



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Tuesday, 16th February 2016

*All published Official Reports can be found on the
official States of Guernsey website www.gov.gg*

Volume 5, No. 3

ISSN 2049-8284

*Published by Her Majesty's Greffier, The Royal Court House,
St Peter Port, GY1 2NZ. © States of Guernsey, 2016*

Present:

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

Law Officers

H. E. Roberts Esq., Q.C. (H.M. Procureur)

People's Deputies

St Peter Port South

Deputies P. A. Harwood, J. Kuttelwascher, B. L. Brehaut,
R. Domaille, A. H. Langlois, R. A. Jones

St Peter Port North

Deputies M. K. Le Clerc, J. A. B. Gollop, P. A. Sherbourne,
R. Conder, C. N. K. Parkinson, L. C. Queripel

St Sampson

Deputies G. A. St Pier, K. A. Stewart, P. L. Gillson,
P. R. Le Pelley, S. J. Ogier, L. S. Trott

The Vale

Deputies L. B. Queripel, M. M. Lowe,
A. R. Le Lièvre, A. Spruce, G. M. Collins

The Castel

Deputies D. J. Duquemin, C. J. Green, M. H. Dorey,
B. J. E. Paint, J. P. Le Tocq, S. A. James, M. B. E., A. H. Adam

The West

Deputies R. A. Perrot, A. H. Brouard, A. M. Wilkie,
D. de G. De Lisle, Y. Burford, D. A. Inglis

The South-East

Deputies H. J. R. Soulsby, R. W. Sillars, P. A. Luxon,
M. G. O'Hara, F. W. Quin, M. P. J. Hadley

Representatives of the Island of Alderney

Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E.

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (H.M. Senior Deputy Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Comptroller)
Deputy E. G. Bebb, (*relevé à 9h 46*); M. J. Fallaize, (*relevé à 9h 39*); Deputy D. B. Jones, (*indisposé*)

Business transacted

Evocation	5
Appointment of Vice Admiral Ian Corder C.B. as Lieutenant Governor	5
Fair Trade – Statement by the Chief Minister	6
Questions for Oral Answer.....	7
Sunday trading – Success of changes	7
Minorities on the Island – Security issues and protection against xenophobia	8
Illegal migrant refugees – Fair processing.....	9
Domestic Abuse Strategy – Annual funding.....	10
Legal Action between the States of Guernsey and 3M UK plc – Settlement offer and legal costs	12
Glyphosate in drinking water – Concentration levels.....	15
Billet d’État III	18
I. The Milk (Control) (Guernsey) Ordinance 2016 approved	18
II. The States Reform Law, 2015 (Commencement) Ordinance, 2016 approved	20
III. The Organisation of States’ Affairs (Transfer of Functions) Ordinance, 2016 approved	20
IV. The Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016 approved	22
V. The Land Planning and Development (Strategic Land Planning) (Amendment) Ordinance, 2016 approved.....	23
VI. The Compulsory Acquisition of Land (Guernsey) (Fees and Amendment) Ordinance, 2016 approved	23
VII. The Motor Taxation (First Registration Duty) (Guernsey) Ordinance, 2016 approved	23
VIII. The Mental Health (Transfer of Patients) (Guernsey and Alderney) Ordinance, 2016 approved	25
IX. The Income Tax (Guernsey) (Approval of Agreements with British Virgin Islands, Cayman Islands, South Korea and Spain) Ordinance, 2016 approved	25
Ordinance Laid Before The States	25
The Income Tax (Zero 10) (Company Intermediate Rate) (Amendment) (Guernsey) (No. 2) Ordinance, 2015	25
Statutory Instruments Laid Before The States	26
The Waste Disposal and Recovery Charges Regulations, 2015; The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.3) Regulations, 2015; The Health Service (Medical Appliances) (Amendment) Regulations, 2015; The Social Insurance (Benefits) (Amendment) Regulations, 2015; The States’ Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2015; The Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2015; The Pilotage Dues (Guernsey) Regulations, 2015; The Mooring Charges (Guernsey) Regulations, 2015; The Harbour Dues and Facilities Charges (Guernsey)	

STATES OF DELIBERATION, TUESDAY, 16th FEBRUARY 2016

Regulations, 2015; The Data Protection (Public Information Designation) (Revocation) Order, 2015; The Data Protection (Subject Access Exemptions) (Guernsey) Order, 2015.....	26
X. The Review of the Financial Relationship between Guernsey and Alderney – Propositions carried.....	26
XI. Review of Public Sector Pension Schemes – Proposition carried.....	44
XII. Establishing a Central Register of Contact Details for Individuals and Organisations – Propositions carried.....	48
<i>The Assembly adjourned at 12:32 p.m. and resumed its sitting at 2.30 p.m.</i>	55
Billet d'État III	55
XIV. The Supported Living and Ageing Well Strategy – Debate commenced.....	55
<i>The Assembly adjourned at 5.20 p.m.</i>	88

States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCATION

The Senior Deputy Greffier: Billets d'État III and IV of 2016.

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 Court House on Tuesday 16th February 2016 at 9.30 a.m. to consider the items contained in these Billets, which have been submitted for debate.

Appointment of Vice Admiral Ian Corder C.B. as Lieutenant Governor

5 **The Bailiff:** Members of the States of Deliberation, good morning to you all.

I am pleased to inform you that it has been announced from Government House this morning that H.M. Queen has been pleased to appointment Vice Admiral Ian Corder C.B. to be our Lieutenant Governor, or to give him the full title Lieutenant Governor and Commander-in-Chief of the Guernsey and its Dependencies.

10 Vice-Admiral Corder is presently the United Kingdom's Military Representative to NATO and the European Union – a post he will relinquish towards the end of May this year. However, I am pleased to say that H.M. Government, and especially the Ministry of Defence, have agreed that his new appointment will take effect from 14th March, when he will be duly sworn in in this Island in the time honoured customary manner.

15 He and his wife Kathryn will become permanently resident in the Island at the beginning of June. In the meantime, he and she will attend a number of functions and duties locally including, we anticipate, our Liberation Day commemorations and celebrations. Equally, the new Lieutenant Governor will be able to observe and follow Guernsey's General Election and the political issues that are raised during the course of the Election campaign. During the interim period he and I will
20 share between us the duties and functions of his office.

Members, you will receive, either tomorrow or shortly thereafter, an email inviting you to the Swearing In, and we would be very grateful if you could reply promptly.

Thank you very much.

**Fair Trade –
Statement by the Chief Minister**

25 **The Bailiff:** Next, I call on the Chief Minister who will be making a Statement.
Deputy Le Tocq.

The Chief Minister (Deputy Le Tocq): Thank you, Mr Bailiff.

30 Sir, this Assembly often considers the international standards that Guernsey has chosen to meet. A measure of how successfully we incorporate those standards we choose to meet is that they become an integral part of our thinking and actions as a community.

Fair Trade has been an important part of Guernsey's community for over 10 years. The Fair Trade Guernsey Steering Group was formed in 2005, and in March 2006 Guernsey was recognised as a Fair Trade Island. Today there are over 200 local businesses that are registered supporters of Fair Trade, meaning that we as a community have plenty of opportunities to shop in a sustainable and caring way.

40 The support for Fair Trade demonstrated by the Guernsey community and the Guernsey public was so notable that in 2007, after less than two years as a Fair Trade Island, Fair Trade Guernsey accepted an Outstanding Achievement Award. The benefits of being a Fair Trade Island are numerous: local and visiting shoppers can help to improve the lives of the farmers and workers who produce the products that they buy. Too often, farmers and producers are exploited by the low wages that they are paid. Making a commitment to Fair Trade ensures that workers are paid a fair price for their goods. Fair Trade means that we can do our bit to promote and support an ethical supply chain.

45 In order to achieve Fair Trade status the Fair Trade Foundation sets communities five targets. One of these was for the Assembly to approve a Resolution that supported Fair Trade, making a formal commitment to the Fair Trade principles. States' Departments were requested to take appropriate steps to support Fair Trade products in their purchasing policies. The Education Department has gone beyond that, and is closely involved with the campaign to raise awareness of Fair Trade Guernsey.

50 Since 2011 the current Education Department's PSHCE advisor has been a member of the Fair Trade Steering Group, enabling better communication between schools, the Department and the Fair Trade organisation. For the past seven years local schools have been participating in competitions and events organised by the steering group, and in 2012 over 600 template designs were received for the Take a Step competition.

I strongly support the continued excellent work of the Fair Trade Guernsey Steering Group who do sterling work. I am sure that Fair Trade Fortnight, running from 29th February to 13th March, in the Island, will be a success. Further to that, sir, I am sure that it will also mark the beginning of another decade of support for farmers and workers around the world.

60 Thank you.

The Bailiff: Any Members ...? Yes, Deputy Soulsby.

65 **Deputy Soulsby:** Sir, before I ask my question, I need to declare an interest as part owner of a Fair Trade business – indeed, one that was founded in the same year the Island gained Fair Trade status, so we too have celebrated our 10th anniversary recently.

I would like to ask the Chief Minister: does he agree with me that the way Islanders have embraced Fair Trade, which directly improves the lives of the poorest people in the world by helping them help themselves get out of poverty, demonstrates the level of compassion in Guernsey for those in genuine need, whoever they are and wherever they may be?

70 **The Chief Minister:** I totally agree with that and I think that has been the case for many years. I think raising the issue of Fair Trade and celebrating the fact that we have had a Fair Trade Island

75 status for 10 years now, and looking further ahead to achieve more in the next 10 years, will further demonstrate that we are a compassionate community.

The Bailiff: Deputy Gollop.

80 **Deputy Gollop:** In the context of the excellent work that I believe was started by the then Chief Minister Deputy Torode, on Fair Trade, can the Chief Minister confirm that the States' catering outlets fully conform to this, including franchise outlets; and that perhaps States' Members could have the coffee ladies brought back with Fair Trade products in the canteen at Sir Charles Frossard House?

85 **The Bailiff:** Chief Minister.

The Chief Minister: I will do my utmost to follow that up! (*Laughter*) I cannot answer all those questions here and now, but I am sure because of the status and because of our commitment to it, it is exactly those sorts of things that we seek to make sure are continued.

90

The Bailiff: I see no further questions.
Deputy Fallaize, do you wish to be relevé?

Deputy Fallaize: Yes, please, sir. Thank you.

Questions for Oral Answer

COMMERCE & EMPLOYMENT DEPARTMENT

Sunday trading – Success of changes

95 **The Bailiff:** We will move on then to Question Time.

The first Question is to be asked by Deputy Luxon to the Minister of the Commerce & Employment Department.

Deputy Luxon.

100 **Deputy Luxon:** Mr Bailiff, as the changes to Sunday Trading commenced eight weeks ago, could the Minister for Commerce & Employment inform the States of Deliberation whether his Department has had any factual or anecdotal information on its success, or other, of the changed arrangements for retailing in Guernsey on Sundays, bearing in mind the apparent absence of any negative or distressed feedback reported by the media or public to date?

105 Thank you.

The Bailiff: Deputy Stewart, the Minister, will reply.

Deputy Stewart: Yes, Mr Bailiff.

110 The Department's Employment Relation Service, which delivered workshops in November 2015, on the Island's Shop Worker Protection Legislation, has been contacted by employers seeking advice on the correct interpretation of that Law. In the first month since the removal of restrictions, five calls were received from employees who were being asked to incorporate

115 Sundays into their working week; none of these enquirers has sought further advice and no complaints have been made to the Tribunal.

Parish officials who were recently contacted did not express concerns regarding the change, other than restatements of personal views regarding deregulation.

120 A widespread comment given was that it was too early to assess the full impact of the change. It was suggested that the time of year would have an impact on the number of shops opening, and this may rise in the spring and summer.

The Department's staff have not received any complaints from customers in relation to Sunday trading, since the change in the Law.

125 Engagement with retailers by the Department suggests a largely positive experience for those who have chosen to trade on Sunday, and one retailer has also pointed out there has been a reduction in food waste, echoing comments from the parishes. All retailers said that it is too early to estimate the full impact.

The Bailiff: Are there any supplementary questions arising out of the answer? No.

POLICY COUNCIL

Minorities on the Island – Security issues and protection against xenophobia

130 **The Bailiff:** In that case we move on to the next question to be asked by Deputy Gollop of the Chief Minister.

Deputy Gollop.

Deputy Gollop: Thank you very much, sir.

135 Does the Chief Minister, on behalf of the Policy Council, have evidence he can share of any material personal security issues and additional sources that may need to be put in place to potentially protect minorities on the Island, if we should develop into an even more diverse multi-cultural society?

The Bailiff: The Chief Minister.

140

The Chief Minister: The framework for dealing with racial discrimination is already in place, and in operation. Guernsey had the UK's ratification of the International Convention on the Elimination of all Forms of Racial Discrimination extended to it in 1969. The Convention means, amongst other things, that the States of Guernsey has pledged not to engage, sponsor, defend or support any acts or practices of racial discrimination.

145

In recognition of these obligations, the Racial Hatred (Bailiwick of Guernsey) Law, 2005 came into force on 23rd November 2005. The Protection from Harassment (Bailiwick of Guernsey) Law, 2005 came into force on 3rd July 2006.

150 Equality of access to justice, including physical access and anti-discriminatory practices, is one of the primary strategic commitments of the Criminal Justice Strategy. It is Guernsey's Police Force policy to require the recording of racial incidents, and where there is evidence of an offence that is racially motivated at the scene. These developments are monitored by the UN Committee for the Elimination of Racial Discrimination during its periodic evaluations.

155 **The Bailiff:** Any supplementaries? Deputy Gollop.

Deputy Gollop: My supplementary would be: would plans for the future include potential legislation, or at least policy, on potential issues of religious discrimination within the Bailiwick?

160 **The Bailiff:** Chief Minister.

The Chief Minister: I believe so. I think it is important under our Equality and Rights Agenda to include such things.

165 **The Bailiff:** No more supplementaries.
Your second Question Deputy Gollop.

Deputy Gollop: Thank you, sir.

170 Does the Chief Minister, on behalf of the Policy Council and the wider States, that we will set in place anti-discrimination legislation and, indeed, have zero tolerance for attacks on any xenophobic attitudes?

The Bailiff: Chief Minister.

175 **The Chief Minister:** Absolutely, the States of Guernsey has committed to the standards outlined in the Convention, as I answered in the previous Question, and already has the relevant legislation in criminal offence in place. However, the States of Guernsey has recognised before the UN Committee for the Elimination of Racial Discrimination that there is always more work to be done, in particular, in relation to employment rights. The States may also wish to consider placing
180 the racial aggravation element of any offence on a statutory level, whereas at present the impact of racial aggravation on sentencing is decided by judicial discretion and is therefore dealt with by the Courts.

In October 2010 a review of the Employment Law and Protections in Guernsey was also undertaken, and race discrimination was one of a group of several higher priority areas for
185 examination. Following a public consultation, the highest priority was given to the development of legislation to make unlawful discrimination in employment on the grounds of disability and age.

Work on disability legislation is underway and it is envisaged that once this work is complete, work developing the necessary legislation on racial discrimination in employment could be commenced. The Committee for Employment and Social Security in the new Assembly will be
190 responsible for these matters after 1st May 2016.

The Bailiff: Any supplementary? No.

HOME DEPARTMENT

Illegal migrant refugees – Fair processing

The Bailiff: In that case we will move on to the next Question, which is to be asked by Deputy
195 Gollop of the Minister of the Home Department.

Deputy Gollop.

Deputy Bebb, you wish to be relevé?

Deputy Bebb: Thank you.

200 **Deputy Gollop:** Is the Home Department prepared to appropriately process in a firm, fair, but humane way, any illegal migrant refugees who could conceivably find themselves ashore on Bailiwick Islands, including Guernsey, Alderney and Sark, and therefore potentially outside the European Union?

205 **The Bailiff:** The Minister, Deputy Gillson will reply.

Deputy Gillson: Thank you, Mr Bailiff.

All staff at the Guernsey Border Agency are trained to carry out their duties without regard to the race, colour or religion of persons seeking to enter or remain in the Bailiwick, and in compliance with the provisions of Human Right's legislation. Should an illegal immigrant be encountered within the Bailiwick and make application for asylum, they would be treated in accordance with the United Nations Convention and Protocol relating to Status of Refugees.

210
215 If it is established that an asylum applicant has arrived in the Bailiwick from a Convention State we would seek to return them to that country. If the asylum applicant has arrived in the Bailiwick directly from the country in which he or she claims to fear persecution, in accordance with our obligations under the UN Convention we would process and fully consider the application.

The Bailiff: Deputy Gollop, do you have a supplementary question?

220 **Deputy Gollop:** Thank you, sir.

It does bring forth two supplementaries, which I appreciate the Minister might not be in a position to answer today. The first would be: what would be the situation if the country from which this hypothetical refugee had come from refused to take them back? My second supplementary would be: what if the third country that the person had, for the sake of argument, arrived in on a plane, or whatever, was a country that we had reservations about in terms of their humanitarian or legal structure?

The Bailiff: Deputy Gillson.

230 **Deputy Gillson:** I think those are factors which would be considered on a case by case basis, when and if they were to occur.

The Bailiff: No one else is rising.

HOME DEPARTMENT

Domestic Abuse Strategy – Annual funding

235 **The Bailiff:** Deputy Bebb, you have a question for the Minister of the Home Department.

Deputy Bebb: Thank you, Monsieur Le Bailli.

Given the Resolutions of the States in January that the Domestic Abuse Strategy be given an annual funding of £455,700, could the Minister confirm that the will of the States is being adhered to and that the reduction of £7,900 in the Home Department's budget will not be taken from the Domestic Abuse Strategy's budget?

The Bailiff: Deputy Gillson.

245 **Deputy Gillson:** I thank Deputy Bebb for his question with regard to where the Home Department will source the £7,900 referred to in his question. I cannot give the confirmation he requires.

The Bailiff: Deputy Bebb.

250 **Deputy Bebb:** Could I ask the Minister whether he feels that it is morally acceptable for every other Department of the States to be facing a reduction in its budget, as the will of the States was to prioritise this States-wide strategy ... whether the Home Department seems to be flouting the will of the States and does not seem to be adhering to the Resolution in a reduction to its budget in order to prioritise a States-wide strategy?

255

The Bailiff: Deputy Gillson.

Deputy Gillson: I disagree with the premise of the question that we are ignoring the will of the Assembly. During the debate I made it very clear that the source of the funding for the £7,900 would come from the Domestic Abuse Strategy and therefore the Assembly voted in full knowledge of the Department's intention, and I think therefore the Assembly accepted that funding would come from the Domestic Abuse Strategy.

260

The Bailiff: Deputy Bebb.

265

Deputy Bebb: Monsieur Le Bailli.

During that debate, Deputy Gillson did indeed reference that he would be reducing the Domestic Abuse Strategy's funding. However, shortly afterwards I also pointed out that that would not be in accordance with the Resolution of the States and that the Resolution stood at £455,700 with £7,900 to be taken out of the Home Department's budget in order to fund a States-wide strategy. Therefore, again, I ask: does the Minister feel that it is appropriate for the Home Department to disregard the will of the States in its prioritisation of a States-wide strategy?

270

The Bailiff: Deputy Gillson.

275

Deputy Gillson: I repeat my answer. I consider that because I have made it very clear where the money was coming from during the debate, we are not disregarding the will of the Assembly. The Assembly made a decision in full knowledge of where the funding was coming from.

280

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Could I ask the Minister whether he believes that the actions taken by the Home Department really do encompass the spirit of the Resolution when the States approved it? Thank you.

285

The Bailiff: Deputy Gillson.

Deputy Gillson: It is our intention, because of all our budget issues, to look at the efficiency and the way all our operations operate to make efficiencies, that will include aspects of how the Domestic Abuse Strategy is delivered, and it is hopeful that we can make efficiencies which would offset that £7,900. We are working through efficiency programmes. Maybe by the end of the year we will have made efficiencies in Departments which would allow a reassessment of this, but at the moment the way we are dealing with the reduction in our budget, we feel it is the least unfair approach.

295

The Bailiff: You have already had two supplementary questions. You are not allowed a third.

Deputy Bebb: I am sorry, sir. It is a point of correction. In relation to Deputy Gillson's –

300 **The Bailiff:** We are not in the Rules of debate. We are into Questions.

Deputy Bebb: Right.

The Bailiff: Does anybody wish to ask a supplementary question? No.

PUBLIC SERVICES DEPARTMENT

Legal Action between the States of Guernsey and 3M UK plc – Settlement offer and legal costs

305 **The Bailiff:** In that case the next Question is to be asked by Deputy De Lisle of the Minister of the Public Services Department.

Deputy De Lisle: Yes, thank you, sir.

I would like to ask the Minister of Public Services the following Questions with regard to the legal action between the States of Guernsey and 3M.

310 The first question, sir, what date, year and month did the States reject an offer of £3.25 million from 3M?

The Bailiff: Deputy Ogier.

315

Deputy Ogier: Thank you, sir.

Since the settlement in the High Court case, the Department has been very open about the circumstances and the details surrounding this. This has included a full briefing for local media, as well as for States' Members.

320 The settlement offer was made on 22nd July 2014 and was rejected on 12th August 2014. The States of Guernsey were seeking up to £27 million, and as such the offer represented little more than 10% of the sum which the States were seeking to recover, and less than one-third of the remediation costs incurred to date. The board therefore rejected the offer based on legal advice received, and in doing so it was made clear to 3M that the States remained open to negotiation.

325

The Bailiff: Any supplementary? Deputy De Lisle.

Deputy De Lisle: No supplementary, sir. I would like to ask the second Question, if I may?

330

The Bailiff: Yes.

Deputy De Lisle: Why was the £3.25 million settlement not accepted?

The Bailiff: Deputy Ogier.

335

Deputy Ogier: Our Islands have incurred significant costs in order to deal with pollution caused by firefighting foam and safeguarding our water supply. These costs are currently in the region of £10 million and will increase further.

340 Since 2009 we have been in discussion with 3M to recover some or all of these costs. Based on legal advice, it was felt that the case presented by the States had sufficient merit to warrant a higher settlement figure. Also, by 3M voluntarily offering a settlement figure, the impression was that they would be willing to pay to settle the case and that this might increase under negotiation.

345 In accordance with the States of Guernsey model litigant policy, the board had a duty to seek to recover as much of the costs that the Islands have incurred as was reasonably possible. Throughout the negotiation and mediation process it was always acknowledged that going to trial would be a last resort and that an out-of-Court settlement should be pursued. The States showed willingness on a number of occasions to enter into mediation, and although this did take place in 2014, sufficient common ground could not be found between the two parties to reach agreement. We were open to re-entering that mediation process and, in rejecting the offer, it was made clear to 3M that the States remained open to negotiation.

The Bailiff: Any supplementaries? Deputy Trott.

355 **Deputy Trott:** Sir, Jersey accepted an offer some years earlier; did Jersey know anything that we did not?

The Bailiff: Deputy Ogier, are you able to ...?

360 **Deputy Ogier:** I am really not in a position to answer that, I am afraid.

The Bailiff: Your third Question, Deputy De Lisle.

Deputy De Lisle: Thank you, sir.

365 Why was the States not afforded the opportunity to discuss the £3.25 million offer, which would have appeared a good offer, knowing that Jersey had received £2.6 million in 2005?

The Bailiff: Deputy Ogier.

370 **Deputy Ogier:** Legal action was always our last resort and we sought instead to reach a settlement through negotiation or mediation. In pursuing this course, it was considered practical and sensible to treat the negotiations with some sensitivity, and a degree of confidentiality was agreed. This applies to the settlement offer made in 2014.

375 Whilst we deeply regret the outcome, had a different approach been adopted, there is no certainty we would have reached a more satisfactory conclusion. Had negotiations been made public earlier, then there is every possibility that 3M's approach to negotiations and mediation – our preferred means of settlement – would have been entirely different from the outset.

380 We know that Jersey received £2.6 million in settlement with 3M, which is approximately 40% of their costs; the terms and the details of the settlement remain confidential. The Jersey case was potentially very different in terms of the nature, extent and cost of the pollution caused. As such, it may not be realistic to compare the two. Any attempt to discuss the offer would have required a disclosure into the public arena, and therefore to 3M, of our own legal advice. Such disclosure would have potentially led to the complete waiver of legal privilege, the full revelation of our overall strategy and the strength of our case to 3M, and a complete loss of any tactical advantage in the negotiations – and this would have been utterly unacceptable.

385 **The Bailiff:** Do you have a supplementary?

Deputy De Lisle: I have a supplementary, sir.

390 I asked Questions in November 2014 – that was just three months after the offer was made – whether 3M had been successful in its claim against ... whether actually the States had been

successful against 3M, and was this not an opportunity missed to inform the States at that time. Would the States, in fact, have taken the offer if perhaps there had been more discussion in the States at that particular time?

395 **The Bailiff:** Deputy Ogier.

Deputy Ogier: Well, of course, we are all looking at this with the benefit of hindsight and we look back and, knowing what we know now, would we have taken any different decisions then? We have followed legal advice throughout. I cannot say, in the absence of any further information
400 or a copy of the questions or responses given, whether they would have been any different.

The Bailiff: Deputy Gollop, you have a supplementary?

Deputy Gollop: One point some of us heard in an interesting presentation by senior legal
405 figures was the revelation that the other party, 3M, had at one point in the process provided potentially millions – well, certainly thousands if not millions – of pages of data. In fact, were we not advised by our legal advisors that that kind of really costly and pointless process could have affected our chances of a cost-efficient way out of this?

410 **The Bailiff:** Deputy Ogier.

Deputy Ogier: Well, once again we are straying outside of the Questions and the supplementaries that should be answered on that basis. And given that we are awaiting the outcome of the review and that has been a long-running case across three political terms – three
415 boards and four Ministers – I think we should await the results of that review. I do not wish to mislead the Assembly here by trying to recall the detail of the great number of meetings that have been held over that time.

The Bailiff: Deputy Luxon, you have a supplementary?

420 **Deputy Luxon:** Thank you.

Would the Minister agree with me, sir, that litigation is a lottery and should always be the course of last option, and in fact PSD were following guidance from Law Officers and legal advisors that mediation – continuing negotiations to find a settlement – was the preferable way
425 forward?

The Bailiff: Deputy Ogier.

Deputy Ogier: There is no doubt that the legal advice was that the merits of our case were
430 good. I am not sure I would agree that it is a lottery, because the chances of success of the States' claim ... if they were significantly lower then we would not have proceeded on that basis.

The Bailiff: Deputy Le Tocq.

The Chief Minister: Sir, would the Minister agree with me that there is a review that has been commissioned jointly by Policy Council and the Chief Executive, and until that is published, scrutinising and speculating this way is actually quite unhelpful?

440 **The Bailiff:** Deputy Ogier.

Deputy Ogier: I would agree, sir.
Thank you.

The Bailiff: Your next Question, Deputy De Lisle.

445 **Deputy De Lisle:** Thank you, sir.

Why is the £6.6 million legal cost incurred by the States so much larger than the legal fees incurred by 3M?

450 **Deputy Ogier:** As part of the settlement with 3M, the States agreed to pay a contribution of £1.37 million towards the company's legal costs. We understand the company's legal costs are considerably higher than ours, and likely to be in the region of £8 million to £10 million. Had the trial continued to completion and judgment been awarded in favour of 3M, then the States would potentially have been liable to meet all of the legal costs of both sides. That is why we sought a settlement when we did, based on the advice from our lawyers to avoid a potential liability for
455 much higher costs.

The Bailiff: No one else is rising.

PUBLIC SERVICES DEPARTMENT

Glyphosate in drinking water – Concentration levels

The Bailiff: Deputy De Lisle, you now have Questions for the Minister of the Public Services Department on a different subject.

460

Deputy De Lisle: Yes, sir, thank you.

I would like to ask the Minister of Public Services further Questions with respect to concerns over the increased presence of glyphosate, sold under the trademark of Round Up in Guernsey.

465

Question one, sir: Answers to my Questions last month gave the levels of glyphosate found in streams ranged from 24 parts per billion to 477 parts per billion and the maximum standard Guernsey Water uses for the chemical in treated water to be 100 parts per billion. Now the EU Drinking Water Directive sets a maximum allowable concentration of 0.1 mcg of glyphosate per litre for any herbicide in drinking water. Can the Minister clarify the Guernsey levels, for the record, as the standard of 100 parts per billion in the answer given was one thousand times the
470 EU limit for any herbicide in drinking water?

The Bailiff: Deputy Ogier.

475

Deputy Ogier: For the record, the levels detected in streams – in streams; that is raw water – ranged from 0.024 mcg per litre to 0.477 mcg per litre. The maximum allowable concentration of any individual herbicide or pesticide in drinking water is 0.1 mcg per litre, in line with the EU limit for these substances. It is essential that the results for streams are not confused with the results for drinking water, where no glyphosate was detected.

480

The Bailiff: Deputy De Lisle, do you have a supplementary?

Deputy De Lisle: I thank the Minister for that clarification, sir.

Question two: has the water in storage at St Saviours Reservoir and Longue Hougue Reservoir been tested for the chemical glyphosate?

485

The Bailiff: Deputy Ogier.

