



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 14th January 2016

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

Volume 4, No. 42

ISSN 2049-8284

*Published by Her Majesty's Greffier, The Royal Court House,
St Peter Port, GY1 2NZ. © States of Guernsey, 2015*

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Law Officers

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People's Deputies

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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

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

The Vale

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

The Castel

Deputies D. J. Duquemin, M. H. Dorey, 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

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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

J. Torode, Esq. (H.M. Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Comptroller);
Deputy R. Domaille (*absent de l'île*); Deputy A. H. Langlois (*absent de l'île*);
Deputy E. G. Bebb (*relevé à 10h 22*); Deputy D. B. Jones (*indisposé*);
Deputy C. J. Green (*indisposé*); Deputy B. J. E. Paint (*absent de l'île*);
Deputy J. P. Le Tocq (*relevé à 10h 40*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCATION

Condolences to Deputy Green and his family

The Bailiff: Members of the States of Deliberation, welcome to you all.

I am sure you will all fully understand why Deputy Green is not present this morning and may I, on behalf of you all, express our condolences to him and to all members of his family on the death of his father at the weekend.

5 He was, of course, a great supporter of the States and frequently came in and took photographs of us, not only in this Assembly but also at other activities around the Island.

I am sure on behalf of us all you would like to convey our condolences to Deputy Green and all the members of his family. (**Members:** Hear, hear.)

Thank you.

Congratulations to Her Majesty's Procureur for award of OBE

10 **The Bailiff:** Deputy Lowe.

Deputy Lowe: Deputy Lowe. Oh, that is me, isn't it?

15 Sir, may I take this opportunity, on behalf of the States, to congratulate Her Majesty's Procureur on the great announcement that he was awarded the OBE – a very well deserved recipient. I would like to thank him, thank everybody – Oh, I am getting my words wrong this morning, sir! I would like to *congratulate* him on behalf of the States and wish him well.

Thank you very much.

A Member: Hear, hear. (*Applause*)

Billet d'État XXIII

HOME DEPARTMENT

XI. Domestic Abuse Strategy for Guernsey and Alderney – Debate commenced

Article XI.

The Home Department recommends the States:

i) Approve the Domestic Abuse Strategy for Guernsey and Alderney 2016-2020 at an annual cost of £382,700 thereby affirming the commitment of the States of Guernsey to tackling the issue of domestic abuse.

ii) Direct the Home Department to report back to the States in 2020 with a progress report on the implementation of the Strategy for 2016-2020 together with proposals for the future.

20 **The Greffier:** Continuation of Billet d'État XXIII, Article IX, Home Department – Domestic Abuse Strategy for Guernsey and Alderney.

The Bailiff: Deputy Gillson, the Minister will open debate.

25 **Deputy Gillson:** Thank you, sir.

The Bailiff: Sorry, Greffier, the clock seems to be stuck on 09.31.32. Is the recording equipment open? I know time sometimes seems to stand still in this Assembly! (*Laughter and interjections*)

30 It is now stuck on 09.36.49 so time is still standing still.

The Greffier: Would you mind if you just pause for 10 minutes while I check to see if the recording equipment is actually operating, sir?

35 **The Bailiff:** Yes, because otherwise we will not get the *Hansard* record. It may be that the live link is working, but we will not get the *Hansard* record of the States' sessions. Shall I suggest that we just rise for a moment while the technicians come in and sort out the gremlins?

*The Assembly adjourned at 9.37 a.m.
and resumed its sitting at 9.43 a.m.*

XI. Domestic Abuse Strategy for Guernsey and Alderney – Debate continued

The Bailiff: Members, the recording equipment is working. The clock is running, so the Minister of the Home Department, Deputy Gillson, will open debate on the Home Department's policy letter on Domestic Abuse Strategy for Guernsey and Alderney.
40 Deputy Gillson.

Deputy Gillson: Thank you, sir.

45 Sir, it is with mixed feelings I present this Report. Mixed feelings, because it is a rather sad indictment of our society that such a Strategy is needed. But, on the other hand, it is pleasing to be able to provide a report on the existing Strategy and the plan for the future Strategy.

There is no doubt that domestic abuse can be devastating for victims and their families, causing long-term physical, mental and emotional harm. It is unacceptable in our society and it has to be challenged through the provision of domestic abuse services across the Island.

50 This Strategy is a good example of joint working, both between Departments and with the third sector. Although the Home Department has political responsibility for the Strategy, the delivery of the Strategy is by a number of Departments and those are detailed in the Report on pages 3612 and 3613. Overseeing the Strategy and the development of its extension is in the hands of the Domestic Abuse Strategy Advisory Group, the members of which are listed again in the Report so I will not list them out again.

55 It is not an understatement to say that the success of the Strategy has been due to the work and services provided by the States and the third sector, and it is important that we acknowledge the commitment and all the hard work of those involved. It is clear from the referrals to MARAC that a true multi-agency approach is proving to be effective. As noted in section 3 of the Report, 60 referrals were on the increase prior to the establishment of the Strategy, but have been reducing since the Strategy was implemented. This reduction is in both total cases and a reduction in high-risk cases. Based on the results of the Strategy so far, we suggest and recommend continuing it for a further five years, with a report coming in 2020.

65 One important aspect to note is that domestic abuse is not all about violence. It is far wider than that and this is reflected in the change of definition and that is detailed on page 3601 which I shall read:

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial, emotional.'

The Strategy will become more outcomes-focussed than output-focussed and we can see this from within the Report, page 3601, that it is being that. The areas of focus of the Report are going to be relating to:

'Early intervention to encourage disclosure and signposting to specialist services... Addressing the needs of young people affected by domestic abuse, both those living with abuse in their family and those experiencing abuse in their own intimate relationships... Putting in place protocols to identify and address the needs of families/individuals who are experiencing a combination of domestic abuse...'

70 – and other substance abuse.

'Improving data collection and performance monitoring processes in relation to domestic abuse... Ensuring that the criminal justice response to domestic abuse is effective.'

It is a true multi-agency Strategy to try and provide a whole service to support people.

75 Within the Report, we do identify areas where additional funding would be beneficial. These relate to group work programme, PATS, and the uplifting of amounts paid to sub-contracted out work. The board made a decision not to apply for this funding. That is a matter I will address when we debate an amendment which will be placed.

Sir, I think I will end this by reading some words from the Advisory Group and if I just turn to the appropriate page:

'The Strategy sets out clearly what the Advisory Group intends to do to address domestic abuse in the form of a coordinated response; to support those experiencing and witnessing domestic abuse, children affected by domestic abuse and those perpetrating domestic abuse, with implementation plans designed to achieve the aims of this Strategy. It provides clear and measureable targets that will be performance for the life of the Strategy.'

80 Sir, we hope Members will support this Strategy. As I said at the beginning, it is sad that we as a society need the Strategy, but it is one that we need and it is one that so far is proving to be effective to address something which is really quite a stain on our society.

Thank you.

85 **The Bailiff:** Hon. Members, a number of amendments have been circulated and I propose that we debate first the amendment marked 'A', amendment A to be proposed by Deputy Burford and seconded by Deputy James.

Deputy Burford, do you wish to have it read?

Deputy Burford: Yes, please, if the Greffier could read it. Thank you.

The Greffier read the amendment.

Amendment A:

To delete Proposition 1 and substitute therefor:

'1. To approve the Domestic Abuse Strategy for Guernsey and Alderney 2016-2020 at an annual cost of £455,700, to include the additional services outlined in paragraph 7.7 of that policy letter and accordingly to direct the Treasury and Resources Department to transfer £73,000 from the budget reserve to the Home Department in 2016 and subsequently to adjust the cash limit of the Committee for Home Affairs by the same sum in each of the years 2017 to 2020.'

90 **The Bailiff:** Deputy Burford.

Deputy Burford: Thank you, sir.

95 I will begin by laying this amendment A. Should it be unsuccessful then in that case I will continue with amendment B. But these two amendments essentially give Members who wish to support these vital services, so clearly argued for in Home's policy letter, a choice of two methods of funding them.

I do not intend to spend any significant time arguing the case for which is the better method of funding, although for such a small sum, relatively, amendment A is certainly cleaner and would be my preference. For me, the important issue is that one way or another these services are funded for reasons which I shall explain.

100 The policy letter sets out in great detail the excellent work that has been carried out by many agencies involved in the Strategy over the last six years; the creation of new services and the emphasis on partnership working to ensure that agencies are working consistently and collectively to support families experiencing abuse.

105 It clearly pinpoints several areas where additional funding is required to address unmet needs and gaps in provision, and makes convincingly strong arguments as to why these areas should be funded, but it does not allocate funding for these gaps. It highlights the fact that budgetary constraints are the greatest limitation in respect of the Strategy's further development over the next four years. Of course, I am acutely aware of the budgetary constraints that Home, like many Departments, is under and I want to make the case, therefore, as to why this funding is vital; why it is a priority and why, crucially, it can easily save more than it costs, which is the way we should be working.

110 The policy letter identifies the need for additional funding for four key areas. Firstly, to meet high levels of demand for therapeutic work with children and young people recovering from abuse, through HSSD's Post Abuse Therapeutic Service for children and young people, known as PATS.

115 Secondly, to implement a group work programme for young people experiencing domestic abuse.

Thirdly, to provide an annual uplift for the specialist domestic abuse services commissioned out to the third sector.

120 Fourthly, to provide additional funding for training and awareness raising.

To fund these four areas would cost £73,000, referred to in the amendment and in the policy letter, and I will briefly set out why I feel it is essential that each of these areas are funded.

125 Home sets out the need for more staff hours to work with children and young people who have been affected by witnessing domestic abuse and who need therapeutic input as a result. In 2014 there was a 30% unmet need in the PAT Service within HSSD, with many children sitting on a waiting list for months and some not receiving any treatment at all. We must ensure that all children and young people affected by domestic abuse have access to specialist services to help repair the harm caused them. To do this, PATS need to expand without delay. Employing an additional part-time member of staff would allow the service to offer intensive therapeutic support to the 20 or so children and young people per year who are unable to access the service due to the long waiting times.

130 In 2015 the service was even less able to support the many children who need treatment as one of the staff was on maternity leave and HSSD had been unable to provide temporary cover. Thirty nine children worked with PATS up to the end of June 2015. Thirty five of these children had been witness to domestic abuse. Of the 12 new PATS referrals received between January and June 135 2015, 10 of the 11 referrals who had witnessed domestic abuse could not be accepted by PATS, mainly because the staff had full case lists and could not fit them in.

140 So why does the fact that 20 or so children a year are unable to access this service matter so much? Well, the impact of children witnessing abuse can have physical, psychological, behavioural and societal impacts that can have long-term and intergenerational consequences.

145 The area in which there is probably the greatest amount of information is that of children's behavioural and emotional functioning. After experiencing trauma in the early years of life, the brain's alarm system becomes particularly sensitive to threatening environmental cues, when the child may respond anxiously or aggressively. For children living in a threatening, chaotic world, their brains will be hyper-alert for danger as their survival may depend on it, but if this environment persists and the child's brain is focussed on developing and strengthening its strategies for survival, other areas of brain development may be affected, resulting in extreme anxiety, depression and difficulty forming attachments to other people.

150 Children who have not been able to develop a healthy attachment with their caregivers due to abusive environments, and whose early emotional experiences have not laid the necessary groundwork for healthy emotional development may, in some cases, have a limited capacity for empathy.

155 The ability to feel remorse and empathy are built on experience. In the extreme, if a child feels no emotional attachment to any human being, he or she is unlikely to feel remorse in childhood or later life for hurting or, in extreme circumstances, killing someone. Many of these individuals are involved in youth offending and accessing the criminal justice system as adults. It does not take much to see that any work that can be done to prevent children growing up into juveniles and adults who become part of the criminal justice system repays society both socially and financially.

160 By working in a co-ordinated manner, professionals and caregivers can help to minimise unpredictable, unknown and frightening experiences and assist the child's on-going healthy development. In repairing the harm done to these children and strengthening families, intergenerational problems can also be halted.

165 To put in place additional therapeutic support for those local children and young people who are unable to access it at present, the Home Department would require an additional £33,000 per annum for the Domestic Abuse Strategy budget – a small sum when you consider the cost to our Island of the consequences of domestic abuse on the health, welfare and criminal justice system.
(A Member: Hear, hear.)

170 The second area is to provide early intervention work with young people living with domestic abuse, either in their own teen relationships or who are displaying harmful behaviour as a result of witnessing domestic abuse in the family home. This would involve setting up a group work programme at an annual cost of £20,000. As is the case with the therapeutic support, this work is likely to have significant benefits in relation to social problems such as youth offending and adolescent mental ill-health.

175 Often teenagers experiencing abuse are unwilling to participate in one-to-one work, but they are more likely to engage in group work. Evaluation of group work programmes has demonstrated effective outcomes. The groups can help children learn about how to keep safe, as well as encouraging young people to look at the consequences of their aggressive and anti-social behaviour, understanding the need for empathy for others and developing strategies for non-violent conflict resolution. It can have the added benefit of helping them discover that they are not alone in having bad experiences, therefore making them feel less responsible for violence that they witnessed as children, which sadly many of them feel.

185 The third area of funding identified in the policy letter is to provide an annual increase in the amount in relation to services commissioned out to the third sector. The policy letter notes that the third sector agencies involved in the Strategy have sought a great deal of supplementary non-States' funding through the life of the Strategy to top up the core funding provided by the States, as demand for these services has grown and additional gaps in provision have been identified.

190 Through its applications for grant funding, Safer has added considerable value to the Strategy; in fact around £260,000 worth over a period of three years, for which the States must be extremely grateful, both to Safer's management team for submitting compelling cases for funding and to the various local and national organisations that have assisted. However, if annual uplifts are not built into the service level agreements providing the core funding for these services, then the level of service becomes unsustainable.

195 All of the charities who have SLAs or grants through the Domestic Abuse Strategy have had their funding frozen for at least one year already. The Guernsey Child Contact Centre has not had an uplift since the service level agreement was set up by HSSD back in 2009. In this period the RPIX increases in relation to this grant, if applied, would have increased the service's funding by around £7,000. As it stands, the service has an annual deficit of a similar amount, which is hard to fundraise for as the public do not strongly identify with charities which help a sector of the society that is often branded as undeserving, despite the fact that service users are vulnerable children.

200 To continue to provide the same level of public sector funding for the next five years means that these charities may well collapse when their limited reserves dry up. In real terms, the financial recommendations set out in the Home Department's policy letter are a reduction in funding. Without this funding the charities are likely to have to offer their staff short-term or zero hours contracts, which means that they will find it extremely difficult to recruit and retain quality staff, many of whom have been funded through extensive training programmes.

210 It has often been discussed how in education, for example, teachers need security of employment if they are going to stay in the job. It is no different for trained staff in this area. It is imperative that these charities are given an RPIX update each year, so that their core funding is not further devalued.

215 The fourth area of funding highlighted by the Home Department in the financial section of the policy letter is the need for additional funding for awareness raising and training. Since the Strategy was set up in 2009, the funding in this area has gradually diminished as the need to expand initiatives and the administrative support for the Multi-Agency Risk Assessment Conference (MARAC), which is demand led, has grown and funding has been transferred within the Strategy to maintain this necessary support.

220 Funding over the next few years will be crucial in order to roll out training to a large number of front line staff within the public and third sector, in order to increase early intervention work with domestic abuse cases, enable staff to competently complete risk assessments, put in place care pathways, and provide more training and awareness raising around safeguarding children and

young people who are living with domestic abuse. A failure to fund these areas cannot be justified by the badge of making difficult decisions, but a decision to fund it can be justified by the knowledge that we are making sensible decisions that will not only help vulnerable persons in society but will save money in the future.

225 I ask Members to support at least one of these amendments to fund this work.
Thank you.

The Bailiff: At the moment we are just debating amendment A. Yes.
Deputy James, do you formally second the amendment?

230

Deputy James: I do, sir.

The Bailiff: Thank you.
Deputy Gillson, do you wish to speak at this point in the debate.

235

Deputy Gillson: I will speak later in the debate.

The Bailiff: You will speak later in the debate.
Deputy Bebb, you wish to be relevé?

240

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

The Bailiff: Deputy James, were you wishing to speak at this stage?
Deputy James.

245

Deputy James: Sir, I stand as a very proud founder member of the Refuge, which a number of us embarked upon creating almost 20 years ago... incredibly proud to see where Guernsey has got to in providing these services.

