputy Parkinson: Thank you, sir.

3210 Deputy Matthews, my seconder, and I discussed withdrawing this amendment in the light of yesterday's announcement of the suspension of most of the COVID restrictions from 17th February. However, we think the amendment provides the opportunity for an important debate on a matter of principle.

My view in that was strengthened by the public demonstration outside the Royal Court this
3215 morning. It is clear that some people in Guernsey are concerned about the transfer of intrusive powers to a Government official. I say that without any negative inference regarding any particular public servant. The issue is a point of principle.

Draconian restrictions on the liberty of subjects in this Island must be subject to democratic control and accountability. Now, I fully accept that when the Bailiwick is exposed to an emergency,
3220 whether that be a health emergency or any other kind of emergency, there will usually not be time to organise a States' debate on the appropriate response. Under emergency powers legislation, a

select group of Deputies advised, as Deputy Soulsby has explained, by senior officials of Government, have to be given power to act and to act swiftly. That is not in dispute.

3225 But even in that case, I suggest that an early opportunity should be taken to have the States ratify the actions of the CCA – and by the States here, I mean the Assembly. The situation is different when the end of an emergency is approaching, as it has been, I suggest, for several weeks, if not months at this point in time.

3230 My view is the States should be involved in approving a strategy for dealing with a pandemic, or any other emergency, but it should also be involved in mapping the route out of the emergency. The emergency powers legislation grants the CCA power to restrict the liberties of the people of these Islands. They allow the CCA to confine people in their homes, to restrict their ability to travel, to prevent children from attending schools and to interfere in daily life in many profound ways.

3235 It is essential in my view that such powers are exercised under a democratic mandate and subject to democratic scrutiny and accountability and it is essential that the States participate in the decision to bring a state of emergency to an end. There has been a democratic deficit in our management of the COVID pandemic. This Assembly has not had an opportunity to debate the objectives of the management of the pandemic, to weigh the health and economic risks, for example, and we have not participated in the strategy for exiting the emergency.

3240 Of course, these decisions will be heavily influenced where they involve a risk to health by the advice to the States from the Medical Officer of Health and the Islands have been exceptionally lucky that our MOH is a consultant virologist. We are all immensely grateful to her. But the health risk issues, even in an emergency caused by a health crisis, while critical, are not the only issues. There is a balance to be struck between competing priorities.

3245 Jersey, for example, early in this pandemic, debated their policy in response to COVID and resolved that the objective should be to minimise the harm to Islanders. Harm, here, covers a wider range of risks than simply health risks. Now, it can be argued that Jersey has not responded as well to the pandemic as Guernsey. (**A Member:** Hear, hear.) As I have said, we have had the great good fortune to have been unusually well-informed, to have unusually well-informed advice from our MOH.

3250 But at least Jersey had that debate and Guernsey has not. The lack of democratic authority for Guernsey's actions has caused mounting disquiet, as we saw this morning. So I see this debate as an opportunity for Members who share my concerns to express the view that, in future the CCA should obtain ratification for their actions and, where possible, pre-approval for a policy for exiting the emergency.

3255 When these actions have been taken under a severe time constraint, there will be, inevitably, a delay before the actions of the CCA can be approved, and that is completely understandable. But when time is not so pressing, for example at the end of the emergency, then the CCA should bring a blueprint, it is called in this amendment, to the States for approval.

3260 I fully recognise that the strategy for exiting this emergency has been overtaken by events, as I said at the beginning, and some Members may believe that this debate is therefore unnecessary. I expect to hear that argument in response to this amendment, but I urge Members to respond to the very real concerns being expressed by members of our community at the abdication of responsibility, which lies at the heart of this policy letter.

3265 I urge Members to support this amendment, to send a strong signal to the Policy & Resources Committee and the CCA that democratic accountability, where it has to be suspended, should only be set aside in exceptional circumstances and then only for the shortest possible time. It should be restored at the earliest possible opportunity. I urge Members, therefore, to support this amendment.

3270 **The Bailiff:** Deputy Matthews, do you formally second this amendment?

Deputy Matthews: I do, sir, and I would like to speak, if I could, sir.

The Bailiff: Let's just see if anyone is going to leap to their feet first. Deputy Inder.

Deputy Inder: Thank you, sir. I –

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The Bailiff: Not to speak, do you have any procedural motion? No. Deputy Matthews, then, to speak.

Deputy Matthews: Thank you, sir.

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I would like to start off, if I may, sir, with some brief background about the policy letter as a whole and its development, that I hope will explain the rationale for supporting the amendment. I do support the single Proposition in the policy letter as it represents a small step away from the need to use emergency powers in response to coronavirus.

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I am disappointed that the joint Committees *for* Policy & Resources, Health & Social Care – of which I am a Member – and Home Affairs could not reach a consensus agreement about how to go further in the object of moving away from the use of emergency powers by the Civil Contingencies Authority.

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I would like to assure Members that we did try. The consultation process for the policy letter started with additional Propositions aimed at creating a separate pandemic committee, that could respond to the changing environment in a similar way to the CCA, but perhaps could facilitate some broader engagement and discussion or help improve the transparency in decision-making.

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However, it was not possible to reach general agreement about how to replicate the powers and functions of the CCA. The powers available to the CCA are considerable and reach across several Committees. Replicating those powers in our committee system is not a straightforward task. One issue was simply the amount of time and resource it would take to draft new Law. This is a fair criticism.

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There is sometimes a public impression that the States employs an army of civil servants and lawyers, all sitting around waiting for something to do. There is not, resources are very stretched. There is no slack in the system, there is a backlog of changes waiting in line. Some delayed due to COVID. Doing something new would require moving something else out of the way.

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Another issue was the additional complexity. There was a view that the CCA system was tried and tested and had been demonstrated to be effective at getting the job done. Again, a fair point and it is difficult to argue with. For these reasons and some others, it was not possible to find a solution that matched the effective and swift decision-making that met with general agreement and the additional Propositions fell away from the final policy letter. It is for this reason that I found it difficult to lend unqualified support to the policy letter in its unamended form. It is incomplete as we still rely on the emergency powers to respond to current or emerging pandemic effects.

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There is no mechanism to oppose a policy letter distinctly from the Propositions and since the additional Propositions fell away from the policy letter, this amendment seeks in some way to redress parts of the deficit.

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A difficulty was brought more clearly into focus as the policy was being developed during the onset of the Omicron wave. As this crashed over us, the sheer numbers of cases predicted were quite frightening – accurately described as a tidal wave of cases, compared with waves of previous variants. Of course, very fortunately, this has not translated into high numbers of hospital admissions or mortality. Every death represents a tragedy and my thoughts are with all of those who have lost loved ones.

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In other locations, we know, there has been very sadly much higher numbers and so we must be extremely thankful that Guernsey's mortality numbers from COVID are so very low. This is due, in part, to three factors, or in great part to three factors. One, the amazing response of our community in the Island. Faced with alarming case numbers in the Bailiwick over Christmas and the New Year, we saw a fantastic response from Islanders determined to avoid another lockdown.