490 **Deputy Ogier:** Yes, the water in St Saviours and Longue Hougue Reservoirs has been tested for glyphosates, and the levels found were 0.019 mcg per litre at St Saviours, and 0.382 mcg per litre at Longue Hougue. As mentioned before, these levels are completely removed by the existing water treatment process at no additional cost to Guernsey Water and its customers. I reiterate that drinking water in the Island is perfectly safe. Nevertheless, our reservoirs of course will be continuously monitored.

495 **The Bailiff:** Deputy De Lisle.

Deputy De Lisle: Just one supplementary, sir.

Am I right in saying that 0.382 mcg per litre in Longue Hougue Reservoir is nearly four times the allowable concentration standard of 0.1 mcg per litre?

500 **The Bailiff:** Deputy Ogier.

Deputy Ogier: We are mixing raw water with drinking water. The levels for drinking water are 0.1 mcg per litre, and our levels are zero.

505 **The Bailiff:** Deputy De Lisle.

Deputy De Lisle: My third Question, sir.

Has the herbicide glyphosate been used by States' Public Services as a weed spray on footpaths and roadways in Guernsey and, if so, is the practice still ongoing?

510 **The Bailiff:** Deputy Ogier.

Deputy Ogier: The herbicide glyphosate has been used by the States as a weed spray on some of the footpaths and roadways in Guernsey. It is applied at the minimum rate that will still be effective to minimise the build-up of weed growths on the roads, which has a damaging and degrading effect on road surfaces. The last application was in early October 2015. The only areas sprayed are those that have been identified and agreed with Guernsey Water as being safe to spray. All the other areas are weeded by hand. The guidance given by Guernsey Water is that any applications of pesticides or herbicides that may impinge on water sources used for drinking water must be avoided.

The Bailiff: Deputy De Lisle.

525 **Deputy De Lisle:** May, I ask a supplementary on that, sir?

The Bailiff: Yes.

Deputy De Lisle: Given statements by the regulator, urging Islanders to stop using glyphosate to control weeds, will the amount of spraying be reduced by the States in future?

530 **Deputy Ogier:** Well, the advice to Islanders is, of course, as Deputy De Lisle has said, we cannot control where Islanders use that chemical. The States of Guernsey use that chemical in areas which have been identified by Guernsey Water as being safe to spray.

535 **The Bailiff:** Yes, Deputy Laurie Queripel.

Deputy Laurie Queripel: Thank you, sir.

I would just like to ask the Minister, in regard to using the chemical: does any consultation take place with local environmental groups, such as La Société Guernesiaise and groups like that?
540 Because there have been comments from some of those groups that that activity should not take place.

Deputy Ogier: I am afraid I have no details to hand, but I can certainly find out the answer to that question and let Deputy Queripel know.
545

The Bailiff: Deputy De Lisle.

Deputy De Lisle: The fourth Question, sir.

The Bailiff: Yes.
550

Deputy De Lisle: The Minister, Deputy Ogier, speaks of not placing restrictions on the use of the chemical Round Up at this stage. It has been identified as a carcinogen, directly related to cancer by the World Health Organisation, WHO, in its research on cancer, and it has also been found to be bio-cumulative in women's bodies over time, and found in breast milk of American women. Should that not be enough warning for Guernsey Water and the water regulator to take immediate action to ban the substance from use Island-wide?
555

The Bailiff: Deputy Ogier.
560

Deputy Ogier: I am advised by the Office of Environmental Health & Pollution Regulation Control that if glyphosate is used correctly, following the manufacturer's instructions, it is unlikely to pose any risks to human health. It is classed as 'probably carcinogenic', which of course applies to many chemicals encountered in everyday life – naturally occurring and man-made.
565

Whether or not they present a significant risk to health will depend on a combination of factors, not least the concentration and the level of exposure over time. For example, ultra violet radiation is known to cause cancer, but it is not practical to completely avoid sunlight, nor advisable to our health. Instead, we take precautions and limit our exposure.

For water, such sensible precautions are applied in industry standards. These are set at levels which all members of the population could experience without any significant health risk. The UK standard has been applied here and I can confirm that testing has shown no detectable level of the chemical in local drinking water. It is perfectly safe to drink and the public are advised not to drink stream water for a variety of reasons. *(Laughter)*
570

Current advice is that direct application of weed killers is preferable to indiscriminate spraying, but hand weeding remains the best option for the protection of the environment and our water supply, and were we to ban glyphosates then it is entirely possible that it could be replaced with other products that are not as easily removed during the drinking water treatment.
575

The Bailiff: Deputy De Lisle.
580

Deputy De Lisle: One supplementary, sir.

Given the refusal to ban it, it has been withdrawn in France and the Netherlands. Will signage be put up in future to state spraying with Round Up has taken place, especially on cliff paths and green lanes?
585

The Bailiff: Deputy Ogier.

Deputy Ogier: I am happy to take that suggestion away, sir.

590 **Deputy De Lisle:** I thank the Minister for those answers, sir, and I note that the regulator has agreed for glyphosates in milk and fish to be analysed in the near future.
Thank you, sir.

The Bailiff: Is that a question? Right it is not a question. That was not a question, so...
595

Deputy Ogier: I do agree, sir. *(Laughter)*

The Bailiff: Well, that concludes Question Time.
We will move on, Greffier, to deal with legislation.

Billet d'État III

ORDINANCES

I. The Milk (Control) (Guernsey) Ordinance 2016 approved

Article I.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Milk (Control) (Guernsey) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

600 **The Senior Deputy Greffier:** Billet D'État III, Article I, the Milk (Control) (Guernsey) Ordinance, 2016.

The Bailiff: There is an amendment to be proposed by Deputy Stewart.
Deputy Stewart.

Amendment:

*In the draft Ordinance entitled the 'Milk (Control) (Guernsey) Ordinance, 2016' (printed at page 1 of the brochure to Billet No. III) –
– in clause 23 of the Ordinance, for the words 'Schedule 2' substitute 'the Schedule'.*

605 **Deputy Stewart:** Yes, sir.
It is basically a technical amendment. I am happy for the Greffier to read it if necessary.

The Bailiff: Yes.

610 *The Senior Deputy Greffier read the amendment.*

The Bailiff: Deputy Brouard, do you formally second the amendment?

Deputy Brouard. I do, sir, and reserve my right to speak. *(Laughter)*

615 **The Bailiff:** Is there any debate? No.
Yes, Deputy Lowe.

Deputy Lowe: There is, sir. I believe –

620 **The Bailiff:** Is this on the amendment?

Deputy Lowe: On the legislation.

625 **The Bailiff:** Well, shall we deal with the amendment and then we will move into general debate. No debate on the amendment. So I put the amendment to you. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.
Then we move into general debate. Deputy Lowe.

630 **Deputy Lowe:** Thank you, sir, and I thank –

The Bailiff: Unless the Minister wishes to open. Do you wish to open?

Deputy Stewart: I do not wish to open, sir.

635

The Bailiff: Thank you.
Deputy Lowe.

640 **Deputy Lowe:** I thank Deputy Brouard for his time yesterday, where he consulted with the Guernsey Milk Retailers' Association, following this legislation. Because there had been concerns, and they were raised at the Vale Deputies' Surgery on Saturday, inasmuch as we have got the Ordinance here before us, before the main report next month, which will cover some of the areas that are in this Ordinance. Although they have been given assurances, it must be recognised we are voting here on an Ordinance, before we have actually debated the main report in March. But
645 they have been given assurances there is only about a week or so difference, which is fine but you must remember we are always voting on what is written here, and that needs to be borne in mind when we debate that next month – that there is not a case of, 'Well, you voted for this, in the full knowledge ...'

That is all I need to add, sir.

650

Thank you.

The Bailiff: Anyone else?
Deputy Stewart, do you wish to reply?

655 **Deputy Stewart:** Yes, there have been two undertakings given. One to this Assembly at the previous debate where I, on behalf of the Commerce & Employment Board, gave an undertaking that the Dairy would not change any of its distribution arrangements until 1st April 2016 and that has been so; the arrangements have not been changed.

660 There was another assurance that my board gave to Mr Watts, who represents the Guernsey farmers, at a meeting we had with them. That was that we would bring this Ordinance to the States at the earliest opportunity, and that was an undertaking we gave to the farmers; and I think all Members have received a note from Mr Watts – which I can give you an assurance was totally unsolicited by the Commerce & Employment Department – saying how important the farmers felt that this Ordinance went through.

665

The control and import of milk – the previous Ordinances are well overdue and past their sell by date. We only have to look just down at Smith Street – the big poster in the window of the shop there, selling English milk.

670 This Ordinance is to ensure that we can properly police our importation of milk. It is to protect the breed, it is to protect the farmers; and the undertaking is still in place up until the end of March to 1st April, that no distribution agreements will be changed in respect of the Guernsey Milk Retailers.

The Bailiff: We vote then on the Ordinance, as amended. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**II. The States Reform Law, 2015 (Commencement)
Ordinance, 2016 approved**

Article II.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The States Reform Law, 2015 (Commencement) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

675 **The Senior Deputy Greffier:** Article II, the States Reform Law, 2015 (Commencement) Ordinance, 2016.

The Bailiff: It is at page 36 of the brochure. Any requests for clarification or any debate? No. We go to the vote. Those in favour; those against.

Members voted Pour.

680 **The Bailiff:** I declare it carried.

**III. The Organisation of States' Affairs (Transfer of Functions)
Ordinance, 2016 approved**

Article III.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Organisation of States' Affairs (Transfer of Functions) Ordinance, 2015', and to direct that the same shall have effect as an Ordinance of the States.

The Senior Deputy Greffier: Article III, the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016.

685 **The Bailiff:** Again we have an amendment, to be proposed by the Chief Minister, Deputy Le Tocq.

Amendment:

In the draft Ordinance entitled the 'Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016' (printed at page 37 of the brochure to Billet No. III) -

(a) in clause 5(1) of the Ordinance, for the words 'subsection (2)' substitute 'subsections (2) and (4)';

(b) immediately after clause 5(3) insert the following subclause –

'(4) Where subsection (1) has effect in relation to a relevant enactment or subordinate legislation enacted or made in the French language, substituted terms under subsection (1) shall have effect in the French language as follows –

(a) "the Committee" as "le Comité",

(b) "the Authority" as "le Conseil", and

(c) "the Board" as "le Conseil".';

(c) immediately after clause 6(2) insert the following subclause –

'(3) For the avoidance of any doubt, it is hereby declared that a reference in writing to a named committee made in a form that is not consistent with the form of typography in which the name of that committee appears in this Ordinance, shall not affect the validity of that reference.'

The Chief Minister (Deputy Le Tocq): Sir, I do not believe this needs to be read out, but it is a technical amendment, to a certain degree, so that when the States in future is amending legislation that is written in French, or referring to it, the new committee structure has the right terminology. So I ask Members to please vote in favour of this amendment.

690

The Bailiff: Deputy Fallaize, he is not present. Would somebody else like to formally second the amendment? Deputy Luxon.

Deputy Luxon: Yes, sir.

695

The Bailiff: Thank you, very much.

So Deputy Luxon is formally seconding.

Is there any debate? No. Yes, Deputy Gollop.

700

Deputy Gollop: I have a general point to make, that some of us are still unclear about how many of these changes will work in practice. For example, the complicated situation we just discussed about the role of the farmers in the community. Some of this is going to the Trading Supervisory Boards, we know.

705

The Bailiff: Is this on the amendment?

Deputy Gollop: No.

The Bailiff: Well, shall we just vote on the amendment and get that out of the way.

710

Let us vote on the amendment, proposed by Deputy Le Tocq, seconded by Deputy Luxon. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

Now we can move to general debate. Do you wish to open the general debate, Chief Minister, in any way?

715

The Chief Minister: No.

The Bailiff: No. Deputy Gollop, do you wish to speak in general debate?

720 **Deputy Gollop:** Well, my point would be I think we need to perhaps have clarification on, for example, the role of Environment and Infrastructure in relation to the countryside, because some aspects of this will be transferred, relating to animal welfare etc. But the Milk Law presumably will be implemented by the Trading Supervisory Body, with their role in looking after the Dairy.

725 **The Bailiff:** No further debate.
Chief Minister.

The Chief Minister: I think when you move to a new system, sir, there is going to be a different structure and there are some things that will be less clear, for those reasons. There are some things that are not clear at all at the moment, so I think, sir, we just need to move in that direction. The Committee has done their utmost not to micromanage the whole system, but to make it as simple as possible. There will obviously be a co-ordinating role that is necessary as we move forward, and maybe some of those issues will be addressed in due course. But I think the Committee has done their utmost to be clear about which parts of which current mandates are moving to the new committee structure.

730
735

The Bailiff: We vote then on the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, as amended. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

IV. The Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016 approved

Article IV.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

740

The Senior Deputy Greffier: Article IV, the Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016.

The Bailiff: This is at page 68 of the brochure. Is there any request for clarification or debate?
No.

745

We go to the vote. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**V. The Land Planning and Development (Strategic Land Planning)
(Amendment) Ordinance, 2016 approved**

Article V.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Land Planning and Development (Strategic Land Planning) (Amendment) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

750 **The Senior Deputy Greffier:** Article V, the Land Planning and Development (Strategic Land Planning) (Amendment) Ordinance, 2016.

The Bailiff: This is at page 71. Any requests for debate or clarification? No.
We go to the vote. Those in favour; those against.

Members voted Pour.

755 **The Bailiff:** I declare it carried.

**VI. The Compulsory Acquisition of Land (Guernsey) (Fees and Amendment)
Ordinance, 2016 approved**

Article VI.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Compulsory Acquisition of Land (Guernsey) (Fees and Amendment) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

The Senior Deputy Greffier: Article VI, the Compulsory Acquisition of Land (Guernsey) (Fees and Amendment) Ordinance, 2016.

760 **The Bailiff:** This is at page 77. Any debate or clarification? No.
Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**VII. The Motor Taxation (First Registration Duty)
(Guernsey) Ordinance, 2016 approved**

Article VII.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Motor Taxation (First Registration Duty) (Guernsey) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

765 **The Senior Deputy Greffier:** Article VII, the Motor Taxation (First Registration Duty) (Guernsey) Ordinance, 2016.

The Bailiff: Any clarification or debate? Yes, Deputy Paint.

770 **Deputy Paint:** I have no debate, but I would like a recorded vote on this one please.

The Bailiff: You would like a recorded vote. In that case we will have a recorded vote on the Motor Taxation (First Registration Duty) (Guernsey) Ordinance, 2016.

There was a recorded vote.

Carried – Pour 41, Contre 2, Ne vote pas 0, Absent 4

POUR

Deputy Soulsby
Deputy Luxon
Deputy O'Hara
Deputy Quin
Deputy Hadley
Alderney Rep. Jean
Alderney Rep. McKinley
Deputy Harwood
Deputy Kuttelwascher
Deputy Brehaut
Deputy Domaille
Deputy Langlois
Deputy Robert Jones
Deputy Le Clerc
Deputy Gollop
Deputy Sherbourne
Deputy Conder
Deputy Parkinson
Deputy Bebb
Deputy Lester Queripel
Deputy Stewart
Deputy Gillson
Deputy Le Pelley
Deputy Ogier
Deputy Trott
Deputy Laurie Queripel
Deputy Lowe
Deputy Le Lièvre
Deputy Spruce
Deputy Collins
Deputy Duquemin
Deputy Green
Deputy Dorey
Deputy Le Tocq
Deputy James
Deputy Adam
Deputy Perrot
Deputy Wilkie
Deputy De Lisle
Deputy Burford
Deputy Inglis

CONTRE

Deputy Paint
Deputy Brouard

NE VOTE PAS

None

ABSENT

Deputy Sillars
Deputy St Pier
Deputy Fallaize
Deputy David Jones

775 **The Bailiff:** Members there are 41 votes in favour and 2 against. I declare The Motor Taxation (First Registration Duty) (Guernsey) Ordinance, 2016 to have been carried.

**VIII. The Mental Health (Transfer of Patients) (Guernsey and Alderney)
Ordinance, 2016 approved**

Article VIII.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Mental Health (Transfer of Patients) (Guernsey and Alderney) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

The Senior Deputy Greffier: Article VIII, the Mental Health (Transfer of Patients) (Guernsey and Alderney) Ordinance, 2016.

780

The Bailiff: Any requests for debate or clarification? No.

We vote. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**IX. The Income Tax (Guernsey) (Approval of Agreements with
British Virgin Islands, Cayman Islands, South Korea and Spain)
Ordinance, 2016 approved**

Article IX.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Income Tax (Guernsey) (Approval of Agreements with British Virgin Islands, Cayman Islands, South Korea and Spain) Ordinance, 2016', and to direct that the same shall have effect as an Ordinance of the States.

785

The Senior Deputy Greffier: Article IX, the Income Tax (Guernsey) (Approval of Agreements with British Virgin Islands, Cayman Islands, South Korea and Spain) Ordinance, 2016

The Bailiff: Any clarification or debate?

Those in favour; those against.

Members voted Pour.

790

The Bailiff: I declare it carried.

ORDINANCE LAID BEFORE THE STATES

**The Income Tax (Zero 10) (Company Intermediate Rate) (Amendment)
(Guernsey) (No. 2) Ordinance, 2015**

The Senior Deputy Greffier: The following Ordinance is laid before the States – the Income Tax (Zero 10) (Company Intermediate Rate) (Amendment) (Guernsey) (No. 2) Ordinance, 2015

The Bailiff: I have not received any notice of a motion to annul the Ordinance.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**The Waste Disposal and Recovery Charges Regulations, 2015;
The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit)
(Amendment No.3) Regulations, 2015;
The Health Service (Medical Appliances) (Amendment) Regulations, 2015;
The Social Insurance (Benefits) (Amendment) Regulations, 2015;
The States' Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2015;
The Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2015;
The Pilotage Dues (Guernsey) Regulations, 2015;
The Mooring Charges (Guernsey) Regulations, 2015;
The Harbour Dues and Facilities Charges (Guernsey) Regulations, 2015;
The Data Protection (Public Information Designation) (Revocation) Order, 2015;
The Data Protection (Subject Access Exemptions) (Guernsey) Order, 2015**

795

The Senior Deputy Greffier: The following Statutory Instruments are laid before the States: the Waste Disposal and Recovery Charges Regulations, 2015; the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.3) Regulations, 2015; the Health Service (Medical Appliances) (Amendment) Regulations, 2015; the Social Insurance (Benefits) (Amendment) Regulations, 2015; the States' Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2015; the Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2015; the Pilotage Dues (Guernsey) Regulations, 2015; the Mooring Charges (Guernsey) Regulations, 2015; the Harbour Dues and Facilities Charges (Guernsey) Regulations, 2015; the Data Protection (Public Information Designation) (Revocation) Order, 2015; and the Data Protection (Subject Access Exemptions) (Guernsey) Order, 2015.

800

805

The Bailiff: Again, I have not received notice of any motion to annul any of those Statutory Instruments.

POLICY COUNCIL

**X. The Review of the Financial Relationship
between Guernsey and Alderney –
Propositions carried**

Article X.

The States are asked to decide:

Whether, after consideration of the Policy Letter dated 30th November, 2015, of the Policy Council, they are of the opinion:

- 1. To endorse the contents of that Policy Letter.*
- 2. To agree, subject to Proposition 3 below, that the current implementation of the 1948 Agreement between Guernsey and Alderney should continue to be the basis for the financial and political relationships between Guernsey and Alderney.*
- 3. To approve the changes to the current financial procedures in regard to the financial relationship between Guernsey and Alderney, as set out in that Policy Letter, such that with effect from the financial year 2016 separate figures are kept for memorandum purposes by Committees*

and Departments for income and expenditure in relation to public services provided by Guernsey for Alderney; but to direct the Treasury and Resources Department (and its successors) to continue to present the formal accounts of the States of Deliberation in consolidated form.

4. To direct the Treasury and Resources Department (and its successors) (in liaison with Departments and Committees) to produce and publish annually best estimate figures for the income derived from sources based in Alderney, and expenditure incurred from the Guernsey Budget on public services provided for Alderney in the same manner as provided in the Taylor Report included as Appendix B to that Policy Letter.

5. Consequent to Proposition 4 above, to further direct the Treasury and Resources Department (and its successors) to work with the Alderney Policy and Finance Committee to establish a simple formulaic method to estimate annually in arrears with effect from December 2016 the contributions to both islands of the e-Gaming sector in Alderney.

6. To agree in principle, subject to the necessary further detailed work, that the current implementation of the 1948 Agreement between Guernsey and Alderney be modified such that:

a) Guernsey retains responsibility to fund all Transferred Services, and the Social Security Funds, through the pooled income sources of Income Tax and Social Security Contributions;

b) the States of Alderney is responsible for funding all other public services in Alderney (including the harbour, drainage (foul and surface water), roads, coastal defence, water and electricity), from all other levies, rates, taxes, permit fees, rents, duties and other income collected from sources based in Alderney (such as tax on real property, occupiers' rates, import duties and excise duties, fees in lieu of Congé, document duty, numismatic and philatelic profits, and company registration fees).

7. To direct the Treasury and Resources Department (and its successors) to work with the Alderney Policy and Finance Committee to progress the further work resulting from Proposition 6 above, and to report back to the States of Deliberation in the budget report for 2017 (i.e. October 2016) with proposals to implement any changes, including (at least in principle) recommendations on how each of the large cost items (including the deficit on operating Alderney Airport, the (public service) subsidy to the airline operating the Alderney – Guernsey and Alderney- Southampton routes, the breakwater, the Alderney Housing Association loan facility, legal aid and Law Officers' costs) are to be treated in the financial relationship and how future capital provision is to be made for Alderney.

8. To direct the Education Department, Health and Social Services Department, Home Department, Public Services Department and Social Security Department (and their successors) in Guernsey, which provide Transferred Services for Alderney, to review the services provided (including how they are provided) in line with Section 4 of Appendix A to that Policy Letter, and to reach outcome focused agreements with the appropriate authorities in Alderney, having due regard to cost effectiveness and efficiency for such services, and on a timescale to be agreed between the Policy Council (and its successors) and the Alderney Policy and Finance Committee.

9. To direct the Treasury and Resources Department (and its successors) to continue to work with the Alderney Policy and Finance Committee to progress the appropriate recommendations in the Taylor Report (Appendix B to that Policy Letter), which fall within its mandate, and to implement the agreed changes as soon as practicable, referring only such matters as may need States Resolutions back to the States of Deliberation for further debate.

10. To note the Alderney Policy and Finance Committee's intention to progress a political governance review and to align any conclusions and recommendations, with the changes recommended in that Policy Letter in regard to the implementation of the 1948 Agreement between Guernsey and Alderney.

11. To direct the Commerce and Employment Department (and its successors) in Guernsey to continue to work as progressively and proactively as possible with the authorities in Alderney to help stimulate and develop economic activity in Alderney.

12. To direct the Treasury and Resources Department (and its successors) to consider further tax measures (including targeted tax relief schemes), and other relocation incentives, which could be

useful tools in increasing economic activity in Alderney and encouraging population growth, particularly in the younger age groups, and to report back to the States of Deliberation on any such measures in the Budget Report for 2017 (i.e. October 2016).

810 **The Senior Deputy Greffier:** Article X, Policy Council – the Review of the Financial Relationship between Guernsey and Alderney.

The Bailiff: Members, on this the Deputy Chief Minister will open and close the debate, and I will call Alderney Representative Jean to speak second, and it would be my intention to allow
815 Alderney Representative McKinley to have the penultimate speech, just before the Deputy Chief Minister replies to the debate, if that is possible.

Deputy Langlois.

Deputy Langlois: Thank you, very much, sir.

820 Sir, I should explain at the outset, that the Chief Minister has asked me to introduce and sum up this Report because, in my role as Deputy Chief Minister, I have had responsibility for the Policy Council's Alderney Liaison Group. It is the ALG that undertook the detailed work with the Authorities in Alderney to produce a draft report and recommendations for the Policy Council.

825 Just to remind my colleagues, sir, the Alderney Liaison Group comprises myself, the Ministers from Treasury & Resources and Commerce & Employment Departments along – for most meetings – with the Minister of the Public Services Department. The Alderney members are the Chairman of their Policy & Finance Committee, along with an equal number of other members from this Committee.

830 Now, before we get into the main explanation of the Report, I think it is very important that we set the expectations at the right level. This Report, if it is approved, will be a substantial step forward in the relationship between the two Islands relating to finances, relating to the fiscal relationship. It is not, and was never intended to be, an instant solution to a worrying financial situation, which will take a lot more work to balance out.

835 The Report before us today is a result of more than a year's detailed work. The figures used in this Report have been produced by the appropriate departments and committees, they were reviewed, and compiled, by the Treasury & Resources Department. Before the Report progressed to recommendations, both Guernsey and Alderney agreed the figures, in broad terms, to be representative of the recent financial flows between the Islands. I would like to record my thanks, and the thanks of the ALG, for the work done, particularly by staff teams on both Islands, to reach
840 that agreement; and I would like then to add my thanks to the members of the group, who have worked hard, again, on finding the common ground and reaching this agreement.

I am sure that every Member of this Assembly is by now very well aware of the long and complex relationship that has existed between the two Islands since 1948, when Alderney was getting back on its feet following the traumas and destruction of the Second World War.
845 Nevertheless, we must not forget today that we are both part of the same Bailiwick.

Unsurprisingly, the basis of the special relationship has been the subject of a number of reviews during the past seven decades. Most recently, and most importantly, to do with today's Proposition, the review that took place in 1995. Much more surprising, perhaps, is that each review has found that the underlying basis of the relationship, as set out in 1948, remains relevant
850 and appropriate for the most part. While it has been tweaked on a number of occasions, its basis has remained a bedrock of how both Islands function.

It is probably fair to say that a number of those involved in the review are at least a little surprised to conclude that, despite the very different present day fiscal and economic backgrounds, the fundamental basis of the relationship remains sound and appropriate. But, sir,
855 let me cut to the chase, because I am quite sure that some of us will be tempted simply to jump to the bottom line figures. There are some key figures in here that need careful and sensitive interpretation.

In reality, it is impossible to conclude the exact financial flows, although the Policy Council stands by the figures in the Report, as being very representative, and they are the best that we can do at this stage, given the figures available. That partly relates to the 1995 moves which actually suggested that there should not be limited distinction between figures for the two Islands. While on the one hand we can demonstrate a fiscal imbalance in favour of Alderney, of between £3.2 million and £6.6 million per year over the last six years, if we take that alone it ignores the very significant benefits to both Islands of Alderney's world class e-gaming industry.

The most recent independent research, conducted late in 2015, shows the value of e-gaming direct benefits to the Islands' economies in 2014 to be around £25 million. Of which £18.2 million comes to Guernsey and £6.8 million to Alderney.

But, sir, let us be absolutely clear that those figures are very different from the figures given in the fiscal balance. These are the contribution to the Gross Domestic Products of Guernsey and Alderney, not the amount paid to respective Treasuries. The fiscal benefits of 174 full-time employees, full-time equivalent employees in the sector in 2014 has been calculated to be £1.4 million annually. On top of this, licence fees paid to the Exchequer in 2014 were in excess of £2 million.

Now, even setting aside the significant benefit to the GDP of both Islands of Alderney's e-gaming sector, it is undeniable that it is pumping around £4 million into the Islands' Treasuries each year. Guernsey's relationship with Alderney is a symbiotic one: both Islands benefit.

I am not going to restate all the key points in the Report. However, I should like to draw attention to the following.

Firstly, as part of this review, Alderney will be introducing enhanced financial procedures, that will help develop and mature the relationship between the Islands' Treasuries, and this will improve value for money. Much of the detail of these initiatives is contained in Stephen Taylor's Report which is included as Appendix B.

Secondly, the Report concludes that the underlying basis of the present relationship should continue. Broadly, this is where both communities pay into common pots for income tax and social security. This revenue is then used to fund major public services in Alderney. Most notably health, education, the Home Department services and Social Security, together with some major Island's infrastructure, for example, contributions to Alderney Airport and the Breakwater. This leaves Alderney to fund all smaller public services, including roads, drainage, sewerage, administration, water, electricity and harbour operations. I use the term 'smaller public services' only in financial terms; you can see that for any island those are all vital services. They fund that from other Alderney sources of revenue, including tax on real property, occupiers' rights, all fees and charges, excise duties and fees in lieu of *Congé*. Both Islands agree that on this basis it may, subject to further detailed research, be possible to explore options for how Alderney can, in time, take over the operation of its own Airport, which currently operates at an annual loss of around £900,000.

Now, sir, over the four-year term of this Assembly we have considered several policy letters from the Policy Council, of particular relevance to Alderney, and of course the former Alderney Representative, the late Paul Arditti's requête, regarding Alderney's current economic and demographic changes. The economy has been in structural decline, with the population falling, and ageing, although there is now anecdotal evidence that some immigration is occurring, including the return of some families who had previously left the Island.

Indeed, one of the strengths of Alderney is the character of its community. I have been very impressed by the active role played by Policy & Finance Committee members. And the community in Alderney are taking steps to address the Island's economic and population challenges. Let me assure you that there is no shortage of creativity in the way that Alderney thinks about its future. This is not an Island or a community which has chosen to roll over and concede to economic challenges without a very good fight. I am personally, delighted to see that the Islands are working more closely together now in addressing some of these issues than at any point in recent history. This close working relationship has been at the very core as we move forward.