I also think, sir, what I would like to do, for the record, is to acknowledge some of those founder members that worked so hard to create the (*Inaudible*) service that Guernsey is providing now; and those are former Deputies Jean Pritchard, Carol Steer, Pat Manner, Anita Harrild and Dr Margaret Costen; and out of those, I am delighted to say that Dr Margaret Costen is still very heavily involved in running the Refuge. I latterly became a volunteer counsellor for Guernsey Women's Aid. I would like to say that I congratulate and compliment those people responsible for bringing the relevant agencies together to work under one roof, and they were the Refuge, Guernsey Women's Aid and Options. They are to be complimented because, having taken that action, it has enabled maximisation of scare resources.

The Bailiff: Sorry to interrupt you. Are you speaking generally or (**Deputy James:** Yes, sir.) just specifically on this amendment? (**Deputy James:** Yes.) You are speaking generally. (**Deputy James:** Yes, sir.) Thank you.

Deputy James: I would also say let's not forget the many of those involved in running and supporting these services who are in fact volunteers, and that again actually reduced costs. The policy letter clearly outlines the success and the valuable impact these services have had on our community. The policy letter also outlines the range of public services that are impacted by domestic abuse. Deputy Burford clearly outlined the range of agencies that are impacted.

So what I would ask the Assembly is to give 100% support to this policy letter and, like Deputy Burford, I do not mind whether you support A or B. I just ask you, without sounding too crude, sir, to put your money where your mouth is.
Thank you.

270

The Bailiff: Deputy Laurie Queripel, then Deputy Luxon.

275 **Deputy Laurie Queripel:** Thank you, sir.
I would like to speak generally as well as on the amendment, if I may?

The Bailiff: Yes.

280 **Deputy Laurie Queripel:** Thank you.
Sir, of course I welcome this Report and the valuable information it contains and provides, and also the path and the vision that it sets out for the future, particularly captured in paragraphs 1.3 to 1.7. I do intend to support the amendment, sir, because Deputy Burford has ably made the case that investment in this area not only can, or will, produce good outcomes for service users, but
285 also for our society and our wider community.

It is only honest and fair to say that I, and that other Members too, have been contacted by some members of the public, but I think I have received probably more correspondence on this issue... being contacted by a few members of the public who have raised some concerns and made some points, and have asked some questions.

290 I think it is only fair and right that some of those concerns and queries are given a voice, are given an airing in this Chamber. Sir, I am not by any measure going to read all the correspondence I – and, as I say, we – have received of that nature, but I just want to refer to, and in some cases paraphrase, part of it.

One email said:

'It is right that abuse against women is addressed, and that support is readily available, but there should be support readily available for abused men, and a place of refuge made available for fathers and their children and/or men escaping abuse by their partners. It has been repeatedly claimed that it is worse for women and that the numbers of abused women in the Island are far higher than for men, so how can this be known when nobody has been able to count the number of males abused behind closed doors, when there is no organisation offering support to which they can go and thus be counted.'

295 So I guess my first question, sir, and perhaps –

Deputy Bebb: Point of correction.

300 **Deputy Laurie Queripel:** Sorry, I give way to Deputy Bebb.

The Bailiff: Deputy Bebb.

Deputy Bebb: Safer do supply service for both men and women.

305 **Deputy Laurie Queripel:** A shelter.
Sir, I did mention male abuse, and I am going to go on to say something else in a minute. I thank Deputy Bebb for his interjection – and be counted – and it goes on to say:

'In discussing this in the States I would ask you to consider granting a sum of money to support male victims of abuse. Safer and The Refuge are for women, we must be able to offer the same support to men.'

310 So I guess Deputy Bebb has offered us some information, but I guess my question for the Minister – or any member of the Home Department or for Deputy Burford, being that she is putting forward this amendment: what provision is being made for men who are victims of domestic abuse, and the possibility that they may need shelter and assistance, along with their children? Has any work or research been done to establish how many men may be victims of domestic abuse?

Now, another question that was asked in some of this correspondence was:

'I believe that the level of scrutiny particularly for Safer and The Refuge must be significantly increased. Women who experience domestic violence are openly encouraged to report it to the authorities. It is the case that men who experience such violence often encounter pressure against reporting. The decision needs to be made whether the States of Guernsey is against all domestic abuse. A domestic abuse organisation should be focused on resolving, preventing, or in any other way dealing with domestic abuse of any sort.'

315 So, sir, I would ask the Minister – and it may be that the Minister or the Home Department cannot answer these questions today, I would be quite happy for them to take them away and to refer the answers back at a later stage, but I would ask – what methods or mechanisms are there in regard to accountability to ensure that funds are being spent appropriately, and that the work being done, the services being provided, are inclusive and of a gender neutral nature? As I say
320 that, sir, I refer to paragraph 1.2 of the Report on the first page, the first bullet point says, sorry:

'The Strategy has enabled the States, and its partners in the third sector, to:
Put in place measures aimed at preventing abuse and violence from happening by changing the attitudes, values and structures that sustain gender inequality and violence.'

That needs to be interpreted always, sir; it needs to be accepted and acknowledged in the context of support and assistance, that services for men need to be considered.

In regard to the reporting matter, when this correspondence says, 'women are encouraged to report abuse', but it seems as if, or so this correspondence says, men are not encouraged to
325 report abuse. If that is the case, how can this issue be addressed? If it is the case, will it be addressed?

Sir, this correspondent goes on to say:

'Safer are currently funded in part by the States with little or no accountability, particularly with regard to their gender attitudes. They employ independent domestic violence advisors, partly funded by the States. This does not make independent domestic violence advisors independent or fair. How the States has little control over how they work even when there are serious questions about their organisation's attitude to providing the service. An independent body, not necessarily a UK consultant...'

– and the idea of perhaps Scrutiny looking at something like this has been put forward –

'... should monitor and assess what these organisations are doing.'

330 So the next question I would ask is: bringing us back to the issue of accountability, does the Home Department, does the Minister, believe that it would be appropriate for the scrutiny process to undertake this role to ensure that these organisations are, as I say, using the funding they get appropriately and making sure that the services they offer are inclusive and are gender neutral, as far as possible.

335 There has also been reference made in some correspondence I received in regard to the Safer Facebook page. This correspondence said:

'If someone posts something Safer does not like they delete it. If they are losing the argument, or the discussion does not fit their agenda, they delete it. They are perfectly within their rights to do so, but it demonstrates an inappropriate attitude to operating a service or an organisation that is meant to be for victims, not specifically or only for women.'

So is there an issue there that needs to be addressed? Are the Home Department aware, if it is, that that is the way that the Safer Facebook page is operating.

I just want to refer back to something about... it is in the Report, for just a moment. In paragraph 5.6 it says this:

'The key findings from the survey were as follows:
The most common form of abuse experienced...'

340 – and I think Deputy Gillson referred to this –

'...was emotional or psychological abuse such as being criticised and belittled, name calling and being accused of lying about the abuse. 173 respondents experienced this form of abuse (94% of those answering the question).'

Now, sir, it is possible that some men will suffer physical abuse or violence, but it is much more likely that they will suffer from the kind of things described in this paragraph, emotional or psychological abuse, such as being criticised etc. I wonder if the figures in regard to men suffering domestic abuse have taken that into consideration – the fact that it is more likely that they would suffer from psychological or emotional abuse. If they have not, sir, I would suggest that that needs to be looked at more closely, because I think actually the figures regarding men suffering abuse would go up if that was fully taken under consideration.

Another piece of correspondence that I received says this:

'There is undoubtedly a requirement for a refuge and other provision to deal with domestic abuse, and for funding to maintain one, but victims of abuse deserve respect and assistance regardless of gender.'

So, sir, this is clearly a very sensitive area and we have to tread carefully, but I guess the points and the questions are these. Whenever an organisation is associated with the States and is in receipt of some public funding, it has to be accountable and open to scrutiny. So, with that in mind, I think these points that have been brought out, that I have brought out and have brought to the attention of the Assembly and the Home Department Minister... I think they deserve to be aired and I am hoping that the questions can be addressed and answered, if not today, in the near future.

Thank you, sir.

The Bailiff: Deputy Luxon.

Deputy Luxon: Thank you, sir.

I will only speak to the amendment, sir, I do not need to speak in the main debate because I think it is an excellent Report and I will be supporting it.

Sir, I did agree to second this amendment behind Deputy Burford at the previous States' sitting, but obviously it was deferred, and subsequently when I realised that the Home Department board members were not attracted or likely to support the amendment, I apologised to her and explained that I would not wish to second an amendment when I knew that the particular Department board were not supportive. But how I vote after general debate will be another matter.

Sir, the actual value of £73,000 is just less than 0.02% of the total annual States of Guernsey general revenue budget and as such, for me, it is so small compared to the incredible good that it would do, in many ways, and I will just touch on why I think we should be prepared to support this, although it does mean that we again dip into the budget reserve, which is something from a fiscal conservative point of view we should try not to do.

But, sir, the Chief Minister on behalf of the Policy Council and the States of Guernsey, did sign the social compact some time ago which demonstrated a true commitment with the Association of Guernsey Charities, but also gave a signal more broadly to the Guernsey Foundation and others, that the States of Guernsey, through its social policy development, genuinely wanted to engage in partnership with the third party.

Sir, if we are going to try and commit to the principle of small rather than big Government, in partnership working with a third party in its different guises, then at times we do also need to demonstrate that we are prepared to play fair, be seen to play fair and are fair. And in approving this less than 0.02% of our total annual budget for this uplift, it would impact positively in giving a signal to the particular third sector parties that are helping to deliver this strategy over recent years, and will continue to do, it gives them a signal that Government is not good at talking about these things and then the detailed principles and delivery afterwards, but that we absolutely do

understand the implications and that we are prepared to put our 0.02% of our money where our mouth is.

So, sir, I think I am going to support the amendment, but I will listen to the debate on the amendment.

390 Thank you.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, yes, I will just be brief.

395 I totally support Deputy Luxon. As he just said here, it is a very small amount, which I think would really make quite a difference on this Island.

But I really stood up in response to Deputy Queripel's speech just a moment ago. I was surprised he did not go back to the person who sent the email, which I think everybody in this room received as well, and said to him that in fact the States had approved an amendment to enable the new Scrutiny Management Committee to have the powers to scrutinise bodies which are in receipt of States' funds and created by Statute, so hopefully when we actually have the debate on the funding of that Scrutiny Management Committee all Members in this room will support that as well. (*Interjections*)

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

Deputy St Pier: Sir, Treasury & Resources Department will not, and cannot, support this amendment.

410 As Members are well aware, the budget reserve is much smaller this year than in prior years and it is worth just spending a few moments reminding Members what is in the budget reserve and what the demands are upon it.

In last year's budget we approved a budget reserve of £8.9 million in total. We have earmarked, as we do every year, various components that are likely to draw on that £8.9 million. So we have approximately £3 million set aside in our minds for pay awards. That includes

415 £1.6 million for unsettled 2015 pay awards, and £1.4 million of unsettled 2016 pay awards. I should add that that is considerably less than in prior years, because of course there is a 0% increase for some groups agreed for 2016. We have about £1 million set aside for the vacancy factor; we have £1.15 million for Health, which again was debated at length during the Budget debate, and we have £1.5 million for capital allocations, which again, is a normal part of the budget process, and which normally does receive some demands during the year. So out of the

420 £8.9 million we have about £2.25 million which is, if you like, unallocated or for which it has not yet been earmarked. So it is 14th January and £1.5 million of that £2.25 million has already been accounted for. This Assembly approved £335,000, during the debate in November, to fund the renegotiation of the Health Care Contract. We approved £80,000 for the Bio-Diversity Strategy. There have been various other allocations dealing with the St John's Ambulance reorganisation, the improvement of service for IT and for the National Risk Assessment, which is required in relation to our financial services sector. So, by 14th January, 66.7% of the unallocated budget reserve has already been allocated. So, sir, this, I would suggest, would be the height of irresponsibility for us today to allocate a further 4% of the budget reserve, taking us to 70% of the unallocated portion, to fund additional service commitments.

430 Sir, if the States is minded to prioritise further funding for domestic abuse, then the right way to do it is by supporting Burford 'B' and by reducing spending commitments elsewhere; and that is what the Treasury & Resources Department will be doing.

435 **The Bailiff:** I see no one else rising – Oh Deputy Bebb.

Deputy Bebb: Thank you, Monsieur Le Bailli.

440 The question in relation to... part of what I wanted to say is to respond to some of the questions that Deputy Queripel raised.

The Bailiff: That may take you into general debate...

445 **Deputy Bebb:** Which I recognise, and therefore I think that I will have to speak generally as well, because I think that they do need to be responded to, sooner in this debate rather than later.

The premise of some of Deputy Queripel's arguments is that on the basis of equal suffering on both sides that both men and women suffer equally in domestic abuse. But the truth is that women are actually victims of domestic abuse disproportionately... numbers of women suffer domestic abuse.

450 There is also the question of appropriate services for appropriate abuse. Equal treatment would be inappropriate. We know that generally when women suffer domestic abuse the general *modus operandi* of the men is to continue to perpetrate physical violence against the women, not just immediately after separation, but in some cases for years afterwards; hence the need for a shelter for women.

455 But when women commit violence against men that is not the case. The general behaviour is that once the man leaves the home, or that they are separated, the violence comes to an end. If we are to target our funding appropriately, I am afraid that I do not see the case here in Guernsey for a shelter for men. The whole behavioural attitudes are very, very different. To imagine that there is an equal way of working across the genders is false. It is based on false evidence. It is not true.

460 We need to understand that domestic abuse is primarily a public health issue for women. There is no other way of imagining how we would describe it. Women are the largest sufferers of domestic abuse. It has long-term effects upon the whole family, and children who have witnessed domestic abuse frequently go on to be perpetrators themselves or have very serious mental health issues, as we can imagine, from witnessing some of the most horrific crimes being committed by two parents they love. That it something I cannot imagine, but I can imagine that the effects would be profound.

470 When we look at the funding that happens at the moment – and here I do come to the amendment – we were presented at the annual general meeting of Safer with very stark realities. I think that it was said clearly that they are currently eating into their budget reserves. This is a charity that we are apparently very comfortable with. The Home Department have responsibility for monitoring them; they have service level agreements in place with this charity. Let's not imagine that the States actually hand over money and then do not monitor the work of this charity; they do, and they do so carefully, as we should with all charities.

475 We are apparently very happy with the work that they are doing. We are so happy that when they tender for new services they have been successful. Surely that shows not only that we have confidence in them, but if we are to have confidence in any system that actually goes towards funding third parties then we are, as a States, very happy with this particular charity and wish to continue to support them.

480 Not to increase their funding is to put them in a financial position where they may struggle. If we are to have an honest compact, if we are to have an agreement with third party providers, with the charitable sector, we have to support it. We cannot imagine that asking the charitable sector to undertake work is actually a cheap option. It cannot be. We must ensure that they are funded appropriately. I believe that it is important that today we support the increase in funding, otherwise we could well see the issue of domestic violence here in Guernsey get worse, and we may see yet more incidents as we have seen in the past.

485 There is additional funding that will actually be going out for tender. Now, of course, the charity that we are currently tendering with may offer to actually give that service. Other charities are also open to tender for that service. That will be dealing with children. This is not just a men

490 and women issue, this encompasses all of us. Actually the most pernicious examples of domestic violence I have seen are in cases where men have been the carers for women who have suffered, and are actually physically or mentally disabled. I cannot imagine the horrors that happen in those circumstances, and yet we know that it does and we know that we are not reaching all of it.

Domestic violence is underreported in both men and women, but evidence shows us through
495 larger studies, that men are more likely to report domestic violence than women and more likely to continue through with that into prosecution, and they are more likely to ensure that they have settlements in place to care for the children.

That is not the case with women. We know that with women they are less likely to report in the first case, and the question that Deputy Queripel asked in relation to, 'Are men discouraged from reporting?' – no one is discouraged from reporting. The whole Strategy's premise is upon
500 increasing reporting of domestic violence. We do not have the full picture here in Guernsey, because we know that women generally do not report it. But, to imagine that there is somehow some pressure being put by any single part of any service not to report violence is false. I have not come across any organisation that when someone has been a victim of violence they say, 'Well, do not go to the Police.' I ask Members here, have they ever heard of such a situation? Therefore
505 where is this pressure not to report that we are being advised? I think that we should take very carefully the words of individuals' when they talk on this basis. We really should not imagine that what is being presented is wholly true. We have to take all of it with a very large pinch of salt, because the right people to deal with the question of whether or not they have a case are the professionals, and none of us here are.