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Two, the great success of our vaccination programme and the booster rollout. It is an enormous credit to HSC, Public Health and the support of other parts of the States that we have managed to achieve an effective booster programme rollout. And, three, the speedy decisions made by the CCA to mitigate the onset of the Omicron wave, with the aim of preventing our healthcare systems from

becoming overwhelmed, which of course implies low numbers of hospital admissions and mortality. Indeed, it is difficult for a politician to oppose CCA decision-making in general for many reasons. It can be quite personally difficult for an individual politician to challenge or question decisions.

3330 We are extremely lucky in Guernsey to have an exceptionally capable Medical Officer of Health. Broad expertise in the STAC, the Scientific Advisory Cell, and access to world class scientific advice from the UK authorities. I commend the excellent and high quality advice that has been provided and give thanks to all off the individuals involved.

3335 I cannot let this moment go past without giving a heartfelt thank you to all the hard-working and dedicated health workers and care workers throughout the health and social care services. What a tremendous debt we owe to all of those who have worked through these difficult times in this pandemic. Particularly thank you for the most recent difficult period into the New Year, when pressures began to mount on the system, due mostly to staff absences, which have now thankfully started to subside with the decline in case numbers.

3340 We have a lot to be grateful for in the individuals who make our services work in the Islands in our Bailiwick. Despite this, I have not always found myself in full agreement with every decision of the CCA. Querying or attempting to make a challenge to the CCA can be a daunting task. I understand why some people are reluctant to put their head about the parapet. There are several accusations that might be levelled against you and some pitfalls to avoid.

3345 The first is giving any credence to the various conspiracy theories that have developed around the pandemic and vaccination. I get more emails about this than almost any other subject and I am sure all Members here do too. As a public representative I feel I have a duty and make a conscious effort to read them all, though I simply cannot respond to them all while some represent genuine concerns, many are nonsense, conspiratorial rubbish, meaningless drivel. (**A Member:** Hear, hear.)

3350 Just to make it crystal clear, there is no such conspiracy to track people by injecting microchips or reduce world population or any such idea. What I have seen is a very high level of expertise and dedication amongst professionals who are working very hard on our behalf to mitigate the worst effects of this terrible disease.

3355 The second pitfall to avoid is that of armchair expert. Where some feel it is not appropriate for politicians to challenge decisions based on scientific advice, we are not scientists, doctors or experts in infectious diseases. We are just ordinary people representing ordinary concerns amongst the public.

3360 The third pitfall is avoiding any suggestion that could be construed as an accusation against an individual member of the CCA. I want to put on record I have no doubt at all or concern that each of our senior politicians serving on the CCA acts with the utmost integrity and probity in discharging their duty. (**A Member:** Hear, hear.)

Being a politician is often a thankless task. You will have all kinds of wild accusations thrown at you. But I have confidence that each and every Member of the CCA does their best to understand and balance competing views and reach a middle ground as they see it. This begs the question what exactly is the role of politicians that are not Members of the CCA, in shaping the pandemic response.

3365 The emergency powers exercised by the CCA are effectively a compromise. We gain flexibility and speed of execution, circumventing our sometimes slow committee process when working across several mandates. But we sacrifice some of our open and democratic process. Limitations such as the Section 22 restrictions on disclosure of information go far beyond ordinary committee confidentiality. Members must swear an oath, to you sir, and any unauthorised disclosure can result in a two-year prison sentence.

3370 These restrictions are understandable, given that the intention is for managing civil contingencies of a general nature. It could be a war, an earthquake or a riot that is being dealt with, and many will be happy with that at the onset of a pandemic, or the emergence of a new variant, but to have it in place continuously for two years is not something I am comfortable with.

3375 Around the word there is a sense that democracy is under threat. We see on the news the possibility of an invasion in Ukraine, an unfolding disaster in Afghanistan, freedoms curtailed in

Hong Kong, the threat hanging over Taiwan. Even in the United States, an attempted insurrection at the Capitol.

3380 Guernsey can sometimes lead the way in our commitment to democracy. We have politicians that are accessible. We have changed our electoral system to make it more accountable. This is time for us to stand up and say that democracy is a principle that we believe in. The ever-insightful Janet Daley wrote in the *Telegraph* on Saturday in a piece entitled *A chilling totalitarian impulse is now subverting free societies from within*:

The inescapable conclusion is that there is, at the deepest level of human consciousness, a totalitarian impulse, which is beyond the reach of rational argument or moral conscience. A desire to be taken care of, to have decisions taken out of one's hands, be relieved of the responsibility for making choices is an irredactable feature of our condition, which has been exploited by every dictatorship in history.

3385 Is that what we want? Do we want decisions taken out of our hands or do we want to live in an open and democratic society? We should never consider hiding information from our own population, such as our case number counts, when the rest of the free world are publishing their statistics. It just smacks of closed, controlling, authoritarian Government.

3390 I will say where I stand on the measures we have experienced. On the one hand, I think it is fair to say, like many Islanders, I do not much like internal restrictions. People do not like the idea of masks or cancelled plans or closed hotels or restaurants or isolating in a room at home. Or schools that are not open or children that are not learning.

3395 Working from home, I am mixed on. It has both advantages and disadvantages. I have been amazed at how well many office-based companies, which is an awful lot of our economy, quickly adapted to the technology challenges. I have been hugely impressed with our contact tracing capabilities, which worked brilliantly well at low levels of incidence, and chased down outbreaks sufficiently; our testing capability is outstanding.

3400 On the other hand, and also like many Islanders, I do not much like the idea of catching COVID. Even if it turns out to be mild, and I am fully vaccinated, as Deputy Ferbrache can attest to, we both went to get our booster at the same time. So, I would have very reason to expect only a mild or moderate case, as we know vaccination is highly effective at reducing severe disease.

3405 I would not want to pass any infection on to any elderly or vulnerable relatives. I really do not want to see an infection get into care homes or medical facilities, either. I worry a little bit about long COVID, which is not well understood by the scientific community. It has not been around long enough for a clear understanding to develop.

3410 So there is a balance. But almost uniquely in Guernsey, we have a third option. As an Island nation we showed the world that we can keep the virus out completely but with restrictive border controls. Very few nations have that option available at all. Most of Europe has almost completely abandoned their national borders and the UK is a global hub for air transport, so shutting their borders imposes enormous costs.

This time last summer many in Guernsey hoped COVID might simply pass us by. We had got used to life with no restrictions and low levels of the disease. Early in the pandemic we had developed a Guernsey Together community spirit as I have never known in the Island before. People helped each other in ways that showed just how we can all come together.

3415 We experienced lockdowns but they were short and sharp, unlike the long, drawn-out affairs other countries experienced. We saw roads completely clear of traffic, went for walks in lanes and hear birdsong more clearly than ever before.

3420 **Deputy Ferbrache:** Point of order.

The Bailiff: Point of order, Deputy Ferbrache.

Deputy Ferbrache: Sir, the amendment proposed by Deputy Parkinson and seconded by Deputy Matthews proposes that they direct the Civil Contingencies Authority to submit for

3425 consideration by the States 'a policy letter of suitable Propositions for the approval of a blueprint or strategy for the ongoing management of COVID'. It seems to me that Deputy Matthews is going far beyond that amendment and going through the history of COVID.

The Bailiff: Deputy Matthews, I think that is right. The impression that I was getting was that
3430 you were using this as an opportunity to speak in general debate. If you are, then you will not have the opportunity to speak in general debate when we get to that stage.