910 We will hear more of the details of this soon, as I understand that Alderney Representative Louis Jean will include some examples of the exciting initiatives which are currently underway in Alderney, and which could make contributions to the Island's economy in due course.

915 In this modern technological world, connectivity is possibly the single biggest issue and challenge for Alderney, the transition from the Trislander to Dornier aircraft fleet has been regrettably slower than it wished, and this has undoubtedly negatively impacted on economic development in Alderney. However, this transition is almost complete and we can begin to look forward now with significantly more confidence. The imminent return to robust and reliable air services, operated by more comfortable and faster aircraft, is expected to have a very positive effect on the Island's economic development.

920 It is also worth mentioning that Alderney may be experiencing some economic and demographic issues that will surely play out in Guernsey in due course. This gives the Islands a wonderful opportunity to pilot new innovative solutions, including tele-health, tele-medicine and tele-education. What a trio!

925 Alderney is also, by its very nature, less risk adverse than Guernsey. It can therefore be a very useful test bed for niche business opportunities that would be less likely to succeed in Guernsey. This may be true, particularly, in some of the emerging niche financial opportunities.

930 For the benefit of those listening, sir, I think it is important that we lift the headlines of the Propositions, because as I have said earlier, this is not a total solution to everything to do with the Alderney economy. These are steps forward which the Policy Council, and in due course we hope the States of Alderney, see as the right way. Sir, they basically come out like this: do not mess at this stage with the 1948 Agreement, it is there, it has worked okay and it will continue to work; produce and publish better and more transparent financial measures – some of the figures we have been working with have been, shall we say, a little obscure and we need to make sure that the quality of that improves; retain the transferred service structure and Alderney's contributions to Income Tax and Social Security funds – I have to declare a vested interest in that one, and in both directions Social Security receives contributions and obviously provides a service; give Alderney more internal responsibility for providing and funding other public services. In the October 2016 debate on the Budget for 2017: review key costs that are unique to Alderney, review the transferred services for each provider committee in Guernsey, and that should include aspects of service level agreements, that there is a better management of expectations, as to what should be provided and what is actually provided. Review political governance in Alderney and stimulate the Alderney economy wherever possible.

940 So, sir, to conclude, I would like to state that working with my political colleagues in Alderney throughout the course of this review has been a pleasure and a privilege. It has led to a much greater understanding of the relationship between our Islands and I personally have got to know Alderney a little better over this time.

945 Looking back, it does strike me as a little odd that for Islands that have been in fiscal union for nearly 70 years, we actually know each other far less well than one might expect. In a world where it seems to be an increasing struggle to survive as small Island States, we do need to stick together, we do need to learn from each other and we do need to work more closely together to face the challenges ahead for both Islands.

950 I really do believe that we have found a very sensible and pragmatic way forward, and therefore recommend this Report and its recommendations to the Assembly. While this Report outlines the way forward, it will, of course, be important to keep the relationship under review. It is not the intention of either Island to harm the other with this Report. So careful monitoring of this Report and resulting actions will be important in the years ahead. In a fast-changing world there will also come a time, in the not-too-distant-future, when it may be sensible to conduct a further overall review of the financial relationship.

960 Finally, the basis for any relationship of this sort is knowledge, understanding, communication, and that all-too-rare word in political circles of trust. I cannot recommend highly enough to Members of the new Assembly, when it forms in May this year, and to the wider community in

Guernsey, to take the time, when appropriate, to visit Alderney and get to know it a little bit better. It is all too easy to make assumptions about the relationship, based on a very few figures. The more familiar the Island and its community becomes to us here in Guernsey and *vice versa*, the stronger position we will be in to face the external challenges of the future for both Islands.

The Bailiff: Alderney Representative Jean.

Alderney Representative Jean: Thank you, sir.

First of all, I would like to thank Deputy Langlois for his words. They are very supportive and they are very wise words.

Sir, I am pleased to confirm Alderney's support and commitment for continuing its special relationship with Guernsey, which is so important to us, and we need in our fiscal union to be together as we are. It is very important.

The Report before the Assembly today is the culmination of more than a year's joint work between politicians and senior civil servants in both our Islands. As Members of the States know very well, Alderney has been going through some difficult economic times – Deputy Langlois outlined some of them for you – with its population declining. However, those Deputies who know the Island and its community are also well aware that we are making every effort to grow our economy and attract people to what is a very wonderful place and a wonderful Island. We believe that Alderney does have a bright future; and some Deputies here in this Assembly have referred to green shoots which keep growing all the time. Yes, we believe that Alderney has that bright future, both by developing our traditional industries, such as the very valuable e-gaming sector and our niche tourism in wildlife and heritage, along with an expanding programme of festivals and events throughout the year.

Crucially, we are also looking to the future with our firm commitment to micro-renewable energy, including the France-Alderney-Britain energy connector, or FAB Link, and the new opportunities in finance and regulation. Significant progress has been made in these areas over the past 12 months, with much investigative work being done on the ground and in the sea for the FAB Link, and the re-opening of the very exciting Digital Anti-Money Laundering, remember last time when I did not include 'anti', but never mind!, the "Your customer certification technology project" on Island by PricewaterhouseCoopers. We are also pursuing other potentially valuable economic activities and expect to see positive results.

This is not the time or the place for a lengthy presentation on these opportunities. The point I am trying to express is that Alderney is working very hard with a strong belief that it will improve its current climate, current economic and fiscal position. Alderney believes that its historic relationship with Guernsey is of genuine benefit to both our Islands, and this will remain as some of our new initiatives begin to pay dividends.

The Deputy Chief Minister has introduced this Report and drawn our attention to the key points. There is little merit in me repeating this. I want to stress the point that this Report has been carefully developed by the Policy Council, in consultation with Alderney's Policy & Finance Committee, and with full input from the Treasury & Resources Department and Commerce & Employment Department.

It is a genuine collaborative effort to take our special relationship forward, building on its solid platform and reforming it to the benefit of both Islands. It speaks volumes about Alderney's self-belief and commitment to working with Guernsey to mutual benefits, that the Island is prepared to work with Guernsey and look at the possibility of new operating models for Alderney Airport, so that responsibility for this critical Island asset can ultimately be transferred to Alderney. The Airport currently operates at an annual deficit in the region of £900,000. Those figures, I have to say, are unquantified as yet, so we do not properly know. So this is no small commitment by Alderney.

I am not going to labour the overall benefits of Alderney's world class e-gaming industry. The Report contains details of the most recent research, showing the overall value to the Gross

1015 Domestic Product of both Guernsey and Alderney. This is perhaps the best current example of how Alderney has very real financial and fiscal benefit to Guernsey's economy and the Exchequer.

In closing, I would like to make three pleas to the Assembly. First and foremost, I do hope that every single Deputy shows solidarity between our two communities, and votes for all the Propositions. I genuinely believe that to do so is best in the long-term interests of both Islands.

1020 We in Alderney extend an invitation to our friends in Guernsey to come and visit us at some point during this year. Many will find that our very special Island is one of the best kept secrets of the Channel Islands and beyond.

1025 Finally, it would be remiss of me, sir, not to express Alderney's sincere thanks to Deputy Langlois and his colleagues in this Assembly, who worked so hard with us to progress this Report and work out how we move forward in the best interests of both Islands. Deputy Langlois, in particular, has taken the time to visit Alderney and stay with us, and see the challenges and opportunities we have. I know that I speak for our community in Alderney in expressing our very sincere thanks to him for his hard work, and I know also that he was cordially received and thanked at the public meeting recently in Alderney, and for his commitment in progressing this vital work. Thank you very much for that.

1030 There are others that I would choose to thank: the Chief Minister and Deputy Gavin St Pier, to whom I am very grateful for coming to Alderney and their valuable schedule of work; and many of you other Deputies who have paid visits to us in Alderney and have seen quite a bit for yourselves.

1035 Sir, I conclude by endorsing this Report and recommending it to all my colleagues in this Assembly. As I come off the paper, I would just like to say that, for Alderney, this is a sensible thing to do. It is about stepping up to the plate, and I believe that Alderney can do that, assisted as well by its very able Treasury Department there that we can do, we can manage this. It is a good thing and I endorse it, and hope that each and every one of you are able to vote for it.

Thank you, sir.

1040 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Thank you, sir.

1045 I know you, sir, as our Bailiff, Presiding Officer and Acting Governor have also spent a lot of their time in Alderney. Indeed, at Christmas there was, for example, the Home Coming films which were a trilogy about Alderney's unique role in World War II. I say that because Alderney is a different community, with a different history. On Alderney you can not only perhaps think about Wombles, but you can travel by train for a couple of miles; and I would urge my colleagues to go to Alderney. Indeed, it is said in this Report on pages ... almost apologetically perhaps, but at paragraph 51 and 52 to read aloud:

It is remarkable how many Guernsey people have either never, or very seldom, visited Alderney, compared with visits made to the much closer islands of Herm and Sark. Thus, despite the close governmental relationship between the islands, many Guernsey islanders are unfamiliar with life in Alderney and what it has to offer. In this regard, Alderney may be regarded as one of the best kept secrets ...!

While it may be considered somewhat trite in a ... Letter such as this to recommend that government action is taken to redress this, to neglect this may be to miss a significant opportunity that may make a material difference to Alderney's economy and the future of its community.

1050 That is very important and I think the point has been made very well by Representative Jean that some of us have, on an official level, visited Alderney as well as on a social level; and we very much welcomed the opportunity to look round the Hospital facilities, the homes, the Airport and so on.

1055 Actually, I was the only States' Member, apart from the two from Alderney and the Deputy Chief Minister, to pop into the presentation that Deputy Langlois gave earlier this month, and indeed he did attract a large audience, 60-odd people; and by Alderney standards it was not only a lively meeting, but I think a fairly harmonious meeting. It was perhaps a little bit lighter in tone than the one we had for SWBIC and the Children and Young People's Plan, and that did suggest

1060 that Alderney had at least from the political community who attended, who were admittedly predominantly I would say from the older demographic of the Island ... were supportive of the vision contained here, and I welcome today in the public gallery two of the distinguished senior figures from Alderney's Government as well.

1065 I think it is perhaps the best deal Alderney could have got, in the circumstances at the moment, and it represents a vision for the future. It is not without its ironies though. I mean the paragraphs I read earlier about enticing the wider population of Guernsey to take advantage of seeing their brothers and sisters in Alderney, might be a bit harder this year because of the apparent issue that one of the ferry operators – the little yellow boat that links the two Islands – may be changing its status and may not run at all. We do know – or at least I think I know – that
1070 the States of Alderney broadly supported the ferry services as a going concern, but did not get back to them, whereas perhaps the Treasury & Resources Department did not go as far as they could have done in underwriting the future of that service. That is an issue. Another issue is that perhaps some, arguably ... unfortunate timing of four parliamentarians in Alderney who are questioning, perhaps, the service levels of the leading airline, which happens to be owned by us as the States of Guernsey. Again, that shows the tensions that are part of the wider picture.

1075 I think the idea of a Memorandum of Understanding for the key transferred services will bring benefits to both parties. I support, in general, the points there. My colleague to my right, who is always better at analysing the figures than me, will perhaps like to ... there are lots of questions I am sure many of us who are more skilled in accountancy could raise about the transferred figures exactly, and why they fluctuate, and why they vary, and what they really mean; because of course,
1080 it was pointed out to me, for example, by one person in Alderney that the Breakwater is an expense to the States of Guernsey, and a contributor to the overall Alderney economy but, strictly speaking, is not part of the 1948 arrangement. Indeed, because it is a commitment the States of Guernsey made, for totally different reasons, as part of our defence contribution to the United Kingdom ... and so to include that is perhaps a little bit awkward from the point of view of total
1085 transparency. Likewise, the variations in investment levels that may occur, or demographic changes, are difficult to apply to Alderney, as is the management accountancy elements of the Public Services Department.

I think this places opportunities for Alderney, but also threats. The threats are that Alderney continues to decline, in terms of its population base. The Report makes clear that they have an
1090 older population than Guernsey – a larger proportion over 55; and a threat, I suppose, is if we give Alderney more delegated powers, more subsidiarity to mispronounce it, they could end up with a higher tax base for the Island, or a deficiency in money.

I must admit I am intrigued by the hint that they might have different TRP in Alderney, which would be good for their economy, but they might also vary their duties in relation perhaps to motor fuel, if I have understood it right, tobacco, alcohol ... and as the Deputy Chief Minister said
1095 in his address to Alderney, he knows of one politician who might not like a sugar tax on jelly babies, or colas, or whatever.

But I mean it questions, perhaps, the Home Department and others as to whether we would have Duty Free on Aurigny flights between Guernsey and Alderney and all those kind of issues. Or
1100 perhaps Alderney would be very expensive ... Scandinavian style for these products, I do not know. It is an interesting possibility.

There were two or three, though, veiled threats in the Report which worried me. I have to emphasise this Report is extremely positive and offers a good medium-term way forward, and also acknowledges the contribution Alderney makes to our wider economy, but that does not
1105 mean to say there are not a few worrying paragraphs, that I hope people in Alderney pick out as well.

One of the points being the warning, perhaps, that the fluctuation in Alderney's economic concerns could lead to changes in the way services are delivered. For example, on page 192 we hear in paragraph 42:

There is a perception in both Alderney and Guernsey that unless [the vision of Alderney] ... can be achieved in the years ahead the Island [of Alderney] may face a tipping point with some essential services such as education, where falling school numbers may make the physical presence of a school unviable.

1110 Now, we do have the Vision for Education at the moment. We know a public meeting will take place at the very end of this month on the issue, but I hope that we are not placing before the community the possibility of the school being downsized, because we, after all, maintain a school on Herm for a completely different society, for a total population of less than 100. I think we should bear that in mind. There are also points about the ageing population in paragraph 39,
1115 which says:

With the overall population falling and the demographics becoming increasingly weighted towards the elderly, Alderney is becoming less sustainable as a community. Not only is the economy in decline, displaying signs of both structural and cyclical decline, but it will become increasingly difficult and costly to maintain aspects of essential infrastructure ... Provision of some health and social services are also likely to be negatively impacted by reducing numbers of people ...

Well, again, if we have the prospect of an ageing society and reducing health services, when common sense will tell you the reverse trend would be necessary, I think we will have some form of a social and constitutional problem. I put that out, because I think the Report needs to be acknowledged by the people and States of Alderney as not only a useful piece of work, but as a
1120 wakeup call.

But I would, nevertheless, say that there are potentials for economic growth in Alderney. Not only with fin-tech and areas like that, and the innovative ideas, I think, Mr McDowall and his colleagues have had, but also by the extremely positive news on the UK media, that there is a real chance of tidal energy taking off for ourselves, and that could substantially benefit society, as is the potential for wild life tourism, amongst other things.
1125

I think we, as the States of Guernsey, could do more to locate or relocate businesses who wish to come to the Channel Islands, and also perhaps to take some of our back office Government functions there. For example, Alderney, because it does not have the pressure on housing licences that we have, would have a role in those respects.

1130 I think too that the one area of the transferred services that is not entirely clear from this Report, is the medium-term prospects for the Airport. Because, although it is a transferred service at the moment, there is a hint within the Report – several, in fact – that further consideration would be given to syphoning them off to Alderney or running it in a different way. Now, it would be great if the Airport was more viable, but it would be even more positive if the Airport was
1135 busier, with a much larger number of visitors and passengers, coming not just from Guernsey, but maybe Jersey, Cherbourg, St Malo, Bournemouth, Brighton and many other places. I think we do need to see the Airport as an enabling tool, and I would hate to see the situation where Alderney was left to pick up the pieces for an Airport that they could not easily finance without imposing additional taxes on their population. That is another caution.

1140 But, as a general effort of re-evaluating the relationship and acknowledging, perhaps, some uncomfortable truths, that in some years Alderney has been a net public sector deficit to the Island, we have to accept that. Although I would also say that, for all I know, Torteval might be a net beneficiary or net deficit to our community or any other parish. So I do not think we should be too analytical in that respect.

1145 So I will support all the Propositions in the Report, but with a degree of caution as to the next stage forward.

The Bailiff: Deputy De Lisle.

1150 **Deputy De Lisle:** Sir, I think one has to commend the Island of Alderney in terms of innovative Island economic developments. I think even from the Guernsey point of view to admire a small population and the achievements that it has had – and I include the e-gaming success within that

– and the drive to realisation of economic benefits from renewable resources. Also it has very strong environmental wildlife and habitat initiatives, especially in encouraging tourist attractions and endeavours on the Island.

1155

At the same time, I would like to say that increasing the subsidy to Alderney, in any shape or form, is not going to help the Island help itself in the longer term, and I would not want to see it become more dependent on Guernsey. It has to maintain that flourishing independence, which has led to a lot of these new spirited economic initiatives that I described earlier.

1160

On the other hand, I fully support the fact that Guernsey has to make every effort to assist the Authorities in Alderney, with the task of stimulating economic activity and growing the population, and addressing the problem of ageing demographics in Alderney, to the mutual benefit, basically, of both Islands.

1165

So I would support the initiatives in here, but at the same time I would like – because it is not very clear exactly what Alderney is going to get out of this particular policy letter – that the Deputy Chief Minister outlines exactly what there is in here for spirited development into the future for Alderney. What tangible benefits are actually in these pages for Alderney development?

Thank you, sir.

1170

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

1175

Sir, I support the Report before us, but I do want to make a comment and I have a query, because I have concerns about the Alderney Breakwater – of how it is written in here, and why it is included in the T&R at the back, when we are talking about future budgets for Alderney, when you are talking about the Alderney Housing Association, and the Alderney Health and everything else; and in the middle of that is the Alderney Breakwater.

1180

That is in Proposition 7. Because if you refer back to page 190, numbers 27 and 28, it reminds us all the Alderney Breakwater is the responsibility ... from the handover from the UK Government as our contribution against the defence, we took that over, and indeed, in the next paragraph it says how much we have spent in the last 28 years maintaining that Breakwater; and 28 years ago when we had responsibility for that.

1185

But I can remember 20 years ago when we had a report at the time that came to these States, that we were told that unless we spent a considerable amount – and I cannot remember the amount, it was something like £20-odd million at the time – that Breakwater was going to crumble into the sea, because we would not get it insured after that year unless we built this extra wall and took the end off the Breakwater; and the rest, as they say, is history because it would be gone.

1190

I am pleased to say over 20 years later the Breakwater is still standing. We did not spend all that money. An independent review was carried out – inquiry, not a review; it was an inquiry – and the outcome was that the figures that had been produced for the States were contrived, and that is in that report.

1195

So I am delighted it is still in here, but I am disappointed it is in here as part of looking forward, in as much as it implies that it can be or may be put across to Alderney or looking at the ways of funding Alderney, because it is a completely separate animal to what we have been debating here with this full Report.

1200

So I do support it, but I do err on the side of caution to remind Members here that we have a duty under the Agreement, that we have responsibility for that Breakwater, and that it is not crumbling, and we have heard many times about how ... in fact, I am reading it here about how we have to be very careful because:

... the engineering predictions are that sooner or later the main [stream] structure will [either fall] because of direct storm damage, or by ... undermining ... the structure as a result of movement in the mound.

Well, sir, we had wording almost identical to that over 20 years ago, and I am pleased to say it is still standing, and that is probably something to do with the way that PSD have, thankfully, maintained it on an annual basis, as the requirement to do so.

1205 Thank you, sir.

The Bailiff: Deputy Sherbourne.

Deputy Sherbourne: Thank you, sir.

1210 Members, as a Member of the States of Guernsey who has many years' personal investment and love for Alderney, I would like to congratulate and applaud the efforts of the working group to get to where we are today.

1215 However, it has been mentioned, that we need to be able to enable Alderney to help itself, and I know that the leaders in Alderney want to do that. The biggest contribution that we can make, as a States, is to ensure that the biggest problem that is getting in the way of any initiative is communication. We own the Airline that serves Alderney – and there has been quite a lot of debate, as many of you know, over the last year or so, with regard to the problems faced by Aurigny and, consequently, the population of Alderney. They have not been well served, and we have it in our power to ensure that improvements are made, because until that actually happens
1220 this will be a talking shop. We need to make sure that those communication lines are sound. It might cost the States of Guernsey money – it has done in the past, and probably will in the future – but it is money well spent, because it actually will ensure that the people of Alderney can take steps to ensure their future.

1225 So I full support this Report, and I thank Deputy Langlois and members of the group for establishing a better foundation for moving forward.

Thank you.

The Bailiff: Deputy Conder.

1230 **Deputy Conder:** Sir, I will be brief.

I just want to endorse what Deputy Sherbourne has just said. I was privileged to visit Alderney, under the arrangements made by Deputy Langlois and colleagues in Alderney, last summer. I was absolutely convinced of the need to both sustain the Alderney Breakwater and to address issues in terms of connectivity, as Deputy Sherbourne has just said.

1235 One particular event opened my eyes: I remember, with both our colleague Alderney Representatives, being on the actual runway and seeing the state of the runway that day. We need to support Alderney. Alderney is a part of us. Alderney is just as much a part of us as the North of England is part of the UK. Societies have to support those bits of their community that need support on occasions, and as Deputy Sherbourne has just said, we need to support them and help them to help themselves.
1240

So, again, I would like to thank Deputy Langlois, as he himself comes near to the end of his time in this Assembly, for the extraordinary work he has done in leading this group, and I fully endorse all of these Propositions.

Thank you.

1245

The Bailiff: Yes, Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

1250 I would welcome some comment from Alderney Representative McKinley, as regards this requête that is being, or is proposed to be, placed regarding a vote of no confidence in the board of Aurigny. I personally find it quite unhelpful, but I would like some comment on that.

The other thing is, could they possibly comment on the other, shall we say, rather sad news that the Bumblebee ferry service is to be discontinued, and whether they have got any comment relating to that. Otherwise, I am fully supportive of all the Propositions in this policy letter.

1255 Thank you, sir.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

1260 I took the opportunity as we were invited to go on a visit to Alderney, and I thank them for the hospitality and what we learnt from the visit. I also took the opportunity of paying for my wife and children to come over for the weekend, and we stayed over for a couple of nights and had a very pleasant weekend in Alderney. I was particularly impressed by all the work done by the Wildlife Trust to improve some of the fortresses and the facilities on the walks in Alderney.

1265 My concern is at the level of the deficit and the subsidy that comes from Guernsey. If you look at the Report ... and I welcome this Report; particularly the Appendix, which I think gives us a very clear view of the financial situation that is currently there, where, as it is explained, the level of subsidy from Guernsey to Alderney is £6.5 million on general revenue, plus £1.6 million on Social Security, making a total of £8.1 million.

1270 But I agree with Deputy Lowe's comment about the Breakwater. That is part of Guernsey's defence, and that is really not part of the relationship, as I see it. Therefore I would take the £0.1 million, which is included in the figures, and come down to £8 million.

1275 When you look at the 2014 e-census, it says the population was 2,013. That means there is effectively a subsidy of just under £4,000 per person from the Guernsey taxpayer to each person in Alderney. I do not think that is sustainable or acceptable.

1280 While I welcome the Report in terms of Alderney taking more responsibility, there is nothing in the Report which actually improves that situation directly. There are things like, for example, the water situation, which I think should be improved, where, for example, the Guernsey consumer pays something like twice the water rates that the Alderney consumer does, and that is because the Guernsey consumer finances waste water, freshwater and the capital, while the Alderney consumer just finances the operational, and the capital works for water comes out of the capital account. I do not think that is fair, particularly with the level of subsidy that is going across.

1285 I am slightly disappointed that, although I think the Appendix is good, the Report does not really highlight the actual changes which are proposed in Proposition 6(b). At the end of that are various taxes, but in fact the changes are on tax on real property, import duties and excise duties and document duty, which are the ones which currently are going into the Guernsey Exchequer, and which would go into the Alderney one in the future. So I think that should have been highlighted better in the Report.

1290 I welcome Proposition 7, to look at those large cost items. I think we have to do something about the situation, particularly with the Airport, and also the subsidy to Aurigny for operating those routes.

1295 I would now like to go on to Proposition 12, and talk about population. In 2013 in the Island Analysis Today, Census of Alderney, there was also one done in 2014 – an e-census. But, looking at the 2013, and looking at the conclusions from that e-census, there is one particular point which I think needs to be highlighted. It says

Migration continues to be a major feature of the Island's population, however, with no restrictions on living on the Island with a low taxation structure the Island continues to attract householders, primarily from the UK who are at the point of or already in retirement.

That is not sustainable and that is not right. That is sort of highlighted when you look at paragraph 37 which says on the third bullet point on page 192:

Those aged 60 to 69 make up one fifth of [the] population ...

1300 I note that, as I said, Proposition 12, as I mentioned when I was speaking about it, says about
encouraging population growth, particularly in the younger age groups, which I think is crucial for
going forwards. I believe that Alderney must, like Guernsey, bring in controls on immigration. It is
not right, or fair, for Alderney to attract retired or near retired people from the UK, when the
Guernsey taxpayer subsidises them at £4,000 per person. No doubt the quality of public services,
1305 because of that level of subsidy, is part of the attraction. Alderney needs to bring in immigration
controls, so that it can bring in younger people, which can make an economic contribution to the
Island.

I do not think Proposition 12, goes far enough in just encouraging ... I think it is not right, or
fair, when Guernsey taxpayers are struggling to finance our own public services, when we are
providing that level of subsidy.

1310 So, although I would support this Report, I look forward to hearing about the work that goes
on in relation to Proposition 7 to reduce on the large ticket items, with an idea of reducing the
subsidy, and for Alderney to take responsibility for those. But I think Alderney has to make
changes to its immigration policy, so it brings in only younger people, and does not expect the
Guernsey taxpayer to finance retired and near retired people from the UK who move to Alderney.
1315 That is what the conclusions of the ... as I said, from the 2013 Census.

Thank you.

The Bailiff: Deputy Harwood.

1320 **Deputy Harwood:** Thank you, sir.

I am surprised at the negativity of the last speaker. I welcome this Report. I congratulate the
Deputy Chief Minister, and fellow members of the Alderney Liaison Group, on producing this
Report, and also the consultation and corroboration and the contribution given by colleagues in
Alderney.

1325 Sir, my recollection of Alderney goes back to the 1950's, and some of us are still old enough to
remember the 1950's – certainly Alderney as a holiday destination. I can remember at least two
family holidays up in Alderney – and this was pre-Trislander when we had to fly up on something
called a De Havilland Rapide, which was a variant of the Gypsy Moth, which used to fly in the War
time, and then subsequently the luxury of going up on the De Havilland Heron, and of course,
1330 that service was provided initially by British European Airways, which was still in existence. I think
my colleague on my right was probably flying for them in those days. *(Laughter)* I also had
dealings with Alderney through my connection with the Trustee Savings Bank of the Channel
Islands – again because the Channel Islands included Alderney.

1335 Sir, in this term I was very fortunate, and I think we should acknowledge the contribution made
by the late Alderney Representative Paul Arditti, because, not only by bringing the requête, but
even before that, he was alerting me – and, through me, Members of the Policy Council – to the
issues that were facing Alderney.

1340 It was not just matters affecting the transferred services. They were deeper than that. And
certainly on Policy Council ... and unfortunately Deputy David Jones is not here today, because he
was very alert to the issues facing Alderney; he was very keen that the Policy Council should take
the initiative and be pro-active actually in trying to work with Alderney in finding some answers.
Through that, we achieved an understanding of the true meaning of fiscal union.

1345 Deputy Dorey talks about subsidies to Alderney – you can say the same way as Parish of
Torteval, Parish of Forest, and anywhere else. We have to understand that the fiscal union created
in 1948 means that we are genuinely ... we and Alderney are in this together and we have to
recognise that – we should not lose sight of that.

1350 Sir, I particularly welcome through this policy Report, the establishment of an effective working
relationship between the States of Guernsey and the States of Alderney. For too long, there has
been a distrust, I think, between the States in this Island and the States of our northern colleagues,
which has created levels of distrust, which have not been helpful, I think, in dealing with the

relationship, and actually have been, perhaps, some way to blame for some of the issues that have not been addressed in a timely fashion in the past.

1355 Sir, lastly, as Chair of the Working Group dealing with SLAWS, I had the pleasure of going up to Alderney recently, and I am pleased to report that the attendance at our SLAWS presentation in Alderney, *per capita*, would have meant that we would have been speaking to at least 1,000 plus people in Guernsey, because the genuine interest on the part of the population of Alderney to engage on matters political, I think, is far greater, actually, than we see in this Island. But, sir, through SLAWS we have recognised – and we will debate this later – the particular issues that face Alderney, particularly the demographics; and the Deputy Chief Minister has already referred to this.

1360 Already Alderney is seeing a dependency ratio of approximately, for every 100 people who are in employment having to support 70 people. We currently are facing a dependency ration in the 1950's. In 20 years' time we could well face that same level of dependency ratio that we already see in Alderney. So we need to look at Alderney, we need to understand the problems facing Alderney, we need to address those issues, we need to support Alderney. At the same time, I think we need to take lessons from the experiences that Alderney has suffered, because sooner or later we ourselves in Guernsey, in 20 years' time, may well face those same issues.