Finally, in relation to this, I think that Deputy St Pier made a very good case for supporting Domestic Abuse Strategy. The Treasury & Resources, evidently, are going to support one of the amendments that will be laid today and I think that it is something that we must ensure we support fully – and that will require us to fund it.

515 As for the question of using the budget reserve, I believe that we have an issue that such an important factor that we currently have in Guernsey as domestic abuse, that we know is not being fully reported, we know is not fully being addressed, that we have a charity that we are happy with, that we may put into financial difficulty unless we increase the funding... I have to ask are we to freeze the funding? I was unaware of a fiscal policy that said that we froze funding fully. I
520 thought the policy was no real terms increase. I thought it was that we maintain the same level, but that obviously includes RPIX, at the very least. If we are not going to increase things by RPIX, then have we embarked upon a new fiscal policy of zero increase, regardless of inflation? I was unaware of any such decision.

So if we are to increase it, I have to ask why other Departments have to have their budgets cut in order to fulfil what is States' policy. I am confused. I believe that, therefore, the right thing to do is to direct the Treasury Department to ensure that their fiscal situation is such that they can continue to support these third party organisations, which apparently as a States we have come to an agreement that we must support, and we must work closer with the third sector. If we are to do so then the policy is no greater increase than RPIX. Therefore, I have to ask: why are the
530 Treasury Department refusing what would be a normal increase?

Thank you.

The Bailiff: Deputy Hadley was standing.

Deputy Hadley.

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Deputy Hadley: Mr Bailiff, I think it is important to support this amendment. We should not be passing strategies without the funding which the strategies identify as necessary. I certainly could not support amendment B taking money – large sums of money – from both the Education Department and the Health & Social Services Department.

540 So I urge Members to support this amendment.

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

545 I am just going to speak on the amendment.

I rise because Deputy Luxon said that the Home Department were against this amendment, and I think I wish to clarify the reasons why I was against this particular amendment. The Home Department support the Domestic Abuse Strategy – it is in the Strategy, so we are all united and we support the Strategy that is before you today – but when you have the reality of overspends of
550 over £600,000 for Home Department, and the likelihood of cutting services, which we brought to this States only a matter of a few weeks ago, asking the States to support our amendment of over £600,000 so we could continue with the services rather than cutbacks, and this was rejected, not only by Deputy Burford and Deputy James to be able to continue this service, we now find we are having a cherry pick here of an amendment with regard to micromanage parts of what we now
555 see as a priority.

Domestic abuse is important. It is important for those that are affected by crime out there. It is important that we look after our Ports and our Harbours, to ensure that we have not got drugs and money laundering going on. There is a whole wealth that comes under the Home Department mandate, as you are all aware.

560 So we had to sit down and decide what was going to be our priority. It was not a case there was not anything happening already; there is certainly a lot happening already and that has to be welcomed, and I fully support all of that and there is already nearly £500,000 going towards domestic abuse in one way or another of our Strategy.

So I do support that, but I just wanted to clarify – and that is reiterated again this morning – not only have Home Department got this overspend, which the States rejected not to help us, but you heard this morning from Deputy St Pier, and it is a wakeup call. We cannot keep pushing these huge overspends and using our reserves for the next States to pick this up.

I voted against the Bio-Diversity Strategy last time we met. I support the Bio-Diversity, but if we have not got the money we have to prioritise. We do not go and extend our house before we
570 actually go to the bank and say can we have any money. We actually find out from the bank first: can we have the money? If the bank say no, we do not do an extension to our house. It is not any different. This is not our money that we are actually getting ourselves into the red for, this belongs to the taxpayer, and we have to find money, ways of trying to raise that money to pay for all of this that has now been kicked into the next States.

575 Hearing the hard fact figures this morning that 66.7% of unallocated has already been allocated out of that reserve, and if this is approved today under amendment A I do support amendment B, but I cannot support amendment A. But if it is going to be across the board and it is raised in this way, well, yes I do support it, but I cannot support amendment A for the reasons that this will now take up the unallocated to 70%, and I am not prepared to do that.

580 So I will be voting against amendment A, but I will be supporting amendment B.

The Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

585 I will not be supporting amendment A but I will support amendment B. I think the issue of what I call inappropriate use of the budget reserve is significant. We have done it at least once already. There was never any provision made in the budget reserve to account for the introduction of new services. What is being requested is the budget reserve funds for first year, if you like, and then somehow magically the new Policy & Resources Committee will increase the
590 budgets later on.

The other point I want to make is to remind Members of our current fiscal uncertainty and tension. I asked at our T&R board meeting on Tuesday what was the current state of our revenues

predicted for 2015. Basically, I do not mind saying there is a very high probability there will be no change, so we are expecting a shortfall, if you remember, of over or around, £20 million.

595 I would also remind Members in setting the Budget for 2016 there was a hope, if not a presumption, that that was a cyclical issue. The fact is nobody knows and we will not know until February what 2015 will turn out like, and by March and April we may not know what it is looking like for this current year. These are large sums of money, so there is a period of great uncertainty.

600 I have absolutely no wish to add to that. With a budget reserve used up to the tune of 70% half way through January, I would lay odds it will disappear rather quickly, and then what? You may have to have an interim budget and the only way round this is to raise more revenue, which is interesting. But that is what we are talking about. The reason I like amendment B is it actually forces all of us to make the decision –

605 **Deputy Fallaize:** Sir, on a point of order.

Is it possible that we could not debate amendments which have not yet been laid? If we debated them together we could have had a debate together but –

610 **The Bailiff:** That is why I did stress at the end that we will be debating amendment B later, but...

Deputy Kuttelwascher: Sir, the reason I brought it up is because Deputy Burford has already said in her speech she would be laying amendment B.

615 **The Bailiff:** I know and that is why after that I clarified we are debating A rather than B, because she specifically did not lay B, and it is regrettable that she then referred to B when she specifically said she did not want to open on it.

620 **Deputy Kuttelwascher:** I know but what is interesting is I think most Members would like to know how they feel about one or other of the amendments, because even Deputy James has said she does not mind how the money is sought, because she would be happy if it was sought by amendment B. I think the two are kind of linked now, but I understand the issue.

625 Speaking generally, something that Deputy Bebb said made me laugh a little, because there is this presumption that supporting the third sector means giving them money. Now, what is interesting, just before I became Chairman of Age Concern Bailiwick of Guernsey, Age Concern Bailiwick of Guernsey gave £30,000 to the Health & Social Services Department to actually fund the scanner. It works both ways. It is just a point. There is always a presumption that the money flows one way, but there are charities who have funds and can make good use of those. In fact, making more use of what they have got could actually reduce the funding requirements required from the taxpayer.

630 Thank you, sir.

The Bailiff: Deputy Le Tocq, you wish to be relevé?

635 **The Chief Minister (Deputy Le Tocq):** Yes, please, sir.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

640 In laying, or circulating, the two amendments, of course, Deputy Burford has given Members a chance to salvage their consciences with a second amendment, when the matter that is before us really is the key issue is addressed by this amendment A.

Now, I think Deputy Bebb makes an important point that the fiscal policy of the States is to contain expenditure to increases of no more than RPIX, and when proposals come to the States

645 which effectively propose a freeze in expenditure, then that item is being frozen, which is allowing expenditure above RPIX in some other areas. Now, that really is a policy decision, if the States are going to choose to freeze expenditure on the Domestic Abuse Strategy, in order to allow increases above RPIX in other areas, that is a policy decision, but that is, in effect, what is being proposed.

650 Now, I ought to explain my position as a Member of the Home Department, because I do support this amendment and originally the Department was actually proposing the increase of £73,000, and that is why there is not a minority report attached to this policy letter. But at a meeting of the Home Department, at which I was not present, the Department altered the proposal slightly – actually the additional £73,000 is still recommended, in the sense that the Department has identified that it is necessary, and it is included in the budget of this Strategy
655 from 2017 onwards, but there is an asterisk next to it which says, ‘if the funding is available’.

I do not criticise the other members of the Home Department because they decided to put prudence, if I can put it that way, to place more emphasis on that than I wanted to, and therefore to take out the Proposition which provided for an increase in expenditure.

660 But there is no question that what is proposed is a real terms cut in the funding of the Strategy; that is quite clear. The real, point I wanted to make was that I think we need to be careful about arguments that amendments like this undermine the fiscal position of the States. There has been a little bit of that about this debate.

Not having one of these devices that I can call up previous Billets on, I was thinking back to the Budget debate and was unable to recall exactly what had been set out in the Budget, but Deputy
665 Kuttelwascher, in the last speech helpfully reminded us. What is, in effect, a deficit is forecast at £20 million. Now what is before the States is a Proposition which asks them to agree to annual expenditure of £382,700... Now this, of course, will sail through. I should not think there will be any Member of the States who would vote against Proposition 1 unamended, but that does
670 require expenditure of £382,700 per year, when we are forecast to have a budget deficit of £20 million.

Yet, when a Member turns up with an amendment which proposes expenditure of £455,700 per year, all of a sudden this amendment is held out as undermining the fiscal position of the States. Well, clearly this is ludicrous. We cannot say if we have a budget deficit of £20 million that
675 spending £382,700 in a year is fine, but if you spend an extra £73,000 you have undermined the fiscal position of the States.

Now, I entirely take the point that Deputy St Pier makes about the budget reserve, but this does not really have anything to do with the underlying fiscal policies of the States, so really if Members are so concerned about the deficit and that it is so unacceptable, then the right
680 approach would be really to chuck the whole thing out and adopt this sort of bunker or head-in-the-sand mentality, that we cannot spend anything on services, on anything other than absolutely essential services.

I just dislike the way that some Members suggest that it is the amendment: everything that is proposed is very fiscally prudent and reasonable at £382,700 a year, but all of a sudden you get
685 fiscal irresponsibility when you add another £73,000 a year to this expenditure, when the deficit is millions of pounds.

So, I, sir, will support this amendment because I do not want to see a cut in real terms, a cut to the budget allocated to the Domestic Abuse Strategy for some of the reasons that Deputy Bebb set out and for other reasons which are laid out very well in the policy letter.

690 Thank you, sir.

Deputy St Pier: Sir, point of correction.

The Bailiff: Deputy St Pier.

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Deputy St Pier: Point of correction to Deputy Fallaize’s comments.

Of course, he is muddling his years. The deficit that is forecast for 2015, of course, relates to the shortfall in revenue which is forecast in 2015. There, of course, is not a deficit forecast for 2016.

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The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

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I do get a little frustrated when... this issue essentially is people abhor, we all abhor, violence against women and children; there can, therefore, then be no but; you either want to protect – I actually do not like the term ‘domestic violence’ personally, because I think violence against women and children should be the context for this, the term ‘domestic’ sometimes, I think, actually blurs the issue and people can then broaden arguments around aspects of personal relationships rather than there clearly being a wronged party and abused children in some cases.

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Ordinarily when we talk about debates like this, in other areas, we talk about spend-to-save initiatives. Now, if we look at page 3600 of the Billet, it says:

‘Domestic abuse is not just a criminal justice issue – it is also a human rights issue, a public health issue, a child protection issue, a mental health issue and a housing issue.’

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Now, notwithstanding the remarks made by Deputy Laurie Queripel with regard to violence against men, which we all acknowledge, we have to also acknowledge the majority of violence is against women. In general terms, the male is arrested and detained and goes through the judicial system at some cost, he is imprisoned at some cost, the children are taken into care and sometimes there are number taken into care at cost to the States, at cost to HSSD, and there will be input that will be required for the mother, and it may be related housing issues.

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If you then put a cost to that process then £73,000 has a disproportionate impact. It can improve outcomes and ordinarily, if it was not for the subject matter, we would be proposing... even T&R may say that this is a spend-to-save initiative and I cannot think of any other better, clear example of where you invest now and save a number of States’ Departments real sums of money in the months and years ahead.

Thank you.

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The Bailiff: Deputy Gollop.

Deputy Gollop: I would endorse what Deputy Brehaut has just said about spend to save. I think there is a justification for supporting amendment A, although I might support B as a fall-back position as a secondary choice. The problem with B, which of course –

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The Bailiff: We are not debating B at the moment.

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Deputy Gollop: Well, I was going to say that we do not want to go back to the FTP (*Laughter*) but no, moving on slightly more generally, I would make the point that there are a few, not contradictions in the report but issues we need to be aware of. One is that fortunately the general identification of domestic abuse – or call it ‘abuse within a family context’ perhaps – is lower in Guernsey than the UK average, but we should bear in mind the UK average always includes areas which are quite deprived and have specific problems we do not have to cope with. But the incidents of perhaps people being put in more serious harm or serious risk appears to be, if anything, higher on-Island, and that means we should be prioritising this core area as being very useful.

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Yet again, perhaps this Strategy has fallen foul of the multi-departmental approach, because it does seem to be linked very much to the Home Department and its budgetary issues, whereas, of course, this goes far beyond that, and affects particularly Health & Social Services and other areas.

745 What I would point out too, on page 3668 in the commentary sort of offered, Treasury & Resources put another warning note that:

'(... The Treasury & Resources Department... notes that there are potential resource requirements highlighted... [for the next four years] and it is expected that no further funding requirements are committed to without... 'finding a way in which to fund these new services from'. It is also expected that any such funding requirements are met through a strategic prioritised reallocation of existing resources by reducing some current services which are considered to be of lower priority.)'

Well that hints of course that some services maybe, even in this area, could be reduced in funding. I do not think that is the message we should be giving.

750 On the other hand, the Policy Council's Report goes quite technical, and indeed a lot of this Report is quite professionally orientated and it is also quite operational, I would say. Where we come in to it is not being the professionals on the street, but very much in charge of the overall direction and funding. That is our key role. The Policy Council does indeed support the ongoing Strategy, but offers a different kind of warning, maybe:

'That where services are being run by third sector organisations there are issues about their level of funding and resourcing to meet continuing unmet need. This emphasises the imperative for changes in public sector service delivery so that reform dividends can be generated to ensure that where services are commissioned from the third sector they are adequately resourced.'

Earlier on in this same piece it says:

'Individuals experiencing domestic abuse who are otherwise socially disadvantaged (through disability, sexual orientation etc.) must be adequately supported through effective partnership working.'

755 Now, what does all this mean? This is quite complicated language. Well, I think that we have a conversation here to develop. Deputy Le Tocq and some senior officers have made a lot of effort to talk to the voluntary and third sector and bring them on board. We already have, of course, in this particular area, one key organisation that, as Deputy Bebb wisely reminded us, is under a degree of financial pressure, and other concerns about the sustainability and revamping of their service.

760 We have got to think about what the context is because we have this now budget cap, both year by year and overall, on the size of Government, but we also have to be there to meet statutory needs. If services are run by Departments they become part of the Civil Service structure with the incremental pay increases, retail pay increases and all that. If they are outsourced to a third party those opportunities might not be there. I think it is wrong for the States to impose pay freezes, not on ourselves but on third sector organisations that are commissioned to work with us. It could well be that it will be a more efficient mechanism, that Deputy St Pier and others might recommend one day, that we could outsource more of our social and community services to excellent and professional third sector organisations than we currently do. But we have to have a sustainable funding service base for that, and we cannot be seen to be reducing funding to the third sector organisations and leaving them as a lower priority than our own Department hierarchies.

770 So I have a lot of concerns, really, about the flavour of this policy letter and I do support the need to get in early and work with the troubled families that cause the Island so much stress; and this is done more effectively, I believe, from the Deputy Burford A amendment.

The Bailiff: Deputy Adam.

Deputy Adam: Thank you, sir.

780 I get a bit confused about people saying they fully support something and then you just wonder, 'Do they really?' The point is, sir, this money Deputy Burford has clearly stated, roughly

speaking, £20,000 – Hampton Trust, £20,000 for uplifting, and £33,000 for post abuse therapy. Now, post abuse therapy – what Department does that come under? HSSD? Health & Social Services Department provide that therapy, don't they. £33,000.

785 Now, the problem is that Department – Deputy Luxon, Deputy Soulsby, Deputy Hadley, Deputy James – all have stated clearly they support this thing. Thus, why do they not prioritise their own budget to bring up £33,000 to help the overall Domestic Abuse Strategy? That is what they are saying we should do – prioritise. That is instead of arguing about £73,000, maybe it would be £40,000 for those things outsourcing areas. HSSD have had a huge increase in the budget for this
790 year. £33,000 is only 0.3%, roughly speaking.