Deputy Matthews: I think I have largely finished that section of this speech. It did cover most of what I would have said in a general debate, as well, sir.

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The Bailiff: We will treat it that way, then. But if you now want to explain why it is that Members should support this amendment ...

Deputy Matthews: Yes, sir. These are questions that should be debated – sorry, I have skipped
3440 a bit so it may not make sense – in the open. When everyone has had their say on each side of the debate, we may end up at the same result. Some would say this is a waste of time. I would not. There is much less of a ticking clock, when it comes to removing restrictions than at the onset of the emergency. How we arrive at our decisions is just as important as the results.

We must not venture down the road of thinking we can speed things up if we just lose a few
3445 democratic values here and there. Those values are one thing we must ensure we carry from the old normal to the new. This is why I urge Members to support this amendment.

Thank you.

The Bailiff: Deputy Inder.

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Deputy Inder: Sir, thank you.

Where I agree with Deputy Matthews is some of the quite difficult emails we have had. But, for some levity, I think if some people honestly think that they are being tracked by the vaccination that is what nobody particularly needs to worry about; it is your phone you are writing to us on that
3455 you need to worry about. That is more likely. Every single phone that we have got has got localisation services. But it is quite right.

Deputy Parkinson, when he opened up, he used the word abrogating of responsibility and this is a genuine challenge to Deputy Parkinson, what I do not want to do is, I do not want to say ... when it comes to those who have got certain views on vaccination, there are those that quite clearly cannot have it for medical reasons, there are those that I would say are vaccination hesitant, and there are the outright anti-vaxxers, along with everything that we get.

What I have noticed is that as those quite strong emails – and I think I am going to say there were 12, 13, 14 and 15, we were getting day after day, even being politely responded to, there were a very few people ... they just were not listening. There is nothing that you could have told them that could have shifted them from their position. Government was wrong, we were all up to something and dangers were quite wide and definitely going to happen. Some of the emails we have got, I must just say, were quite disgusting, to be perfectly frank with you. To Members of the Health Department, CCA and obviously the medical staff, and it affected them, as we know.

Deputy Parkinson, I think what he said is that there has been some concern that Government seems to be abrogating its responsibility. I am not sure that is as strong as he stated. Because what I think I am detecting is that those who are not getting any purchase on the anti-vaccine movement then moved on to how bad the CCA was and they were control our lives. I think we are going to find they are two sides of the same coin.

I am not getting any, what I call fairly sensible contemporaries, if anything what I am getting is the CCA has done a good job. Out in what I call 'normal Guernsey', which is nine times out of 10
3475 beyond the small corners of the Twitter-verse and the Facebook-verse, I do not detect in any way,

and – I am probably one of the sort of mid-fifties libertarians – I get no criticism at all or any tension whatsoever, that anyone on the CCA or in the States of Guernsey is some kind of power monkey trying to crush the soul and the life out of the Island. So I do wonder, if Deputy Parkinson can respond, is he entirely sure that message is as big as he thinks it is, because that is not what I am hearing?

I do have something else to discuss here. What this basically says is to direct the Civil Contingencies Authority to submit for consideration by the States a policy letter and suitable Propositions for the approval of any blueprint or strategy for the ongoing management of COVID-19.

Now Deputy Parkinson said, because he thinks we are heading for an exit, and I am quite sure we are, but we do not know that something will not turn up again and CCA erupts because something hideous happens – and I am quite sure it will not but we do not know that it will not – what do we do? Do we have a blueprint? Do the CCA have to write to Health? Do they have to come up with a blueprint the day after our last debate? Do they have to wait for three weeks? Do they have to submit a policy letter, then take it to the States? The States risks then another policy letter – and look at all the Rules and procedure we can do – amended, possibly sursised.

By the time they have got to that point – because the whole point of having an emergency committee, and you can either choose whether you trust them or not, is for them to deal with an emergency. You start sticking three or four weeks in between when the event happens and then having to come to the States, we are either all going to be dead or the problem is over. It is as simple as that.

There is nothing in here that really inclines me to support this in any way. As soon as we start putting more processes into this, time and again, I am afraid it does not become the CCA any more, it effectively becomes another ... it just is not an emergency committee. It is not a committee that can act in an emergency-like way, because it will be asking for us to come back to the States, asking the CCA to come back for a strategy, ongoing management, but it is not entirely clear what that management means. What does that management mean? Does that just mean managing the exit or if that exit starts becoming towards a closed door does that then mean we are now coming back to the States again the next time they have to spark themselves up for some miserable, COVID, mysteron or whatever else is going to turn up?

I cannot see myself supporting this, sir, thank you.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

Listening to Deputy Inder's speech, I am wondering if I am misreading this amendment. I might have got it wrong, but I would like some clarification from Deputy Parkinson. As far as I can tell, this amendment is simply asking that the CCA submits for consideration by this Assembly a policy letter and suitable Propositions for the approval of any blueprint or strategy for the ongoing management of COVID-19.

To me, unless I am missing something that is included in this amendment, which is not included in these words, really, what that is asking for is for the opportunity for this Assembly to have a say in what is in that framework. Now, to be clear, we have had frameworks on the management of COVID throughout.

I think the first one was done by HSC in the previous term, and then there has been an earlier one, I think February last year or something, that was published by the CCA. So, these frameworks have existed – I think there have been at least two, but possibly three iterations of them – and I think, as far as I can tell, this amendment is simply asking for the opportunity for the Assembly to endorse and possibly amend that framework, that blueprint.

I do not think it interferes in any way, shape or form, with the role of the CCA, as far as I understand it. I think actually Deputy Inder's speech was quite useful because I think what has become quite conflated is the role and purpose of the CCA with the management of COVID. So, I

think it is important to slightly decouple those two things. The CCA does have a clear role to play in the handling of emergency situations, or events, and I think in the kind of event that Deputy Inder described, I do not think there would be any doubt, I do not think the framework would in any way get in the way of the CCA performing the role that it has performed thus far in order to be able to respond to that.

So, perhaps I am missing something, but I see this as really quite a straight forward amendment. Personally, I support the opportunity for the Assembly to get involved in that framework. I think previous frameworks, there has not necessarily been the time. There has been more pressure on those. I know the amount of work the former HSC Committee put into that original framework and it was just vast. It was a substantial document produced in a very short period of time and a very commendable one, I think. Huge amounts of consideration I know that went into every aspect of that.

But I do think, in terms of democratic process, personally I cannot see a problem. I will listen to the debate with interest but personally I cannot see a problem with this Assembly having some input into that framework and, even if they do not choose to amend it, the opportunity to endorse it. I just think it makes it stronger. That is my view. I am interested to listen to the rest of the debate.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

Thank you, Deputy de Sausmarez, for giving a bit of further clarity. I do also think this amendment is actually reasonably straight forward and I think Deputy de Sausmarez was right. We had the initial blueprint strategy launched around the end of the first wave and I think that document, I remember it somehow quite vividly. It was very positive because it gave a longer-term perspective so, instead of us desperately waiting for those COVID briefings and hanging on every word of Deputy St Pier and Dr Brink, it gave you a breathing space to think, 'Well, actually, here is the framework and a strategic, tactical approach of how we are going to be taking it.'