1370 I do welcome this Report, and I do encourage all Members of this Assembly to wholeheartedly support the Propositions. It is a start. It is not the end of the journey, but it is a very useful launch pad, I think, for better relations between the two Islands.

Thank you, sir.

The Bailiff: The Chief Minister.

1375 **The Chief Minister (Deputy Le Tocq):** Sir, yes, I welcome this policy letter, and echo the initial comments that were made by the Deputy Chief Minister, and thank him and the team for working, and also Alderney as well.

1380 I had the privilege when I was Home Minister to travel over to Alderney, on more than one occasion, and to visit and meet the number of people that are involved in the transferred services for that Department in Alderney.

1385 I think the investigation that has gone on into the relationship, has uncovered quite a number of areas which could, in terms of the Propositions, focus on some important work so that we understand each other better. Last week I had the pleasure of being in Alderney with Deputy Harwood and Deputy Le Clerc for a presentation on the Supported Living and Ageing Well Strategy, and what was interesting about that, was the number of people that turned out for that presentation and engaged from the Alderney public, and I think that shows the need for us to move in these directions.

1390 Sir, it is good, I think, that we underline the relationship that was set about in the 1948 Agreement, and that we commit ourselves jointly to working in there, but I think there needs to be greater transparency, and understanding, because our problems are not limited to one individual Island. In that regard, sir, I am grateful for Alderney's part in establishing during this term the Bailiwick Council, and their involvement, along with Sark; because there are issues that affect us all and, no doubt, I think at some time in the future, whilst we have not the sort of 1948 Agreement with Sark, we have a relationship with that Island, and a similar piece of work probably needs to take place there, to help us understand the same issues that affect us all.

1395 So, sir, I do commend this work, I know that much of it has yet to be done. It has focused on the particular issues at stake, but it gives Alderney options that were not available in the past, and I hope that they will welcome that themselves.

Thank you.

1400

The Bailiff: Deputy Luxon.

Deputy Luxon: Thank you, Mr Bailiff.

1405 Sir, it is all relative. Great Britain is small compared to mainland Europe, Guernsey is small compared to Great Britain, Alderney is very small. Alderney has had real problems over recent years, and Guernsey can look upon those problems with a little caution in terms of our own current economic problems. But nevertheless, Alderney is an Island with a great heritage. Its depopulation has had real impact on the Island and its own self confidence. Alderney needs to help itself, sir, and Alderney has been helping itself. It has tried initiatives and it has engaged with
1410 Guernsey, to ask for some big brother support to help Alderney with its plans, and we should offer that help with open hands.

So, again, I compliment the work stream that has led to this Report before us today between both the States of Alderney and the various States of Guernsey Departments.

1415 Sir, I really rise to commend and support the 12 recommendations, but particularly recommendation 8 – wearing my Health & Social Services Minister's hat, to confirm that already the Department has begun preparatory work to support that particular recommendation, assuming this Assembly approves this Report, in terms of reviewing and looking to see how we can enhance the medical services and structure that exists between HSSD and Guernsey and the Island of Alderney.

1420 Thank you, sir.

The Bailiff: Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

1425 Well, like Deputy Harwood, I too remember Alderney in the 1950's, because my family lived there before we moved to Guernsey. So I can actually claim to be an old boy of St Anne's School. I retain deep affection for the Island and have always tried to conduct myself in public life in a manner that is collaborative with the States of Alderney. Indeed, as Treasury Minister, members of my board will remember I dragged them up to Alderney once a year and we had a meeting every
1430 year in Alderney with their politicians, to discuss affairs up there, and were taken on tours of the new waterworks and electricity infrastructure improvements and the works at the Harbour, and so on.

The key, obviously, to Alderney's future is developing new economic activity up there. And I cannot resist the temptation to leap on one of my favourite hobby horses, which is the university project in Guernsey, because I do believe that if we establish a university in Guernsey, there will be an opportunity to create a faculty in Alderney, probably focused on renewable energy, to take advantage of the completely unique potential of that Island in that area, to bring hundreds of young people, and teachers and so on, into that Island; potentially making use of some of the buildings which are currently redundant up there, and to bring new life into the Island in terms
1440 not only of simply money flowing in, but also young people, and people taking advantage of the many hostleries up there, and other potential places of entertainment, would do wonders for not only the finances of that Island, but also the character of the Island.

I really, really hope that in the next Assembly, if we take these ideas forward, we can do something positive to help Alderney to get itself back on its feet, and to transform the Island's prospects going forward.

1445 Thank you, sir.

The Bailiff: Deputy Ogier.

1450 **Deputy Ogier:** Thank you, sir.

I just wanted to point out that the long-term future and sustainability of the Alderney Breakwater has been a topic of discussion between Guernsey and Alderney Representatives during this term, and a report is being prepared which explores the issues involved, along with various measures which could be put in place to ensure the long-term viability of the Breakwater,

1455 in meeting its modern day functions, which could be different from its historical ones of
harbouring a sailing fleet in times of war.

As has been pointed out, this is a service maintained as part of a separate agreement between
the Bailiwick and H.M. Government, as part of our contribution to Defence of the Realm, rather
1460 than part of the 1948 Agreement. It is envisaged that the piece of work will soon be put into the
public domain for discussion by the two Islands' residents, and should eventually lead to a greater
degree of certainty over the long-term sustainability of this vital piece of infrastructure.

Thank you.

The Bailiff: I see no one else.

1465 Alderney Representative McKinley, do you wish to make what may be the penultimate speech?

Alderney Representative McKinley: I did not think I was going to have to sum up actually, at
the start of this debate. I thought there was going to be very little to follow up on, but there has
been quite a lot in the last few minutes.

1470 So, it was only about 10 months that this Assembly agreed to conduct a review into the
financial relationship between Guernsey and Alderney. In fact, I think it was the subject of my
maiden speech. I thank and congratulate all of those who have worked so hard to bring us to
where we are today. My colleague, Mr Jean, has mentioned Deputy Langlois, but I would also like
to thank Mr Stephen Taylor and Mr Paul Veron. Paul, I think, is here at the moment, who was with
1475 us, and many other Deputies and States' Members and civil servants on both of our Islands.

Naturally, we have discussed the Report within the States of Alderney, and although some are
slightly nervous about some of the possible consequences, we generally support all 12 proposals.

A lot has happened in Alderney during the last 10 months since this Report was commissioned,
or the review was commissioned; and a number of our concerns have yet to be addressed, and
1480 they have been touched upon during this debate. Deputy Langlois mentioned them also in his
speech.

The transport links mentioned by Deputy Sherbourne and others are our greatest concern and
we have had problems – and I will address Deputy Kuttelwascher's question in a moment ... but
we have had concerns about Aurigny.

1485 We have had major concerns about our airfield, and I believe recent reports by the Airport
manager here, have suggested that we can no longer continue to maintain that airfield or runway
in the state that it is in. Really we need a new runway. We took one and a half tonnes of rubble off
the runway last year. We have had concerns about Aurigny, but I believe that a recent meeting
with Aurigny was a very productive and useful meeting, and we are working towards – if not, have
1490 already established – a Memorandum of Understanding with Aurigny.

We are also concerned about our ferry links, and the recent cancellation of the service or
abandonment of the service by Bumblebee has caused us some major concerns; and we are
looking forward, hopefully, to a discussion with maybe Guernsey to linking in possibly with a ferry.
One of your Condor ferries – it is likely the Liberation or the Clipper – will not be able to dock in
1495 Alderney, but we are also looking at our own way perhaps of introducing some sort of ferry
service.

The Breakwater has been mentioned several times. It was used, allegedly, as the reason for one
of our companies that was looking at a marina development recently ... one of the reasons that
they withdrew from that project was because of the instability, or concerns, about the Breakwater.
1500 All we are asking for, at this moment, is a proper underwater survey of the rubble mound under
the Breakwater. There are concerns in Alderney that the Breakwater is in a bad condition, there is
a lot of rumour mongering going around.

That sort of survey would actually either confirm that there are problems, or confirm that
everything is fine. The last survey was conducted in 1997 by Wallingford and, as you have heard
1505 many say here, the Breakwater actually belongs to Guernsey, and therefore it is Guernsey's
responsibility, we believe, to maintain it.

1510 Please do not misunderstand me when I mention these issues. We are very, very grateful to Guernsey for all that you do for us and I think, as was mentioned in one of the speeches, actually our relationship – and I think it was Deputy Harwood who mentioned it – is improving. It is very much better than it was and I am very grateful to all for the way in which we conduct business together.

With reference to the transferred services, I urge this Assembly to work towards establishing service level agreements for all of our transferred services, and also for concluding the MoU with Aurigny.

1515 Deputy Gollop mentioned some of our concerns, and I do agree with his concerns about education, and health and Social Security. I think we all do, and for that reason, we clearly have to review this new relationship from time to time to see how it is working.

1520 I thank the 14 Guernsey Deputies who took the time and trouble to visit us last year, and I urge – as many others have done in this Assembly – for those who have not yet been to Alderney, and those new Deputies perhaps elected in April, to come to Alderney when they can.

On very much a plus note, my colleague here and I will no longer be putting forward amendments to exclude us from rises in TRP or excise duty. The last debate we had on that lasted for a rather long time and it was quite clear that the second amendment was not going to work so we withdrew it. So we will not have to bother about that any more.

1525 Regarding Deputy Kuttelwascher's question on the requête, we have enormous praise for those who work at the front level of Aurigny – desk staff, the booking staff, the pilots. We do have some concerns about some of the information that we have been getting from the management. It was particularly, I think, with regard to the introduction of the Dornier. We were given various times, and I remember attending a meeting here where a number of Deputies attended, when we were told the Dornier would be coming in December. In fact, the new Dornier has only just started its flights. In fact, I was on its flight on Saturday, for the new one. So it is the information, really, that we are not getting the whole truth, and we feel that some of it is being held back.

1530 So it is, if you like, a vote of no confidence in the management, but not in the staff who operate the front desks, the booking or the pilots. As I said earlier, I understand there was an extremely good meeting with Aurigny last week, which our Head of Policy & Finance and Chief Executive attended. I cannot predict the outcome, obviously, of the vote we are having in our States next week, so ...

I thank Deputy De Lisle for his commendations.

1540 I also am slightly concerned Deputy Dorey has mentioned the immigration policy. Yes, we would love to attract a lot of younger people. Interestingly enough there were 18 births, I believe, last year. Perhaps those are slightly too young (*Interjections*) due this year, sorry. I do not keep up with these things anymore. (*Laughter*) But, unfortunately there is no work for the younger people in Alderney. There are a number of young people now who have jobs, but there are only, I think, about six or seven unemployed in Alderney, and we also have rather poor connectivity of our internet. We are working on that and hoping to improve it.

1545 I thank Deputy Luxon for his positive comments and for commencing work on proposal number 8.

1550 I fully support Deputy Parkinson's idea, with regard to the establishment of a university in Guernsey, with a branch in Alderney. I think it is an excellent idea. It has been discussed before. We have a number of very good buildings there – forts – which could be used with a little bit of work.

So I think and hope that I have addressed all. I just urge you all please to fully support these proposals and to vote in favour of all 12 proposals.

Thank you.

1555 **The Bailiff:** Deputy Luxon.

Deputy Luxon. Can I make a point of correction, sir?

1560 Alderney Representative McKinley mentioned that the Aurigny management ... that Alderney felt there was a vote of no confidence and they had been untruthful. I do not believe that that is a statement of fact, and if it is an opinion it is probably not appropriate in this Assembly, sir.

Deputy McKinley: Point of correction, sir.

1565 I hope I said misleading, I hope I did not say untruthful. If I did I apologise.

The Bailiff: Deputy Langlois will reply to the debate.

Deputy Langlois: Right, sir.

1570 Well, thank you very much indeed everybody for the overall positive and useful debate, covering a large number of points, which obviously will be extremely useful to have on record as this project moves ahead.

1575 I think I can be reasonably brief. I do not believe that there were many questions as such posed, overall. As I say, the degree of support is very pleasing and I hope that in the remaining period of this term there will be enough time for the two States' bodies to work together to a much more detailed action plan, which will ... no, that cannot bind a future Assembly, but will actually get work streams under way, so that they progress as soon as possible.

1580 Taking up a few of the points, can I first of all thank our two Alderney Representatives for their input and for their support? We realise that this has to be debated by the Alderney States next week, and that is obviously a very important event, but I think we want to send a very clear signal of support today.

1585 Yes, we had a lot of detail from Deputy Gollop, once we had sifted out Wombles, trains and sugar taxes. The only thing I would say to Deputy Gollop – and it is quite unusual for him, especially in relation to Alderney is – he managed to slide into a little bit of a talking down – not talking down to, of talking Alderney down. I think that it is incumbent on all of us, in the foreseeable future, to lend support, to talk the place up, it has got a lot of opportunity, a lot going for it.

1590 I, perhaps, hope I do not offend anybody by telling this story. I have been involved in Guernsey politics for about 15 years now, and I was on St Anne's School Committee very early. My abiding memory of Alderney in the first few years of visits was that every time you went up there, there was a big new project that was going to solve the whole world – the end of the rainbow stuff, as I used to call it – and there has been a sequence of them. I have been very interested. Whilst there are plenty of ideas and projects around, sir, you do not quite get the same blind faith in the possibility that as soon as we find something, all the problems will go away and the economy will thrive. There is a lot more acceptance, and that was mentioned by the people.

1595 We talk about the realism of the population there, and that has been very noticeable recently in the public meetings that I have attended. Perhaps something that Guernsey could, on occasions, learn from them. Because sometimes in Guernsey there is not quite the same level of realism about the challenges that this States, and the next States and the States after that will face.

1600 Like Deputy Harwood, I was concerned. It was not restricted to Deputy Dorey's comments, but the constant use of the word 'subsidy'. I do not think that actually is helpful, because what it means ... the actual case is that as a Bailiwick we are located on two different Islands, and it is inevitable that certain services will prove to be more expensive to deliver in some bits of the Bailiwick than in others. I will not make the mistake of mentioning Torteval again because that would be unfair, but it is usually Torteval used as the example in Guernsey. But it is not. The whole point is, if a service is there for the Bailiwick, the service is there for the whole of the Bailiwick; and to talk about the flows on transferred services between the Islands as a subsidy, I think, is peculiarly unhelpful.

1610 The Breakwater situation, I think, has now been clarified. The reason for its inclusion in here was very much just for clarification of where it sits in everything. There are legal uncertainties

about ownership, as such, and so it was referred to as being owned by Guernsey, then there is legal uncertainty about that, but there is no doubt ... nobody is denying that Guernsey's duty is to maintain it, so if anything is in there to suggest that, then apologies.

1615 Yes, I was very pleased, and I thank Deputy Luxon – and I am sure it would be echoed by the other Ministers of the transferred services – welcoming the commitment to the transferred service review. If you remember in the introduction, I mentioned the three “tele’s” of tele-health, tele-something ... tele, tele, tele, health and education and so on. Apart from anything else, providing connectivity can be achieved in the right sort of way, then looking at those techniques is what we are mainly talking about with a review. It is not to reduce the level of service; it is to change the way in which it is delivered. That can be applied in, I believe, all of the transferred services.

1620 So, in conclusion, sir, I think I would like to say to Alderney do not be nervous about this, stay positive; the intention is very clear and I hope we are going to make it even clearer in a few minutes time. Perhaps, for the first time ... of several, over the next couple of months, I am going to leave some advice to the new Assembly. That is that the Policy & Resources Committee, when they are formed, have got Alderney on their remit somewhere, and the ALG – it does not matter what it is called, but the Alderney Liaison Group, or similar – should continue to exist and we, the present group, has taken the precaution of putting some dates in the diary, beyond the Election to make sure that something happens. I think the membership of it is for debate, but please, new Assembly, those of you who will be back here, make sure that some sort of liaison of that sort continues.

1630 With that, sir, I would, on this occasion, hope that I can ask for a unanimous vote, and if we do vote on all the Propositions together I would like a recorded vote.

1635 **The Bailiff:** Right. Well, nobody has requested a separate vote on any Proposition, so we can put all 12 Propositions, which are to be found on pages 232 to 234 of the Billet, to you together in a recorded vote. Greffier.

There was a recorded vote.

The Bailiff: It was indeed unanimous, so you got what you wanted. I think while those votes are counted we will move on with the next Article if we may, Greffier.

POLICY COUNCIL

XI. Review of Public Sector Pension Schemes – Proposition carried

Article XI.

The States are asked to decide:

Whether, after consideration of the Policy Letter dated 14th December, 2015, of the Policy Council, they are of the opinion to approve the States of Guernsey (Public Servants) (Pensions and Other Benefits) (Amendment) Rules 2016, as set out in the Appendix to that Policy Letter.

1640 **The Senior Deputy Greffier:** Yes, sir. Article XI, Policy Council – Review of Public Sector Pensions.

The Bailiff: Again, it is the Deputy Chief Minister who will open the debate. Deputy Langlois.

1645

Deputy Langlois: Thank you, sir.

1650 Sir, this brief Report is a culmination of work to reform the pension arrangements for public sector employees, which was commenced nearly five years ago. That work has been undertaken through discussion, consultation, negotiation and mediation, within the body called the Pensions Consultative Committee. The Committee consists of Members of the Policy Council and representatives elected by ASE0, the Association of States' Employees Organisations, and it is the umbrella body for all public sector unions on pension matters.

1655 Last April the States approved revised pension arrangements for all new scheme members. Those are already in place. At the same time it directed the Policy Council to continue talks with ASE0 to conclude new arrangements in respect of current members. In July I was pleased to inform the Assembly that those further talks had resulted in an agreed position with ASE0. I quoted at the time and will quote again from a letter from the Chair of ASE0 that stated

A majority of unions representing a substantial majority of members are now prepared to recommend it to the members. 11:55:26

1660 I also informed the Assembly that the new steps would be communicating full details of the proposals to scheme members, and the balloting of members by the constituent unions of ASE0. Those ballots took place in September and in a statement I informed the Assembly of the outcome as soon as I knew it. That outcome was a clear majority of unions, holding representational rights for a majority of scheme members, endorsing the agreed position. The purpose of this Report, therefore, is simply for the Assembly now to endorse the Rules necessary to give effect to both the arrangements for new members – it approved last April – and the outcome of the negotiations with ASE0 last summer in respect of current members.

1665 There is one technical amendment which I believe has been circulated, but I am now sounding very uncertain about that but we will check that at the end of the speech. There is one technical amendment in order to align the title of the Rules in the Proposition with the title of the Rules attached in the Appendix to the Report.

1670 I now invite Members to approve both the technical amendment and the Report.

The Bailiff: I have not seen the technical amendment. Has anyone else?

1675 **The Procureur:** No, sir.

Deputy Langlois: My apologies, sir, but perhaps the Procureur can advise. It is simply that the name of the Rules in one part of the Report is different from the name of the Rules in the other part of the Report and they need to be aligned.

1680 **The Procureur:** Yes, the Proposition says to approve the States of Guernsey (Public Servants) (Pensions and Other Benefits) (Amendment) Rules 2016. In fact, the name which is shown at the beginning of the Rules, which are on page 241, is the States of Guernsey (Public Servants) (New Pensions and other Benefits) Rules, 2016. So it is really just to insert the word 'New' at the beginning of the second set of brackets.

1685 **The Bailiff:** Well, the Deputy Chief Minister is proposing that. Are you seconding that?

The Procureur: I will second it.

1690 **The Bailiff:** Is there any debate?
Let's go straight to the vote on that amendment then. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare that amendment carried.

Article X.

Carried – Pour 41, Contre 0, Ne vote pas 0, Absent 6

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Soulsby	None	None	Deputy Bebb
Deputy Sillars			Deputy St Pier
Deputy Luxon			Deputy Fallaize
Deputy O'Hara			Deputy David Jones
Deputy Quin			Deputy Le Lièvre
Deputy Hadley			Deputy Perrot
Alderney Rep. Jean			
Alderney Rep. McKinley			
Deputy Harwood			
Deputy Kuttelwascher			
Deputy Brehaut			
Deputy Domaille			
Deputy Langlois			
Deputy Robert Jones			
Deputy Le Clerc			
Deputy Gollop			
Deputy Sherbourne			
Deputy Conder			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Stewart			
Deputy Gillson			
Deputy Le Pelley			
Deputy Ogier			
Deputy Trott			
Deputy Laurie Queripel			
Deputy Lowe			
Deputy Spruce			
Deputy Collins			
Deputy Duquemin			
Deputy Green			
Deputy Dorey			
Deputy Paint			
Deputy Le Tocq			
Deputy James			
Deputy Adam			
Deputy Brouard			
Deputy Wilkie			
Deputy De Lisle			
Deputy Burford			
Deputy Inglis			

1695 **The Bailiff:** I can just formally announce, before we move, on the result of the voting on the 12 Propositions on the Review of the Financial Relationship between Guernsey and Alderney, and it was indeed a unanimous vote: 41 in favour, with none against. I declare those Propositions carried.

Now we open debate on the Pension Scheme.

Yes, Deputy Domaille.

1700 **Deputy Domaille:** Thank you, sir.

I rise merely to state that I will not be taking part in this debate. As a retired civil servant, I am actually in receipt of a civil service pension. My wife – I daren't say when she will be in receipt of the pension; (*Laughter*) it is not that far away. But on top of that actually, I have a number of family members that are actually affected by these proposals. So, as such, I will take no part in debate.

Thank you, sir.

The Bailiff: Deputy Brouard.

1710

Deputy Brouard: I am in receipt of a widow's pension for my wife.

The Bailiff: Is there any debate? No. In that case, we will go straight to the – Oh, Deputy De Lisle, are you wishing to speak?

1715

Deputy De Lisle: Yes, I wanted some clarification, sir.

Well, I should also state that I am in receipt of a pension from Education.

When the move to increase the retirement age upward to 70 from 65 ... I think there was struck a Working Longer Group and I would like to ask Deputy Langlois what progress has been made with respect to that work. Because, in terms of teachers and others, moving from 65 to 70 there may well be problems in the work place and I just wanted to know where that Working Longer Group was and what it had achieved?

1720

Also can he outline exactly what changes have been made with regard to parties who would benefit if a member's death occurs in service? That is something that I think needs to be clarified, *vis-à-vis* the system in place at the current time.

1725

Thank you, sir.

The Bailiff: Any further debate?

Deputy Langlois then will reply.

1730

Deputy Langlois: Thank you, sir.

The Bailiff: You can, of course, ask for a short adjournment if you need to consider the answer.

1735

Deputy Langlois: Let me try the reply first and we will see where we go.

The question of the State pension age – thank you, Deputy De Lisle, for giving me the opportunity to make mention of this. I have been delighted that a number of weeks ago the inaugural meeting of the group across the States' Departments and States' employer representatives, took place to do with the working longer movement, the changes that will be necessary in HR approach, in management approach, in capability approach, and so on; and that work is well under way.

1740

It has been a concern, obviously, to a number of people, as to how various people can carry on in the same role up to the higher State pension age that we have all agreed. The issue, of course, is that these rules, the pension rules that have been put in place here, actually provide a significant level of flexibility, in terms of the time at which you draw your pension, and the amount you draw and so on. The whole design of the scheme is such that that will become much more a tailored solution for individuals' circumstances than it has, perhaps, been in the past.

1745

With regard to the death-in-service question, I am afraid right of the top of my head without notice, I cannot clarify that one. I am confident, and I have been assured, that there is no worsening of the condition in that area. But I can get back to Deputy De Lisle about that.

1750

The Bailiff: We vote then on the Proposition as amended with the insertion of that word 'New'. The Proposition is on page 325. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

POLICY COUNCIL

**XII. Establishing a Central Register of Contact Details
for Individuals and Organisations –
Propositions carried**

Article XII

The States are asked to decide:

Whether, after consideration of the Policy Letter dated 14th December, 2015, of the Policy Council, they are of the opinion:

1. To support the principle of the establishment of a register of core data and contact details as outlined in Section 5 of that Policy Letter.

2. To direct the preparation of such legislation as may be necessary to facilitate the establishment of such a register.

3. To direct the Policy Council (and its successors) to research further the resource implications of the practical establishment of such a register, prepare a business case and report back to the States of Deliberation once these details are known.

1755 **The Senior Deputy Greffier:** Article XII, Policy Council – Establishing a Central Register of Contact Details for Individuals and Organisations.

The Bailiff: The debate will be opened by the Chief Minister.

1760 **The Chief Minister (Deputy Le Tocq):** Thank you, sir.

This is quite a straight forward Proposition, sir. In some ways, some people might think why haven't we done this much earlier? Why has this work not been done? Members will note that there is something like 128 different platforms and databases of information across the States as an organisation, and clearly, sir, that is not helpful for anyone at all. So what we are proposing is, in principle, for the States to agree to the establishment of a core central data facility, and to enable that to happen there needs to be some investigation of what could be included and how this might take place.

1770 Sir, many Members have said over years that the ability to be able to share data between Departments is not sufficient enough, and sometimes Data Protection Legislation is used as an excuse as to why one Department cannot share information with another; and actually that is a very poor excuse. In fact, we can and we need to, overcome that to make it easier for our citizens, and particularly for those who are moving to the Island not to have to provide different data to different Departments when they have already done that, sometimes to sections of the same Department.

1775 So this is a piece of work, sir, that I think is absolutely essential that we do. It has all sorts of cost benefits, but actually it will just make life a lot easier for everyone. So I encourage Members of the Assembly to support the three Propositions before them.

The Bailiff: Any debate?

1780 Deputy Soulsby.

Deputy Soulsby: Sir, yes.

I will try and get through my speech without coughing and spluttering over Deputy Collins.

1785 I really do not understand why this policy letter has not grabbed attention over the last few weeks. It is as if we have got really other more important things to discuss. But this Report has slipped under the radar. But the truth is it sets out some really important recommendations that go to the heart of public service reform, by providing a joined up service to users. By doing that, we can achieve greater value for money, and these are the things that will run through much of

1790 what we will be debating in the coming weeks, with Children and Young People's Plan, and Supported Living and Ageing Well Strategy, just coming up. It is this policy letter that sets the scene. By supporting it, we will be able to give impetus to the change that is needed, through enabling cross-departmental working and a more efficient service.

1795 At the Public Accounts Committee's public hearing, a couple of weeks ago, on lessons learned from the FTP, the Committee questioned the Minister and States' Treasurer on the meaning of 'enabler projects'. These really were the projects you would not necessarily save money directly on, but would enable transformational change; and it was these projects that, for various reasons, did not really take off. Now, this is an enabler project – something that has the potential to enable transformation. In the SLAWS strategy document it states:

The need for better data systems has long been recognised. 12:06:50

1800 As part of the 2001 States' report of the Long Term Care Insurance Fund, it was proposed that Social Services establish a minimum data system to monitor the need and provision of long term care. This system was never established.

Now, significant progress towards a more person-centred system could be achieved. These data protection issues were addressed in an appropriate way to allow for greater ease of patient data sharing between professionals and appropriate sessions.

1805 I totally agree, which leads me to my real concern over this policy letter, and that is the time scale. It states that the programme of work is likely to span approximately five years. I am concerned that, given the history of the implementation of IT projects, this sounds too general and could lead to drift, particularly given the major data protection issues which will need to be resolved.

1810 However, I am supportive, in principle, and believe that this Register is going to be essential if any significant progress is to be made in public service reform.

The Bailiff: Deputy Gollop.

1815 **Deputy Gollop:** Deputy Soulsby is an acknowledged expert on a lot of modern technology. I do not think I am. I do not fully understand it, in many ways, although I did attend the Digi Greenhouse Hub the other day, but as a matter of relevant interest I have recently moved house, and I do not think I have told everybody the change of address throughout the States, so this has reminded me to do that.

1820 I was interested that the *BBC* yesterday carried an interview with the Channel Island Data Protection Commissioner who gave, I think, on balance, positive support for this, but with reservations about the need for a full and open democratic debate for a public discussion and for clarity from both parliamentarians and the public on what this means, because it needs to be perhaps more debated than it will be today, when we are in really a rather busy and quick mood.

1825 I do note the administrator of Social Security, amongst other people, supports in general the drift of the policy letter, and accept that legislation will need to be amended.

1830 But I think what we really want to see is a practical implementation of this, that works. I mean, not just for the benefit of business and the public service and the transformation, but to cut down on confusion and bureaucracy. Of course, an area that we never did clear up – I know Treasury & Resources tried and then abandoned the project, at least for the moment – was a property register to ensure that every aspect of covenants and land was electronically accurate, and of course there are some parts of the Island that have many different addresses. I have seen maps whereby they actually do not have a name for the lanes so they just give it a number. Those areas, I think too – anecdotally; I am not sure this has ever happened – one has heard instances of
1835 people who have enrolled under different names for different bodies, or perhaps their names were unfamiliar to us and were spelled differently. So there are areas that need to be clarified.