So, sir, I feel asking for the full amount from budget reserve is inappropriate. Budget reserve is there for emergency or absolutely necessary things that must be spent on, for example, sea defences, etc.

795 Deputy Gavin St Pier has clearly stated we have managed to spend 66%, 67%, already. You are not even a month... first month of this year. Yes, £73,000 that is a tiny amount overall, but there is a good old saying, 'We look after pennies, the pounds will look after themselves'.

Sir, I ask Members of this Assembly not to support Burford A amendment.

Thank you.

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

Deputy Le Clerc: Thank you, sir.

I think sometimes, Deputy Hunter Adam is the poacher turned gamekeeper. (**Several Members:** Hear, hear.) I would remind him that I am also on the HSSD Board.

805 Actually, I am standing up, I do support this amendment and I refer back to Deputy Lowe's comment, because actually I did support the increase in budget for the Home Department back in October because I knew exactly that this would have a detrimental impact, if we did not approve that increase in budget, on our services, and here we are today discussing this.

810 When Deputy St Pier stood up and gave us a breakdown of what the budget reserve was going to be used for, it was interesting, one figure stood out and I think it was £1.6 million, and this has been set aside for public sector pay increases.

815 Now, public sector pay increases are often given RPIX and incremental pay increases with no formal appraisal, no review of performance and here we are with a third sector provider, where we do scrutinise and we do review performance and we are not prepared to give an RPIX increase. It just does not make sense. It was something I brought up when I attended Policy Council last year that, if we are going to look to outsource and ask third sector agencies to provide more services, we must support them, we cannot just continue to pay each year the same grant, there has to be an uplift. They employ staff that are doing an excellent job and yet we are prepared to give our own public sector staff pay increases without what I perceive as proper scrutiny.

820 I will be supporting this amendment and I urge the rest of you to support this amendment.

Several Members: Hear, hear.

The Bailiff: Deputy De Lisle.

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Deputy De Lisle: Sir, I just wanted to ask whether, in fact, there is an uplift. I notice that in 2015-16 there is uplift there, presumably in terms of inflation, but I would like to ask the Minister whether in fact, 2017-19, there would be an inflation adjustment given with respect to those years, with respect to the numbers provided in the report?

830 I also, sir, note the footnote given, which is with respect to the Department indicating that it would possibly find a way in which to fund these new services, within paragraph 7.5, I believe it is, of the Report. I would like the Minister to elaborate and clarify, in his response to the Assembly,

with respect to that note because it does indicate that there may be a way within the Department to actually fund these additional services from their budget.

835 Thank you, sir.

The Bailiff: Deputy Wilkie.

Deputy Wilkie: Thank you, sir.

840 I will speak in general debate and on this amendment.

Sir, this policy letter is about how we are supporting the States' vision of an improved society, a society with less abuse and harm to individuals. We have a core number of families who require help and intervention. It is our responsibility as a Government to protect those Islanders in most need and at most risk. Because we are a small community, focussing funding on breaking the cycle of domestic abuse should be an achievable goal. The Strategy has already proved its worth, and this new updated version will get us closer to that very achievable goal. Now, the original decision not to fund the additional service until 2017 was taken, quite rightly, by the Home Department with knowledge that the Department was facing a 1% cut in funding, as voted for by this Assembly. This is a perfectly sensible and logical position to take when considering a possible cut in services. Why would you spend money on a new project when you know your funding is so tight?

850 So, sir, I sat down to write a speech on why we should support the immediate introduction of this service. However, the more I researched the subject and the more I tried to create arguments against its implementation, the more I simply proved to myself that actually we really need it. It fits with everything we are trying to do. It fits with the States' Strategic Plan; in fact, it fits with every plan, policy, strategy we have.

860 On top of that there is strong evidence in other jurisdictions that breaking the cycle of domestic abuse will create a saving in a large spectrum of our social care system. I fully understand the points made by Deputy St Pier and I have taken his Department's view into consideration.

So, sir, my only logical conclusion from these deliberations is to support an amendment if someone was so minded to lay it, which will take an investment from all Departments, most of which will benefit from the long term savings, and I urge all Members to do the same.

Thank you.

865

The Bailiff: Deputy Quin.

Deputy Quin: Thank you, sir.

870 I just seems strange that a member of the Department is going to recommend turning down a gift – a Christmas gift, could you say? – but something that I have heard rather a lot of recently, a phrase called fiscal prudence. Now, where did I get that from? I got it from the manifesto of virtually every Member of this Assembly when they stood for election. They thumped the tub and said, 'I believe in fiscal prudence,' – one or two heads shaking there. *(Laughter)* They may have changed the words, but they all said exactly what I am saying, 'fiscal prudence'.

875 I would love to have the money, but if they presented Home Department with £73,000 I cannot guarantee that I cannot find other things that the Department is working on, more worthy – that is probably not the right way to put it, but just as worthy – as what is being put forward.

I appreciate I cannot mention what is coming on next. Deputy Wilkie covered that very cleverly. *(Laughter)* That would be looked at more closely, something else floating down in the wind. I am a believer that we cannot spend what we have not got, and we do not have this money.

880 I am supporting Treasury in saying, on this specific amendment, I cannot support this, I will not support it.

Thank you.

885 **The Bailiff:** Deputy Sherbourne.

Deputy Sherbourne: Members, thank you, sir.

Well, here we are again. Here we are again. Another policy, another strategy... admirable strategy – one that we as a vast majority of men fully support; in other words, recognising the
890 need to protect the women in our society and the children.

Once again we are provided with a nice little let out, aren't we, 'fiscal prudence'. Now, I am afraid that, maybe it is of my own making but I seem to have a reputation of someone that just wants to spend on everything. (*Interjections*) That is just not true; I want to spend wisely. How proud do you feel as an Assembly that we are one of the few countries in the world that have not
895 even signed up to CEDAW? How proud are you of that?

The Bailiff: Are you speaking generally?

Deputy Sherbourne: I am sorry, sir, I should have said in the first place. Yes, I am.

900 Is that a thing for this community to be proud of – that we do not want to see the end of discrimination of women's rights? Most of us, certainly those of my persuasion, want to see the end of discrimination full stop. Gender should not come into it. I want to see the end of violence in our society full stop. But it is these sort of strategies, these initiatives, that take us down that route.

905 We are not going to solve everything in one day, in one attempt. We are talking about a relatively small amount of money and I do accept Deputy St Pier's consistent approach to all these requests. I respect that and understand it, but I think there are times where you have to say, 'Hold on just a minute. This is money well spent. We have heard good arguments.' We have heard an excellent argument from my St Peter Port North colleague, Deputy St Pier. We have heard
910 comments from others that actually ask us to step back and think what we are actually doing.

Are we going to bend to that wonderful let-out clause of money every single time that the right thing to do is put in front of us? I suggest that we need to take a long look at ourselves before we reject this amendment. Whether there are alternatives that come down the line, we will see, but I do not think it is beyond the wit of Treasury & Resources to find that money.

915 Thank you, sir.

The Bailiff: I see no one else rising.

Deputy Gillson, do you wish to speak on the amendment? I suggest you try and confine it to speak on the amendment rather than generally.

920

Deputy Gillson: I will speak purely on the amendment and I will not refer to any other possible ones.

925 A large part of Deputy Burford's excellent opening speech was making the case for the £73,000, and the Home Department totally supports that because we made the case in the Report. The case for this service is made and in an ideal world we would have made a request for the additional funding. In fact, as Deputy Fallaize said, it was included in the original draft. It was only in the last version of the draft that the request for additional funding was removed and, to explain why it was removed, I think I just need to revisit the budget processing quite quickly.

930 During the Budget process last summer it became clear to us at the Home Department that our budget was going to be reduced. After discussion with service heads it became clear that the Home Department would not be able to absorb such a cut in budget and maintain the level of services. That is why we placed an amendment to the Budget to maintain our budget. That was rejected. Interestingly, both the proposer and seconder of this amendment voted to reduce our budget.

935 So when we considered the final draft of the Report – and I do acknowledge as Deputy Fallaize said, he was not present at the meeting – we knew our budget was being cut, States' income was down on the Budget and the Budget for 2016 was a deficit Budget.

Against that background – in particular, the forecast of a deficit budget – we decided that while it was appropriate to try and protect existing services, it was not appropriate to try and
940 introduce new... or to extend services. Now, there is a significant difference between an amendment to protect existing... and an amendment trying to extend or provide new services.

Now, we took what we considered to be a good Government position – a position of taking political responsibility and not requesting money for new services when we knew the States had a budget. But to review the position as part of the 2017 Budget was a difficult decision. It was a
945 difficult decision to tell staff that we were not going to request the money, as part of this Report, because, as I have said, as Deputy Burford said, there is a very good case for it.

Now, from a political point of view, it would have been far easier for us as a board to have included a Resolution, sat back and allowed T&R to argue against it and let them be portrayed as the bad guys, but we did not. We took what we considered to be political responsibility for
950 financial restraint. It is for that reason that we thought it was a little unfortunate that during the Budget debate the T&R Minister suggested a lack of political responsibility on our part, but that is as an aside. Sir, (*Laughter*) I will get a dig in occasionally.

Sir, that is an outline of the reasoning behind why we did not include a Proposition requesting additional funding, even though our Report demonstrates a need and we support there is a need.
955 How could we ask the Assembly to fund a new service when the Assembly approved cutting our existing budget knowing it would cut services?

Now, moving specifically to this amendment, it is a difficult amendment to consider because, on the one hand, obviously the Department would like the money – it could be used for the Strategy; but, on the other hand, as a Government we cannot spend money we do not have. We
960 have got to accept there are some things we cannot have.

Sir, the board met last Monday, all voting members present, and by a majority we agreed to maintain the position of not supporting a request for money, not supporting this amendment. We said our fiscal position has not improved since the Budget or since we put the Report in, so it would be wrong to change.
965

In fact, circumstances have changed since we made that original decision in September when the Report was signed off. Things are worse. We now know that we are, in fact, facing three years of budget deficits – 2016, 2017, and 2018. We talk of difficult decisions; well, here is a situation where the Home Department members who were present at the meeting were not afraid to make that decision.
970

Other Members have spoken and this is what is my own personal view. So for the next three years we are facing budget deficits, we are effectively living on overdrafts as a States. As a Government we are spending more than our income and for the next three years the black hole has returned, which is why we as a Government need to be financially responsible. That is why I voted against the request for money for the Environment policy, and I am going to be completely
975 consistent in my position today.

Now, at the risk of repeating something Deputy Hunter Adam said, I was surprised to see this seconded by a member of HSSD. The Budget gave HSSD £8 million. In fact, it gave them or reserved £1½ million more than they believe they actually need. So the question really for HSSD is why can't you fund some of this out of your budget? I know some Members may have been
980 thinking it is unfair – why should they fund our strategy? Well, as Deputy Hunter Adam said, the PAT service, of which £33,000 of this money... is a HSSD-provided service. The money for that in our budget comes in to us and then in January it is all journaled across to HSSD. So this money – the £33,000 – is not for Home which had its budget cut –

985 **Deputy Soulsby:** Sir, point of correction.

From HSSD's point of view, within our budget we have a £1.9 million stretched target and £1.5 million is if we ever need to dip into that, so it is not as if we have got lots of money sloshing around.

990 **Deputy Gillson:** No, but there is a reserve in budget reserve on the basis that you do not achieve the savings which you have said you will be able to achieve. So there are additional monies in the reserve to date, of about £8 million.

Now, irrespective of that, as I was saying, the money in the January comes into our budget and we journal the cost for PATs across to HSSD. And we had a budget produced as a budget for health, giving HSSD an extra £8 million, and here they are effectively asking for another £33,000.
995 You do have to question why they cannot provide the PATs service from their own enlarged budget.

There is no doubt, if this amendment is passed, we and HSSD will be able to make good use of the money, but it takes monies from a pitifully small budget reserve. As I have said before, we
1000 have to be serious. If we are serious about financial restraint then we need to be serious.

Sir, I think it is true that sometimes there are things we cannot have but we want, sometimes we have to accept that we cannot afford what we want. Sometimes we have to cut our cloth according to our means. With budget deficits for the next three years, I find it difficult to support this amendment. If any others are placed I might be able to support them, but this one, going
1005 from the budget reserve, is not an amendment I can support.

The Bailiff: Deputy Burford will reply to the debate.

Deputy Burford: Thank you, sir.
1010 I do not have a great deal to say.

Deputy Queripel – I think Deputy Bebb picked up on quite a few of the points and I have also got some more in that particular vein on a future amendment, so I think I will leave that until then.

I think Deputy Brehaut made the case very clearly for the spend-to-save. I mean if I have a slate missing from my roof I might say that my annual budget reserve has no money to buy a new
1015 slate, but it might really be rather foolhardy when I have to subsequently replace the ceiling as well. So I think that we really have to look at the importance of the spend-to-save and the future savings that different Departments stand to make.

Deputy Lowe, and also the Minister, referred to the request by Home Department for a little under £600,000 and both pointed out that I did not support that. I think perhaps the Minister has
1020 a shorter memory, because I clearly recall in the library when that amendment was going to be laid, asking the Minister – because I had seen sight of this particular policy letter at that stage – if they were successful in receiving that money, whether £73,000 of it would be applied to the Domestic Abuse Strategy, and I was told, 'No, because it had already been earmarked for other things'. So therefore I did not feel the need to support £500,000 out of the budget reserve in that
1025 case. I think that is simply the thing, this is a really important thing to my point of view and if it could have been funded previously without the need to bring this amendment, I would have been very, very happy for that to have been the case.

I say to Deputy Adam, and again to the Minister as well, that if you wanted this funded a different way from HSSD you were at liberty to bring an amendment to do it that way.
1030

So really I think those are all the points I need to pick up on. I would just like to thank the people who have spoken in support of this and I would urge everyone to vote in favour of this amendment.

Thank you.

1035 **The Bailiff:** Members, we vote then on the amendment proposed by Deputy Burford, seconded by Deputy James. Amendment A.

Deputy Brehaut: Can we have a recorded vote, please, Mr Bailiff? Thank you.

1040 **The Bailiff:** Right a recorded vote.

There was a recorded vote.

Not carried: – Pour 20, Contre 21, Ne vote pas 1, Absent 5

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Dorey	Deputy Duquemin	Deputy Luxon	Deputy Green
Deputy James	Deputy Le Tocq		Deputy Paint
Deputy Burford	Deputy Adam		Deputy Domaille
Deputy Soulsby	Deputy Perrot		Deputy Langlois
Deputy Sillars	Deputy Brouard		Deputy David Jones
Deputy Hadley	Deputy Wilkie		
Alderney Rep. McKinley	Deputy De Lisle		
Deputy Brehaut	Deputy Inglis		
Deputy Robert Jones	Deputy O'Hara		
Deputy Le Clerc	Deputy Quin		
Deputy Gollop	Alderney Rep. Jean		
Deputy Sherbourne	Deputy Harwood		
Deputy Conder	Deputy Kuttelwascher		
Deputy Bebb	Deputy Parkinson		
Deputy Lester Queripel	Deputy St Pier		
Deputy Ogier	Deputy Stewart		
Deputy Fallaize	Deputy Gillson		
Deputy Laurie Queripel	Deputy Le Pelley		
Deputy Le Lièvre	Deputy Trott		
Deputy Collins	Deputy Lowe		
	Deputy Spruce		

The Bailiff: Well, Members, the result of amendment A proposed by Deputy Burford and seconded by Deputy James was 20 votes in favour, 21 against, with one abstention. I declare the amendment lost.