I thought that was really good. We then had earlier last year, in terms of the slightly longer-term planning, when we also had to start taking into account considerations relating to – this is when the economic arguments started to come in – we had to start taking consideration in terms of opening the borders and in terms of taking decisions on cruise liners and I think just between those two frameworks of May 2020 and, say, February last year, the clear difference was that we had to start taking into account more factors than just health issues.

I think this is what Deputy Parkinson is trying to say with this amendment, that over two years we are learning how complex a pandemic situation is and how many implications it has on all aspects of society. Where we are today, he was right, it may feel like it is redundant because, conveniently, the CCA has published a blueprint and, to be honest, my little suspicion is using this word and giving us a slightly longer perspective have perhaps come partly about because these amendments have come forward calling for a blueprint strategy. Maybe that is not true.

We were in a very different situation a month ago. A very different situation and there were many calls questioning the approach being taken with regard to isolation requirements, with regard to all sorts of things. That was just a month ago. How quickly the restrictions were tight again at the beginning of December, this was all questioned, based on what framework and evidence were we taking such an approach. December decimated the hospitality industry again.

So, while we are in a favourable situation now with de-escalation, we could be in a very different situation again and so I think it is a very legitimate question to ask: how are we going to approach further likely variants, what kind of metrics are we really going to be talking? What is really, going back to the argument of vaccinated and non-vaccinated, can someone really tell what is really the framework with regard to non-vaccination because we still really have absolutely no visibility of how that is going to be approached?

That touches the lives of thousands of people. I think they want to know when they finally could travel and meet family in faraway continents. That is a serious issue for thousands of people. So I

think this is a very legitimate amendment to really ask for the longer term thinking of how we are going to be managing this. If we are saying it is all about living responsibly with COVID, I think it is legitimate to ask that we have a framework, which incorporates health, economic, mental health – huge issue, education, travel. This touches our assets massively because they have to be planning their operations going forward.

So the management of the pandemic going forward has huge implications for the economy. We have not had a chance to talk about it. This is the only amendment that actually touches upon what approach we think we should be taking. It is the only one out of all the amendments and it was very inspiring to hear Deputy Soulsby's speech, what we have gone through, but actually the policy letter as such is really underwhelming in the one Proposition it is offering. The amendments in front of us are giving us a chance to take the pandemic a bit more seriously in terms of actually the thinking going forward.

I think it is a reasonably straight forward amendment. It builds on the frameworks that were already released and I think this amendment is asking for a longer term framework to be released beyond 17th February, because that is the only blueprint we really currently have. So, I am very tempted to support this amendment.

Thank you.

The Bailiff: Deputy Prow.

Deputy Prow: Thank you, sir.

I am very grateful to Deputy de Sausmarez for speaking before I did because I listened to the opening of the amendment and I have listened to the seconder and I have to say I have got more clarity from Deputy de Sausmarez as to what perhaps this amendment is about. But I am still struggling with the wording of it.

It is asking for the CCA to submit for consideration via a States' policy letter for suitable Propositions for the approval of 'any blueprint or strategy' for the ongoing management of COVID-19. Deputy de Sausmarez has already pointed out there was a blueprint that was issued by Health & Social Care last term. That is still available. As I understand it, a blueprint for how we are going to de-escalate from the regulations that we are in and to some extent how we would cope with a new variant of concern, which then brought back the need for emergency provisions.

So, I am not entirely sure what I am being asked to approve here. Is it a blueprint that goes into a policy letter or is it a strategy? I am really concerned about the timing of this. It is quite clear from the excellent media presentations that are being conducted that we are in a process of de-escalation. Nobody on the CCA wants to be in the position of continually putting Emergency Regulations to this Assembly. We really want to move away from that. With the current situation we are in, I think there is a confidence that we can do that.

Deputy Matthews, seconding this Proposition, he spoke around the fact that the policy letter was submitted by three Committees and it did not seem to him to be suggesting a clear conclusion. He has hit on one of the issues here. In considering this amendment, and indeed the other amendments and the policy letter, we have to remember that we do not have cabinet government in Guernsey, we do not have executive government. We have a unique committee system. When we are faced with an emergency situation, in this case dealing with the COVID pandemic, we have to make fast-moving decisions and I think what is quite clear, certainly from the Home Affairs content in here, is that I cannot see any other way of managing a pandemic better where you need to bring in Emergency Regulations than with the CCA.

Committee government is not best suited to dealing with this sort of emergency. More importantly, we are having this debate, looking through these amendments, in an environment of de-escalation, and I just do not really understand exactly what would be achieved by this amendment and, for that reason, I shall be voting against it.

Thank you, sir.

The Bailiff: Deputy Ferbrache.

3635 **Deputy Ferbrache:** Sir, although I did not feel that at any time I could vote for it, the amendment
was well put forward by Deputy Parkinson and, despite my comments about perhaps over-
exceeding the terms of the mandate, by Deputy Matthews, they put the matter very well indeed.
But what has persuaded me beyond any doubt to vote against it is the speech of Deputy
3640 Kazantseva-Miller. If anybody was trying to persuade somebody to say something, she did exactly
the opposite.

Because we would be in a pitch battle in this Assembly, 39 people, in relation to a policy or a
strategy or a blueprint. We would be arguing about vaccination, we would be arguing about the
effectiveness of travel restrictions, we would be arguing about everything. This would be a three-
or four-day debate on what a policy or strategy should be, while people were being ill, while people
3645 were coming into the Island bringing in COVID. That is just a recipe for disaster.

In relation to Deputy de Sausmarez's point, we could not operate a blueprint or a strategy at
CCA because the wording of the Proposition says that we would need the approval of the States
before we could do so. So, therefore, as Deputy Inder said, we would have to publish a policy letter,
come before the States, there would be amendments. It would take weeks and weeks, possibly
3650 months and months, for that matter to be properly debated.

If the amendment proposed by Deputies Parkinson and Matthews had said, instead of the word
'approval', for a review of any blueprint or strategy, that is fine. Indeed, there will be an amendment
which will follow, proposed by Deputy Taylor and seconded by Deputy Soulsby, which I will vote
for, which talks about a review. I am not going to go through the wording of that but that makes
3655 sense. There should be a review of what has happened, a look back. That will give also, in the course
of that debate, people's comments to say look forward in relation –

Deputy Matthews: Point of correction, sir, if I may.

3660 **The Bailiff:** Point of correction, Deputy Matthews.

Deputy Matthews: I thought I heard Deputy Ferbrache say that amendment 1 would call for a
policy letter to be published before the CCA could take any action. I do not think it does. It is asking
for, assuming that there are – as there are – some Emergency Regulations in place, to publish a
3665 document, which we know has been created, for the ongoing strategy for how to manage it going
forward. I do not think it ties the CCA from not being able to do anything in the meantime. I do not
think, I have not picked up anything for argument's sake to say you would have to do something
before you could act.

3670 **The Bailiff:** Deputy Ferbrache to continue.

Deputy Ferbrache: Thank you. I disagree with Deputy Matthews because, in relation to it, it is a
difference of opinion between he and me on that particular point rather than a point of correction.
Because it would mean that, because it has to be approved before you can operate any blueprint
3675 or strategy. That is the wording that is used in his amendment. It talks about approval.