1840 One thing that puzzled me in this worthy piece of work is if we are going down the route of a central register of people on the Island, combining data held by different parts of the wide organisation, eventually including Income Tax and Social Security as well, surely that is the first stage, and there is mention made of the need for a Registrar. That would be extremely useful for the creation of a more robust democratic electoral roll, because the fact that – as Deputy Wilkie pointed out yesterday, amongst other people – there is not the take up on the roll at this time, even compared to four years ago, and it is approximately only 50% of the potential adults who could be eligible to enrol. The problem here is that the pro-activity, through marketing and other ways, is on the individual to re-enrol and re-enrol, even if they have been on the roll before.

1845 Surely with a central register of legitimate, honest names and addresses that is updated electronically, we could compile the roll and just get people to confirm whether they live in the place. There should be a presumption, as there are in some other jurisdictions, that we start from an accurate roll from our database, rather than creating it through people writing in. So I would like to see more development of these ideas on how they can aid our parish and Island democracy, and not just establishing a central register of contact.

The Bailiff: Deputy Adam.

1855 **Deputy Adam:** Thank you, sir.

1860 It is interesting: sometimes when you have been around the States for so long, you see things coming back up again. We are going to talk about the Supported Living and Ageing Well Strategy. Well, I was around when that started in 2006, but this time we actually go back to 2001-02, when actually there was a cross-departmental centralised committee set up to look at IT services within Guernsey; 2001-02 – now at that time I had recently been on holiday in Iceland, and okay it was partly medical, and it was fascinating because a professor of obstetrics and gynaecology there could go to this wonderful database and actually find out the exact number of people living in Iceland, because within an hour of someone dying it is off the database when someone being born it is back on again. From a medical point of view, it was a fantastic place to work, because you could go back through records and see the trend of diseases through families etc. That was in 2002, and here we have got Deputy Gollop saying we have to discuss it, we should debate it further. This should have been prepared before now.

1865 Sir, it was Deputy Lowe that actually reminded me that we were both on that Committee when it happened, and it was Deputy John Langlois at that time who was actually Chair of that Committee. That report was – I do not think it was shared, sir; I think it was put into the back of a cupboard, because I never heard of it from 2004 onwards.

1875 This one, I fully support, obviously. It should have been brought forward long before this. The group working on this has actually been put under quite a lot of pressure to progress it in a satisfactory and logical manner. The one thing that I disagree with is one page 339, Appendix 2. It says:

Work stream – Legislation – Drafting 2016 – Drafting 2017 – Drafting first part of September 2018 – Legislation Select and Privy Council and enactment approximately September 2018. 12:14:35

1880 That is another two years down the line. I would ask the Committee that prioritises the organisation of how quickly these come through, to try and bring that forward. It does not affect the development of the system, because that is going to take a year and a half to two years anyway, but it would be nice to see. Plus, especially because the Committee – of which I am Chair, which is called the ICT sub-committee of T&R – wrote to the then Chief Minister, Deputy Harwood, asking him if he would actually bring this forward at that time ... and that was two years ago. So some of us are thinking of things and how we can enable, as Deputy Soulsby said, various aspects within public service reform.

1885 As far as data sharing is concerned, again we have a non-States' member on the ICT sub-committee who can tell you exactly what people are sharing now. You can get apps that give that

information. You can keep it on your phone; if you have an accident somebody can access that and you can find out what tablets you are on, what allergies you have and these type of things. It is already in the market place.

1890 Therefore, Deputy Gollop, I think we should be looking at that aspect, what is being used elsewhere now, what is accepted as routine and what should we be using so that the information is shared between the Medical Specialist Group, the practices, the Hospital, the emergency services.

1895 Sir, I ask everyone to support this, it is necessary, it is essential in modern management and, as Deputy Gollop said, it is also cost effective in the way it can be used for forming the electoral roll and other issues.

Thank you, sir.

The Bailiff: Deputy De Lisle.

1900 **Deputy De Lisle:** Sir, there have been concerns related to me about the sensitivity of developing a central register of this type on individuals. It was one thing, for example, for the States to go to different registers, to combine information at certain times on certain issues, but it is quite another thing for tax information, for example, to be integrated with everything else on individuals. I think that is the sort of concern that people might have, because we have had some
1905 indications recently in the private sector of banking records being left around, and being discovered by individuals.

Of course, public records have been left on trains in the UK, as you know, in the past and so I think some of these concerns are real. To what extent does one trust the government system to the extent of handling a total integration of everything on an individual, and perhaps a company,
1910 within one mass data system? I think that that has to be looked at very seriously, and adequate safeguards must be created, or have to be communicated first, to the general public before going ahead with any such system, in order to give protection to commercially sensitive information, and information that may have a high degree of confidentiality about it, including of course tax information of the type that I have been describing.

1915 Thank you, sir.

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

1920 I obviously support this Report. I think it is fine, I do not actually know why we needed it, and why we could not just go ahead with it, as happened back in the year 2000. We did not need a report then, but we just got on with it and worked together across Departments. I would like to know, though, because there was so much information, there were over 20 staff involved with that, right across all the Departments, and that was led by the Deputy Chief Officer of Commerce
1925 & Employment at the time, Stewart Le Maître who chaired that, and assisted with us greatly in that, and it was to make it easier. There was a great splash all over *The Guernsey Press* about how we were doing. We were getting modern. You could change your address, which is one click of a button and it would go across all the Departments. It was all over Chamber of Commerce Magazines. It was everywhere – how we were leading the way to make it easier for the citizens of
1930 Guernsey with the Government. That working party and group continued for quite some time. What happened to it? Where is all that work that was carried out? I do not know. I do not know the answer.

I know we had an election, then suddenly it all changed. Obviously if you have got different political Members leading things, nobody bothered to re-instigate that group. But there was an
1935 enormous amount of work that had taken place beforehand, including safety issues.

I listened to Deputy De Lisle about his concerns about safety issues in the system. Well, any system – whether it is your personal system at home, whether it is a Government system for

1940 60,000 population we have got here, which is really quite small fry when you look at other places around the world, have systems covering six million or more. Any system really has to make sure it has got the security, and the access as well. It was very much a case of the system that was being looked at and being designed as the sort of one-stop all shop ... would be that if Health needed to get into that system to check whatever the records for addresses and some of that data, you would not be able to do that if you were on Culture & Leisure. It was designed so that you could only get certain routes into that information.

1945 However, what was reminded to us, certainly when we were talking at the time to the Data Protection Office, was that we are one States, we are the States of Guernsey, and the sharing of information – at that time, the advice we were given was that it was not an issue because it was the States of Guernsey; in the same way that you just have one big airline, or one big department store, they are one store and it is across the stores, and it is the same for us.

1950 Obviously, when you have different personnel come along or different advice given either from personnel or from the Law Officers involved, we have to take that on board at the time and take that advice; either accept the advice or reject the advice and do what we think is proper and appropriate at the time as politicians. But, certainly regarding this, it is a way forward, but it is a good 15 years behind where we actually were, because we did not need to spend time in the States discussing it and debating it. We got on with it, but it is sitting somewhere in somebody's desk and, as there were over 20 staff involved, there were only two politicians involved on that Committee at that time, so staff have got it somewhere; maybe we can pick it up and save a lot of money in moving forward. Because if we had gone ahead with it and finished it, we would have a report now seeking money to fund an upgrade to the system, because it would be out of date, the way electronics go these days.

1960 Thank you, sir.

The Bailiff: Deputy Rob Jones.

1965 **Deputy Robert Jones:** Thank you, sir.

I think Deputy Soulsby is right, it has not sparked much interest, but I suspect the drafting of the legislation will spark people into life, because I think Deputy De Lisle has hit the nail on the head. This Report is not entirely clear on how personal information will be managed. I suspect those details will come later, but of course we will have to keep an eye on who will have access to information. For example, will law enforcement have access to information? Can you opt out of the database if you wish? Will information be passed to foreign governments etc.?

1970 I think Deputy Lowe also highlighted an issue in terms of having such a huge database, or one particular database. It is going to be attractive to those that conduct cyber-attacks and, obviously, we are going to have to be very concerned about protecting this particular database, because it would be a huge reputational risk to the Island. So there are concerns, but I am sure they will be addressed in the Law and I hope those that are in the next States will get notice of the draft, and take a good look at it and give it a little bit more time than they have done on this particular paper.

1980 **The Bailiff:** Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

1985 I fully support these Propositions and I am really so pleased they have actually arrived. I just want to comment on what was said by Deputy De Lisle. I think he maybe has misread Proposition 1. It talks about core details; it does not talk about all details. I certainly would not expect one's personal tax affairs to be on this particular database. In fact, paragraph 7.2 explains that – although maybe not in detail – so I do not think that is an issue.

But the reason I support this is, I support Service Guernsey and the implementation of more and more e-Government. This is essential. Without this, you are going to have big problems and

1990 you will not be able to facilitate delivery of the Service Guernsey initiative; and to me one of the big plusses of that is the proposed, and hopefully, reformed dividend which does two things: it provides services more efficiently, but should generate savings; and we have to do that.

I think in the next few years our only choice is to go down that route, and to deliver reformed dividends at a faster rate than the demand that will ensue on our public services. That is the only way we will ever avoid onerous tax increases. So the sooner the better, and I would like to just highlight what Deputy Adam says – this has to be urgent. There is no point hanging around with this. If you can do it in six months, do it in six months and let's just get on with it.

I hope Members support it.

Thank you, sir.

2000

The Bailiff: I see no one else rising. The Chief Minister will reply to the debate.

The Chief Minister: Yes, sir, just a few things to comment on. It was all fairly supportive, with some provisos.

2005 I thank Deputy Soulsby for her support. She has some concerns regarding timing and the timescales particularly, given the history of IT projects – almost the exact opposite of Deputy Adam who wanted it to be speeded up as soon as possible.

I think there needs to be a reality about the sort of data that we want – and Deputy Kuttelwascher has just alluded to that. We are not talking about every piece of data being available. We are talking about core data, that at the moment is different and on different platforms right across the States. That is one of the issues that will need to be looked at.

2010 However, we have a different group of people, I think, particularly in terms of those in the Civil Service, who are qualified and committed to this; and others have mentioned Service Guernsey, but I am totally confident that the Chief Executive – we cannot call him the new Chief Executive any longer really – is behind this fundamental move towards public service reform, and this is definitely part of it. We also have a Chief Information Officer, who has huge experience and examples of working in this environment, in terms of putting together efficient and robust and secure data in one place, and they are both behind this. It is essential that we move ahead on this.

2015 Deputy Gollop, on the one hand, was asking for greater public engagement and debate, and on the other, was saying that we should move to this as soon as possible. So I think he was very supportive of the thing, and it is an in-principle move, so that we can begin to look at the issues that, to be honest, the previous work that was done now 16 years ago or so, gave up on. They gave up on the obstacles, this committee that has been referred to, and so we need to certainly build on that, but of course there are new solutions that have been provided since then in terms of the changes in platforms, and availability of different platforms that talk to each other so that we can get the data effectively, and cost effectively, particularly.

2020 So I certainly am glad of the support from Deputy Adam. He highlighted a number of the things that have happened since then and we, of course, have got a rolling electronic census now that is working very effectively, in other terms, of providing data for us, and we do need that. We owe it to our constituents that we get better at this.

2025 The Income Tax office decided to bill me last year for a house that I had apparently bought, which I had not, which no doubt if the data had been better and more available, they would know that I had nothing to do with that other house. There are all sorts of things like this that annoy us, but actually would be much better if we had this sort of system.

2030 Obviously, it needs to be secure. I think it gives us an opportunity to demonstrate that we can create a system that is secure, in our size of jurisdiction, and I think that is something that certainly we are committed to doing.

2035 I could not quite understand Deputy Lowe saying why do we need this? It is because it has not happened. She mentioned what had happened in the past. Well, we are where we are, we have not got one, and that was 16 years ago. We now are in this position, we have an opportunity, with the right people in the right place, to move ahead quite swiftly on this, but I think in a

proportionate and realistic time frame. So, as Deputy Rob Jones said, I think the interest will come as we begin to look at the legislation on this.

2045 It is difficult to make a project like this look exciting to people who do not know how it feels, but those of us, I think, who understand the problems of having multiple data platforms and lots of different data, sometimes conflicting with each other, and the problems that causes, not only for people who work across the States, but for our citizens in the Island when they find out that actually they have got to tell a plethora of different people that they have moved house, or they find that different information is available on different places and they are not talking to one another, and sometimes at distressing times in their lives ... I think it is really important that we get this right. It will obviously bring huge efficiencies in the end.

2050 So I am totally convinced that the interest will emerge as people begin to see that this is of benefit to us all. I thank Deputy Kuttelwascher for his strong support as well.

2055 So I ask Members to fully endorse and support the three Propositions before them.

The Bailiff: Deputy Soulsby.

2060 **Deputy Soulsby:** Sir, yes, I did not want to interrupt the Chief Minister there but he seemed to imply that I wanted to slow things down, whereas I actually want to speed them up. I am on the same side as Deputy Adam on that point.

The Chief Minister: Sorry, I misunderstood.

2065 **Deputy Brehaut:** Just general, can I ask for clarification, sir, with regard to how a States gets information other than in its departmental roll? We were hearing the other week that white van man was –

The Bailiff: Debate has closed Deputy Brehaut. Does it –?

2070 **Deputy Brehaut:** Well, respectfully, sir, I think Deputy Le Tocq did touch on this in his summing up. Can I just make the point or –?

The Bailiff: Well, it seems to me you are re-opening debate.

2075 **Deputy Brehaut:** Well, it was not my intention and I do not intend to reopen debate.

The Bailiff: If he was misleading the States (**Deputy Brehaut:** Okay, thank you.) in what he said then you can point that out.

2080 Deputy Adam.

Deputy Adam: Sir, I did ask Deputy Le Tocq if the people in charge of prioritisation of legislation could be asked to try and bring that forward from the end of September to possibly the beginning of September.

2085 Thank you, sir.

The Bailiff: Deputy Le Tocq.

2090 **The Chief Minister:** I will do my best, we will do our best to do that. I recognise that issue and, obviously, this is important to us, so I take that on board and we will do our best to speed it up as much as we possibly can.

The Bailiff: There are three Propositions on page 340. I put all three to you together. Those in favour; those against.

Members voted Pour.

2095

The Bailiff: I declare them carried.

We will resume at 2.30 p.m. with the SLAWS debate.

*The Assembly adjourned at 12:32 p.m.
and resumed its sitting at 2.30 p.m.*

Billet d'État III

POLICY COUNCIL

XIV. The Supported Living and Ageing Well Strategy – Debate commenced

Article XIV.

The States are asked to decide:

Whether, after consideration of the Policy Letter dated 7th December, 2015, of the Policy Council, they are of the opinion:

- 1. To endorse all of the recommendations to progress the Supported Living and Ageing Well Strategy, as set out in the Working Party's research report and reproduced in Appendix III of that Policy Letter.*
- 2. To direct that, until alternative arrangements are agreed, the Policy Council, and thereafter the Policy and Resources Committee, shall be responsible for ensuring that the Supported Living and Ageing Well Strategy continues to be taken forward.*
- 3. To direct the Policy and Resources Committee, as part of its finalisation of the Policy and Resource Plan, to report to the States of Deliberation, no later than June 2017, on the arrangements by which political direction and oversight will be provided to enable the Working Party's recommendations to be progressed and implemented, having first consulted with the Committees for Health and Social Care, Employment and Social Security, and Environment and Infrastructure, together with the States of Alderney and appropriate third sector groups.*
- 4. To approve, in principle, the implementation plan and timescales associated with taking forward the various elements of the Supported Living and Ageing Well Strategy, as shown in Appendix II of that Policy Letter, but to ask the Policy and Resources Committee to bring forward firm proposals as part of the aforementioned Policy and Resource Plan, including identification of the resources required.*
- 5. To acknowledge that to bring about the level of transformational change identified by the investigations undertaken to date will require significant further research and other implementation activities, which can only be undertaken successfully by applying to them programme and project management disciplines, and by assigning to them the right level of appropriately skilled resources.*
- 6. To make the nine strategic commitments required to bring about the significant transformational change necessary to deliver the Supported Living and Ageing Well Strategy.*
- 7. To direct that progress on implementing the actions in the Supported Living and Ageing Well Strategy form part of the annual reporting on the Policy and Resource Plan that will commence in June 2018.*

The Senior Deputy Greffier: Billet D'État III, Article XIV, Policy Council – the Supported Living and Ageing Well Strategy.

The Bailiff: The Chief Minister will open the debate.

2100

The Chief Minister (Deputy Le Tocq): Thank you, Mr Bailiff.

This policy letter is an overdue wake up call. We currently spend £50 million on services and benefits for Islanders with long-term care needs. That bill will double in the next 20 years, and quadruple in the next 40, if we do nothing to change the way in which we deliver and fund long-term care services.

2105

Perhaps even more importantly, the services on offer are not what most people would choose today. So we are spending lots of public monies on services people do not necessarily want any longer. What greater incentive can there be to reform our service delivery and our funding models.

2110

This policy letter and the detailed research Report that accompanies it, lays these issues bare. No longer can we put our heads in the sand and pretend it will be alright on the night. These problems are not in the future, they are with us now. In fact, I would go so far as to say they have been with us for some time and they are growing.

2115

As many Members in this Assembly know, my wife and I looked after my ageing parents – about 10 years ago we started, well more than 10 years ago, we started taking on that responsibility – and we, sir, decided to look after them at home, which meant for us the decision was to sell their cottage and to use that to help finance their care. We could have chosen to go into the States' system, but we chose to do it that way. As a result, my wife had to give up her job. We do not regret any of that, but that was the only choice we had at the time because we felt that their quality of life would be better if we looked after them in that way. We fully realise not everyone can make that sort of decision. But it is certainly true to say that there ought to be, and there is, a desire for greater choice, greater flexibility, in the way people live post retirement, particularly, but also those that need extra support.

2120

2125

So I want to thank and commend Deputy Harwood and his team, who have done an excellent job in putting this together. He will be replying to the debate near the end today. Deputy Harwood took on the job of chairing the Working Group when he was still Chief Minister, and I am glad that he was willing to continue to do that, because they have indeed done an excellent job. Their legacy has been to effectively dig the foundations for how we should approach providing care and support in our Island communities.

2130

Sir, it will be for the next States to build upon these solid foundations. This will require some very difficult decisions. Especially in terms of changing models of service delivery. In changing the balance between what is paid for and provided for by the States, and what is paid for and provided for by individuals. But those decisions will be easier and better informed, as a result of the detailed work undertaken over the past two years. More to the point there will be no hiding places. The community has told us that what we are doing needs to change, and we can no longer claim ignorance of what needs to be done.

2135

2140

The issues that this States will pass to its successors require long-term sustained action. They will require determination and political resolve. They will also require the release of the necessary funds from the right places to enable change to be properly designed and implemented. That is why Propositions 5 and 7 are so important. To date, SLAWS has been under resourced. That cannot continue if the haemorrhaging of public monies is to stop. Similarly, although our successors will be judged by their actions and not by our words, it is vitally important we sign up to the nine strategic commitments on page 457, as clear statements of intent.

2145

Our accountability must last longer than a single States' term. Of course, implementing SLAWS is about more than just the States. The private and the third sectors each have their part to play, and this Report has recognised that, and we know they want to play their parts. But the States must set the lead and the overall direction. It must plan and co-ordinate much better. It must understand much better what people's needs are now and in the future, and how they can be best met. We must learn how to commission services much better, and how to address market dislocations and inefficiencies. By all of us working together more effectively, we can improve

2150

Islanders' outcomes and their experiences of the care system and, I believe, the shining beacon of the way things can be done when they are done correctly.

So, today, sir, is an important milestone from which there should be no turning back. I urge Members of the Assembly to support the policy letter, and look forward to debate.

2155

The Bailiff: We have an amendment that is to be proposed by Deputy Lester Queripel.
Deputy Lester Queripel.

Amendment:

In Proposition 1 to insert at the end of the words: ', subject to the modifications that each of the latest dates for reporting to the States in paragraphs 5a), 5c), 6a) and 7i) of that Appendix shall be brought forward to the end of 2017'.

Deputy Lester Queripel: Thank you, sir.
Sir, I will read the amendment.

Deputy Lester Queripel read the amendment.

2160

Deputy Lester Queripel: Sir, the explanatory note reads as follows:

The purpose of this amendment is to unify the reporting dates of the work-streams contained within SLAWS as detailed in Appendix III. For the purposes of Rule 15(2), it is estimated that the financial implications for the States of carrying the amendment into effect could involve expenditure of between [nothing] and [£¼ million].

Sir, this Report is 375 pages long, and it is bursting at the seams –

The Bailiff: Are you speaking just on the amendment?

2165

Deputy Lester Queripel: I am, sir.

The Bailiff: Good. Thank you.

2170

Deputy Lester Queripel: I was just going to relay the reason I have actually laid the amendment.

I do not think the recommendations go far enough, which is why I am laying this amendment. But I just want to emphasise, sir, I am not in any way seeking to undermine the authors of this Report. They have done an excellent job, and they have lived and breathed SLAWS for over two years.

2175

Sir, page 457 outlines the nine strategic commitments required to bring about the transformation change necessary to deliver the strategy. But not one of those nine commitments is considered to be of lesser importance, or in need of being prioritised in any way. Yet the 12 reporting dates for the work streams involved in this strategy, on page 799 to 802, have been prioritised. So this amendment is seeking to unify all those reporting dates, due to the fact that all the work streams are interrelated, and dependent upon each other. In order to have an effective strategy in place, all of those reporting, the way I see it, sir, really do need to be unified.

2180

If my colleagues look at those work streams on page 799, they will see that eight of those reporting dates are for no later than the end of 2017, but the reporting date for the investigation into whether or not the Long Care Insurance Scheme should be extended is October 2018, and the reporting date for the development of a carer strategy is June 2018, and the reporting date for the investigation into ageism and loneliness is February 2019 – three years away. It seems to me, sir, as though we really do need to introduce some urgency into the situation and accelerate proceedings. Because we are told in paragraph 12.3:

2185

The need for these changes has been identified before, but they become more and more essential with each passing year: they cannot continue to be put off.

2190 So that implies that previous Assemblies have put them off, for one reason or another. What that means is that this Assembly has yet another opportunity to bravely go where no other Assembly has gone before. To enable us to do that, we really do need to introduce some urgency into the situation, and we can do that by unifying all of the reporting dates for all of the work streams.

2195 If we do not unify those reporting dates the result will be a fragmented strategy – a parcel strategy, in essence – and there is a very real danger – and this is my great concern, sir – that the need to address the issues of ageism, loneliness, developing a carer strategy, and whether or not the Long Term Insurance Scheme should be extended, could all fall even further behind. That is a great concern to me, sir – that they all fall further behind. How can we realistically expect a fragmented strategy to function effectively anyway? The irony is the authors of this Report themselves ask that a carer strategy is developed as a matter of priority in 6a) of Appendix III.

2200 Sir, I sit as the Age Concern representative on the Ageing Well in the Bailiwick Group, and at a recent meeting of that group, disappointment was expressed about the lack of action plans, and that the reporting dates for delivery were in such an extremely disjointed fashion. They expressed the same concerns as me, sir, that there was a real danger that if the reporting dates were allowed to go through today in such a fragmented fashion, that those others would fall outside of that 2205 2017 timeline – will fall further and further behind.

I will spend a moment or two if I may, sir, focussing on all four of the issues this amendment seeks to address. Starting with ageism, we are told on page 531 that:

[Ageism] in our society can lead to [a] lower quality of life, a less inclusive society, and [a] higher demand for ... support.

We are told that:

[Ageism] is entirely in conflict with the notion of [a] 'person-centred' [society].

2210 And that:

Ageism can happen to both younger and older people.

On page 534 we are told that:

... loneliness is [now] recognized as a public health issue for the following reasons. Loneliness can have a similar effect [on health as] cigarette smoking and is a greater risk factor to health than obesity.

I just want to repeat that, sir, because that statement, in itself, should set alarm bells ringing in anyone's head.

Loneliness can have a similar effect [on health as] cigarette smoking and is a greater risk factor to health than obesity.

2215 We are also told that lonely people are more likely to develop depression and call on their GP for medication of some form or other. We are told that:

Lonely [people] are more likely to call on emergency services.

And also that:

Loneliness increases the chance of developing long-term care needs.

Moving on to the issue of the carer strategy, I have here a press cutting headed, 'Carers welcome strategy – but want it now.' Sir, I would amend that headline to read, 'Carers welcome strategy – but need it now,' because that is the reality of the situation. Having said that, sir, I

2220 suspect that the *Press* journalist was working under considerable pressure, as we all know they do, because if she had been afforded the luxury of time to check back on her excellent article she would have realised that she had already said in the article that:

Carers are concerned that it could take several years to implement the strategy, when what carers need is greater support now.14:46:30

2225 Just to elaborate for a moment on the role of a carer, I am sure most of my colleagues know what a carer does, but it is only sometimes when you are faced with the information, that you realise what the role entails. Because a carer, of course, helps someone get up in the morning, helps them bath or shower, helps them to get their breakfast, helps them with their shopping and their laundry, encourages them to do everyday things for themselves. They might encourage someone to paint a picture or write a poem. At the end of the day they help them to get back into bed. But, of course, sir, once that person is in bed, there is no guarantee they are going to sleep through the whole night. They might wake up during the night because of a bad dream or a nightmare, or they might even be prone to sleep walking. So a carer can never really rest or relax. Having worked as a carer for well over a year myself, sir, I can fully appreciate why a strategy for carers needs to be introduced sooner rather than later.

2230 Moving on to the last issue, the issue of whether or not the Long Term Care Insurance Scheme should be extended to cover the cost of care and support in someone's own home. Well, sir, we need to deal with that as well, sooner rather than later. Because not only are we told on page 614 that:

... expanding the scheme to allow the Fund to be used to pay for ... care at home may help to improve the consistency and equity of the whole system

But we are also told on the same page that:

Expanding the scheme so that it could support people to receive a wider range of services could allow for greater personalisation of [the] services.

2240 Of course, that would mean that someone stays in their home, surrounded by everything that is familiar to them, and everything that they love. It could be their pets or their garden, or even their neighbours – very familiar surroundings that they feel very comfortable within, and would like to stay there. So whatever it is, sir, if a person would rather stay in the comfort of their own home then they should be encouraged to do so, and be given all the support they need. Of course, they would not be getting all this support for nothing, sir, because they have all been paying taxes and Social Security themselves. The fact of the matter is that we do not have enough residential properties to accommodate the demand anyway. Unfortunately, we are never liable to have.

2245 So bearing all those things in mind, sir, we really do need to be a lot more pro-active. We cannot afford to allow any of these work streams to tail drag at the back of the queue.

2250 Talking of affordability, the message I want to relay to my colleagues is that all four of these issues are spend-to-save initiatives. I would like them to bear that in mind when they come to vote. It is not me saying that, sir, all the information is in the Report. They are all spend-to-save.

2255 So I do not think I need to say a lot more at this stage – I suspect (*Interjections*) I will need to say a lot more in response to the debate, sir, (*Laughter*) but what I would like to do before I close is express my sincere thanks, to go on record, to all the volunteers for the Men-Cap and Autism Guernsey Befriending Scheme, because every one of those volunteers gives up their time every week to visit a lonely person in their home. That really does give a lonely person something to look forward to, and it means a lot.

2260 So I will close by saying we do not really need to be told any of what we have read in this Report, because we already know it. It is common sense. We have all been around long enough to know what the problems are and what we need to do to resolve them. I am sure, sir, that the majority of my colleagues, like me, would really just like to get on with it, and resolve all the

problems. (**A Member:** Hear, hear.) Unfortunately, sir, we live in an age where endless evidence – based reports have to be produced, so we can then debate what is and what is not affordable. Surely, sir, the whole issue of affordability is centred round value, and what is more important than valuing your own people?

Thank you, sir.

The Bailiff: Deputy Gollop, do you formally second the amendment?

I have had a request for the removal of jackets. I confirm that those who wish may remove their jackets.

The Chief Minister is going to speak now.

Deputy Le Tocq.

The Chief Minister: Thank you, sir.

I can only commend Deputy Lester Queripel for his enthusiasm and support, and strong encouragement with regard to the issues facing, particularly, the older generation.

However, his amendment is misguided, in that he seeks to, by changing the date, effectively bring forward some of the decisions that we need to make. Sir, this Assembly, we have to accept, are not very good – we are not very good – at timelines and planning deadlines for things and producing things. A lot of thought has gone in, I know, to the timelines required in order to enact and to produce all the decisions that need to come back to this Assembly for further debate, and final decision in the end. So just changing the timeline here – actually, all it is going to do is to make us even worse at producing things in a timely manner. The resourcing will not help, because in a sense it is not about resourcing, it is about finding the right people to do the right jobs, and just changing the date at which these particular reports and Propositions need to return to the Assembly is actually planning to disappoint.

I sort of hate to say this, because I know where he is coming from and I agree with his many comments on loneliness; in fact, they are referred to in the Report itself, in the policy letter. But the point is, just changing the date is not going to improve things. It is a signal that we are not going to be able to keep to, and a timeline that will just disappoint. So I am sorry to say, but I cannot accept it and neither can Policy Council.

The Bailiff: Deputy Harwood.

Deputy Harwood: Thank you, sir.