1045 We will move on then, if Deputy Burford wishes to lay it, to amendment B.
Deputy Burford.

Amendment B:

To delete Proposition 1 and substitute therefor:

'1(a) To approve the Domestic Abuse Strategy for Guernsey and Alderney 2016-2020 at an annual cost of £455,700, to include the additional services outlined in paragraph 7.7 of that policy letter and accordingly to fund the additional services by reducing the Non-Formula Led 2016 revenue expenditure budgets of the following Departments, Committee, the Royal Court, the Law Officers and the States of Alderney by the following amounts:

	£
<i>Policy Council</i>	<i>2,300</i>
<i>Treasury and Resources Department</i>	<i>4,600</i>
<i>Commerce and Employment Department</i>	<i>2,600</i>
<i>Culture and Leisure Department</i>	<i>700</i>
<i>Education Department</i>	<i>18,000</i>
<i>Environment Department</i>	<i>2,300</i>
<i>Health and Social Services Department</i>	<i>28,600</i>
<i>Home Department</i>	<i>7,900</i>
<i>Housing Department</i>	<i>2,400</i>
<i>Public Services Department</i>	<i>500</i>
<i>Social Security Department</i>	<i>700</i>
<i>Public Accounts Committee</i>	<i>100</i>
<i>Scrutiny Committee</i>	<i>100</i>
<i>Royal Court</i>	<i>600</i>

Law Officers	1,100
States of Alderney	500
	TOTAL 73,000

(b) To increase the 2016 revenue expenditure budget of the Home Department by £73,000 to fund the Domestic Abuse Strategy Additional Funding requested as outlined in the table at paragraph 7.7 of that Policy Letter.

(c) To direct the Policy and Resources Committee to recommend Cash Limits for the Committee for Home Affairs in the years 2017-2020 that include a specific additional amount of £73,000 each year to fund the Domestic Abuse Strategy Additional Funding requested as outlined in the table at paragraph 7.7 of that Policy Letter to be funded by real terms decreases in Cash Limits for all other Committees.'

Deputy Burford: Yes, sir.

I have got nothing to add. I would just ask Members to support the amendment.
Thank you.

1050

The Bailiff: Thank you.

Deputy James, do you formally second the amendment?

Deputy James: I do, sir.

1055

The Bailiff: Deputy Gillson, do you wish to speak at this point?

Deputy Gillson: I will speak now, sir.

I, and I think a majority of our board, do support this, mainly because it is not breaking budget reserve, it is not increasing expenditure, it keeps States' expenditure neutral.

1060

One thing I would like to point out explicitly is in this schedule the Home Department contributes £7,900. That will come from, or is very likely to come from, the Domestic Abuse Strategy budget.

Thank you.

1065

The Bailiff: Deputy Le Tocq.

The Chief Minister (Deputy Le Tocq): Sir, I will be very brief.

I am going to support this, sir, because I want to be – to pick up Deputy Gillson's words – *serious* about financial restraint and *serious* about domestic abuse and tackling domestic abuse properly, and I feel that argument has been made very well.

1070

I do think that this obviously is not a particularly tidy way of dealing with it, bearing in mind the debate we had last year on the Budget, but then domestic abuse is not a tidy issue and needs to be dealt with effectively and efficiently.

1075

I ask Members of this Assembly, sir, to support this amendment.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

1080

Before we vote on this I would be very grateful if the Ministers of Education and HSSD, in particular, could explain to the States what might be the effects of the withdrawal of, from Education, £18,000 from its budget, and £28,600 from the budget of HSSD.

1085

If they can assure the States that their budgets are sufficiently large and that they have sufficient headroom in their budgets, that they can tolerate the loss of this sort of money, then I would consider supporting it. But I do think there is something dangerous in the States voting to

take £18,000 away from the Education Department and £28,600 away from the Health & Social Services Department, given the priority that the States wish to afford to those Departments and services.

1090 **The Bailiff:** Deputy Bebb.

Deputy Bebb: Thank you, Monsieur Le Bailli.

I stand in order to question whether the Minister of Home Department has got his sums right, or whether he understands States' Resolutions, because if we approve this amendment, the £7,900 cannot come from Domestic Abuse, because the Proposition in the amendment clearly states, and of course if it is carried it becomes a Resolution, that £455,700 must go towards Domestic Abuse Strategy. We cannot approve £455,700 to be approved and then for the Home Department to say that they will take money away.

This clearly prioritises Domestic Abuse. It states that £7,900 will have to come from the rest of the Home Department's budget. We cannot pass States' Resolutions and have them disregarded. We should be very clear. In relation to the question on what the effect on other Departments was, I am also interested in hearing what they would be.

I think that we can all agree that the amount of money that is spent by all Departments in relation to domestic abuse would be saved – well over this if we actually reduced the incidence. Therefore, I think that we are actually looking at a very reasonable way of preceding, in order to fund what costs us extraordinary amounts of money every time it happens. We have to remember that, of those cases we have found of people who have been killed on this Island recently, the vast majority have been as a result of domestic abuse.

Thank you.

1110 **The Bailiff:** Deputy St Pier.

Deputy St Pier: Sir, as I indicated previously, as a board we are supportive of this new amendment. If the States as a whole decides that it does want to prioritise this then we have no objection, provided it does so in 2017 within our overarching, no real terms increase in expenditure by, of course, proportionate reductions in all other committees spending.

Now, both Deputies Bebb and Fallaize in the previous debate referred to the no real terms increase in spending policy, but of course we cannot have RPI increases in all spending if we are layering on new or additional services, or spending commitments – arithmetically that simply does not work.

So the States needs to clearly understand what it is doing in supporting this amendment. It is not a pain-free decision. If we take the commitment made in December to provide £197,000 of funding for pre-school in 2017, together with a commitment to £80,000 for Bio-Diversity, and this commitment of £73,000, then we have committed £350,000 of spending over and above all other needs.

Now £350,000 is approximately 0.1% of our overall general revenue budget. Therefore if we support this amendment we all need to understand that we are voting for a 0.1% reduction in real terms spending in all other committees, including elsewhere within Home's budget. So whoever stands and presents the 2017 in October this year will, I suspect, be reminding you of that fact and of that decision, if that is what the States decides.

Now, personally, I can see merit in supporting the amendment, the case has already been made. As the Minister for the Home Department said and as Deputy Burford said, the case has been made in the Home Department's policy letter. Not only, of course, is there a social obligation to identify and support those vulnerable children at risk in households in which domestic violence is present, but also – and as Deputy Brehaut said – there is, of course, a financial payback in doing so, and that will feed through to the Health, Education and Criminal Justice budgets, not only in the short term, but in the longer term, with a reduction of the learnt behaviours in the next

generation. I think Deputy Burford covered that well in her opening speech on the previous amendment.

1140 So, whilst I could not have supported the previous amendment, I will support this amendment as there will, of course, be no net increase in expenditure and the funding for this, as a priority will come from cuts in other spending.

The Bailiff: Deputy Luxon.

1145

Deputy Luxon: Mr Bailiff, I support the policy letter and I wanted to support the previous amendment, but I decided to take neither decision on the basis of the real conundrum that HSSD has received significant uplifts and has eroded the capacity we have in the budget reserve. So, having listened to the debate, I decided to sit on the fence. I do not like sitting up there, sir; it is too high for me and it is uncomfortable, but, in answer to Deputy Fallaize, I cannot give him the clarification he wants, because of course we have not got a ministerial Government, and without the HSSD Board meeting to discuss the question he posed, I would not be able to here in the Assembly answer his question.

1155 But I will not be able to support this amendment, because in the same way I was not prepared to second Deputy Burford's amendment because the Home Department Board had said they did not support it, I equally cannot put through this amendment; although I support the principle of it and would want to see it happen, but I am not prepared to inflict on the other 10 Departments the need to take the pain of trying to reallocate their budgets to fund this one. It would seem to be an unfair intrusion into those other Departments. So I reluctantly will not be able to support this amendment.

1160

Thank you, sir.

The Bailiff: Deputy Sillars.

1165

Deputy Sillars: Thank you, sir.

For the avoidance of doubt, I would like to reiterate my support for the Domestic Abuse Strategy. It is an issue which I have taken a close interest in for a number of years. I have had the honour of chairing the Women's Refuge Fundraising Committee, and so have had the privilege of working closely with all those involved in delivering this essential service.

1170

The Bailiff: Are you speaking generally?

Deputy Sillars: No, sir. *(Laughter)* Thank you for reining me in.

1175

The Bailiff: In that case can you speak on the amendment.

Deputy Sillars: Thank you. I will, yes.

1180 With this background and my personal interest in addressing domestic abuse, I find it a difficult position as I find this amendment a little uncomfortable. This does set a dangerous precedent for future committees and budget modifications being proposed at any time in the financial year. There is, I fear, a real risk of committees launching raiding parties on other committees' budgets during the year and impacting on committees' abilities to deliver the services when commitments have been made in advance. I realise this amendment is being discussed in the first States' meeting of this year, so there are 11 months left to manage this budget reduction if it is approved, but it will be increasingly difficult if amendments come in later in the year. So my first concern is the dangerous precedent this Assembly has set.

1185

Sir, the Education Board has not met regarding this amendment, so I will be factual and my personal views... and my board will vote as they see fit. I realise that the scale of the budget transfer is not large. It is not a large figure. What is £18,000 to the Education Department? Well, it

1190 is the equivalent of a learning support assistant in one of our schools. We have heard that is for three years, so we may not be able to have a learning support assistant in one of our schools. We still, as Education still have £700,000 to find as our FTP targets, have not found that yet. We still have that to find. So that is a figure on top.

1195 Perhaps slightly unrelated but relevant, I feel, is we have problems with Castel School building which we are struggling to find how we are going to... I will put this right now, actually. We at Education Department work very closely with the parents and teachers and everyone from the school to see a way forward, and we are very keen to try and find a way forward, but we do not have the money. So I am hoping that that answers some of Deputy Fallaize's questions.

1200 This is material and we are robbing Peter to pay Paul, in effect. Indeed, reassurance for Peter, who is Deputy Gillson, which is apt in this situation... can't he actually reprioritise expenditure within the Home Department to fund this, but I think he has answered that already. We are making decisions without proper consideration of the priorities.

1205 My final concern is that this amendment has been laid without discussion and engagement with the Departments concerned. It simply appears. We have in this instance known about it for some time, as this item of business has been carried over from the December meeting of the States of Deliberation. The States as a whole is often criticised by Members and the media for acting in silos and not communicating internally. Unfortunately, we often see the same behaviour by Deputies laying amendments without any engagement with Departments on their proposals. This lack of engagement is, in my view, disappointing and poor governance –

1210 I will give way if that is what you are asking?

The Bailiff: Deputy Bebb.

Deputy Bebb: I thank Deputy Sillars for giving way.

1215 Could I ask if he extends that emotion and his displeasure at not working across Departments to the Treasury & Resources Department who laid a similar amendment and was made available over a month ago?

The Bailiff: No amendment has been laid by the Treasury & Resources.

1220

Deputy Sillars: I have not seen an amendment yet.

Deputy Bebb: I apologise – circulated not laid.

1225 **The Bailiff:** Well, it has not been laid.

Deputy Sillars: Okay, well I will perhaps get there if it is ever laid.
Thank you.

1230 **The Bailiff:** I see no one else... Deputy Sherbourne.

Deputy Sherbourne: Yes, just a quick contribution, sir.

1235 I would like to remind people that Education have actually found the largest amount for the FTP target, cut their spending –

Deputy Luxon: Point of correction, sir.

Marginally, HSSD have found the largest amount of FTP savings, but also had the largest failing of achieving the full target! (*Laughter and interjections*)

1240 **Deputy Sherbourne:** Thank you. I seem to remember you have had quite a large increase just recently that might have countered that somewhat. There we go.

1245 The point is we have trimmed back. In three years, Education has found a substantial amount of savings, without impacting upon the service at the moment. But another £18,000 – this is a very difficult position to be, because I fully support the Strategy, I want to provide the funds to ensure that it is enhanced and moves forward but, as a member of Education, there is a responsibility to defend the spending power of our Department. Having found substantial savings... I cannot emphasise that enough. We pared back, we have done extremely well over a very short period of time, and I will remind you we had two years where there was little found, in fact, from any Department, I think. So most Departments had to find savings over a three-year period.

1250 Now, I want to support this amendment and it is a very difficult decision to make, and I am sure all members of the board will feel the same way. I suppose in a way it is like what we end up doing playing some sort of game, we assess whether those that have suddenly come on board to provide, actually are sufficient to ensure that it is voted through with Education backing off. That is the risk we take. A very difficult position and I suspect that I will have to vote against the amendment.

1255

The Bailiff: Deputy Hadley.

1260 **Deputy Hadley:** Mr Bailiff, unless we consider all of these Departments have had less than I think they wanted, I cannot think of any Department in this Assembly that has had the money allocated to it that it would want, you cannot tell what impact this would have on any Department. With the Home Department this might be the last straw that means they do not employ another policeman that cannot get to a case of domestic abuse. So, without looking at each Department in turn, it is nonsense to go raiding other Departments.

1265 So I cannot possibly support this amendment in the way that it is placed to raid other Departments, because we do not know of the impact on those Departments.

The Bailiff: Deputy Conder.

1270 **Deputy Conder:** Thank you, sir.

This almost seems like a debate of the Education Department across the floor of this Assembly. I am agonising as to how I will vote. I can rationalise voting in favour of this amendment, in as much as anything that reduced domestic abuse will have a positive impact upon children, and therefore a positive impact upon the Department of which I am Deputy.

1275 Equally, as Deputy Sherbourne said just now, we have enormous priorities within the Education Department. We have not had an opportunity to identify where we can find this £18,000, and indeed it will have an impact, and as again Deputy Sherbourne said, we have made enormous savings, and very painful savings, within the Education Department, and we have not had an £8 million increase in our budget – just to make that point that Deputy Sherbourne made.

1280 So even at this stage I am not quite sure how I will vote. My heart tells me to vote with this amendment, and it is probably where I will go, but I apologise, Deputy Burford, if during the course of this debate my head overrules my heart.

Thank you, sir.

1285 **The Bailiff:** Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

1290 It is with some interest I have listened to the comments. All I say is welcome to the real world of difficult decisions. What we are being asked to do is something that we do not have a process for at the moment – we should have hopefully in the near future... is prioritising new services, and this is a debate about prioritising and unfortunately as...

I fully understand the Education and Health Department. You get the impression in their view this is not a greater priority; it would be nice to have but maybe they would like to preserve what they have got. Well, they have got that choice... making that decision today.

1295 As for it being a dangerous precedent, that is absurd. Nothing dangerous about it! It is the reality of the situation. We have to make that decision. To think that you can introduce new services as and when you want, and you do not have to prioritise them – in our own financial rules which we have approved that is dangerous, that is absurd.

1300 So I do not know how people are going to vote. We have to find £4,600 in T&R and you think, 'Oh, that is a paltry sum,' but then it is a much smaller budget than others. But I will support this amendment because I feel it is of sufficient priority. Now, if other Departments feel that it is not, then you would be foolish to support it, but that difficult decision is now yours. No excuses I think for having to make it. It is not a dangerous precedent. It is something that we have to do. This will be the first really difficult decision, I think, this States has most probably made.

1305 Thank you.

The Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

1310 Either my memory is fading, sir, or there is an element of odd behaviour going on. The T&R Minister advised us of the importance of sticking to our policy of no real terms increases in States' revenue expenditure and he is, of course, quite right; but only back in October he and his Department were advising us to ignore that key principle when we allocated millions of pounds worth of additional funding for the HSSD, sir.

1315 I tell you I am confused, sir; I genuinely am.

The Bailiff: Deputy Brehaut.

1320 **Deputy Brehaut:** Can we stop this here, please. Enough already. We are here to discuss violence against women and children. Just stop the political choreography for a moment, stop the game playing with regard to... Deputy Kuttelwascher just said welcome to the real world. Well this is not the real world, this is a situation we are privileged to be in, we get well rewarded for it and occasionally we have to make difficult decisions. Other people have completely different life experiences and we are trying to reach them today.

1325 Now when you spoke, a number of you spoke earlier today, 'I cannot support amendment A,' but you all spoke about amendment B that was in the bag – that you were going from amendment A seamlessly to amendment B. Now we are hearing some quite strong speeches opposing amendment B. Those false lights are drawing you on to the rocks again. Do not do it please. Remember the people we are trying to reach today, because we have to reach them and do not forget that. On a relative pain scale it might make your toes curl a little bit today, but please support this amendment and get to the people that we are trying to reach.

1330 Thank you.

The Bailiff: Deputy Soulsby.

1335 **Deputy Soulsby:** Yes, I am not going to say very much. I was not actually going to speak on this at all, but I feel very much I have to now.

1340 Yes, I can see HSSD, from this amendment, will lose £28,600, but the total that will be gained from this for this Strategy will be £73,000, and we hear the words 'domestic abuse', 'domestic violence' as if what we are putting money into is something very negative, but it is not.