What are you going to do? The CCA does something and then, two months down the line, when
the policy letter comes for a debate, 'We do not approve your strategy, we do not like your strategy,'
does that mean we have acted *ultra vires*? Does that mean the actions we have done have been in
some way cast doubt upon? Well they would have had in some way cast doubt on them. It is the
3680 wording of the amendment.

If it had used the word 'review', I could have seen the point of it because then there would have
been time, the CCA would have acted, it would have made a policy or a strategy or a blueprint, that
would then come before the States and the States would say, 'That is fine, we now want to amend,
we want to review what you have done, and going forward that is to be the point.'

3685 But *ab initio*, the CCA would have had to come up with a blueprint, it would have had to come up with a strategy. It would have to act from day one. What the last 15 and a half months or so have shown me is that we often do not have the benefit of time. Sometimes we do. But I can remember sitting at home on Friday, 22nd January 2021 and receiving a phone call at about quarter past nine in the evening from a senior civil servant, which effectively advised in the strongest terms, which we
3690 accepted and acted promptly both that evening and the next day, that it would mean a closedown. It would mean a lockdown.

That was a strategy. That was a decision. Now, I do not want to get involved, as Deputy Kazantseva-Miller was indicating, in my view, in my opinion, in relation to her speech, whereby we would have to have it is almost like a pitch battle, almost like a Mons or a Verdun on every particular
3695 issue going forward. Why did you do that? Where is the evidence for this? How did you come to that decision?

That is not a practical way of going forward in a situation which is an emergency. An emergency is defined by Section 2 of the Civil Contingencies Law of 2012, it is set out in the policy letter what that section says in the material part of it. So, it is up to the States. If the States wants every decision
3700 to be analysed, every blueprint, every strategy to be super-analysed in an emergent situation, let's do it. In my view, to use a word I used in a previous speech I made earlier this afternoon, that would not be acting responsibly.

The Bailiff: Deputy Taylor.

3705 **Deputy Taylor:** Thank you, sir.

I did not actually intend to speak and I never want to start a speech with that. But I am getting a little bit confused because I was originally quite supportive when I read the amendment. Deputy Ferbrache has just thrown his biggest spanner right across and it has stuck right in my works. So, I
3710 am seeking clarification, whether it be from yourself or if not from H.M. Comptroller.

The amendment suggests, where is it, that the CCA would need to bring back any blueprint, the strategy part is where I am getting confused, but bring back a blueprint for States' approval in a nutshell. The gov.gg website, updated yesterday, says the Civil Contingencies Authority has discussed and agreed a 'further phased reduction of remaining COVID-19 restrictions. This week it
3715 will publish these in the Bailiwick blueprint *The Next Steps*, which sets out the measures which it intends to review and remove'.

I do not know if I am just over-simplifying but I cannot understand why that cannot come before the States. If it is there and it is being produced, I am not sure where the timeframe, other than we might need to bend the Rules to be able to lay it slightly quicker, but if it is being published this
3720 week, we have only got two more days, can someone who has not yet spoken maybe just put me on the right track here, because I am getting confused?

I do not see why, if there is a blueprint that has been drafted and is due to be published this week, cannot be put before the States, but I do take on board all his other points about amendments and the complicated side, I do take that. But, a bit of clarification from someone please.

3725 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Sir, I could almost describe myself as a past master of writing perhaps flawed amendments or seconding them. This one is not flawed but it is open, unfortunately, to different
3730 versions and interpretations and we have heard quite a few and some of the speeches have gone off on angles as well, perhaps.

To my mind, it is fundamentally quite, I think, a straight forward amendment because going back to what Deputy Parkinson opened with, it directs the Civil Contingencies Authority to submit for consideration by the States a policy letter and suitable Propositions for the approval of any blueprint
3735 or strategy for the ongoing management.

Deputy Taylor has alluded to one that is already out there. Deputy Parkinson looked back to the 2020 debate that Deputy St Pier can inform us of and a debate in Jersey – in fact, there was more than one, I think – I remember Deputy Perchard there wanted clarity as to how their equivalent of the CCA was going about things. What struck me from this was not second-guessing of any decisions the CCA might make or trying to have 39 of us re-debating what four or five people decided. I will support a later amendment today that Deputies Inder and Moakes are putting forward to include Economic Development.

The relevance of that is, to me, what the blueprint and the strategy would be is not trying to put in an inappropriate debating or amendment mechanism to decisions that have to be taken quickly and also taken responsibly but to allow the Members, with their different political perspectives and constituents a way of discussing what the strategy is.

Because the issue in Jersey, particularly, where they handled their matters differently – I will not say better, I will not say worse, but it was certainly different – was that there was a stronger voice politically, certainly in the first year, if not the second, for retaining the borders being moderately open and for some element of the visitor tourism and jet-setting economy to continue.

Whereas Guernsey followed more of a Guernsey Together border restriction policy, which ironically possibly led to more economic growth and more activity within the Island because, as we saw to our surprise, Christmas 2020 in some areas was more active than Christmas 2021 because, by the close of this year, we had larger numbers of people, albeit with less serious health conditions generally, but there were things being cancelled.

The strategic debate would be the whole States getting involved as to whether the judgement in this sort of situation was about the economy, or business, or health or older people or education, over anything else. We have seen these nuances across the different parts of the United Kingdom as well. That is what I think the blueprint would be about.

For us to collectively, kind of give a broad instruction to the CCA, or at least a context, as to whether, if we get any more Omicrons, where we want more emphasis placed upon restriction of activities or the economy or tourism, or whether we want less restrictions and perhaps underplay some of the health elements.

I do think, if one looks ideologically at the big picture, you are seeing across the western world, some societies, which are predominantly libertarian or free market, taking a different course from those who are more socially democratic or health conscious and everything in the middle. That is really what the debate is focused on and, to that level, I support it, and the argument that Deputy Ferbrache made about people being concerned about decisions they make, that will always apply.

If, for example, the CCA decided in their wisdom, and maybe for good reasons, to have a curfew of everybody being home at eight o'clock in the evening, and that was done for a month, and States' Members objected to it, then inevitably there probably would be a debate and votes of confidence and that sort of thing in it, that will happen anyway. But I do not see that as second-guessing decisions, this is much more about a direction of balancing travel, society, education, the economy, healthcare, care for the vulnerable and working out what as a society we prefer to find a balance with.

The Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

I rise briefly and I do so in an absolutely non-confrontational manner. I am not in the mood today to goad my friend Deputy Ferbrache or, for that matter, any other Member who has spoken. But I want to make an observation and it is this: the only Members of this Assembly who have spoken to oppose this amendment are either existing Members of the CCA or, in one case, a Member who would like to become a Member of the CCA. That should be telling.

What is the purpose of this Assembly? The purpose of this Assembly, in my view, is pretty much fourfold. It is to legislate, it is to scrutinise, it is to question and it is to inform, endorse or amend policy. That is our collective rights, our collective purpose, as the executive of the States.

Now, it has been said to me by some – I do not share this view incidentally, not in our system of Government – that one can be intoxicated with authority. There is no question that the CCA has had to make some very difficult decisions over the last few months and years and some Members of the CCA, I perceive to have enjoyed it maybe a little more than others.

Now to the key point and the key point is about the issue of 'suitable Propositions'. It is key within this amendment. An example of a suitable Proposition would be this: this is the blueprint and strategy for the exit from this emergency as things currently stand. But one of the Propositions would be, should something emerge again that was even more virulent than what we have had and was even more transmissible, then clearly we would expect, by definition, by keeping the CCA alive, that the CCA would respond proportionately to those concerns.