Like the Chief Minister, I also understand where Deputy Lester Queripel is coming from. I have great sympathy for him. He has always been keen we should get moving. His use of that ghastly split infinitive to bravely go, and to introduce urgency into the matter, is very laudable. But actually he has also said in the past that he likes to have full evidence-based reports, and I would hope that he acknowledges the Report that is before the Assembly today actually does contain a lot of evidence. But he has also made the point in the past that clearly we should not have to wait for everything finally to come to a conclusion. Actually, it is better to work in stage processes, to deliver in stage processes, rather than to have everything hanging on to one common date.

The danger, as the Chief Minister has already said, is that by trying to bring everything together as to one date, the risk is you are going to fail miserably, because you will not be able to deliver all those. There are 21 different work streams. Deputy Lester Queripel has identified four particular work streams where he would like to accelerate the process, but as I said, there are 21 different work streams.

The reality is a lot of those work streams will have to be worked on by the same body of people, and the way they are structured actually means that they can work on them sequentially rather than having to bring them altogether ... If you try to bring them altogether, and as I say, I have every sympathy for the concern behind Deputy Queripel's amendment, but I think the danger is it will fail; we will not be able to deliver. You will spread even more thinly some very

2315 scarce staff resources, let alone financial resources, because you need the same body of people to
cover all the work streams. I would urge Deputy Queripel to accept that the work streams have
been thought through. The timing actually has been thought through, and therefore I would urge
every Member of this Assembly to support the original work streams as set out in the policy letter,
because they will help to deliver sequentially, rather than running the risk of failing, by trying to
2320 attempt everything at the same time.

So I would urge all Members of the Assembly, reluctantly, to vote against this amendment, and
to then support the next Assembly and the next Committees to work through the work streams as
has been suggested in this paper.

Thank you, sir.

2325

The Bailiff: Deputy Gollop.

Deputy Gollop: Well, with reference to Deputy Harwood's comment about the split infinitive,
to boldly go – I think it derives from Star Trek, the *trekkie* mantra, and maybe I am a little bit like
2330 Mr Spock in one respect, in that I think it is logical to support this amendment.

The Chief Minister said that we must not plan ahead to disappoint. Well, I do not plan to
disappoint; it just happens anyway! (*Laughter*) Deputy Queripel has fulfilled a difficult role in this
Assembly, because he possibly pays more visits around the constituents to see to older people
and listens to their concerns more than most of us, and indeed he took over the Age Concern
2335 Chairmanship from Deputy Kuttelwascher a few years ago.

Like myself, he attended what was, to a degree, a semi-private workshop that was held by a
group of charities, looking at issues relating to this topic, because I have now attended probably
three or four such meetings. There was one in Alderney as well, as has already been referred to.

It is fair to say the mood of the meeting from both the organisers and the delegates was, 'Nice
2340 enough strategy, but where is the beef? Where is the action?' They very much want delivery rather
than just more strategies, or more thinking about strategies. In fact, although I second this
amendment, it is watered down from what I originally wanted to do, in a way, because if one turns
to page 796 of this mammoth Report, one sees on the timelines:

As part of the Disability and Inclusion Strategy, to develop condition specific frameworks for dementia, autism and
learning disabilities, as to identify gaps in service provision.

These were, of course, voted for in 2013, when Deputy Harwood led the Strategy to the States.
2345 At least once a month I get a call from professionals etc. to push forward the Dementia Strategy –
Autism, the same. But the timeline given, if you can understand these matrix charts, is blocked out
until the end – Christmas time of 2019, which is actually a few months away, not from this
Election, but the election after that. Effectively, we could be sitting here – or some of us might be
sitting here – in four years' time, still waiting for the final draft and implementation of the
2350 Disability and Inclusion Strategy. This was something promised in 2012, or 2011. We are falling
behind in social policy.

I will give tribute here – although we do not usually mention civil servants – to the meticulous,
caring and very carefully-crafted work of Dr Langford, who has headed up these work streams
with a team. But we do know that he is moving on to other pastures, and therefore it is very
2355 important that the Chief Minister, and the future Chairman of Policy & Resources, identifies a
team of able professionals, either within the public sector or outsourced from the voluntary sector,
who can work with States' Members to do the policy, advisory and road map work to deliver on
any of these strategies, let alone all of them. It is not enough to say it cannot happen or they
cannot all be done together. Actually, in a way, they should be done together, because they are all
2360 different parts of the same whole, they are different faces of a polygon or an octagon.

I mean, this particular amendment that Deputy Lester Queripel has put forward pushes forward
ageism, loneliness, the carer strategy and the policy work related to the Life Time Care Social
Security Insurance.

2365 Now, I think all four of them are very important. Perhaps my personal preference would be that
the loneliness is not the least important, but I think it is the one that best fits outsourcing to the
third or voluntary sector, as a study that could be done by a charity or an academic group. But the
others are core to policy. Ageism ties itself in with the Disability and Inclusion Law and the
Equalities Law hinted at this morning. The carers strategy is demanded at least once a week from
2370 within the voluntary community, and it has never been more important. We have a Long Term
Care Insurance Fund, but in a sense it does not do everything that it implies, because it is there, of
course, for residential homes, the nursing homes, and for respite in some instances, but it does
not deliver or pay for care within the home.

We have these examples in the text of Edith and Arthur living in St Pierre du Bois, or wherever.
Well, we cannot actually deliver everything at the moment, because we have not got the policy
2375 framework. It is piecemeal. What Deputy Lester Queripel is doing is saying, let's just not move
forward, let's move forward together, so that all the ducks in the line are dealt with, not only in a
timely fashion, but more or less at the same time, in a co-ordinated and a holistic way.

So I think it is irresponsible for us, as a progressive Assembly, to keep on approving these
strategies, or strategies to do strategies, and not actually delivering timely outcomes, and also the
2380 finance and the resources to ensure that they are delivered.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, I do really have concerns over the timescales in this Report – and I will go
2385 into far more detail on that in general debate – but I do not think this amendment will solve the
problem. Indeed, all it does is say everything is as important to achieve as others. But being
important is different from being urgent. What I think is needed is for Policy & Resources to co-
ordinate those prioritised work streams. After all, that is what is supposed to be their new
mandate.

2390 As I say, I have my views of what should be prioritised, but that does not mean that I think the
timescales need changing, as I do not believe it will mean nothing will be delivered, and no
changes seen until those dates. Indeed, I had hoped that, with partnership and engagement from
the third sector and others, key areas can be advanced, as well as pilot schemes introduced to test
ideas.

2395 That is why this amendment, I believe, is unnecessary and I cannot support it.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

2400 The bigger problem with this amendment is that it is just not going to do anything, because
the problem is – and, in fact, the Propositions ... I cannot remember which one it is, but one of
them speaks to this problem; that actually very little of the strategy is going to be taken forward
and implemented, unless in the next term the States apply the kind of project management or
programme resources which are necessary. It is no good us here today having a debate about
2405 whether the next report should come back in 2017 or 2018, or in any other year. The issue is, if
this is going to be taken forward successfully, then more resources are going to have to be
applied to it more wisely.

The amendment implies that the Policy Council somehow is being almost neglectful. It does
not want to come back as quickly as it should. That is not the problem; the problem is the lack of
2410 appropriate resources applied wisely, and sticking a different date in a Proposition which directs
the next Committee to report back to the States is not going to make a jot of difference. If Deputy
Queripel wants these work streams seen to more quickly, then the amendment he should bring to
the States, and the proposals he should support in the States, are those which provide more
resources dedicated to this type of work. But this amendment would not achieve anything.

2415

The Bailiff: I see no one else.
Deputy Green.

Deputy Green: Sir, yes.

2420 I think there certainly is something in this amendment, which is attractive, and Deputy Lester
Queripel was at his strongest, I think, when he spoke of the desire from people in the care sector
themselves, for a greater acceleration of progress. I speak as the political representative for
Ageing Well in the Bailiwick. That is certainly my understanding of the concerns that have been
2425 expressed. So when he talks about bringing forward the dates, and a more united approach to
reporting dates, I think there is a lot to commend that, otherwise there is some risk of
fragmentation, and particularly on the carer strategy, and on the issues concerning the Long Term
Care Insurance Fund.

Whoever it was who advised Deputy Queripel about the range of costs, which appear in the
2430 explanatory note, sir, seems to indicate an expenditure of anywhere between nought and
£250,000 has not exactly helped Deputy Queripel's cause. But I wonder whether Deputy Queripel
could address that when he sums up at the end, in terms of what is the underlying rationale for
that. What is driving those costs, and why is that range so large?

Perhaps Deputy Queripel could also comment on this – which is that, surely from May of this
2435 year the role of resource allocation will be part of the Policy & Resources planning process. Unless
the costs quoted here relate to a need for some kind of external expertise, perhaps it is a little
unfair to put any figure on these resources right now.

But perhaps, sir, what Deputy Queripel really means is he wants the Supported Living and
Ageing Well Strategy to be given sufficient priority within the planning process from May of this
2440 year onwards, to enable all the areas of work identified here to be brought back in this single
unified set of reports that he wants to see by the end of 2016. I would have thought, sir, the next
States will end up prioritising its business, if the next States ends up prioritising other things,
alongside the Supported Living and Ageing Well Strategy, which means that the total cost of
resources needed to deliver the overall plan is greater than the total amount of resources
2445 available, then those additional costs will need to be met in any event, but they are the net costs
of the Policy & Resources plan itself, rather than specifically attributed to this strategy. I ask
Deputy Queripel whether that is his analysis as well. In which case, it is rather unfortunate and
unfair for that cost to be labelled in this amendment.

So, given all of that, I think I agree with the substance of what Deputy Queripel is trying to do, I
2450 am just not sure that this amendment will necessarily achieve it. But, if he could answer those
questions in terms of the resourcing and how this will relate, and how this will actually operate
within the process from May onwards, I may give some consideration to supporting him.

The Bailiff: Deputy Rob Jones.

2455 **Deputy Robert Jones:** Thank you, sir.

I agree with Deputy Fallaize here. If you look at pages 788 to 798, you will see the action plan,
and the last column is telling. It talks about resources, and every work stream that you look at in
5a), 5c), 6a) and 7i) – they are either dependent on an allocation of resources from the Transition
and Transformation Fund or require additional resources.

2460 So I think Deputy Fallaize is right, and Deputy Green touched on it. I think the timing of this is
not necessarily going to be dependent on us putting an arbitrary date of the end of 2017, but
how quickly those resources are obtained from the Fund, as detailed on these pages, and whether
we get the additional resources.

2465 **The Bailiff:** No one else is rising.
Deputy Lester Queripel will reply to the debate.

Deputy Lester Queripel: Thank you, sir.

Sir, if I am going to go down, then I am going to go down fighting. (**A Member:** Hear, hear.)

2470 Sir, Deputy Le Tocq said this is misguided. I do not think it is misguided to try to accelerate proceedings that will benefit the whole of the community. It is a shame he is not in the Chamber to hear that. (**A Member:** Hear, hear.) (*Interjection*)

2475 Deputy Green, sir, asked for clarification of costs. Well, I was told that extra resources may have to be brought in – *may* have to be brought in – therefore if extra resources do have to be brought in, that could cost up to £¼ million pounds. But, of course, if no extra resources are needed then there will be no additional cost.

2480 Sir, I want to thank Deputy Gollop for seconding the amendment. I have got here to thank the colleagues who have spoken in support of the amendment, but I do not think I have heard anyone actually speak in support of the amendment, so ... In fact, sir, I have not heard many colleagues speak at all, which concerns me greatly, because do they not ... well, they obviously do not share my concerns.

But, sir, I understand colleagues who are concerned about the funding. I will ask my colleagues, through the Chair, to please listen to the message I am relaying, and do not shoot the messenger, whose intentions are honourable.

2485 Sir, I am aware that we are told on page 449 that

... resources are not in place and only actions highlighted in Appendix II can be [progressed] with existing resources.

But I am also aware that on page 452 we are told that up to £1 million is available from the Transformation and Transition Fund to transform health and social care services. So there is money available.

2490 Anyway, if all the money cannot come from that Fund, then there are other places it can come from like the Budget Reserve, for example, which as we all know, is for funding matters that occur on an *ad hoc* basis. Sir, the business case for additional funds could quite easily include the funding to progress all four issues I am addressing in this amendment. But it just depends, sir, if there is a political will to pursue that avenue or not.

2495 Now, we are told that all individuals, no matter what age or disability, should be fully included in community life. That is what this amendment is all about, sir. That is exactly what I am trying to do here. I am trying to unify all the reporting dates in an attempt to include everyone, and generate and embrace and support an inclusive society. Surely, it is not acceptable for us just to keep saying the words and pay endless lip service to the intention, because we have the power. It is the responsibility of this Assembly to embrace every opportunity to attain the inclusive society we so often speak of. The people of Guernsey have elected us in good faith, and they rely on their Deputies to progress issues such as these, and progress them as quickly as possible.

2500 Sir, I apologise to my colleagues for telling them what they already know. But I cannot see the sense in delivering a strategy in a fragmented piecemeal fashion, and I cannot see the sense in delivering the reporting dates at different times – two years apart in some cases. As I said earlier, the danger of putting some of the components at the bottom of the list is that they fall further and further behind. I cannot see that we can afford to let any of the issues I am focussing on in this amendment fall behind. Why should they be at the bottom of the list anyway? Does the majority of this Assembly really think that our fellow Islanders who experience ageism and endure loneliness are less important than the rest? Does the majority of the Assembly really think that Islanders would prefer to be cared for at home, and the carers themselves are less important than the rest. Because I think that is the message we will be sending out to the community today, unless we introduce some much needed urgency into the equation.

2510 Sir, I have said on more than one occasion in this Chamber that I am proud to be Member of this Assembly. I consider the position of Deputy to be a privileged position, and the electorate will decide whether they want me to continue in the role at the next election. So I may not get another shot at this, (*Laughter*) but disregarding the issue of whether I am re-elected or not, I would very much like to stand beside my colleagues in the Chamber today, with our heads held

high, because we were given the opportunity to support and embrace an inclusive society and we took it, and we were given the opportunity to embrace and pursue the number one objective of the States' Strategic Plan, which as we all know, is to improve the quality of life of Islanders – and we took it.

I believe that by voting in favour of this amendment we will be sending out a very clear message to the people of Guernsey and Alderney that every single one of them is valued for who they are. That we are all equal and that everyone has a right to be included in society now, and in two, three, four, five years' time. That is the message I think the people need to hear: that their Government does not see the need to separate some members of our society from the rest, because some members of our society are considered to be less important than others. Is that really the message we want to send out? (*Interjections*)

Sir, in a further attempt to persuade the majority of my colleagues to vote in favour of this amendment, I just want to spend a moment or two reminding them of what I said in my opening speech. Starting with ageism:

[Ageism] ... can lead to [a] lower quality of life, a less inclusive society, and [a] higher demand for support.

Ageism can happen to both young and old people, and is entirely in conflict with a person-centred society. Moving on to loneliness:

Loneliness can have a similar effect [on health as] cigarette smoking, and is a greater risk factor to health than obesity.

That is startling to my mind, sir.

Loneliness increases the chance of developing long term care needs, and the chance of needing to enter residential and nursing care sooner. Lonely [people] are more likely to develop depression.

Regarding the issue of the carer's strategy, carers have already said that they need a strategy now, not in three or four years' time.

Finally, the issue of fellow Islanders receiving care in the comfort of their own home. Just like all the other issues, it is absolutely vital that we address that issue sooner rather than later. As I said, sir, we do not have enough residential care homes in place to accommodate the demand anyway, and we probably never will. So this issue cannot be allowed to sit at the bottom of the list. It does need to be progressed sooner rather than later.

Sir, it can be extremely frustrating for us, as politicians, to be constantly told that we are on an affluent Island, when this Assembly has been hamstrung by apparent lack of resources on several occasions when we discuss strategies. Sir, it would appear that that affluence is not filtering through to the right places. As I have said, sir, the money for this is already there. It just takes the political will to access it.

As for my colleagues' comments, sir, they have the power, they have the power to empower and enable the people of Guernsey and Alderney. What greater investment could we, as politicians, ever make than the investment in our own people? Some of those people are at crisis point now. They need action plans and urgency now. To ask them to wait for another two, three, four years is only going to increase stress and trauma for those Islanders. We are talking about people's lives here. We are talking about how they live their lives every minute of every day. Now, I urge my colleagues to bear that in mind, sir, when they come to vote. We are talking about people's everyday lives.

Sir, as I said earlier, this is a spend-to-save amendment. So I do not see what all the concern is about the funding, because if my colleagues look at page 432, they will see that the ongoing costs of us not supporting this amendment are these: the Chief Minister has already touched on this, the cost of long-term care will double from £50 million to £100 million over the next 20 years. So in a sense – a *very real* sense – every year we delay is going to cost the taxpayer another £2½ million. So extending the reporting dates for the work streams I am focussing on to 2019, instead of unifying them all at 2017, will cost the taxpayer another £5 million. That is a crucial

point that I ask my colleagues to bear in mind, sir. This is a spend-to-save amendment. Surely spending anything up to £1¼ million now, to save another £4¾ million makes perfect sense, whichever way you look at it. Every Islander will benefit if this amendment succeeds today.

2565 I just make one more comment on the piecemeal and fragmented approach, sir. We are told on the very first page of this Report that the funding for services, and the services themselves, have evolved in a piecemeal and haphazard manner, causing confusion for service users. Well, surely, if the proposals go through today unamended that will simply result in a continuation of that piecemeal and haphazard approach.

2570 Sir, I cannot emphasise enough this strategy needs all the components to be progressed at the same time if it is going to have a chance of achieving what it is meant to achieve.

I will end with a plea to all my colleagues and also leave them with a question I think we should all be asking ourselves when we come to vote, and the plea is a simple one: please, please, please support this amendment and accelerate proceedings, because a lack of progress in any of these areas will have an adverse effect on every Islander at some stage. The question is a two-part question, if we are not here to take the opportunity to promote and embrace an inclusive society, and we are not here to take the opportunity to improve the quality of life for Islanders in Guernsey and Alderney, then what are we here for?

2580 **The Bailiff:** Members, you vote now on the amendment proposed by Deputy Lester Queripel, seconded by –

Deputy Lester Queripel: Recorded vote please, sir.

2585 **The Bailiff:** – Deputy Gollop. There is a request for a recorded vote.

There was a recorded vote.

The Bailiff: While those votes are counted, I suggest that we move on with general debate. Deputy Luxon.

Deputy Luxon: Thank you, Mr Bailiff.

2590 Sir, is it important that this policy letter is thick? It being thick – is that important? Well, yes, it is, it is important. This is an incredibly complex and diverse policy area. Sir, there are 370 – it does remind me the lunchtime slot, they always say, is a bit of bad slot to speak and of course, Deputy Lester Queripel has really taken our energy levels down, so we must try and get ourselves back up because it is such an important area – 375 pages, one inch thick: four priority outcomes for individuals with care needs; five priority outcomes for the community; nine strategic commitments; seven Propositions; and, frankly, a decade of work to be done ahead of us.

2595 Sir, the Chief Minister mentioned – the previous Chief Minister, Deputy Harwood ... and as SLAWS Chairman, I too commend him and his team's work, but I do remember him saying – we used to have sneaky little breakfasts once a month just so I could try and look after PSD's interests with the Chief Minister at that time; he never realised that was the purpose ... but he said to me, 'If I do nothing else, Paul, I am determined to deliver the SLAWS proposals this term.'

2600 Well, Mr Bailiff, I will leave it to you and the rest of the Members, if he has done anything else at all, or not, but he has delivered this policy letter today. And – although I am not sure if I am allowed to mention Deputy Harwood's wife by name, but I will do – Morna told me, quietly, that the reason that Deputy Harwood has put so much commitment into this is because he feels he is in the territory of the (*Laughter*) SLAWS policy area, so he was well motivated! (**A Member:** He will be.)

2605 Sir, this has been a very complex policy development, and over a long period of time, and it is fair to say that it has engaged with our community in many different ways. Surprisingly, we have been disappointed with the engagement recently through the workshops, but questions that have

2615 been asked are: 'What is SLAWS?' 'What is the strategy for?' 'I do not have any conditions so why
 is it relevant to me?' Sir, this is not me saying all this, these are quotes of other people. 'I know
 what health care is, but what is social care?' 'What issues is the strategy trying to address?' 'Why
 are these being looked at now?' 'Alderney has different issues than Guernsey, has this been taken
 into account?' 'What is being proposed?' 'Why does the States need to agree this plan of work?'
 2620 'What are the key changes proposed?' 'What does sustainable mean?' 'Do the third and private
 sectors have a role here?' 'Will I be required to pay more social security contributions?' 'Will I be
 required to sell my home?' 'I live in a care home, will the strategy mean that I will have to pay
 more towards the cost of my care?' Most important of all, sir, is a quote that we kept hearing from
 many: 'Stop blaming elders in our Guernsey community for all of these problems. We are not a
 problem: we are Islanders no more no less. Pay us respect.' How can we not agree with that
 sentiment, sir?

2625 Sir, briefly, I would just like to touch on, from an HSSD perspective, two different slants: first of
 all, HSSD's own transformational reality to deliver health and social care for all Guernsey residents
 into the future, and secondly, HSSD's role, along with other States of Guernsey Departments, to
 deliver the SLAWS objectives for the people of Guernsey.

2630 Sir, the first point, in terms of HSSD's own transformational plan, we all know the recent history
 of health care, and indeed HSSD's inward-looking travails; we know of the BDO report and the
 benchmarking work. In the Budget for 2016 in October, much discussion was had around the
 HSSD realities, the challenges, the opportunities and the needs for sustainable change. We looked
 at 2016, one year; we looked at 2016-20, the five-year plan; and we looked at 2016-25, the 10-
 year plan. Sir, HSSD has embarked with this Assembly and the States' support on a
 transformational reform journey. They are not words ... 'strategy', 'synergy' are overused words
 these days, and I suppose 'transformational' is getting there as well. But HSSD is on a
 2635 transformational reform journey, and much of what it is doing, much of its many objectives, are
 linked to what is included in this SLAWS policy letter.

2640 Sir, the need for re-ablement, the ability to actually take people and have their care in their
 own homes, to reduce length of stay in hospital, to invest in public health, and prevention and
 early intervention, to allow us to free up funds that we do not need to allocate for acute
 conditions further down the road.

Sir, on page 455, 8.18, I would just like to quote:

The Housing, Health and Social Services, and Social Security Departments (and ... successor Committees) will need to
 work together to design and resource the programme to transform health and social care in Guernsey and Alderney ...

And, sir, that is true; it is going to take cross-departmental work to deliver these SLAWS
 objectives. Sir, Proposition 2 on page 805 says that:

... the Policy Council, and thereafter the Policy and Resources Committee, shall be responsible for ensuring that the
 Supported Living and Ageing Well Strategy continues to be taken forward.

2645 Sir, we have no choice, we have to start; it is 10 years' work and we need to get going. I
 commend the Report, and will support all proposals.

Thank you.

*Amendment by Deputy Lester Queripel and Deputy Gollop:
 Not Carried – Pour 6, Contre 36, Ne vote pas 0, Absent 5*

POUR

Deputy Gollop
 Deputy Lester Queripel
 Deputy Laurie Queripel
 Deputy Green
 Deputy Wilkie
 Deputy Burford

CONTRE

Deputy Soulsby
 Deputy Sillars
 Deputy Luxon
 Deputy O'Hara
 Deputy Quin
 Deputy Hadley
 Deputy Harwood

NE VOTE PAS

None

ABSENT

Alderney Rep. Jean
 Alderney Rep. McKinley
 Deputy Stewart
 Deputy David Jones
 Deputy Perrot

Deputy Kuttelwascher
Deputy Brehaut
Deputy Domaille
Deputy Langlois
Deputy Robert Jones
Deputy Le Clerc
Deputy Sherbourne
Deputy Conder
Deputy Parkinson
Deputy Bebb
Deputy St Pier
Deputy Gillson
Deputy Le Pelley
Deputy Ogier
Deputy Trott
Deputy Fallaize
Deputy Lowe
Deputy Le Lièvre
Deputy Spruce
Deputy Collins
Deputy Duquemin
Deputy Dorey
Deputy Paint
Deputy Le Tocq
Deputy James
Deputy Adam
Deputy Brouard
Deputy De Lisle
Deputy Inglis

2650 **The Bailiff:** Before I call the next speaker, I can now announce the result of the voting on the Deputy Lester Queripel/Deputy Gollop amendment. There were 36 against, and 6 in favour. I declare the amendment lost.
Deputy Adam.

2655 **Deputy Adam:** Thank you, sir.
I would like to start by saying I have a slight sympathy for Deputy Lester Queripel and his frustration that things cannot be progressed more quickly. I simply advise him to actually look and find out when this project started. In 2006 someone was appointed to HSSD and Housing Department to look at ageing well. In 2008 there was a consultation saying that people preferred to stay in their own homes, not go into residential homes. In March 2011 there was actually a report that came to the States called The Provision of Extra Care Housing. That was an interesting States' report, sir, because it was meant to be a joint report and I was the only one from HSSD that supported it, but never mind.

2660
2665 In that report you had an Appendix II, and that was where the first aspects of your Ageing Well strategy were exposed to public exposure. It had similar things in which this strategy has, which is promoting independence and choice, preventative measures. But then it was felt, in 2012: where should we be going? Should we just be looking at the ageing one, and I do not blame these people, as Deputy Luxon said – these older people who feel that they are being blamed for this problem. But we have got a problem between 18 and death, with supporting people within our community, for a whole variety ... It may be, as Deputy Luxon says, that they have had an illness and you want to get them back home and give them support until they get back into the way of living on their own, or it may be because they have been born with some problem, and they are not actually able to cope with looking after themselves.

2670
2675 Thus it has changed the whole focus. It is saying: as a community we cannot just concentrate on this group or that group, we have to look at the whole breadth of caring for those who need caring within our society. Thus to a certain extent it went backward, this work stream. Now, initially I was involved in it, because I was Minister of HSSD, and then I did not get away from it because

2680 T&R board decided I should be T&R representative on it, so I was back on this Committee. But it is
a different report; it looks at things differently, it is more extensive, it develops all concepts that
are necessary within our society, both from the public side and the private side and the third
2685 individuals – makes it inclusive; it stops loneliness, not just for aged people, but across the
spectrum of people living. Sometimes, I feel that people actually do not think about the wonderful
life you all are having in this Assembly. You can read, you can write, you can think, you can stand,
you can sit, but remember in our society there are people for which that may be difficult. Part of
society's job is to look after them, and thus we have to do that, I believe.

Now, a business case was made for extra care. Not everyone agreed with it. It was accepted by
the T&R board at that time, by a majority. One member did not like it. And this extra care housing
is one way of giving independence back to people within a caring environment, in a care home
environment. But the problem is financing. I am allowed to speak about that because I am on the
2690 T&R board: how do you finance all the facilities that we expect?

Now, Deputy Lester Queripel was saying we have got all these priorities; progress them all at
once. Unfortunately ... (a) it sound a great idea, yes, but (b) I am sorry, you cannot do that,
because if you try going forward on all fronts, you do not know how much you are going to
tangle up one thread of work with another thread of work etc. You are much better to progress
2695 steadily, in an organised manner, and this is what this Report offers: clearly defined action lines.

But financing is not easy. We have what is called the Long Term Care Fund, but that,
remember, was started up for older people. Now we are saying we want to fund everything 'care'
out of maybe across the board. The Chief Minister, Deputy Le Tocq, mentioned this briefly, saying
that we have to look and see how much does the States pay – or the public, shall we say – under
2700 general taxation? How much comes out of insurance? How much does an individual pay? Do we
split hotel charges with care charges? That is not an easy problem to solve. It is one that has to be
addressed, and try and find a more suitable way of doing it. You will find a lot of information
concerning that whole aspect within that business case that was presented by Housing and HSSD
in 2009 – sorry, maybe 2010 – and yes, I do have a copy if you want to read it, but it is slightly
2705 longer than 100 pages.

So, sir, obviously my opinion is, although I am disturbed about the length of time this has
taken, I accept it is different from the Ageing Well document that was presented in 2010. It has
similar background ideas and information in it, but it is different because it includes 18 onwards. If
you have taken the time to read the 100 pages of the research, keep that report. It is a superb
2710 reference book for all that is required to help and support people that we are looking at but it is a
long read, I accept that, 60-80 pages of the States' report.

So, sir, I would like this Assembly to fully support all the proposals in this Report. I accept it is
up to P&R to advance it in a constructive and timely manner.

Thank you, sir.

2715

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, a thing not far short of 400 pages is a beast of a document, but in my
opinion, it is a seminal work that covers every aspect of the subject matter. But it is also a sad
2720 reflection on the failure of Government, over many years, to take a strategic approach to our
ageing demographic. And Deputy Adam has just made those points very clearly, talking about
going back to 2006. Instead, we have seen a haphazard build-up of services and funding, which is
now completely unsustainable. If there is anyone here who believes that we do not have a crisis,
realises that we have a problem – and I cannot believe there is – just go to page 585 and look at
2725 the graph, a forecasted doubling of expenditure in 20 years on extra care and benefits. We just
cannot continue to do what we have been doing up to now. It reinforces the conclusions of the
BDO work, and that is why a transformation of our health and social care system, not just the
Department, is critical.