I think a future amendment which might be laid... so I do not know if I can refer to it, but this is about positive intervention, early intervention and prevention – and that is key. That is the key strand for HSSD. Now, a whole transformation is around prevention and early intervention, so yes

1345 this is £28,000 sacrificed by a Department, but this will actually help that Department and should hopefully reduce its budget in the long term.

So that is why I will support this amendment.

The Bailiff: Deputy James.

1350 **Deputy James:** Thank you, sir.

I had no intention of speaking and listening to the debate, sir, on Burford A amendment, as Deputy Brehaut clearly has just pointed out there was an indication I will not vote for 'A' but I will support 'B' Listening to the debate from the start, I have never heard so much nimbyism and it really, really disappoints me. It is an incredibly important issue – for me, one of the most important issues that have been discussed this term. You know my history in supporting the Strategy and much of my own personal time has been devoted to looking after and caring and supporting some of the most vulnerable women and some of the most vulnerable children in our community, and I really would ask you to think very, very seriously. These are not huge amounts of money. Let's look at prioritisation within our own Departments and I ask you most sincerely to support this amendment.

The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

1365 I endorse exactly what Deputy Soulsby and Deputy James have said. I just want to say that I have chaired the Children & Young People's Plan for the last year and sat... that is cross-departmental with Home Department and Education and HSSD, and I am so disappointed at what I am hearing in this Assembly today: that we are fighting over such a paltry amount in the real scheme of spending of the States of Guernsey, when actually we have got – that will be coming up in the next couple of months – our Children & Young People's Plan, where we are making commitment to work together to improve the lives of our young people in Guernsey.

1370 This is a key pillar of that work and we are not prepared to work together to find £73,000! I think we need to look inwardly at ourselves and really what we want to do for the young people of Guernsey, because this is so important and I am so disappointed by the last 10, 15, 20 minutes of debate that I have heard today.

Several Members: Hear, hear.

The Bailiff: Deputy Dorey.

1380

Deputy Dorey: Thank you, Mr Bailiff.

Listening to some of the speeches that we have heard just recently, you would think that our budgeting is a real exact science, but it is not. If you look back at the 2014 figures, which are the last published figures, when you look at the actual budget and the actual spend, it was over a £6 million less than the budget, and if you look at the total authorised budget it is a similar amount. So we are not talking about something which is so exact. This is a very small amount. We can find it from within our budgets. We do not budget to that degree, although we do set numbers, there is considerable variance and this is so important that we should fund it and I urge you to support this amendment.

1390 Thank you.

Several Members: Hear, hear.

The Bailiff: No one else is rising.

1395 Deputy Burford will reply.

Deputy Burford: Thank you, sir.

1400 We have spent nearly two and half hours debating £73,000, and if we were to debate all the money in our annual Budget at the same time per pound we would spend nearly six years debating each year's Budget. *(Laughter)* So please can we perhaps think of the perspective on this issue.

I do not often agree with Deputy Kuttelwascher, but I made some notes when Deputy Sillars was speaking, and I wrote down, 'This is not a dangerous precedent. It is what we are left with without revenue prioritisation. Where else are we going to debate how it should be prioritised?'

1405 So I hope Health and Education can support this, as they are among the Departments which stand to benefit most in the future.

I would ask everyone to support the amendment.

Thank you.

1410 **The Bailiff:** We vote then on amendment B, proposed by Deputy Burford, seconded by Deputy James, and I think there is a request for a recorded vote.

Deputy James: Yes please, sir. Thank you.

The Bailiff: Recorded vote on amendment B.

There was a recorded vote.

1415 **The Bailiff:** Members, while the votes are counted, I propose that we continue with amendment C. Again, to be proposed by Deputy Burford, if you wish to lay...

Deputy Burford: Sir, I am happy to lay the remaining three amendments together – C, D and E – if that is...

1420 **The Bailiff:** Let me just put that to Members. Members, in order to save time, are you in favour of laying amendments C, D and E altogether? Those in favour; those against.

Members voted Pour.

The Bailiff: Then fine, amendments C, D and E.

Amendment C:

To add a new proposition numbered 3 as follows:

'3. To direct the Home Department (and its successor committee), as part of its ongoing co-ordination of the Domestic Abuse Strategy, to investigate extending to additional years the provision of consistent and structured domestic abuse lessons in schools as described in Appendix 5 to that Policy Letter.'

Amendment D:

To add an additional Proposition 5 as follows:

'5. To agree that the Committee for Employment & Social Security, in accordance with its responsibility 'to advise the States and to develop and implement policies on matters relating to...equality and social inclusion...', shall report to the States by no later than March 2017 setting out the progress made to date towards extending the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) to Guernsey, together with details of the remaining work necessary to enable the Convention to be extended to Guernsey, including a timetable for such work to be completed and the resource implications thereof.'

Amendment E:

To add an additional proposition numbered 4 as follows:

'4. To note developments in respect of policies collectively known as Violence Against Women and Girls, as referred to in paragraphs 6.19 to 6.23 of that policy letter, and to agree that the Committee for Home Affairs shall investigate the merits of establishing a Violence Against Women and Girls Strategy and report its findings to the States by no later than the end of 2018.'

Deputy Burford: Thank you, sir.

1425 Right, my third amendment labelled 'C' asks the Home Department to investigate the extension of the domestic abuse education work in schools. This came about because I was contacted by the charity which provides the Domestic Abuse Strategy's education work streams, the Hampton Trust.

1430 Hampton Trust's local staff members believe that domestic abuse should be afforded the same level of attention in the Islands as drug and alcohol education, given the level of harm that it causes across our community. Domestic abuse education in local schools currently takes place at four points in the school curriculum, starting at year 7 and continuing in years 9, 11 and at post-16. In contrast, the alcohol education in schools commences at year 5, and input is provided annually to every child until they leave school.

1435 You may say, 'Why on earth do we need to teach nine-year-olds about domestic abuse?' Well, of course, lessons at this age do not go into the explicit details of what domestic abuse is; they ensure that children can identify safe people in their lives to be able to disclose to if there are problems at home, help them to identify ways to resolve disputes and conflict through negotiation, and to understand how family members should care for one another, i.e. what a healthy family environment is like. That is extremely important if your home life is abusive and you have no comparator to benchmark it against. Additional work in teenage years is also important, in light of the complex issues that teenagers have to navigate these days in terms of their early relationships. This amendment asks Home to evaluate this.

1440 The last two amendments labelled 'D' and 'E' are in response to paragraph 6.23 of the policy letter. In that paragraph it is suggested that the need for a 'Violence Against Women and Girls Strategy' should perhaps be reviewed when CEDAW is extended to Guernsey. The same paragraph helpfully reminds us that the States decided to prioritise this extension of CEDAW in 2003, which was itself 24 years after it was adopted by the United Nations.

1450 I have personally been trying to chip away at the obstacles to the introduction of CEDAW by pursuing issues of parental leave and pay, which are both CEDAW requirements, the latter of which nearly disappeared into the chasm of the Personal Tax and Benefits Review. I am pleased to see that legislation is coming soon. It now appears that one of the main stumbling blocks to implementing CEDAW is the lack of legislation ensuring equal pay for work of equal value, obviously still a radical notion in Guernsey in the 21st century, unless of course you happen to be a woman getting paid less than your male counterpart for equal work.

1455 So, back to the subject in hand, it appears that we are hanging our hopes of even considering an overarching strategy to prevent violence against women and girls, to protect women, on signing up to a convention designed to protect the rights of women which, 36 years after it was written, shows no sign of seeing the light of day any time soon.

1460 I do not know where to begin with this, this is not kicking the can down the road. We have not even ordered the aggregate with which to build the road! (*Laughter*) Therefore amendment D asks the Committee for Employment & Social Security to report back on how we can finally get CEDAW implemented.

1465 Referring now to amendment E, the reason why I think it is important to look at the issue of violence against women and girls is that there is significant evidence from the UK and elsewhere, and there is no reason to see why Guernsey should be significantly different, that fractured, gender-neutral policies are failing women.

Ten years ago in November 2005 a coalition of women's groups and their allies came together in the UK to demand government action across all forms of violence against women and girls in

1470 the UK, with the focus on government policy. This resulted in a national Violence Against Women and Girls Strategy and action plan being created.

At the same time government policies were also failing to combat the message to men and boys spread in newspapers, music videos, video games, adverts and pornography, messages that normalise violent and predatory behaviour towards women and girls.

1475 Around this time the huge growth in the use of social media was also providing a new way for women and girls to be abused while the online world was multiplying, exponentially, the images that normalise this exploitation.

Working collaboratively and collectively, women's groups, backed by the input of international organisations such as UNICEF and the United Nations, significantly shifted government policy from a fragmented siloed approach to one where, following the Crown Prosecution Service and Home Office's lead, there is now a cross-government Violence Against Women and Girls Strategy, which is underpinned by the UN definition of any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion and arbitrary deprivation.

1485 Another development is the 2011 International Convention on Preventing and Combatting Violence Against Women and Domestic Violence. This Convention has been signed by the UK, and the Conservative government has said that they are committed to ratifying it. It is known as the Istanbul Convention. I have a copy here and I am surprised that the development is not referred to in the policy letter. There is an international understanding that it is more effective to deal with this issue by accepting that inter-personal violence and abuse is largely directed against women, and I would like to cite some evidence of this.

1490 In Guernsey all of the victims of domestic homicide since the turn of the millennium have been women or girls, and all of the perpetrators have been male. Our local records show that 94% of reported cases of high level domestic abuse in the Islands involve female victims.

1495 At a local conference last year, arranged by the Island's Child Protection Committee, on Child Sexual Exploitation, it was stated that there was no reason for Guernsey to be any different to the UK when it comes to vulnerable girls in our community being groomed and exploited.

The Guernsey Police also report increasing numbers of cases of sexting and online harassment via social media involving young people. Sexting is not a gender-neutral practise and is often coercive, with boys pressuring girls to send images of themselves, and it can be linked to sexual harassment, bullying and even sexual violence. Some girls become victims of *snaking*, a practice in which a boy befriends a girl, solicits pictures, only for them to be shared amongst his friends as a form of cultural currency. How can knowing that your classmates have viewed these sorts of images of you not affect your emotional wellbeing, and by extension educational attainment?

1500 This is about recognising the causal links between things like casual sexual harassment of women on the street and in the workplace, and the fact that around 100 women in the UK are murdered by men they know each year. While many thousands more have their lives blighted by living for years with partners, many of whom routinely rape and assault them, their every action scrutinised, criticised and controlled; the abuse often continuing long after the relationships have ended, by stalking and harassment. It is linked also to the explosion in violent pornography available at the click of a mouse, which objectifies and degrades women.

1505 A 2014 BBC survey of 16-21-year-olds found that 60% of young people in the UK are first exposed to pornography aged 14 years or younger, and 74% of young people believe it particularly affects young men's expectation of sex and relationships.

1510 A recent academic study showed that two in five girls aged between 13 and 17 suffer sexual coercion by a boyfriend, ranging from being pressured into going further than they wanted, through physical force or other means, to rape.

1515 Sexual and domestic violence is not exclusively an act of aggression, but should be considered as part of a continuum of attitudes, beliefs and actions that support these behaviours. It should also be understood that sexual violence is an extension of the larger issue of sexism. In order to

have an impact on sexual and domestic violence, a community must take steps that address smaller issues that all link up to the bigger picture.

1525 If we, as the States of Guernsey, are serious about ending domestic abuse and sexual violence, we need to address the root causes, gender inequality, the objectification of women and socially-constructed gender roles that create unhelpful norms of masculinity and femininity, and how women and men are expected to conform to those roles. This, coupled with the impact of growing up with violence, neglect and trauma, affects the long-term life chances of these children and their ability to form healthy relationships, and it needs to be tackled head-on.

1530 Worldwide, the economic losses due to domestic violence against women amount to more than 5% of global GDP, according to an analysis by the Copenhagen Consensus Centre – far exceeding the costs of homicide and civil war.

1535 In my opinion, Guernsey needs to consider adopting a 'Violence Against Women and Girls Strategy' as soon as possible, to put in place services to address gender-based violence that are not covered under the current Strategy, and to effectively monitor progress. It is very positive to see that some initiatives within the UK Violence Against Women Strategy have been included in the local Domestic Abuse Strategy and action plan, but this is just a start. If we truly believe that the future of our girls is as bright as the future of our boys we need to meet that desire with something more than vague commitments.

1540 By now, some of you may be asking, 'What about the men? They suffer too!' Yes, of course, men experience violence too, and yes, men can experience violence perpetrated by women, and should receive help and support to deal with it. Absolutely! Having a co-ordinated approach to tackling violence against women and girls does not mean that violence towards men and boys is neglected or ignored, or violence perpetrated by women is not dealt with.

1545 There is no question that statutory and voluntary services would not continue to provide services to all victims of crime, and try and bring perpetrators to justice regardless of their sex; also if the services which are our most effective form of support to victims provide support on the basis of risk rather than sex.

1550 Locally men who meet the thresholds for receiving a service are offered one. The Refuge will also be offering outreach to male victims, as the staff have recently had training and they will be looking at different models of refuge provision.

However, notwithstanding that, the evidence is clear the vast majority of violence, whether against women or men, is perpetrated by men; and when we talk about intimate partner violence and sexual violence, it is overwhelmingly perpetrated by men upon women and girls.

1555 In June last year, Professor Sylvia Walby, UNESCO Chair of Gender Research at Lancaster University, criticised official statistics for drastically underrepresenting the scale of violent crime against women. The Crime Survey of England and Wales showed that between 1-in-3 and 1-in-4 women, and 1-in-7 men had experienced domestic abuse since the age of 16, and I think that is a statistic that many of us are familiar with.

1560 However, 80% of the victims who experienced four or more incidents were women. Professor Walby explained at a meeting at the UK Statistics Agency that the Crime Survey of England and Wales failed to account for nearly half of the attacks on women, as it capped the number of separate crimes that can be reported by a single respondent at five.

1565 Her research showed that if the cap were removed the true level of violent crime against women by partners and acquaintances rose by 70% and 100%, respectively. In other words, the official method of monitoring domestic violence, which gives rise to the well-known figures is flawed and hugely understates incidents of violence against women.

1570 The data showing that approximately a third of victims of domestic abuse in the UK are male comes from the British Crime Survey. It contrasts significantly with data from Police crime reports, which estimate that between 80% and 90% of violence against the person is reported by women assaulted by men.

The main problems with that statistic, that a third of reports are by men, are that: firstly, it is about domestic abuse and/or conflict, not domestic violence. Secondly, the data does not

differentiate between cases where there is one incident of physical conflict abuse or violence, or those where violence is repeated. If we look at the data for where there have been four or more
1575 incidents then approximately 80% of victims are women.

Thirdly, the data does not differentiate between incidents where violence and abuse are used as systematic means of control and coercion, and where they are not. Fourthly, the data does not include sexual assault and sexual violence.

Fifthly, the data does not take account of the different levels of severity of abuse and violence; gender symmetry, where there are equal levels, is clustered at much lower levels of violence. Sixth, the data does not take account of the impact of violence, the level of injury arising from the violence or the level of fear. Women are six times more likely to need medical attention for injuries resulting from violence.

Lastly, the data does not differentiate between acts of primary aggression and self-defence. Approximately three quarters of violence committed by women is done in self-defence.
1585

If these issues are taken into account, research consistently finds that violence is overwhelmingly perpetrated by men against women, and levels are consistent with Police data. This is supported by data from the Crown Prosecution Service that shows, across the five years between 2007-08 and 2011-12, 93.4% of those convicted for crimes relating to domestic violence were men; 44,000 sexual offences were recorded by the Police in England and Wales in 2011-12. Of those, 97% of cautions issued for sexual offences were to males, 98% of prosecutions for sexual offences were against males; 99% of convictions for those found guilty of sexual offences were male.
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But that does not mean that there is gender parity of sexual offences... are excluded from consideration. We are often told that it is harder for men to report domestic violence as there is much more of a taboo for men. However, the evidence shows that men are more likely than women to call the Police to report an incident, and men are more likely than women to support a prosecution.
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Another way to get round the issue of unrepresentative reporting is to look at who gets killed. After all, dead people do not get the choice of whether or not to inform the Police. Expressed as an average of those killed by a partner or former partner, over 11 years, 22% were men and 78% were women. Note the domestic homicide figures do not tell us the sex of the perpetrator, nor is the sex of the perpetrator revealed for other types of homicide. However, men are overwhelmingly killed by other men, regardless of the relationship between victim and perpetrator. Women are overwhelmingly killed by men, regardless of that relationship.
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1605

But perhaps the Police see what they expect to see and gender stereotypes mean that men are more likely to be perceived as the aggressor, except that they are not. Research has found that women were arrested to a disproportionate degree, given the fewer incidents where they were perpetrators. During a six-year study period men were arrested one-in-every-10 incidents, women were arrested one-in-every-three incidents.
1610

It is also often claimed that women make false allegations. Again, the evidence does not bear this out. The Crown Prosecution Service in the UK recently released data from a 17-month period in which there were approximately 6,000 prosecutions for rape and over 100,000 prosecutions for domestic violence in England and Wales. Over the same time scale there were only 35 prosecutions for making false allegations of rape; six for false allegations of domestic violence, and three that involved false allegations of both rape and domestic violence – a vanishingly small number by any measure.
1615

I hope the foregoing, as uncomfortable as it may be to listen to, has underlined the case that domestic violence is a gendered issue and that acknowledging it as such is a major step on the road to eliminating it.
1620

Sir, my amendment only calls for the Committee for Home Affairs to investigate the evidence surrounding whether it would be beneficial to move to such a 'Violence Against Women' based strategy. Just parking this issue with CEDAW does not begin to do it justice.