We have heard, we have been reminded throughout the day, that the advice of H.M. Procureur or the Comptroller in her stead deals with advice around proportionality. Now, if the Proposition dealt with that, then it would be business as usual, if the issue necessitated it. What we have to be very careful to do is to cut out many in this Assembly from that decision-making process.

In case anyone is wondering, 'Well, he has suddenly changed his tune,' I have not. I have always been in favour of bringing key proposals back to this Assembly for endorsement. For instance, I never liked the idea of giving the Policy & Resources Committee that I was a Member of the sort of authority to make decisions on very significant capital expenditure matters and always preferred, if at all possible, for the matter to come back to the States.

So I think the issue is around the Propositions. It is certainly not beyond the wit of man, and I would be very happy to offer some assistance, should the PRC require it, as to how Propositions could be phrased in a way that would not in any way impact on the future but would enable this States to make a very important contribution in the development of the exit from the position we are in today. Thank you, sir, I shall be supporting the amendment.

Thank you.

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir.

Mr Comptroller is not in the Assembly at the moment. If he is listening, I would perhaps ask him to return to the Assembly because I do have a question for him, which I will pose in a moment. I think we could benefit from his advice. I think Deputies Inder and Ferbrache are making a little bit of a mountain out of a molehill in relation to the effect of this amendment, in the suggestion from Deputy Ferbrache that it might introduce a two- or three-week delay.

This amendment is not anything to do with what the CCA has or has not done in the past, or indeed in the future. I will return to that in a moment. Deputy Prow also spoke about the timing, he had some challenges about the timing of this. He did not really develop that line of thought in his speech, but of course the timing of the amendment very much is driven by the policy letter that has been submitted and the timing of today's debate. It is simply that.

I think we should not be too distracted, or blinded, even, by yesterday's announcement of the de-escalation and of the existence of a blueprint coming down the track. This is, I think, as Deputy Parkinson has set out, very much a matter of principle that these matters should be capable of being subject to scrutiny and indeed debate.

I think, as it turns out, given that, as Deputy Taylor has said, because he enquired whether he had missed the point – he has not missed the point at all – actually, given that the blueprint is due to be published this week, given that there is almost no business in February, a policy letter could be submitted, obviously with your consent, sir, for short publication, for it to be laid at the February Meeting.

But of course the important point is very much the challenge from Deputy Ferbrache that this could impede the work of the CCA and I am grateful to the Comptroller for returning to the Assembly. Because my question that I would like him to affirm, and I am sure that Advocate Ferbrache, wearing a different hat, will also know the answer to this question, of course, that there

is nothing in this Resolution at all, which could in any way fetter the ability of the CCA to act under the CCA Law. If the CCA Law is engaged and the powers of the CCA Law are engaged and an emergency exists, then the CCA can go ahead and no doubt do whatever it needs to do.

The existence of the blueprint, whatever that blueprint or strategy exists, in terms of de-escalation or gives a future indication that if there is a future variant of concern then we are likely to do X, Y, or Z, actually, if the circumstances turn out to be entirely different and the variant of concern is nothing like the one that was envisaged and therefore we need to do something completely different, the CCA would be perfectly empowered to do that within the CCA Law.

So, perhaps, if the Comptroller has had an opportunity to ... Am I permitted to give way to the Comptroller or not, sir, under the amended Rules of the Hybrid Meeting?

The Bailiff: There is no ability to give way, full stop, Deputy St Pier, so I will turn to the Comptroller when you have finished your speech unless you need clarification before you continue.

Deputy St Pier: Thank you. No, I think I will wait until the end, sir.

I think in essence, we need to focus on what the amendment is seeking to do, which is simply this matter of ensuring appropriate parliamentary scrutiny and, as Deputy Ferbrache has said, there will quite possibly be times when it is simply not possible, it is simply not appropriate in the time available, for there to be any parliamentary scrutiny, as indeed that has been the case over the last two years, and that could well repeat itself in the future.

But, to the extent that there is an opportunity, this Assembly should be given that chance to consider and debate it and I think that this, from the community's perspective, given that we are now de-escalating, there will be some bafflement as to why it will be presented and interpreted by, particularly, some of those who have concerns around the management of COVID that the CCA are running shy of an opportunity for the current blueprint, which is due out this week, to even be debated before this Assembly. There is no reason for that.

Nobody, as I know and as Deputy Ferbrache knows, as the present chair of the CCA, nobody has anything to fear by a debate on the blueprint coming here, and we should not give the impression that there is by not allowing such a debate to take place and, for that reason, sir, I think the principle, which Deputies Parkinson and Matthews are seeking to deliver through this amendment, is the right one, and I was pleased that they decided to push on with the amendment, despite the imminent publication of the blueprint, because I think it is an important principle to establish.

This Assembly, as Deputy Trott has said, is here to scrutinise and we probably have not done enough of it so far this term and, given that we do have this debate, particularly at the moment, there is no reason why we should not get on and do it.

The Bailiff: Mr Comptroller, are you able to confirm what Deputy St Pier has just indicated?

The Comptroller: I am. If I understand it, I think, through you sir, Deputy St Piper was suggesting that, if the States were to approve this amendment, it would not straitjacket – if I could use that word – the CCA in any way, if its powers engaged, that it could exercise those powers. I agree with that. I think a blueprint is merely a draft, perhaps, and a strategy is a strategy, but there is nothing by the approval of a blueprint or a strategy that I think would cause the CCA's powers to be fettered in anyway, if it felt it ought to exercise them in a particular way.

The Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, sir.

I applaud Deputy Parkinson in asking to lay this amendment in front of us today. I concur with everything that has been said in support of the amendment. I also applaud Deputy de Sausmarez because I think she actually nailed the whole issue when she spoke.

I urge colleagues to have what she said utmost in their minds when they come to vote. Because, as we all know, Deputy de Sausmarez is a Member of the CCA but she sees no problem with this amendment whatsoever. In summary, it sounds like it makes perfect democratic sense to support this amendment and so, in closing, I ask for a recorded vote when we go to the vote, please.

3895 Thank you.

A Member: Oh, that is a surprise!

3900 **The Bailiff:** I do not see any Member rising to speak on the amendment, so I am going to turn to Deputy Soulsby as the Vice-President. Deputy Soulsby to reply on the amendment and then I will turn back to the proposer, Deputy Parkinson.

Deputy Soulsby: Thank you, sir.

3905 It has been an interesting debate, actually. I found it quite helpful myself. I am summing up on behalf of those who have got their names at the bottom of the policy letter but, of course, that has been quite difficult, and we have only just had the amendment, so it has been very difficult for each Member of the Committee to have their views.

3910 This one was different from the other three that were presented, certainly at P&R. I think the consensus was more that it was after the event and so we can have a debate on what is the blueprint, which has now been published, by the way, but it might be after the event and so what was the point of it? Personally, I do not mind. Deputy Parkinson said there has been no chance to debate blueprints before. I think he is probably talking about this term rather than last term, because we absolutely did. I know, because I was the one having to present that policy letter because it was HSC's blueprint.