2730 I will demonstrate that by focussing on just one area that is well covered in this Report and something that, over the last year, I have learnt a lot about ... and that is dementia. Dementia is a cruel, insidious, parasitic monster that eats away at a person's essence and soul. It turns the most eloquent and intelligent human being, you have loved all your life, into a hollow fractured shell. What makes it worse is that it does so in the knowledge of the person being attacked, taunting them, frightening them, resulting in anger, frustration and depression. It is relentless, it is

2735 merciless in its actions, and impacts not only on the person unfortunate enough to be afflicted, but those they love, and who love them. Because it does not happen overnight but gradually, and progressively, the transition from being the partner, son or daughter, to carer happens without those providing that care actually realising that is what they have become.

It starts perhaps with helping to find a pair of glasses, then it can lead to helping to put a coat on, then doing the cooking or the cleaning, and the washing, and ultimately to more personal and intimate help. At the same time a carer has to keep track of the myriad of medicines that are prescribed, which is amplified when that person has another condition – and that is quite often the case. It is a cocktail of drugs that constantly have to be rebalanced. It is not an exact science, so sometimes a change in prescription can completely change someone's behaviour overnight,

2745 and the carer has to deal with that, often alone, not knowing where to turn, and with no support or training.

Now, I do not share Deputy Lester Queripel's talent for poetry, though I do enjoy reading it. Poems can clarify issues and get at human realities behind the jargon. Because of that, recently, I have been looking at poems about dementia. Some of them I have been in absolute tears over, and certainly could not recall today, but one in particular I found really set out very well the position of the carer, and I will read just an extract of it now:

2750

There is no end to the daily grind,
No button which could time rewind,
Each and every effort undermined,
No way out that anyone can find.
Life of carer and caree so entwined,
Yet each in their own way lose their mind,
To our fate we all must be resigned,
It is just the blind leading the blind ...

At the CWP conference we hosted at the weekend, in this very Chamber – and how fantastic it was to see every seat occupied by a woman! (*Applause*) Certainly more colourful! – delegates spoke about the value of carers. We had a particular speaker, Dr. Tazim Batela from Kings College,

2755 London, who talked about the need to monetarise a value of carers to the economy. The fact they are unpaid means that their value is not taken into account in policy making.

Now, in this document it is estimated that the value to this Island of carers is £29 million per annum. Yet we have no strategy for carers, and are indeed the only member of the British-Irish Council that does not have one. We need one, and we need one as soon as possible.

We must start doing something now – a view shared by Ageing Well in the Bailiwick in their recent letter, setting out where they see action is required in the near term. In terms of dementia specifically, they state that there is a feeling that specialist provision of dementia is stretched, and the generalist services are not well equipped to provide good support to people with dementia. Both are areas in which further development will be welcome. There is also lack of continuity and co-ordination between services. I would actually say it is more than a feeling.

2760

2765

They refer to community care, and not being geared up to provide care in a preventative way. I would also say that things continue until something goes wrong. In terms of respite care, there is a lack of provision and support for carers with a lack of formal respite care options, it is certainly true. Finally, information. There is a lot of concern amongst its members about the lack of comprehensive, accessible, information about the range of services and support available to people who need to use them, and about how to navigate the system. I can verify that. I am

2770

Deputy Minister of the Health & Social Services Department, and have been left not knowing where to turn next.

2775 Now, I am all too aware that 12 of the 30-odd recommendations in this policy letter are directed at HSSD – many others will involve HSSD input. With the best will in the world, these will not be achievable at once. But some things can, and must, be done as a matter of priority, and in my view, that means co-ordinated and focussed support for carers. It does not need a strategy to start making real changes.

2780 Now, this is just one aspect of this incredibly complex, but critically important policy letter and, to me, it is a shame that it has come at a time when we have so many other highly important matters to consider because the Supported Living and Ageing Well Strategy, like the Children and Young People's Plan, which we will be debating shortly, have a key part to play in the transformation of health and social services. How we support carers goes to the heart of that transformation, co-ordinated care, and integrated service, going to the user or carer, not the other way round, early intervention, and partnership and engagement. The cases of dementia are expected to double in the next 20 years, and we can therefore assume that the same will be the case for carers. That is unless we can find a big pot of money at the end of a rainbow and the States does it all.

2790 So we now need to see action not words, so this hugely important document while long, long overdue, what really matters is making the vision a reality. Work has begun in HSSD, but it cannot do it alone. It will need partnership and engagement within the States, and from the third sector and other outside parties. I am confident that with that desire for change and support it will, after many years, at last begin to happen and, with commitment, will be achieved far shorter than that which is currently envisaged.

2795 So I totally support all aspects of this document. *(Applause)*

The Bailiff: Deputy Domaille. Then I will call Deputy Spruce. He has been waiting for a while. Deputy Domaille.

2800 **Deputy Domaille:** Thank you, sir.

I will be brief. Clearly I am supporting these proposals. I commend Deputy Harwood. I think they are an excellent set of proposals and I am sure the Assembly will approve them, probably unanimously.

2805 However, I am concerned that in doing so, we may be misleading people with regard to deliverability. (**A Member:** hear, hear.) Deputy Fallaize, quite rightly, has said this about using more resources more wisely. Sir, while we have ridden the world economic problems better than many jurisdictions, we are not immune to world events. By way of example, our house prices are falling, and our unemployment is rising, albeit at still a relatively low level. We are running a deficit, we have broken our commitment to reduce spending in real terms (**A Member:** Hear, hear.) and we cannot meet our current service demands. There must be significant doubt that the resources will be available to implement these proposals, no matter how wisely they are spent.

2810 That said, sir, that is not a reason not to try.

Thank you.

2815 **The Bailiff:** Deputy Spruce.

Deputy Spruce: Thank you, sir.

2820 I shall keep this reasonably brief. I wish to congratulate the Working Party on this Report. The Report provides a clear and complete picture of the issues associated with adequately caring for an ageing population.

I shall be supporting the first 30 recommendations of the Working Party's Report, as laid out in Appendix III, but I am unable to support recommendation 71) of the Report.

2825 This last recommendation is laid out on page 803 and, in my view, this basically opens the
door to the possibility of a person's assets being used to cover their care costs. Now, this really is
an issue that concerns many people within our community. This would mean that people who
have worked hard and saved throughout their life to purchase their own house could, potentially,
have some of their hard fought asset value used to fund their own long-term care, whilst those
who may have been less frugal or careful would receive full support at no additional cost to them.
That just cannot be fair. The insurance principle of the Long Term Care Fund already means that,
2830 by paying a fixed percentage of earnings, those who earn the most will have paid the most into
the system, even though they will only receive the same benefit as those that pay less. For
example, if you assume that a person has managed to accrue an asset by purchasing their own
property, over time, it is entirely likely that they will have earned a reasonable salary and thereby
paid more into the system through payment of a fixed percentage of salary. To then expect a
2835 person who has actually managed to secure their own home, through hard work and by saving, to
use their property asset value to fund, or even part fund, their care in old age, even after paying
more into the fund than any other, or many other, people is completely unreasonable. In fact I
think it is quite outrageous a suggestion.

I, personally, think that we should continue the existing insurance principle. All being well we
2840 can now expect to live longer. It seems reasonable to me that we should all expect to pay a higher
percentage in contribution rates, whilst in work, throughout our working life. We should definitely
not segregate and penalise those that have worked and saved all their lives to own their own
home, and those who paid disproportionately more. I would ask you all to clearly express your
view on this point. By doing so, you will give a clear steer to the Working Party.

2845 It is my view that the majority of the public are not supportive of any proposal which would
include the requirement to sell or borrow against their own property to fund their long-term care.
Surely, it would be much easier for each and every one of us to contribute more during our
working lives. It is a genuine fact – as this Report shows quite clearly – that more money needs to
be paid into the Fund by working people. It is time we got that message out to the public that if
2850 they want long-term care, adequately funded, they have to pay for it; and everybody should pay
whilst in work.

Thank you.

The Bailiff: Deputy Lowe.

2855 **Deputy Lowe:** Thank you, sir.

That was a theme I was going to cover, sir, because certainly on page 802, 7c), I cannot agree
with, and that is to agree in principle that the Long Term Care Insurance Fund should be used to
meet the costs of care and support only, with payments for accommodation costs and living
2860 expenses being the responsibility of the individual receiving care and support. Now, we are going
back in history here, sir. We have gone full circle. The Long Term Care Insurance Scheme was put
in place because people, at that time, played the system. Many of them did, who were capable
and able to do so; they passed their property across to family for a pound, or put it in limited
companies. Every trick in the book was used, and yet others who had not been able to do that
2865 were being picked up by the States, and so the Long Term Care Insurance Scheme was put in
place.

Now, I got slammed down, sir, at the States' Members presentation, and I was disappointed
because this was by the Panel. The Panel told me I did not know what I was talking about, and
that is not unusual because I get told that quite often. However, as a member of Social Security at
2870 the time, when the Long Term Care Insurance Scheme was put in place, it was for that reason ...
and I was told at that meeting by the political Members on that Working Party that that was not
the reason, it was just actually to go into the pot.

No, it is a separate scheme, it is an insurance scheme, it is a contributory scheme. You have no
choice, it is compulsory. What concerned me, after that exchange at that presentation we had, was

2875 that if the members on the Working Party were unaware of what the scheme was all about ... I
have serious concerns how they came to the conclusion that they did in this. Because, clearly they
have not done their research, and some of those are on Social Security and should know that that
was a compulsory contributory scheme and the background to it all. The point that I made was
people have made their contributions in all good faith through no choice, they have to pay it, and
2880 they may be told in the future – because this is a theme in this Report – that it will be means
tested in future as to whether they will be able to use the Long Term Care.

As I say, the Long Term Care is an insurance contributory scheme – compulsory. Now, if it is an
insurance scheme, and this one that we have got is compulsory, but any insurance scheme, if you
have a house insurance they do not actually say, when you need to claim, ‘We need to now means
2885 test you.’ If you have got car insurance they do not suddenly say, when you need to claim, ‘We are
going to means test you.’ If you have got travel insurance they do not suddenly say, ‘We are going
to means test you.’ Yet the Working Party is saying, ‘Well, actually, you know what, we are going
to means test you, even though you have been paying a contributory scheme compulsory.’
Staggeringly unbelievable! So I am not a supporter of that, and I have serious concerns that that is
2890 even being mooted, bearing in mind the scheme is not that old – roughly 15 years, if I remember
rightly.

The contributions can go up, by all means, to cover the increasing costs. I have no problem
with that at all. But, yet again, we have a situation where the older people in our society are being
frowned upon ... or a nuisance, because they are costing more, when in actual fact this Island was
2895 successful from those very people, post-War, to get Guernsey back on its feet, and they worked
extremely hard and long hours to do that; and it disappoints me, again, that this is the fault of too
many older people in our community. They deserve to have more respect and care, and even
more so when they have been paying for a scheme to look after them. To now do a U-turn on
them is irresponsible and totally unfair!

2900 On page 457, the Chief Minister, Deputy Le Tocq, pointed us to the nine bullet points on 9.2
and asked us to actually support them, because this was what it was all about. Well, the last two
concern me greatly, because the last two ... one says:

We will ensure that there is a sustainable funding system in place.

Well, we cannot make a statement like that. It is just ... we cannot do that. The next one says:

We will ensure that everyone [and that is everyone] can afford to access the care and support they need.

Again, we cannot say that. That is what we are being asked to approve here.

2905 Now talking about approval, I have never ever seen a report like it, and if this had come across
my table or desk, as a member of a board, I would have sent it back. Have you ever – and I look
across to Members that have been in the States a while – seen a report that is asking you to
approve an Appendix? Because there are no recommendations as such in here. It is asking you to
endorse all the recommendations, to progress the Supported Living as reproduced in Appendix III
2910 of that policy letter. So I cannot approve all of those in there, because I disapprove of some of
them. So how can I approve Appendix –? I am not prepared to give way at the moment – So how
can I approve an Appendix of something that I have to cross reference with ... because the very
first thing here we are asking for the States to agree, is to agree what is in that Appendix. It has
not been set out in an accurate, normal manner where you can amend something, or you can
2915 approve all of it, or you can reject some of it. You cannot. You either have to take the whole lot or
not.

The same is replicated in recommendation 4.

To approve, in principle, the implementation plan and timescales associated with taking forward the various elements
of the Supported Living and Ageing Well Strategy, as shown in Appendix II of that Policy Letter ...

2920 Again, I have got to approve it all, and send staff off doing work for something that will come
back that I do not agree with. Have we really got all those resources available to send people off
down the road for something that will come back, and we end up saying, 'No thank you. That is
not something we wanted.' We have no choice. Everything is in the bucket. You have got to
approve everything in the bucket, when you look at the Appendices, because it is not set out here
for us to be able to do. And it will come back and the States will once again get bad publicity
because they have come back with a report, further down the line, and we reject it because we did
2925 not actually support it, and it will be, 'Well, you sent us down that route.' We have sent you down
that route because we have got a bucket load here and we cannot actually separate it, because it
is all under appendices. Absolutely shocking! Terrible!

I mean this is not good governance to be doing this. Because you are wasting staff's time,
because there is no doubt in my mind there are going to be things in this Report which we are
2930 being asked to send staff – valuable staff time – to go and prepare reports for in the future for the
next States, and the next States are going to have to make that decision to either reject or support
it. Who knows, we may have a lot of money in the pot by then, and it will be a good news story.

2935 **Deputy Luxon:** Sir, point of clarification, if I may.

The Bailiff: Deputy Luxon.

Deputy Luxon: Could Deputy Lowe just clarify exactly what it is in the Appendix that is causing
her a problem, because obviously if it is a problem it would be interesting for Members to know.

2940 **Deputy Lowe:** There is more than one, but the Long Term Care Scheme of the separation here
of coming back with saying that the people for the long-term care – the bit that I read out before
– I have a problem with that. So I am not going to send somebody off to go and do that, when I
actually do not agree with it. There are other parts in here as well that I do not agree with. There is
2945 a lot I do agree with; there is an awful lot of good news story in there. There is a lot of repetition.
That is why it is so thick. There is an awful lot of repetition in here. But, nevertheless, it is a good
Report. There are some things in here, but equally there are some things in here that I think are
irresponsible, and I am disappointed that I am going to be in a position where I am going to have
to make that decision. Do I give a false promise to people out there that I supported it, thinking
2950 that that is the area they supported, when in actual fact it would be an area that I am not
necessarily supporting?

So it is a bit of a dilemma, this one, sir, but is through no fault of ourselves who have to make
that vote, it is the fault of the Policy Council doing it as appendices.

2955 **The Bailiff:** Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

Deputy Lowe was referring to myself, in particular, when we had the Deputies debate over the
issue about the States' Insurance Fund, and I think if you refer to page 592 and 593, this really is
2960 an important matter. And it was February 2001, the original report was brought to the States. But
it did say in that report that it would need to be reviewed after 15 years, and here we are 15 years
later pointing out that we have got some difficulties with the Long Term Insurance Fund.

If you look at the top of page 593, it will say to you, 'At the moment we are just about covering
our costs, but we will be going into deficit.' It has been pointed out at the beginning of this
2965 debate that we will have an increasing dependency ratio. So we will not have sufficient people in
work contributing to this Fund; we have to do something about it, and we have to look at all
options, and that is what this recommendation 7i) is doing. It is saying look at all the options, do
not rule anything out.

2970 I will just refer to the bottom of 592, and in fact I think I will read it out because I think it is really, really important:

Access to the Fund is based on a minimum requirement of five years' residence and is not means-tested or based on contributions paid. In fact many of the people who have benefited from the Long-term Care Insurance Scheme in recent years never contributed to the Fund, as [the] contributions were only introduced relatively recently. The Fund is also not large enough for there to be a real sense in which the money that is put in by [an] individual is the money which is taken out by that same individual – those paying into the Fund are funding those who have needs now. The scheme, consequently, typically redistributes resources from the younger generation [the working people] to the older generation, as well as [those from] with low risk of developing care needs to those with care needs or a high risk of developing care needs within each generation.

So I think that is a really important point to make, that at the moment it is people in work that are funding this scheme. We know we will have a problem with the ageing demographic and the profile of how it will change.

2975 I urge you to support this Report, because we need to carry on the investigation and we need to ensure that we have all options available to us. It is not breaking a promise, it is just saying we need to review this. **(Several Members: Hear, hear.)**

Thank you, sir.

The Bailiff: Deputy Green.

2980

Deputy Green: Sir, thank you.

2985 I speak today, again as the political representative for Ageing Well in the Bailiwick and, just for the record, Ageing Well in the Bailiwick is a group brought together by the Guernsey Community Foundation, which consists of representatives from organisations working with older people from the private, voluntary and public sectors.

2990 Members will have seen the letter from the Chair of Ageing Well in the Bailiwick, Dominic Wheatley, and many of the points I will develop this afternoon are based on that letter. Members of AWB generally welcome the Strategy's vision of a care system which will meet people's needs, and will respect their dignity. The membership commends the guiding principles or strategic commitments, which recognise the importance of so-called person-centred services and inclusive communities, and which aim to balance sustainability with affordability. The research report, which is in the Billet from the Working Party, together with the policy letter we have before us, in my view, brilliantly describes the problems for the social care system which we have at present. Those documents also, rather beautifully, describe how a better care system could work effectively in the
2995 Island.

However, there is amongst members a disappointment with the lack of urgency with which solutions are to be provided by the States under this Strategy. The implementation plan and its timescales are a particular cause for concern.

3000 I should perhaps say at this stage, sir, I will be supporting the strategy – just so there is no confusion – but it is subject to some observations that I think are worthwhile in making. So in terms of the implementation plan, with its succession of different policy letters to be produced at various dates in the future, plus the considerable amount of additional research to be done.

3005 Frankly, it is going to be a long time, sir, before practical changes are actually implemented, and that, surely, must be what this is all about. Ageing Well in the Bailiwick members have consistently drawn attention to the fact that there are people in need of care and support today, who are not well served by the current system, and who would most definitely benefit from improvements in services, support and from information.

3010 AWG is therefore surprised by the lack of any recommendations in the Strategy that would help to improve the situation for people struggling at present; the lack of any so-called quick wins is a disappointment. That said, I do want to make this absolutely clear, I do certainly recognise that some States' Departments, primarily HSSD, are already pursuing initiatives that may well help to improve matters.

3015 Paragraph 9.1 of the policy letter does draw attention, quite properly, to some of the work that Health & Social Services is already doing – and Deputy Soulsby touched on this, and Deputy Luxon did a moment ago. The hope being that the Department will continue to pursue those areas, with the support of the States, particularly in relation to so-called re-ablement services, looking at aids and adaptations, and also the benefits of so-called tele-health and tele-care.

3020 Now, of course, the Strategy is all very high level and is asking for, in principle, commitment to certain strategic aims and objectives. But, nonetheless, there is a view amongst AWB members that the States need to look at the sorts of changes which could be achievable in the near term. For example, in the area of further development of both specialist and generalist dementia care services, in relation to community care services, in respect of a lack of formal respite care options and a lack of provision and support for informal carers, and also in relation to a lack of a comprehensive accessible information service about the range of services and support systems available to people who are in need.

3025 It is acknowledged, as I say, that this work is already underway in these areas, but these concerns do tend to crop up again and again, and with greater frequency, amongst our membership than any others, in my view. So there are concerns about the lack of quick wins, and there is a disappointment about the timeframes on offer, before this Strategy gets realised into proper action on the ground.

3030 There are two other main points, sir, that I wanted to raise. Firstly, I agree with the sentiment expressed in the letter of comment by T&R, in that the proposal to put up contributions by ½% from January of 2017 may well remove the sense of urgency, or need to take further action, and could make further modifications even trickier, even more difficult to achieve, and that the long term challenges are better, perhaps, addressed by a package of measures altogether, rather than by measures in succession.

3035 Secondly – this is perhaps a really important point which I want to make – it is going to be very important for somebody at the very highest level of Guernsey's Government from May onwards, in the new Policy & Resources Committee, to take real political ownership of this Strategy, if it is actually going to work and if it is actually going to be realised into action. Without that political leadership within the new apparatus of the States from May onwards, and without at least one individual Deputy on that Policy & Resources Committee waking up every morning and thinking, 'How are we going to progress the SLAWS Strategy?' I fear, and AWB colleagues fear, that the next States will not make the real progress in improving the social care system that we need to see, and soon.

3045 If I can just touch on the funding issues. Certainly from the point of view of the membership of Ageing Well in the Bailiwick, our members have very diverse views, as you would probably expect, sir, in terms of funding options on the way in which, and the extent to which, the States should fund services in the future. That diversity of opinion is, no doubt, reflected in the wider community, and indeed in this Assembly.

3050 My own personal view – touching upon the matter that Deputy Spruce raised a moment ago in terms of the recommendations in the Appendix in 7l) – is that I am not personally convinced at this stage that there is a case to revisit the issue of taking into account one's realty in the means test for the payment of social care costs.

3055 But I tend to agree with what Deputy Le Clerc said a moment ago. I do not think at this stage, necessarily, we would want to close off all avenues. I am yet to be persuaded that going back to that situation, which pertained prior to the Long Term Care Insurance Fund, is necessarily the right way to go. But equally I am not sure that I necessarily want to close that door, because the implication is that if we do not go down that road, or consider that, then the implication for the tax burden, the implications for Social Security contributions in future is quite stark. So, I would reserve judgement. I think, on that basis, I can accept that further work needs to be done, because I do not think we should be closing that door, as Deputy Le Clerc said.

3060 So, sir, in conclusion, that said, I will support the Propositions. I agreed with what Deputy Lowe said. In fact, when I first saw a draft version of this policy letter I was surprised by the way in which

3065 the recommendations were presented in the Appendix. It is quite unusual. I think perhaps people
are trying to persuade Members of the merits of this policy letter ... should have said that up front,
because it is unusual. I do not think that, necessarily, is a bar to Members supporting it. I think the
reality is that we have to support this. The direction of travel is clearly the correct one. I may, and
others may, have some personal reservations about certain aspects. But if we are going to make
3070 any progress in terms of social care, we have to support this policy letter today, but I do think it
might have been better to accept right from the start that actually either the recommendations
are going to be in the Appendix or they should have been in the Propositions.

Deputy Lowe made the point that she is not going to be able to individually vote on those
different recommendations. Of course, it is not too late to lay an amendment. But, nonetheless, I
3075 would ask Members to support all of the Propositions because I think, in terms of improving the
social care system, this is really the only show in town.

The Bailiff: Deputy Brehaut.

3080 **Deputy Brehaut:** Thank you, sir.

I wanted to unashamedly discuss, not the technicalities, but just talk about one thing, which is
care. Looking back at sepia images of the past, invariably you will find mum, dad, grandad, granny
and children far too numerous to recall accurately. Houses were very small; they would be
crammed with three generations. Care did not need to be qualified, quantified, measured or
3085 ordered in. It was just given incidentally in passing. Care for the old, care for the young – from the
family, the extended family; family who were not your family, they were called cousins and aunts
or uncles, but they were actually just neighbours and friends. And, oh, yes, when I were a lad
communities were tighter, the grass was greener, but then of course, we had no Round-Up!

Yes, I know looking back at the world through those rose tinted tomatoes, and the paint on
the greenhouse lights from the 1970's, may still be obscuring my vision, I know, but when we
3090 think about the very nature of the document in front of us, Supported Living and Ageing Well, we
realise just how far a community has stepped away from itself. Care, or the vast majority of it, has
become the domain of the State, the Hospital, the care home, the residential home, the private
care staff, the twilight nurse; and it realises real returns for directors of private care facilities.

As I said at a presentation at Beau Séjour recently, nurses who were recruited from overseas to
3095 staff our wards, our long-term care facilities in the 1980's, were confused – at best, disorientated –
by our care model, which sees the ageing process itself as a condition that requires intervention.

Of course, I realise some people clearly do need to be in a safe and secure environment. They
need to be nursed, they need to be nurtured, but for complex reasons, the care industry has
3100 grown like Topsy, as young families work to look after the thing they love most, their mortgage,
their children, their careers; and caring has become something out of necessity, unfortunately,
that is farmed out.

If you want to deal with the challenge we face, and it is not a time bomb, and the elderly are
not a burden, then we must elevate the role of carer in our community. By 'carer', I do not mean
3105 necessarily the professional; I mean those who care and do not even know they care, those who
want to care but cannot afford to. I want to see the role of carer elevated in stature. I want to see
families starting work late, finishing work early and leaving their desk at short notice, because that
is what families should be able to do to get to someone that they are caring for. I want to see a
revised benefit system that can be adapted, that is intelligent enough to cover any shortfall in pay
3110 to assist the employer and the employee.

Sir, when I grow up I want to be an old man, I want to stay at home, I want to read books; old
age looks great ... all those Werther's Originals! There are alternatives, of course. I could live in a
long-term care facility amongst strangers, with minimum night staff, with staff perhaps not having
English as a first language, so when I tell them it is years since I 'buncho'd' they won't up my
3115 night's sedative.

Deputy Soulsby's speech was touching and it reminds us just how fragile and brittle we all are. The people who do the caring, if not family, deserve more; the cared-for person deserves more. It could mean freeing of families to care or, frankly, rewarding those who care properly. By that, I think we should not ... In my view, caring is instinctive and what we risk at times with documents such as this is putting structures around care that, if you are not careful, you involve professionals at times when you need not.

3120

Just in closing, sir, I will say this document is a start, but it is not a beginning, for we have been here before. We used to 'care for' in a manner which I referred to before; carers are not a commodity; we have in abundance in our community. Let us not shroud it in the mystique of a strategy – a time perhaps, dare I say, to get back to basics.

3125

Thank you.

The Bailiff: Deputy Langlois.

3130

Deputy Langlois: Thank you, sir.

Well, in a document of this length it is not surprising that we are getting some opposing views creeping through, whilst hearing a huge amount of agreement and support. It would be rather surprising if the Minister of Social Security stood up and said he disagreed with all of this and really we should not be bothering about it.

3135

Like everybody else ... hugely supportive of the principles, and I think the progress that has been made is probably less than a lot of us would like, but nevertheless it points us in a direction, the right direction, and establishes a framework.

3140

As that Minister of Social Security that I just mentioned, it would be equally surprising to this Assembly if I did not then focus in on the funding question, because whilst all the social policy stuff which is in there – it is there, it is being handled, it is being considered, all the options are being considered – the bottom line still is money. My Department is very supportive of the proposal for an early increase, the 0.5%. Having said that, we are mindful of the pressure on individuals that will increase, and do not forget that we are going to put another 0.1% for maternity benefits, so actually from next year it will be 0.6% increase. I would just mention that to ring the alarm bell, because we have been there, we have been there several times, we have been disappointed, and when it actually comes to the day, this will be one of the more difficult decisions that a relatively new Assembly has to make, presumably in October, to validate these and change the rates in time for the collections to be made, and so on. And, frankly, it is probably unparliamentary language, but please do not bottle it this time, because that movement has got to take place.

3145

3150

However, I welcome the Treasury & Resources' comment that the 0.5% increase could actually have a perverse effect, of people in perhaps two years' time saying, 'Ah well, you know, it is not so bad, there was that Deputy Le Clerc, all alarmist, saying that it was going to go into deficit and you see it has not gone into deficit. We are still cashing it in on the fund and it grows.' The subtle management of these funds, which are only buffers ... they only mean that we know we have got the money allocated for a certain number of years, in what is a very, very long-term issue.

3155

I agree with Treasury & Resources that somehow there has got to be some more clarity about just how much further that might have to go, and when it might go; and then you are back into the long-term predictions which, for example, the PTR had to try and sell.

3160

I think this Assembly, these four years ... I think one of our better achievements is a very, very intangible one, because I have honestly detected a change from three and a half years ago, in that people are prepared to consider the slightly longer term, and to accept that it is 10 years, and 15 years, that some of our decisions apply to, not what we are going to achieve just in this term.

3165

The review therefore of the Fund is essential, but the debate, I think, should move on after we have approved these proposals. I think the debate should move on into a set of decisions about whether ... and I am hearing two models emerge. One is you say, 'Well, we can predict a longer-term equilibrium level for which we are going to need x percent of contributions, so why not take

the medicine now, bang it up in one go, then the decision is made and everybody will get used to it one way or another; the creases will be ironed out. That is one strategy. Another strategy is to say, 'No, we can see that this is something that has got to be gradually introduced, but if we are going to gradually introduce it, please do not come back every single year to this Assembly to battle away for another ½%. Please at least attempt to project forward and say that over a period of time these are the sort of rises that have to take place. If you end up in a better place and there is loads of money again, then you can always cancel a rise in those contributions and so on.'

3170

Do not forget the current systems and finance models are not sustainable. Deputy Le Clerc is not being alarmist. She will forgive me for having made that little dig, because she knows me well enough, but she is not being alarmist, she is being realist and the current models are not sustainable. Any changes will require significant resourcing and we have got to remember that.