I ask Members to support all three amendments.

1625 Thank you. (*Applause*)

Amendment B:

Carried – Pour 38, Contre 4, Ne vote pas 0, Absent 5.

POUR

Deputy Duquemin
Deputy Dorey
Deputy Le Tocq
Deputy James
Deputy Adam
Deputy Brouard
Deputy Wilkie
Deputy Burford
Deputy Inglis
Deputy Soulsby
Deputy Sillars
Deputy O'Hara
Deputy Quin
Deputy Hadley
Alderney Rep. McKinley
Deputy Harwood
Deputy Kuttelwascher
Deputy Brehaut
Deputy Robert Jones
Deputy Le Clerc
Deputy Gollop
Deputy Sherbourne
Deputy Conder
Deputy Parkinson
Deputy Bebb
Deputy Lester Queripel
Deputy St Pier
Deputy Stewart
Deputy Gillson
Deputy Le Pelley
Deputy Ogier
Deputy Trott
Deputy Fallaize
Deputy Laurie Queripel
Deputy Lowe
Deputy Le Lièvre
Deputy Spruce
Deputy Collins

CONTRE

Deputy Perrot
Deputy De Lisle
Deputy Luxon
Alderney Rep. Jean

NE VOTE PAS

None

ABSENT

Deputy Green
Deputy Paint
Deputy Domaille
Deputy Langlois
Deputy David Jones

The Bailiff: Before I turn to the seconders of the amendments, I can declare the result of the voting on amendment B. There were 38 votes in favour with 4 against. I declare the amendment – that is amendment B – to have been lost. (*Interjections*) Sorry? Sorry, carried. I declare amendment B to have been carried. Indeed, did I say otherwise? I apologise. To have been carried!

Deputy Soulsby, do you formally second Amendment C?

Deputy Soulsby: Yes, sir, and reserve my right to speak.

The Bailiff: Deputy St Pier, you formally second amendment D?

Deputy St Pier: I do, sir.

The Bailiff: Deputy Le Clerc, you formally second amendment E?

Deputy Le Clerc: I do, sir.

The Bailiff: Deputy Gillson, do you wish to speak on all three amendments at this stage, or later?

Deputy Gillson: I will speak a little later.

The Bailiff: You will speak later.

Does anybody wish to debate these three amendments? Deputy Bebb.

1650 **Deputy Bebb:** Very briefly.

I think that I cannot think of a reason not to support these amendments. I think that whenever I hear the questions in regard to why we should do this and why it actually is a gender-based issue, it is considered to be the most important female public health issue in America, at the moment.

1655 My mind always goes back to a different debate which was about population regime and the line that was given by Deputy Ogier, where he stated what we have voted for is equality not necessarily fairness. I think that that is exactly the sentiment that I get today. It is equality to give two people the same book, but if one of them is blind that is not fair. That is exactly the question that we have before us today. The question is not equality.

1660 I will not repeat the figures – Deputy Burford has given us the figures. It is overwhelmingly a women's issue. Therefore, in the case of fairness, I think that there is no other response possible than to support these amendments. I have to thank Deputy Burford for having put in the time to notice the gaps and to actually bring the amendments that seek to address them.

Therefore, could I please ask all of you to support the amendments.

1665 Thank you.

The Bailiff: Deputy Conder.

Deputy Conder: Thank you, sir.

1670 I would like to congratulate Deputy Burford on an outstanding speech which brought the issues to the forefront of our minds.

Sir, last night in anticipation of this debate I watched, again, a *BBC* documentary called *Love you to Death*. I was glad that I watched it. In some ways, equally, I was as seared by it as I watched it the first time just before Christmas, and it meant I did not get very much sleep last night.

1675 Deputy Burford has given us many statistics which overwhelmingly show that the issue of domestic abuse is gender based and very largely directed at women and girls.

So I will not quote too many statistics other than the one that came from the documentary, *Love you to Death*, which showed that in 2013 in the United Kingdom 164 women were murdered, and of that 164, 86 of them – more than half – were killed by male partners.

1680 Sir, in each case the murder of those 86 women, killed by their male partners, was preceded by a catalogue of violence within that relationship. Often the women had been isolated by their male partners, and their children – whether they were children of that relationship or step children – were used as weapons in forcing those women to comply and be controlled.

1685 On many occasions the murders were precipitated by the women finally trying to leave the abusive relationship and the ultimate control that those men exercised over those women was to kill them to prevent them leaving the relationship. Very often that is the trigger. It is about controlling the individual – a woman or a girl, by a man. It is about owning that individual within that partnership. Very often the male perpetrators isolate the women from all of their other relationships, including their family and their friends, and very often those men do not have very many friends themselves and they exercise control of their life by controlling their partner, the woman within that relationship.

1690 So, sir, this is a gender-based issue. Yes, we all recognise that there are examples of men being abused by women, but we should not distort this debate, we should not distort this policy by trying to pretend that it is an equal situation. It is not. Domestic abuse and domestic violence is gender based and it is about men abusing, and on many occasions – on too many occasions – killing women, when they are unable to exercise any further control.

1695 Sir, I will support. You can probably tell from the way I am addressing this that I remain seared by that programme, as I was the first time I watched it. I am seared by what happens to many

1700 women within relationships. We should – and I hope unanimously – endorse these amendments and the Domestic Abuse Strategy.

Thank you, sir.

The Bailiff: Deputy Le Clerc.

1705 **Deputy Le Clerc:** Thank you, sir.

I too saw that programme and actually my opening line here is about that programme *Love you to Death* and if you get the chance to watch it on iPlayer I would recommend that you watch it.

1710 I want to say first of all that I thought this was an excellent Report from the Home Department. I thought there was a lot of work that has gone into it. It is one of the best reports I have actually seen, I think, in the four years that I have been in the Assembly. I thought it was really difficult reading, but very factual and lots of information.

1715 Getting back to that *Love you to Death*, there was a lady there, she was 80 years of age when she was murdered. In Guernsey the Report says we have got women between the age of 15 and 63; so domestic abuse has no age boundaries at all.

1720 Last year we were fortunate to have Joyce Watson come to Guernsey and she came to the Assembly. She is the Welsh Assembly Member from Mid and West Wales, and she has undertaken a significant amount of work in Wales in raising awareness of the violence against women and gender equality. Overall, the UK campaign has been very successful and has assisted in a policy shift to a more gender-based analysis of domestic abuse, as outlined in appendix 4 of this Report.

1725 I am not sure why the Home Department are still wanting us to continue, for the next five years, supporting just a Domestic Abuse Strategy rather than a Violence Against Women and Girls Strategy, when the UN, the UK and other countries that have signed up to CEDAW are implementing the Domestic Abuse Strategy under this new title of Violence Against Women and Girls.

If we look at appendix 4, pages 3655 and 3656 of this Report, we can see that the UK strategy does include working with men and boys. So, I would expect that if we developed a Guernsey strategy we would expect this to still cover working with men and boys.

1730 I know some of you will be potentially against looking at the review to change the strategy to Violence Against Women and Girls as you felt that this left out men, but in the UK they have introduced the Violence Against Women and Girls, but they also have the Equality Act – and I think Deputy Burford touched on this – but that does permit a public body from delivering specific or tailored services to a particular group if there is evidence of need for that specific service.

1735 We have evidence in Guernsey of this need. This Report shows that during 2014 the majority of victims classified as high risk were female. That is 94%; 114 female and seven male victims. The Report goes on to say that the gender ratios have been similar since 2009. It is therefore right to concentrate resources and strategy on women and girls. Violence against women and girls is a gender-based crime. We cannot ignore the facts and figures both locally and in the UK.

1740 I think, just picking up on a point that Deputy Queripel made earlier, where we have received an email from a male member of our community. There was a consultation and in that consultation it indicated that there were only three out of 12 men that envisaged needing access to refuge facilities, whereas 75 out of 102 women required the need of access to refuge facilities.

1745 I could go on. I have written more in my speech, but I would just urge you to support the Domestic Abuse Strategy, but also to support the amendments because there is further work that is required.

Thank you.

The Bailiff: Deputy Ogier.

1750

Deputy Ogier: Thank you, sir.

I am not sure many of us men actually really understand what it is like to be a woman in today's age. I certainly do not pretend to. I could not, but I do get glimpses now and again.

1755 I was at an event recently where women's experiences in society was one of the central discussion points, after a while a man present said that he was truly shocked as he felt most of the equality issues had been resolved. And so it appears at first glance, but dig a little deeper and we can see that so many of the underlying mechanisms in our society still put women, at least passively, into a different position from men in our society and we, men, take so much for granted.

1760 We could be at someone's house at night, we would think nothing of walking home in the dark. Safety – we do not even think about it at all – *at all*. It just does not register. The only issues are how far is it or perhaps how much have we drunk. It is not the same for women. If I hear someone walking behind me, I think there is someone walking behind me; if a woman hears someone walking behind them at night it just is not the same.

1765 This starts very early because women are generally brought up differently to men. Research has shown that girls can, for example, be hugged and touched more at a very early age. In pre-school they are treated more deferentially, they are protected from danger, they are often not encouraged to explore their limits.

1770 By comparison, boys are often treated more 'roughly-toughty', their boundaries of exploration are larger. They are sometimes not comforted as much if they hurt themselves. The result of this different approach for the sexes is that there are some generalisations we can observe. Generally, boys are encouraged to explore their limits and they discover the world is an exciting place, ripe for adventure and discovery; they are likely to be more independent and self-sufficient.

1775 Girls are not so often encouraged, and can be brought up to understand the world is somewhere which needs to be treated with a degree of caution. Their independence and self-sufficiency can be lower than boys, as a result. I say 'can be' because obviously these are macro-generalisations and within boys and girls, as individuals, we see similar traits often nurtured in a similar way by parents, and some girls can be more adventurous than some boys. But as a general trend this does not hold true of the majority.

1780 This different approach to raising our children extrapolates into different experiences as an adult, which maybe can be crystallised in the axiom that men go for a job if they *think* they can do it; women go for a job if they *know* they can do it. We nurture different traits in our children, so it is perhaps surprising that we are surprised when men and women turn out to be different.

1785 Our societal systems are often unintentionally male based, not through deliberate design, but because they were designed by men. Our historical leaders have, in the main, been men and it is therefore logical that the society they shaped will be based towards the male need. The lack of family-friendly policies in many areas means that a man is more likely to be able to fit in where a woman is not.

1790 Things are better than they were. Women have the vote, are able to own land, many of the major, easily noticeable issues have been resolved, but there is one big item which still has to change, and that is the fact that our society is still inherently unbalanced. It is geared towards men, so much so that as men we hardly even notice. Our society needs to change and when it has changed – that is when we will see equal representation in the political arena – we will see more women directors, senior managers and so on.

1795 We currently are discussing how to encourage more women to stand for politics, discussing quotas for female representation at the board room table in senior management and director levels. These are but symptoms of an unbalanced society where men are inherently treated preferentially, as the systems are just not designed for women. Parliament in the UK meets outside regular home hours. We ourselves meet during children's holidays. Subtle events which in general make it easier for men just to turn up than it does for women. There are hundreds of such examples, because we live in a society which has been designed by men.

1800

1805 We should make effort in the short term to address these symptoms, but it is also essential that longer term we change the systems which give rise to these symptoms. You cannot continually fire fight; you have to change the underlying reasons which create these fires in the first place.

1810 Violence against women and girls is another imbalance. Often the guidance goes out that women's behaviour must be curbed: do not have long hair in a ponytail because it could be grabbed by a potential rapist; do not wear provocative clothing in case it could inflame the desires of an abuser who may be looking; travel in groups at night to minimise the risk of being raped. The message should be to men. Do not abuse your position of strength and power by forcing your attentions. It is not for women to change, it is for men.

1815 As part of dealing with the symptoms of an unequal society, I would like to support these three amendments. I would like for the Convention of the Elimination of all forms of Discrimination against Women to be extended to Guernsey. I understand there are some counterproductive issues this could throw up, but I believe it is better to get the majority of the Convention extended to our Bailiwick, with potential derogation on one or two points, than to have it hanging around for another 30 years. (**Several Members:** Hear, hear.) I believe it is essential that we establish a Violence Against Women and Girls Strategy. It is a fundamental need of today's society that we seek to understand this violence and see changes, for reasons so clearly and so shockingly outlined by Deputy Burford.

1820 So I welcome this Report and urge Members to support it and these three amendments.
Thank you. (*Applause*)

The Bailiff: Deputy Gillson.

1825 **Deputy Gillson:** Thank you, sir.

1830 The amendment C – I am a little bit surprised. I do not think it actually does what Deputy Burford wants it to do, because it asks us to do something that is described in appendix 5, and appendix 5 is the glossary of terms relating to our action plan. I do not think there is any real need for amendment C. We will continue to review the level of education along with Education Department, and where resources allow, will expand it and extend it. So I think amendment C is superfluous.

Amendment D, we have got no comment on as a Department.

1835 Amendment E is one which... I suppose I should explain the logic behind the Report's position. To do that, I have to consider the main elements of the Violence Against Women and Girls Strategy action plan. They include areas of forced marriage, honour-based violence, female genital mutilation, human trafficking, particularly in relation to sexual exploitation.

1840 These crimes are hugely serious but, largely due to the demographic and cultural profile of Guernsey, they are not an issue in Guernsey. We have no intelligence of these being an issue and if they were they could, and would, be investigated.

Now, obviously such an action plan would include domestic abuse, stalking, harassment, rape, sexual offences, as has been listed. Just one point, there is no cap on reporting crimes in Guernsey, unlike the UK. But an analysis of crime incidents involving women and girls identifies that these issues are already a focus of Police and other key stake holders.

1845 I want to emphasise that they are a focus of the Police and stake holders, and when they occur they are being focussed on and being addressed. I do not want anyone to think that they are not. There are regular meetings of senior practitioners from HSSD, Probation, Education, Police, Prosecutors, Victim Support, Home Department, Courts and the Judiciary, at which trends are identified and policy developed, and changes in direction and focus emanate from these; and if legislation is needed that will then come to the Assembly.

1850 So against that background, when the Strategy was being developed, we acknowledge domestic violence is very serious, but with limited resources the view was that it is better to bring it in as part of CEDAW by 2020, but not do a separate report.

1855 I think that realistically if it is approved, or if it is not, the Department is not overly fussed, but it should be clear the resource we have to produce this report is the resource that supports the Domestic Abuse Strategy, and producing this report will divert resources from supporting the Domestic Abuse Strategy.

1860 So, I am personally going to not support C, support D. I am not going to support this because I think the Departments and the people who design the Strategy have said to us that the better use of resources is the way the Strategy is designed. If the Assembly wants to divert those resources to this report that is fine.

The Bailiff: Does anyone else wish to speak?

1865 Can I just have an indication of how many people do wish to speak on these amendments? Only Deputies Brehaut and Gollop, and Deputy Sillars, and then we have got general debate possibly as well. So as it is very close...

Unless it is a very short speech –

Deputy Brehaut: It is very short, sir.

1870 It was just Deputy Gillson got me to my feet in separating these amendments out, and saying vote for some and not for others, because, respectfully to the Committee, I have been a bit disappointed that this Report has been handed to the States like perhaps a self-employed plumber dropping his accounts to the accountant. There has been no passion, respectfully, in laying this Report. These amendments actually speak to the culture of what currently exists.