3915 We did have that debate but everything had moved on since then, but it did give the opportunity for Members to say what they thought, which is fine, and I think that is an important part of the democratic process, but it was not the here and now deciding anything. It will depend on individual Members whether they think that debate is worthwhile or not and it is not for me to say whether they are right or wrong.

3920 I think that Deputy Matthews, the one thing I took from his speech was being a politician can be a thankless task. I would say, 'Tell me about it!' My one issue with the amendment is where it says about:

... suitable Propositions for the approval of any blueprint or strategy for the ongoing management of COVID-19.

3925 I just want clarity from Deputy Parkinson on this because that might help me on this amendment. This says any blueprint. Is he talking about any blueprint ever or is he talking about the blueprint for the management now? That is one thing I would like to know. I think it might be what Deputy Inder was trying to get at, I might be wrong here, about the fact that every variant has been different and so we could have a debate about the management of COVID now or next week, but the week later we will have the BA2 variant, or XYZ variant, and we find that the way we have to manage that is completely different. Also with what we have got available.

3930 When we had the Alpha variant, at the very beginning, we did things the way we did it because of the situation we were in in terms of the testing ability, the fact that it was a completely novel virus, nobody was vaccinated. We dealt with Delta very differently because we had vaccinations and we found that the vaccine programme would work fine on that. Omicron, even more, it has been a different scenario, the way it went up and down very quickly has meant we have been able to come out of that differently, but also think about the other impacts we have got, in terms of needing to have the booster of the vaccine.

3935 So, I do not know where this stops. Is he saying that, if we have this amendment now, any blueprint that is produced needs to come to the States, which is fine? Because there will be another blueprint, is what I am saying. If something comes along, there will be another blueprint that we

3940 probably have to deal with. Then, if it is not COVID, we could end up with something like this to do with flu or something like that, and do we debate that? I guess that is for another time.

Personally, I am not opposed to this amendment. I am happy if Members want to have the debate on the blueprint. I just think it is for Members to decide whether they want to have that debate in what could potentially be after the event, or when things have had to change and the
3945 blueprint has had to change anyway. That is what we have found as things have gone along. We have had a blueprint and we have had to tweak it as we go along.

It is very difficult. Things have changed so quickly and I just really do not want to say categorically where we will be in a month or two months' time on this. As I say, that is more my personal view. I do not think there is a group view on this and I would like to hear Deputy Parkinson's view about
3950 what his intention is from this amendment for the future.

The Bailiff: And the proposer of the amendment, Deputy Parkinson, to reply to the debate, please.

3955 **Deputy Parkinson:** Thank you, sir.

I will take the comments in the debate in the order that they were made. I thank Deputy Matthews for his support and his excellent speech explaining what this is all about. Deputy Inder spoke next and seemed to think this all had something to do with vaccinations and I assure him it has very little to do with vaccinations, although vaccinations obviously will form part of the response
3960 of the Bailiwick to any pandemic, current or future.

And I totally agree with him – I am not sure if he was listening to my opening remarks – that the CCA must have power to take emergency action to deal with a crisis. That is not what this is all about. We are talking about strategies and blueprints, not about emergency responses, and the details and specifics of States' actions in response to an emergency.

3965 What we are saying is that the CCA should take an early opportunity in this pandemic or in any future emergency, to ask the States to ratify their decisions, where decisions have had to be taken on the hoof. I did draw a distinction between the process when we are going into a pandemic and the process where we are coming out of a pandemic, where we may have more time to deliberate and consider what the path ahead should look like.

3970 In the case of a crisis situation, where we are going into a pandemic, there will not usually be time ahead of any decisions being taken, for the CCA to obtain States' endorsement. All I said was I think the CCA should take an early opportunity, after having made the necessary decisions, to get the States to ratify what they have done.

As we come out of the pandemic, we have had weeks, perhaps even months to think about what we do as we move from a pandemic to a situation where the virus is endemic. COVID-19 will
3975 probably be with us indefinitely. People will still be unfortunately falling ill with COVID-19 and some will be dying of COVID-19, I suspect, in five or 10 years' time. But people die of flu. In a normal, severe winter, 200-300 people a year in Britain die of flu. We do not have the kind of emergency responses that we have had to take in response to COVID. When COVID becomes endemic, we will
3980 have to have a different set of priorities and policies to deal with it. That does not mean it will ever be something we can ignore or that it will, necessarily, go away.

Turning to Deputy de Sausmarez, she rightly points that the amendment concerns any blueprint or strategy for the ongoing management of COVID-19. I think those words are very clear. I might as well pick up at this point the comments of Deputy Soulsby. I find it hard to understand how those words could be misinterpreted. This is about any strategy or blueprint for the ongoing management
3985 of COVID. We are not saying we need to rehearse all of the decisions that have been made or put in place plans for 2021. That is not what it is all about.

It is about, there is a backwards-looking element to the extent that I am asking that the CCA get the States to ratify what they have done. Picking up on Deputy Ferbrache's comment, what would
3990 be the situation if the States disagreed and said, 'No, that was inappropriate.' I think it would be a challenge to the status of the CCA and if the States really felt in a situation that the CCA had made

very inappropriate decisions, then that could call into question a vote of confidence in the CCA, or something of that sort.

3995 But I am assuming, certainly in the case of this pandemic and the way it has been handled, I think we would all agree that the States and the CCA, in particular, have done a very good job. (A Member: Hear, hear.) I am not expecting anyone to say, 'No, they should have opened the borders earlier,' or later, or whatever. Some people may be of that view and that would be subject for a discussion in a debate.

4000 But this is mostly a forward-looking thing about, here we are, coming towards the end of a pandemic, moving into a situation where this disease will, unfortunately, become endemic, and what is the policy of the States to do? What are we going to do to address that situation? So, it is mostly forward-looking and it certainly does not preclude the CCA from taking any of the steps that it is able to take under the CCA Law, as Deputy St Pier has highlighted and as H.M. Comptroller has confirmed, the CCA would still have all the powers that are vested in the CCA by the Law.

4005 So, I thank Deputy de Sausmarez for her comment. I think she brought some clarity to the debate. I also thank Deputy Kazantseva-Miller specifically for her acknowledgement that there are issues, even in a health pandemic, which go beyond health or raise other issues besides those of health. And I stress again, not every emergency that faces this Island, will be a health pandemic. God forbid, it could be a war breaking out or something else, some kind of economic collapse, perhaps. But we are, at the moment, very focused, obviously, on a health crisis.

4010 Deputy Prow refers to the blueprint issued by Health & Social Care last term. That is true, but as Deputy Soulsby has pointed out, none of the new Members of this Assembly have had a chance to debate that or vote on it, unless they happen to be on one of the relevant Committees. So, roughly, half of this Assembly has not endorsed or adopted – formally adopted – that blueprint, which in any case may now be out of date.

4015 We are promised a blueprint for publication and we are told it has already been written. There is no extra work at all in producing that blueprint. All we are asking to do is bring it to the Assembly, as Deputy St Pier said. There is a reasonable amount of time and not much to do in the next, February, States' Meeting. Just bring the blueprint to the Assembly and give us a chance to endorse it. All of the new Members of the Assembly, who have had literally no say in the current policies, will have an opportunity to decide whether that is the shape of policy, which they want to see going forward.