3175

Finally, sir, I think the Assembly should, with all the reservations that people have got about the sheer size of this Report, and the complexity ... I think we should give our sincere thanks to the Working Party. I know how much time they have put in. I know how much work they have done from various departments and it has moved us forward, without a doubt.

3180

The Bailiff: Alderney Representative Jean, then Deputy James.

3185

Alderney Representative Jean: Thank you, sir.

I am very supportive of this Strategy, but I would like to make some points. We know in Alderney that there is much further work to be done. In Alderney we do not have things like sheltered housing; we do not have a complicated infrastructure. The work of Age Concern in the community to support keeping people in their own homes is vital and very, very helpful. Thought needs to be given to people who have medical appointments, and I see here that there is a check list in the Billet, which I will go to in a moment, which approaches that subject, so that they can get back to Alderney on that same day, as many have complained to me that they cannot afford the overnight stays. Milly's Foundation organised, in 2015, a dementia care presentation at our Catholic Hall and continues to work for the benefit of the elderly in Alderney.

3190

3195

In the Billet here on page 448 it says that

Although the Islands are closely linked, the research informing the development of the Strategy has identified some important differences between Guernsey and Alderney, which need to be taken into account to provide an effective Supported Living and Ageing Well Strategy to Alderney residents. [While] the purpose of the Strategy and its proposed outcomes should be the same regardless of the Island in which someone is resident, the consultation process identify[es] some issues that are specific to Alderney [and] that may need special consideration ... The remoteness of Alderney and the challenges [it] presents for service delivery; How the [States of Alderney and Guernsey], private and third sectors can work together to support people in Alderney with long-term care and support needs; How to improve services at times of transition ... Travel for appointments, [and that is mentioned] and allowances for passengers accompanying patients to such appointments; The restricted availability of services and ... opportunities to improve service delivery ...

The use again – and this seems to come in a fair bit now ... it comes in with education, such as tele-care and tele-health, sort of electrically, if you like, aided in.

Clarifying the responsibilities between [our two States] especially with regard to strategic planning ... In order to take [into account and] required to understand better the needs and requirements of Alderney residents.

I want to go now to page 662. I am concerned too about the inclusion of property assets in means testing and making family members financially responsible. In Alderney quite a few of the people who occupy apartments in the Sydney Herivel House – and one of those ladies did turn up to the SLAWS meeting – do actually pay for their care, and I think that should be noted. And the occupancy at the Connaught is not full, so it is not in a situation where we are looking again at expanding, and we have not been for some time. But it is a very popular home and people use it, and they are very fond of it; and when they go there they are well cared for and they have various

3200

3205

open days where we can ... over Christmas I went to one very good open day there and bought many nice delicacies and things, because they were fund raising.

3210 I want to go to page 800. Now, this is interesting and shows where in Alderney we do require more work; and the point I am going to make in a minute is ... First of all, I just want to quote some of these little bits here:

5a) To direct the Policy and Resources Committee to investigate the impact of ageism in Guernsey and Alderney and how it could be addressed reporting to the States with its findings and any recommendations no later than February 2019.

To direct the Policy and Resources Committee to monitor and support initiatives [in Alderney and Guernsey] that engender a positive, enabling and person centred attitude towards [delivering] support care.

3215 I really want to just try and look here for a minute. The bit that concerns me is where payments are raised, and I understand and I take the points that Deputy Langlois has just said about raising the charges, and I understand that, but in Alderney that is not so easy. The income stream is less and some of these people have, in all good faith, along with the people of Guernsey, paid when we introduced the separate charges for old age care ... for many, many years. Some of those people, their income is not good or they do not have any income stream any more. They may not be able to pay that. These are concerns I would like you to think about.

3220 Your infrastructure is much more complicated and the actual net amount of people that you are dealing with here in Guernsey is much more than we are dealing with in Alderney, and again it is probably an example where I am trying to point out that Alderney's own situation steps aside from Guernsey in a different way. It seems to go askew. Many of these things seem to go askew, in as much that quite a few elderly people choose to leave the Island and go back to England and take care elsewhere. It is why the demographic time bomb, as it was envisaged was going to materialise in Alderney, to an extent never really did, and has not yet. That is not to say that it will not in the future, but those are the points I would like to make at this time until the further work is done.

3225 Thank you.

The Bailiff: Deputy James.

3230 **Deputy James:** Thank you, sir.

Sir, I too would like to thank Deputy Harwood for leading this very important piece of work. I felt privileged to be part of the SLAWS Working Party, and I commend to this Assembly this document and its recommendations.

3235 As I said, sir, it gave me tremendous satisfaction being part of this. However, half way through the work of SLAWS I became a carer and I remember, after receiving the papers for one meeting, and going to that meeting and saying to Deputy Harwood, 'I now read these papers with a different pair of eyes'.

3240 When Deputy Lester Queripel laid his amendment and he gave his experience – his *personal* experience – of being a carer, well, what he did say was when he worked with these people, 'Well, believe you, me, being a paid carer is a totally different responsibility to being an unpaid carer – a totally, totally, different experience.' I think that Deputy Soulsby eloquently explained what it is like to be a carer – an unpaid carer – and there is a very, very big difference.

3245 Much of the discussion, I suppose understandably, is about the funding of this. There is a whole issue, a whole spectrum, of funding our Hospital, our residential nursing home care and, of course, care at home. Much of the discussion so far has been on the dwindling Long Term Care Insurance Fund.

3250 Well, can I just tell you a little story about a couple I know? The husband became disabled and was assessed by the Needs Assessment Panel, and the Needs Assessment Panel determined that he was indeed eligible for nursing home care at States' rates. Now, that would have cost the Long Term Care Insurance Fund for a nursing bed somewhere just below £3,000 per month. Well, that couple decided they did not want to take the option of nursing home care. They decided that he

wanted to be cared for at home. They made sacrifices, because it is not cheap being cared for at home – there is all the equipment, beds, wheelchairs etc. not least, all the building arrangements that had to be made, to make it wheelchair friendly.

3255

Whilst I could say to you that that couple did not draw on the Long Term Care Insurance Fund, saving it, what it did was it relied on tremendous input from the staff at Health & Social Services to provide carers; and it takes that couple the services of over 60 people going into their house per week to keep that man at home. And on a week like this, when I am in the States, it takes more to keep that man at home.

3260

So I ask you, when you are discussing the funding, for you to realise with our ageing demographics, that the issue of caring for people in the future is no cheap option. (**A Member:** Hear, hear.) Just by putting ½% on social security contributions to boost the Long Term Care Fund that will only go a very, very tiny step towards funding for the future. Because I tell you, Health & Social Services will also need a huge increase in their budget.

3265

Once again, I commend Deputy Harwood for leading on this work and I thank you very much, and I would ask you all to support the recommendations in this Report

Thank you. (*Applause*)

3270

The Bailiff: Deputy Hadley.

Deputy Hadley: Mr Bailiff, the Report is the culmination of a great deal of work by many people – politicians and civil servants – over a number of years. It has identified the problems and signposted the way forward. But as a number of people have said in the Assembly, the funding is just not there. To some extent, I think one can be forgiven for thinking of it as a wish list, and sometimes these wish lists, these strategies, I think, inhibit progress.

3275

I well remember that when the Housing Department wished to move forward with its extra care development, we were told we should wait until the SLAWS' Report had been approved by the States. Well, fortunately, the Housing Department won the day and we have now got two superb excellent extra care facilities which are unique to Guernsey in the way they operate, and are hailed as a huge success.

3280

I heard the Chief Minister talk about haemorrhaging money, about commissioning services, working effectively with the third sector; and these are all very laudable, but they only help at the edges. And, to some extent, to me, the nine strategic comments seem like weasel words because, and I quote particularly the last one:

3285

We will ensure that everyone can afford to access the care and support they need.

Now, I have probably advocated increasing expenditure on health as much as anybody here, but I would never have dared say that the States will ensure that everyone can afford to access the care and support they need. The bill would be enormous. I mean, at the moment we could probably say there were 800 people on the Island suffering from dementia who would benefit from a specialist dementia bed, of which there are probably only, I think, 50 on the Island. The money to provide those sort of facilities just is not there.

3290

So, laudable though this Report may be, I think one has to be realistic and say that the nine strategic commitments are just not going to be achieved and, to say they will, I think, is deluding people.

3295

With that reservation, I hope we will all support moving forward to help people who need support.

The Bailiff: Deputy Gollop.

3300

Deputy Gollop: Yes, I very much have been a supporter of SLAWS as a general issue. Actually, I remember sitting on one of Deputy Dave Jones's Housing boards when SLAWS really was first developed as an idea, and it has mutated perhaps over eight or nine years. I think it began initially

as more of an investigation into sheltered housing, extra care housing, and – as Deputy Hadley has reminded us – the future transformation of the two historic and much-loved homes.

3305 It became, over time, much beyond being an old age pensioner strategy, if I can use that phrase, and started to embrace elements of disability, of extra care. In one sense, I will not say it has lost its way, but it has found a different path, because we have heard today clear warnings from Deputy Langlois, Deputy Le Clerc and others, and in a way Deputy Spruce and Deputy Lowe, that there are funding issues to resolve.

3310 That perhaps was not initially grasped back in 2006, 2007. It was seen more as a transformative experience, an attitude change; whereas now we have seen the writing on the wall through the Pensions, Tax and Benefits Review and for the demographic graphs that have been supplied both internally and by actuaries that there are issues down the line. I mean I have seen different charts for different reasons – and we will probably discuss them tomorrow – with secondary pensions
3315 too, but the position, *circa* 2040, 2050 by some scenarios, is not very promising. We have to start planning now for the future, or we run the risk of rather fundamental socio-economic changes.

I think there is a lot to support here. I have certainly appreciated the meetings and the meeting in Alderney. I think in Alderney, particularly, the Connaught and Jubilee do an excellent job for the community, but there is still a feeling there of unmet need. There are issues as to how often social workers and carers from HSSD are able to travel to the Island, or whether they should be residentially based. There are also issues about the slightly different package of services and funding models available there, and a feeling that perhaps more could be done for society, as we heard this morning or read in the Report, is considerably older in proportion.

3320 So that is the theme. I think extra care and sheltered living, and all of those things, are great models. There are many varieties of people who take advantage of them, different age groups. In some ways, not only as a past Disability People's Champion ... but I am a bit of a guinea pig in that area myself, and there are lots of areas to explore there.

I come back to the funding mechanism. I do wonder if 0.5% is not ambitious enough. I always felt when this scheme started back in 2002 that the weak link within it was it was underfunded for the longer term. It was sold perhaps to the States of the day, despite Advisory & Finance
3330 opposition to it, from the sage old figures of that era, as being something the community wanted – which indeed it did, but there perhaps was not a large enough pot from the start.

And I would concur that there are differences in interpretation here. Deputy Lowe has one interpretation, as a past Minister, and Deputy Le Clerc another. I would say maybe when it started it was initially a service that people who qualified could access, but it was seen as part of the insurance model. But after Zero-10 was implemented, and the FTP, it has been more re-evaluated as not a pure insurance policy, but as a social benefit that one contributes to in a community chest kind of way –

3340 I will give way to Deputy Lowe.

The Bailiff: Deputy Lowe.

Deputy Lowe: I am sorry to correct Deputy Gollop on that. Anybody who receives their slip from Social Security, it makes it very clear it is still the Long Term Care Insurance contributory
3345 system. It is not part of the bigger pot and it is very misleading to say that; and, as a member of Social Security, he should know that.

Deputy Gollop: Yes, but it does not necessarily mean that the same facilities will be available every single year. I mean, it goes without saying that, for example, the health benefits, the
3350 medicines available on it varies from year to year depending on developments.

I must not get distracted but the point is –

3355 **Deputy Lowe:** That needs to be a point of correction, sir. The medicines are nothing to do with the Long Term Care Insurance Scheme. You are mixing them up. Long Term Care Insurance Scheme is exactly that and for that only not for –

The Bailiff: May we have it through the Chair? We do not want arguments going on across the floor.

3360 **Deputy Gollop:** Anyway, I think it will be up to the next States to, perhaps, clarify exactly how these funds are going to be sustained, and what they cover. I mean, I do actually agree with Deputy Hadley in a way, that this Report potentially promises what cannot be delivered, without the substantial increase in financial resources.

3365 I think there are some unanswered questions within it too. I mean, for example, it refers to social funding. Where is the relationship with the third sector and the voluntary sector? How are we going to put in place standards that ensure that those services are not only sustainable, but that there are long-term career prospects, and licences and contracts that are robust? I think that is another area that we are not clear about. We are not clear really on how far the State will be able to fund the future.

3370 Going back to the interchange I have just enjoyed with Deputy Lowe, it is interesting that the extra Care Insurance Fund at one level – and I hope I will not offend people by saying this – has been a kind of a lottery, because it was put in place to meet real need, to protect people’s primary asset, their property, but not necessarily other assets. But where the State funded somebody who found themselves in a residential home or nursing home at potentially high cost to the community, but other people who passed on earlier or did not need that care or had home carers, as Deputy James has referred to, or private carers, did not get any resources from that. If we are going to enjoy a society where we enjoy longer lives, it becomes less of a 1-in-5, or whatever the figure is, and a more generalised benefit. Clearly that is a different sell.

3375
3380 Also it is a paradox that long-term care was available to people who satisfied nursing or residential home requirements – the old model, that Housing began to question a decade ago, but was not available to care in the community, to carers going to the home, to Social Services. Therefore, what do we mean by ‘long-term care’? If it is going to embrace the community, as Deputy Kuttelwascher and others mentioned years ago – that was something Age Concern wanted to see – then clearly the current contract between the public and the Long Term Care Insurance Fund will have to change to meet the potential change in what that Fund will finance, and who will benefit from it.

The Bailiff: Deputy Perrot.

3390 **Deputy Perrot:** I hope, sir, that you and Members will forgive me if I cover anything which has been said by Members during the course of the debate. Unfortunately, with re-scheduling the date of this meeting, it has meant that I have had to be absent for a couple of hours in respect of an appointment, which I simply could not miss.

3395 I am on my feet really for two reasons. One is that my concern always has been, ever since I became involved in long-term care, in relation to the potential removal, dispossession of somebody’s house; because that somebody has to go into long term care. There is quite a lot of money in the form of the house available, not much cash available, and therefore there has been this tension between not being able to afford to go into long-term care unless a house is sold. That actually brought about the genesis of the Long Term Care Insurance Fund. The whole idea was that a part of the burden was going to be met on an insurance base, and that has sort of worked a bit over all the years, but clearly it cannot go on and something else has got to be put in its place or it has got to be heavily tweaked.

3400 My real concern, having been a legal practitioner for many years and dealing with a lot of elderly people who are on the point of going into care, is the terror of losing one’s house. A lot of

3405 people living ordinary lives view the house as the one thing, the one physical thing, to which they
and subsequently their children can point to say, 'There, that represents Mr & Mrs Somebody.
That is what they did. That is what they worked for.'

There is this argument as well that people feel embittered if they have to lose the house. They
say, 'Well, we have worked and scraped and bought a house eventually. We deferred gratification.
3410 We waited until we could afford the house. Other people have not behaved in the same
responsible way and there they are, even though they have behaved some of them irresponsibly,
getting pretty well the same as we get.'

Equally, of course, there is a converse argument, and I recognise it, which is that the States
ought not to be subsidising merely to enhance the benefits which future children, as beneficiaries
3415 or legatees, may receive upon the death of a house owner. So there is a real tension there.

What I ask is that when this matter is refined, very, very careful thought go into this. That is,
there is some way of, I do not know, perhaps putting in some sort of notion or bond registered
against the property which would then be repayable after the death of the survivor or within a
3420 period after that. I do not know. It is going to take better minds than mine to work their ways
around this. But it is still a very, very grave concern on the part of property owners. So that is
really the main reason I am on my feet.

But the other one is: I am not quite sure how I should be voting here, because as Members will
have seen, the Treasury response is that we should not be putting 0.5% on as an additional
payment now, for the Long Term Care Fund; it is something which ought to be embodied in a
3425 package of funding later on when all of this is refined.

As I understand it, Proposition 1 embraces everything set out in Appendix III. So if I vote for
Proposition 1, I think I am right in saying that I would be voting, therefore, for everything
contained within Section 7 of Appendix III, and I do not want to do that. So it seems, therefore,
that I have got to vote against Proposition 1, but in doing that, so far as I am concerned, I am
3430 going to throw the baby out with the bathwater.

So perhaps, sir, you can advise me on that. If you are saying that I am right, I am saying as a
matter of public record that I am going to vote against Proposition 1. I do not want to, but I have
got to because of Section 7 of Appendix III, which if I vote for Proposition 1 will accept –

I give way to our beloved Chief Minister.

3435

The Chief Minister: Thank you, Deputy Perrot.

Of course, Deputy Perrot could bring an amendment – and that is the mechanism if he is not
happy to do so and he finds himself in a difficult position – to amend that so that he can vote in
accordance with his conscience.

3440

Deputy Perrot: Well, for once, I am grateful for an intervention. I am not quite sure how far we
have got in this debate, for me to have time to draft the relevant amendment, and that is because
I regret I have been absent for a couple of hours. I shall brood deeply upon this and, if so, I might
lay an amendment if somebody is willing to second it. I may, though, have to include in my
3445 brooding H.M. Procureur.

The Bailiff: Deputy Trott.

Deputy Trott: Sir, I was reminiscing earlier this afternoon when Deputy Lowe was reminding
3450 us of the evolution of the Long Term Care for the Elderly Fund, Long Term Insurance Fund,
because back in 2001 when I was a young fresh-faced, somewhat wet behind the ears Member –
still as humble then as I am now (*Laughter*) but wet behind the ears nonetheless! – the then
Advisory & Finance Committee of the day opposed the introduction of the Long Term Insurance
Fund very passionately indeed. They did so primarily because they feared that it would take on a
3455 life of its own and that contributions would need to rise considerably.

Well, they were right on that prediction, but what a good thing it was, sir, that the States of the day ignored their advice and went with the Social Security Department – or Social Security Committee as it may have been called then; there are so many changes it is difficult to keep pace with it.

3460 Sir, on page 458, probably the most important paragraph of all is contained under paragraph 12.3 – Deputy Lester Queripel has referred to it a couple of times; I think Ministers earlier have also referred to it and it is worth mentioning again – that there are already around 2,000 residents of the Bailiwick of Guernsey, so Guernsey and Alderney, receiving some form of long-term care, at an existing cost of around £50 million; and we are told that over 20 years that could double and, 3465 in fact, it could quadruple in 40 years.

Now, at the moment, sir, 2,000 souls represents about 3% of our demographic, and that 3% is currently consuming about 10% of our overall annual spend, such is the cost of such care, and it appears only to be going one way.

Now, sir, this States, in my view, has done few things that could be regarded as exceptional. 3470 However, this piece of work, as far as I am concerned, and as far as a strategy document goes, is good as any that we have seen this term. But others have touched upon this – most recently Deputy Perrot. I think it is worth going to page 744, because on page 744 we are shown the outcome of the public consultation, where the question was posed:

If houses are taken into account, do you think: a) people should be expected to sell their house; b) people should either sell or rent out their house; [or] c) people should not be expected to sell their house, but should be required to rent out their house; OR d) people should not be expected to sell or rent out their house.

Now, 53%, sir, were very clear; 53% said people should not be expected to sell or rent out their 3475 house. Now, I know that some of my colleagues on the Education Department may discount that public consultation on the grounds (*Laughter*) that some of the people who have responded to it may be the parents of Grammar School students, sir. (*Laughter*) Notwithstanding that, there is another fairly clear steer from our community. I am sorry about that, Members of the Education Department; it is Deputy Perrot, he is such a bad influence on me, sir, he gets me going without 3480 realising it a lot of the time.

But, probably more relevant, sir, is on page 598, and this was mentioned earlier by Deputy Lowe. On page 598 at the bottom, we are reminded that the Long Term Care Insurance Scheme was introduced with an 'implicit commitment' – an '*implicit commitment*':

... that people should not be forced to sell the family home to pay for long term residential or nursing care.

I think, sir, large sections of our community would feel, rightly, aggrieved if we reneged on 3485 that. So, in my view, picking up from comments that were made earlier by my good friend Deputy Spruce, I think it is absolutely essential that this matter is dealt through contributions and not through a requirement for people in this community to sell the family silver.

Thank you, sir.

3490 **The Bailiff:** Deputy Kuttelwascher.

Deputy Kuttelwascher: Sir, I just want to say a few words about the issue of using houses as a source of funding for long-term care, and maybe just review what happened in the UK.

What actually happens – and it is more difficult to do there than here – is all sorts of schemes 3495 were put in place to take the house away from the ageing parents, be it in trusts or via lifetime gifts or whatever. So at the end of the day, when the day of care came there was nothing left.

It would be far easier to do that here. I could do it tomorrow. I could give half a house to my son, half to ... come up with some agreement that I have got a lifetime lease to live there. It is so easily avoidable with proper advice, so just saying your house will be taken into consideration will 3500 spawn a whole industry of how to avoid doing that, and that you will not stop. There would be so many laws that would have to be changed, so we would just create another problem, and that is

what people do, because it is what they call, what the accountants call, euphemistically, tax planning, isn't it, or tax avoidance – not evasion, avoidance. So it will create another problem.

3505 Now, whether you try and address that before you create the problem is another thing. Would it would be an enormous piece of work? How can you force a couple or a single surviving parent from giving away their property? Very difficult, I would suggest, here. So it is not a simple issue and it is something that will have to be considered, if the next Government goes down the route of seriously looking at divesting people of their properties.

Thank you, sir.

3510

The Bailiff: Deputy Wilkie.

Deputy Wilkie: Thank you, sir.

3515 You will be pleased to know, sir, I am going to start by telling everyone a story. I am going to tell you a story about a man – we will call him David. David was 45 years old, maybe a bit older, but at least 45 years old. David had a disability that he was born with at birth, a form of *spina bifida*, which would have made it very difficult for him to have walked and to have participated in very normal life, everyday normal life.

3520 What is astonishing about David is that he lived over 500,000 years ago, and to attain the age did require a lot of care from his family or group. Our ability as a species to show compassion and to look after those less fortunate than ourselves in our society is so ingrained that it goes back to some of the earliest times of human history. This ancient behaviour is at the heart of why this policy letter is before us

3525 The Supported Living and Ageing Well Strategy is about how we look after those in our society who require assistance; it demonstrates our compassion and how we would provide a care system that works for Islanders in the 21st century.

I must applaud the Committee and the staff for the description on how our future care system should look like, and I agree with the thrust of the policy letter, and the focus on community services, assisted living and the ability for Islanders to receive care in their own homes. We are all fully aware of the balancing act that is required. If we spend too much money on social policy care it may drive up taxes, which may drive away businesses that fund the services we provide. If we do not spend enough money on our care system then it ends up, as we have seen in recent times, with intolerable pressures leading to failures in the provision of care. That balance will be a concern to this Government, and future Governments, for time immemorial. This Report is the beginning of the restructuring of services, which is imperative to create cost avoidance within our present system for our future generations.

3535 Sir, it is well documented how long this policy letter has taken to eventually arrive at this Assembly's feet – going through different guises along the way.

3540 I would just like to touch on the journey of one aspect of this Report – respite care. In October 2008 the first discussions between the newly-formed Guernsey Disability Alliance and Social Policy Group, resulted in the employment of Guernsey's first disability officer, and work towards a Disability and Inclusion Strategy began.

3545 Respite care was one of the first issues raised at this very early stage. In early 2010 the GDA and Guernsey MS Society commissioned a specific report into the provision of respite care in Guernsey. This was shared with Social Policy Group, and further action was deferred until the production of the Disability and Inclusion Strategy. That policy letter was passed in the States in November 2013. Now, respite care was not in that report, and it was promised that the Supported Living and Ageing Well Strategy would deal with respite care and it was only a year away. Now, forward wind to 2016 and the Report before us which states:

To review as a matter of priority the range provision and funding of short break services for people with long term care needs and their carers to prepare a business case for the development re-alignment of short break services by the end of 2017.

3550 So we have still got another two years to go. Having to wait another two years just for a
business case is bad enough. But if States' Members reject all of the recommendations in SLAWS,
what are Islanders with disabilities, and the 2,000 informal carers in Guernsey, meant to think?
Over the last seven years they have diligently responded to each consultation and survey that has
3555 been put in front of them. Each time they have raised the same issues in relation to support and
services. Each time they have been told, 'Wait till we do this. Wait till we do that.' The very least we
owe them is to ensure that their needs are firmly acknowledged by this States and passed over to
the new States for prioritisation.

So, while this policy letter is not as developed as I would like, to vote against it would be so
damaging it does not bear thinking about. We cannot go back to square one, we cannot be
3560 regressive. I implore all Members to support this policy letter.

Thank you, sir.

The Bailiff: I see no one else rising.

3565 **Deputy Perrot:** I rather imagine, sir, that an amendment is, as we speak, on its way here
(*Laughter*) and all we are awaiting is the emergence of H.M. Procureur.

The Bailiff: It is a very good attempt at filibustering, in the hope that it will suddenly appear.

3570 **Deputy Perrot:** I am not sure if I can keep flannelling this, sir, I cannot think of anything else to
say. (*Laughter and interjections*) My more senior colleague tells me, could I suggest a five minute
recess?

The Bailiff: Well, I will put – Well, Deputy Harwood is going to reply to the debate. What do
3575 you... Can you put your microphone on?

Deputy Harwood: Far be it for me to deny –

The Bailiff: H.M. Procureur has now arrived.

3580

Deputy Harwood: – Deputy Perrot the opportunity of producing an amendment – which has
arrived! (*Laughter and applause*) I hope that Deputy Perrot will acknowledge my bit of filibustering
to enable him to deliver the amendment.

Amendment:

*In Proposition 1 to insert at the end of the words 'except for the recommendation identified as
7a) on page 802'*

3585 **Deputy Perrot:** I never thought I would say this of H.M. Procureur – 'Superman'! (*Laughter*)
Following on from what I said earlier on, I would like to lay this amendment which will be
seconded, I hope, by Deputy De Lisle, which is this: 'In Proposition 1 to insert at the end of the
words,' (*Laughter*) I think that is right – "except for the recommendation identified as 7a) on page
802". In other words, to explain that, if we accept Proposition 1, but accept this amendment, it will
delete section 7a) in Appendix III.

3590 I also have, under the Rules, to say what the financial implications might be –

The Bailiff: That is deleting the ½% increase in the Insurance Fund, that is what Deputy Perrot
...? I thought he was wanting to delete 7) when he spoke earlier.

3595 **Deputy Perrot:** Seven-A, sir. (*Interjections*)

The Bailiff: Are there two amendments circulating? Ah, that explains it! Right. Yes. It is just that earlier Deputy Perrot was suggesting he wanted to vote against 7l), which is the one to do with the need to introduce the capital assets. That is what he spoke on.

3600

Deputy Perrot: I referred to capital assets, but I gave as the reason for my standing up, the fact that Treasury had said, as a board, that it was not happy with an application immediately of a 0.5% increase, but nor was I, individually. That is why I was bringing this amendment.

3605

The Bailiff: Right. Thank you. Right.

Deputy Perrot: I wish I had looked at 7l) as well, but there we are, you cannot have everything. As far as the financial implications are concerned in relation to deleting 7a), I cannot actually make an estimate for that at the moment. I do not know if the Treasury Minister is going to speak at all in relation to this amendment. He may have some idea, but I am afraid I cannot help Members, and I have not had time to take advice on what that might be.

3610

The point about this amendment is that during the course of the next 12 months a number of policies are going to generate a number of discrete financial burdens upon individuals, whether it is in relation to this long-term care, whether it is in relation to the – I have forgotten what the policy is that we are going to debate – next Social Security policy which we are going to debate, but there will be a number of just a little 0.5% here there and everywhere, and there is going to have to be some balance drawn between what we are prepared to pay in relation to social welfare and what is affordable.

3615

I give way to my –

3620

The Bailiff: Deputy Harwood.

Deputy Harwood: I thank Deputy Perrot for giving way. If it will help him, on page 603 of the Billet:

Applying a 0.5% increase in contributions to employed, self-employed and non-employed persons would raise approximately an additional £7 million in 2017. This would be equivalent to approximately 0.3% of Gross Domestic Product (GDP) and bring estimated States' aggregated income in 2017 to approximately 25.1%, well within the maximum of 28% of GDP agreed in 2015.

3625

Deputy Perrot: I give way also to the Chief Minister.

The Bailiff: Chief Minister.

The Chief Minister: Sir, I was just going to make the suggestion, sir, bearing in mind the time, and the lateness of this, and the fact that it probably contravenes some of the Financial Rules we have got in terms of laying amendments, that if due consideration was given, perhaps overnight, that an alternative would be to lay an amendment to lay section 7 in separate Propositions, and then Deputy Perrot and others, perhaps, could vote against those particular Propositions that they disagree with. It might be a simpler way of dealing with it, than trying to pretend we can work out on the hoof exactly what the costs are.

3630

3635

The Bailiff: So you are proposing that we rise now and resume tomorrow morning? I put that to Members that we rise now. Those in favour; those against.

Members voted Pour.

The Bailiff: We will rise now and resume tomorrow at 9.30 a.m.

The Assembly adjourned at 5.20 p.m.