4020 Deputy Ferbrache seemed to think I and the seconder of this amendment were asking for the States to endorse every little decision that might be made in the handling of a pandemic, whether that be setting up a vaccination centre or imposing a period of lockdown or whatever. Quite clearly not.

4025 I do not think many Members will have understood this amendment in the light that he places on it. We are talking about strategy, we are talking about policies. Simply, the States are giving an endorsement to whatever the policy is. I have not seen the blueprint yet, so I do not know what it says, that the States are going to pursue going forward. It is about democratic legitimacy. It is about making sure that through the democratic process the people of this Island have a say in the way this particular pandemic and any future emergency may be handled.

4030 Now, Deputy Taylor asked for clarification why the blueprint, which has been drafted, cannot be put before the States, and I share the same question. I share the view of Deputy St Pier that it should be put before the States and we should have a chance to discuss it.

4035 Deputy Gollop slightly confused me, as he sometimes does, in that he started off by saying that the amendment was open to different interpretations, but then said he thought it was relatively clear. I agree with the second of those views. I would accept that it has been subject to various different interpretations, but none of the ones other than the correct one seem to be sustainable at all.

4040 He correctly identified that the subject of the amendment is strategy. It is not about the detail of executive action. He said that a blueprint or strategy, I think I am quoting him, will be about priorities between health, education, the economy, etc. And I totally agree with that. Clearly, in

making some of the decisions that have been made by the CCA, these impact not only obviously on health or the health risk, but they impact on the education of children, they impact on the functioning of our economy and the cost of business and so on and so forth.

These are difficult questions, difficult problems of prioritisation, which frankly this Assembly is the right place for that discussion to happen. Deputy Trott drew our attention to the wording of the amendment. It calls for suitable Propositions. Yes, that is a key phrase. 'Suitable' in my mind means appropriate and high-level. We do not expect to see Propositions which relate to the detail of what any particular Committee is going to do in response to the pandemic or, indeed, any future emergency. We are talking about the high-level principles that we hope that they will apply.

I thank Deputy Queripel for his support, which was fulsome. Yes, Deputy Soulsby's speech, I have already mentioned. She said, and I anticipated in my opening remarks, that someone would say that, that this is rather after the event. Yes, obviously, when drafting this amendment, we did not know that yesterday evening the CCA would announce that most of the restrictions would fall away on 17th February.

I did discuss with my seconder, as I said in my opening speech, whether we should simply withdraw the amendment. But I am glad we did not. I think it has been a useful debate. It will give States' Members an opportunity to assert, if they wish to do so, that there should be more democratic legitimacy for what goes on within the CCA, that the Assembly needs to have a hand on policy, needs to be subject to scrutiny. This is a vital role of this Chamber, as Deputy Trott has said, and if the Members are minded to support this amendment, hopefully we will get a debate on the upcoming blueprint and we will be able to share the responsibility with our colleagues on the CCA for the policies that guide us in the future in relation to this pandemic.

So, Deputy Soulsby asked does the blueprint have to relate to the ongoing management of COVID? Yes, that is what it says. It is a blueprint about the ongoing management of COVID. I see Deputy Soulsby hovering!

Deputy Soulsby: Point of correction, sir.

The Bailiff: Point of correction.

Deputy Soulsby: What I was trying to get across is we can have different blueprints because things change. So we will have a blueprint for one variant of COVID, we might have another one for another. I was just trying to get to the bottom of what was he envisaging, should we have a completely different blueprint or a change in the blueprint, each time it has to come back to the States? I am trying to be helpful to Deputy Parkinson. I know he is seeing it from an aggressive point of view but I really am just seeking ...

The Bailiff: Just a minute, Deputy Parkinson.

With the greatest of respect, Deputy Soulsby, a point of correction is to draw attention to an inaccurate or misleading statement. That was not Deputy Parkinson making an inaccurate or misleading statement.

Deputy Soulsby: Perhaps I did not say the correction, why I thought it was incorrect, properly.

The Bailiff: I do not think what Deputy Parkinson was saying was necessarily incorrect but you have sought some further clarification and he might now be able to give it. That is still not a point of correction.

Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

Yes, obviously, no blueprint is going to be set in stone for the end of time. It has often been said that no plan survives first contact with the enemy. We will undoubtedly, whatever the blueprint says,

the one that we will see no doubt tomorrow, whatever it says, circumstances may have changed with a result that the strategy has to change. I think we all understand that.

As I say, a plan cannot be set in stone, it is just a statement of current intentions going forward, and we all accept that if there is some fundamental change in circumstances, the CCA may eventually have to come back to the States and say well, sorry, we were planning to do that but, because of this new variant, or this critical new factor, we have had to change our plans, and this is how we see it going forward now.

I do not see a problem with an excess of democratic accountability. If the CCA has to come back to the States even once a quarter, going forward, to say the plan has changed and the new strategy is this, that to me is not an admission of failure, that is a sign of democracy in action.

So, personally, I cannot see any reason why this particular blueprint cannot come to the States for discussion. I think it is important that Members of the States – particularly new Members, who have had no hand on the ship's tiller in this respect up to now – have a chance to put their hands on the tiller and to indicate their approval, or otherwise, of the general direction.

But, if States' Members decide that they do not want that democratic legitimacy around this, fine, vote against the amendment. This is not something I think anyone who supports it is going to die in a ditch over. But it is, I think, an important principle. I am very glad that we have had the debate.

There have been some interesting comments and speeches and I hope that the broad mass of Members will see that there has been a problem of a lack of democratic legitimacy around the actions of the CCA. That is not said with any disrespect to the CCA or any of its Members, but it is time for this Assembly to, as I have said, put its hand on the tiller, and make sure that we are all in agreement with the current plans for dealing with the COVID situation going forward and that is the reason why I ask Members to support this amendment.

The Bailiff: Members of the States, we will have a vote, which will be a recorded vote, before we adjourn overnight, on amendment 1, proposed by Deputy Parkinson, seconded by Deputy Matthews.

Greffier please.

Carried – Pour 22, Contre 15, Ne vote pas 0, Absent 2

POUR

Deputy Parkinson
Deputy Queripel
Deputy Roffey
Deputy Soulsby
Deputy St Pier
Deputy Taylor
Deputy Trott
Deputy Blin
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Lisle
Deputy de Sausmarez
Deputy Dudley-Owen
Deputy Fairclough
Deputy Falla
Deputy Gabriel
Deputy Gollop
Deputy Haskins
Deputy Kazantseva-Miller
Deputy Leadbeater
Deputy Matthews

CONTRE

Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Prow
Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy Vermeulen
Deputy Aldwell
Deputy Brouard
Deputy Ferbrache
Deputy Helyar
Deputy Inder
Deputy Le Tocq
Deputy Mahoney
Deputy McKenna

NE VOTE PAS

None

ABSENT

Deputy Meerveld
Deputy Dyke

The Bailiff: Members of the States, the voting in respect of amendment 1, proposed by Deputy Parkinson and seconded by Deputy Matthews was that there voted Pour 22 Members, Contre 15

Members, two Members were absent. I declare amendment 1 carried. We will work out in due course what number we give that Proposition. It might be 2, it might end up being higher than 2 but we will do that when we get there.

4130

We will now adjourn, Members of the States, until 9.30 a.m. tomorrow morning.

The Assembly adjourned at 5.48 p.m.