1875 Now, I will give a couple of examples. I do not know the gentleman's full title but I think – whether it is called 'Crime Prevention', I do not know what the title is these days – in an interview to the radio he used the words, that he would not want, 'a male drinking to excess and finding himself at the Police Station and making a fool of himself'. That is the culture, a police officer, or perhaps a member of the Home Department in that capacity, would not want to see a male making a fool of himself.

1880 Now, two years ago the *BBC Children in Need Appeal*... what do you think the Home Department, through the Police, offered? What was the prize do you think, bearing in mind this was the *BBC Children in Need Appeal*? The prize from the Home Department was a day with the Police Fire Arms Unit. *With the Police Fire Arms Unit!* More recently what has been offered is a day with the Police Dogs Unit. Setting gender stereotypes aside, perhaps a trip to the Fire Station may have been something children may have enjoyed doing.

1890 But we do have cultural, political, cultural problems with regard to this subject matter. The Home Department today, perhaps with the exception of Deputy Fallaize, have not come here today with a clear sense of ownership, a clear sense of direction, other than... what I am saying is for me there is a distance and a remoteness between the substance of the Report and the manner in which it is being delivered and conveyed to the Assembly.

1895 So any assistance we can give the Home Department, or whatever comes after the Home Department, by way of direction through these amendments is something that I would ask Members to support.

A Member: Hear, hear.

The Bailiff: We will rise and resume at 2.30 p.m.

*The Assembly adjourned at 12.32 p.m.
and resumed its sitting at 2.30 p.m.*

HOME DEPARTMENT

**IX. Domestic Abuse Strategy for Guernsey and Alderney –
Debate continued –
Propositions approved as amended**

1900 **The Greffier:** Domestic Abuse Strategy for Guernsey and Alderney – continuation of debate on Deputy Burford's amendments C, D and E.

The Bailiff: Does anyone else wish to speak on the amendments?
Deputy Sillars.

1905 **Deputy Sillars:** Thank you, sir.

I will get this out up front. I will support all three amendments. I think I was slightly misunderstood. I was just really making points, but I always supported the women's refuge and the money, and of course I did vote to take it out of T&R's pot.

1910 In the first instance, I would like to explain to Members where teaching and learning about domestic abuse fits in within our curriculum, and the Department would have welcomed the opportunity to have spoken to Deputy Burford prior to the amendment being laid.

1915 Teaching and learning about domestic abuse is covered within the PSHE – that is the personal, social and health education curriculum. When children first start school at the age of four, as part of their personal, social and emotional development, they begin learning how to form positive relationships with adults and other children.

At Key Stage 1 and 2, as primary pupils, they learn how to recognise when people are being unkind, either to them or to others, and how to respond, who to tell, and what to say. They also need to be able to recognise what constitutes a positive healthy relationship, recognise ways in which a relationship can be unhealthy, and understand who to talk to if they need support.

1920 At Key Stage 3 and 4, the secondary students have opportunities to develop their understanding of domestic abuse by learning about the qualities and behaviours that they should expect and exhibit in a wide variety of positive, strong, supportive, equal relationships, including trust, mutual respect and honesty. They should also learn about the impact of domestic abuse and develop an awareness of exploitation, bullying, harassment in relationships, including online bullying and all forms of abuse in teenage and adult relationships.

1925 They are also learning how to respond to abuse and about sources of help and support. The NSPCC offers a child-line school service to all primary schools across the Bailiwick. The service delivers assemblies, workshops to years 5 and 6 pupils – that is 9 to 11-year-olds – which focus on abuse and neglect, and ensuring pupils know how and where to get help and support.

1930 The Hampton Trust delivers domestic abuse education to all year 7, 9 and 11 students across the Bailiwick. More detail of the work of the Hampton Trust, a charity that is recognised as a support agency for Guernsey education and has the contract for domestic abuse education in Guernsey... 94 sessions were delivered last year, accessed by 1,685 pupils.

1935 The curriculum has been developed from the Women's Aid Expect Respect Toolkit and it covers the following from Key Stages 3 and 4: to recognise when a relationship is unhealthy or abusive, including unacceptable or both emotional and physical abuse, or violence and rape, and strategies to manage this or access support for self or others at risk; to develop an awareness of exploitation, bullying and harassment in relationships, including the unique challenges posed by online bullying, and the unacceptable physical, emotional, sexual abuse in all types of teenage relationships, including in group settings, such as gangs and how to respond to it; and to learn about the impact of domestic abuse.

1940 Schools are well served by many support agencies that help us to deliver many aspects of the curriculum. This is especially the case with complex issues such as domestic abuse. Teachers and other support agencies e.g. Share – a sexual health and relationship service, school nurses, iHub,

1945 Drug Concern, and Action for Children, also reinforce the messages around the need for positive, supportive, relationships as and when appropriate during their sessions.

Let me inform Members about the Hampton Trust's DARE teams, (Domestic Abuse Relationship Education), whose primary aim is to raise awareness of domestic abuse and healthy relationships among young people in Guernsey and the Alderney community.

1950 The Hampton Trust's school education worker provides consistent and structured domestic abuse educational lessons to all Year 7, 9 and 11 during the PHSE classes in all schools. Sessions are also provided in the post-16 settings, where lessons are customised for groups. Their community education worker provides semi-structured and tailor-made domestic abuse workshops in other youth settings.

1955 These two roles were developed as part of the Domestic Abuse Strategy for Guernsey and Alderney, which was approved by this States in September 2009, with funding commencing from 2011. The Strategy seeks to tackle domestic abuse through a four-pronged approach that ensures: there is good partnership working between the agencies – *all* the agencies – involved in tackling abuse; effective services are provided to protect victims and their children; a robust criminal justice response is provided; and primary prevention in the form of education and awareness raising is put in place to change the attitudes and behaviours.

1960 In summary, we already do a great deal and are striving to do more. The point for me is that Deputies, through the States, are determining the Education's curriculum such as the domestic abuse... are worthy and good, but in my view amendments in the States instructing Education how to deliver Guernsey's curriculum for our children is not the correct way forward.

1965 I do recognise the increased provision would raise awareness and increase early intervention. That is good, but my problem is the mechanism being proposed through this amendment. I have already said I will support it though. Why not talk with us so that we can find the best way to deliver domestic abuse education to ensure that the valuable work delivered by support agencies can be integrated into all aspects of our curriculum. In particular, I want to ensure that the schools in partnership with support agencies work together to address the issues associated with the toxic three. What are they? Drugs, alcohol and domestic abuse.

1970 Of course I am aware that domestic abuse is a serious problem in our Island communities. Children are very much the silent victims of domestic abuse. They may witness it or be subject to it, but often their voices are not heard. In order to continue to raise awareness of domestic abuse, and healthy relationships amongst the young people across the Bailiwick, we will be addressing this, whilst at the same time not crowding out other aspects of our curriculum for our young people and children.

1975 Whilst Domestic Abuse Strategy is the responsibility of the Home Department, the curriculum, however, sits fairly and squarely with Education Department. I would hope that if this amendment is approved – and I hope it is – the Home Department will engage with the Education Department to look at this issue and to contribute to this investigation.

1985 We know from our surveys that pupils respond positively to input from specialists, especially when they are dealing with difficult, sensitive subjects. We are not currently covering domestic abuse education as effectively as we are drug and alcohol education; basically each student receives three lessons rather than five. I would be concerned that there would be an exception that children receive more lessons on domestic abuse without an increased input from outside agencies, and they deliver it more efficiently, more effectively, and they are the experts. I would be concerned that schools would struggle to respond to an increased demand.

1990 So in summary, as I have already said, I will support the three amendments.
Thank you.

The Bailiff: Deputy Gollop.

1995 **Deputy Gollop:** Burford 'C', the schools one – one can see the point. In a way, it is a form of micro-management, but I think it sends a strong message from the Assembly and I will support it.

I was not entirely clear – and looking once or twice at appendix 5 – how the current curriculum is shaped, but Deputy Sillars, the Education Minister, has given us additional enlightenment.

2000 I think perhaps I am mishearing this, but the Education Minister stressed that from the age of four these issues were raised in an age appropriate way, but one suspects that the focus should be very much on early secondary ages, and if they are not being fully covered, then that is something for dialogue with Education.

2005 It is not for the States to set the curriculum or set topics. But I think the point is that we want a strong information message across the schools because, as I heard last night at an autism seminar, teaching assistants and of course teachers are in the front line of not only mediating and shaping children's behaviour, but also in respect to concerns those children have in understanding how they live.

2010 The 'D' amendment – I very much support CEDAW. I want to point Members' attention to page 3607 of the main Billet, in which it is mentioned, Violence Against Women and Girls the International Strategy, and we come on to paragraph 6.21 which says:

'The 187 out of 194 countries worldwide that are signed up to the Convention on the Elimination of all Forms of Discrimination Against Women ("CEDAW") are obligated to put in place a human rights based approach to address violence against women.'

That is a telling statistic. I did not know there were as many as 194 nations in the world, but they are all signed up to this, and 187 have gone to the next stage, and we have not got to the first stage yet. I really do think it is a priority that this Report really underlies with its efficient factual basis.

2015 On 'E' it very much makes the point about developing the strategies across the community. What I would say is we do need to take on board the excellent points Deputy Burford made in her speech, but consider whether the approach that we adopt, in implementing an even more effective strategy, is based on a sort of legalistic penalisation point, or a counselling, changing behaviour framework. I suspect we need both, but I think it is important for everybody to work
2020 towards a strategy that takes on board some of the points Deputy Laurie Queripel mentioned.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, yes, I have just got three points.

2025 First one is just to pick up on Deputy Sillars' comments earlier, about there being held 94 sessions to 1,600 students – I believe he said, or approximately. Well, I do not know how many children there are in full-time education at the moment – I am sure Deputy Sillars could advise – but certainly 600 born every year for over 10 years, that is approximately about 6,000 students that could have the opportunity to have this education given to them; so 1,600 out of 6,000 shows
2030 the increased potential there.

2035 The second point I would like to make is what I mentioned earlier, about this negative connotation to what this education would be. But it is not, it is as much about learning and children learning about respectful relations, as it is about where relationships can go wrong and I think that is a very important point to bear in mind. That is against my comments on amendment C.

2040 My other comment, I think it is on amendment D, is on CEDAW. Now, it is good to see that the Minister of Commerce & Employment has just sat down, because this is an amendment that will affect the staff officers responsible for employer relations. They are currently responsible for CEDAW within that Department and we have not heard from anybody from that Department at the moment. I would just like to know their comments on this amendment.

Thank you.

The Bailiff: Deputy Sillars.

2045 **Deputy Sillars:** Can I just make a correction or a comment, if I may?

The Bailiff: Well, if it is a point of correction –

Deputy Sillars: It is a point of correction. Thank you.

2050 Several points of correction: 1,685 pupils, and of course it is Years 7, 9 and 11, and they each go up each year so actually all of them get covered, and there are about 2,300 in secondary.

The Bailiff: Deputy Adam.

2055 **Deputy Adam:** Thank you, sir.

First, sir, I feel to a certain extent I have been very privileged in the job I did as obstetrician gynaecologist. Deputy Scott Ogier said sometimes people do not know exactly how women work and what their fears are and other issues. I did learn over the years, over 20 years, of the problems that face women. Unfortunately, sir, I learnt the hard way, because away back in the 1980's it was not a subject that was out in the public domain. It was not discussed openly, as it is now. Fortunately, it is discussed, it is accepted that help and support is necessary, but in those days it wasn't.

2060 I always remember this lady turning up and requiring admission on three separate occasions, and on the third one, when I was finishing in the evening, I went and sat and talked to her for half an hour to three quarters of an hour, and you suddenly realise her way to escape the abusive situation was to have a female problem, you might say, and get admitted to hospital. She got out of her situation in that way. As many of you may know, in actual fact, a risk time for women who are in such a relationship is during pregnancy, and she was pregnant and the time.

2070 That made me realise actually you have to make people such as midwives, nurses, etc. aware of this, and switched on to it. I am talking about in the 1980's and early 1990's before the foundation of the Women Aid, Women's Refuge Group on Guernsey.

2075 My next aspect was with the Women's Refuge. The Chairman at that time asked me to become a member of the board. Now, some people may say, 'What is a man doing on a board that deals with females?' Well my argument was as a male who dealt with more women than any other person on that board, in a much more personal manner.

I stayed on that board for approximately 10 years, I think, and there were two of us who used to go into the Refuge because they needed curtain rails put up and curtains taking down for cleaning and various other mundane tasks. My good friend Ron Le Moignan [???14:47:28](#) was the other chap, and we used to slip in there quietly and do things without upsetting anything.

2080 The next stage when, as Minister of HSSD between 2008 and 2012, of course I was Chair of the Social Policy Group, and that is when this Strategy was formulated and brought forward to receive monies from the Social Prioritisation Process at that time...

2085 People have said already what a well-constructed Strategy this is. I would add that it is well constructed because it had a very strong basis. Within the Police Department we had some people who were very positive about ensuring all the facets were developed and progressed in an orderly and recognised manner, and this present strategy is built on that, and expanding, as we already heard from the Minister of Education, into Education, into HSSD for treatment of the children, which is extremely important. Likewise CEDAW was also on the Social Policy agenda at that time, and I agree with Deputy Burford that it is very important to try and link it in and progress that.

2090 We have been waiting, I think it might be up to 20 years, and before we had one step from SSD recently when they put a charge, and there will be more maternity support for all pregnant women, either in the form of personal for the mother or parental support afterwards, which is a huge step forward, which will cost us, but I think it is very positive.

2095 So, sir, obviously, I support the Strategy wholeheartedly. The amendments that have been put forward, I think are valuable, in that they appear to plug some of the holes that may need filling in the Strategy or try to just give more solidity to some aspects of it.

2100 Lastly, sir, as Deputy Laurie Queripel, who was mentioning issues in relation to, you might say male domestic abuse as opposed to female... for people's information, Victim Support, which as you know is a charity in the Bailiwick of Guernsey, has a pamphlet which actually mentions men. For example, the first paragraph says:

'Being raped or sexually assaulted is a shocking experience and the effects can last a long time. Men can find this kind of assault difficult to deal with because it is widely, but wrongly, thought of as a crime that only affects women.'

So if you wish to find out more about that issue, it is called '*Rape and Sexual Assault Information for Men*'. The other pamphlet is something headed '*Hidden Hurt – Domestic Abuse Information*'; this again is for men, and it starts off by saying:

'Men can be victims too.'

2105 It has got some helplines in it, Men's Advice Line enquiries, Victim Support, Real Help etc.

I have got a very helpful and co-operative wife who happens to work down at CAB and she actually looked at the information that they had there and both these documents are available down at Citizens Advice Bureau. So it is being looked at. Obviously, Victim Support may be a bit ahead of things in Guernsey, because the other one obviously is from the UK, but I think it is important to note it.

2110 But I think Deputy Bebb, who is not here at the moment so he cannot criticise my – oh sorry, my apologies, sir, Deputy Bebb is here – (*Laughter*) in the wrong seat, but never mind. He is quite right in saying the type of violence etc. is completely different in relation to male, you might say, domestic violence, compared to a female. And as often has been said today, that I think the last three murders in Guernsey were in relation to domestic abuse situations.

2115 So, sir, I ask the Assembly to support this and the amendments.

Thank you, sir.

The Bailiff: I see no one else rising.

2120 Deputy Burford will reply.

Deputy Burford: Thank you, sir.

Well, thank you for the support. I do not have a great deal to say... just picking up on one or two questions that came through.

2125 On amendment C, the reference to appendix 5 is just where it tells you about the DARE Project which is run by the Hampton Trust, and the proposal is merely for Home to look into the possibility of extending it. So, to Deputy Sillars, I would say I fully take on board your points, and I am sure that if this amendment is successful and Home look into it, it could not be done without consulting the Education Department in any case.

2130 Deputy Gillson says that he thinks that this is some work that they would do routinely anyway, so on that basis I am sure there is no harm in approving the amendment.

On amendment D, for CEDAW, I think what is really vital, from my point of view, is that the idea of Violence Against Women and Girls Strategy and CEDAW should not be linked together, because I really do believe that it will slow down at least one of them and if not both of them.

2135 In preparation for this, Deputy Ogier and I, in fact, went to see staff about CEDAW and particularly the outstanding work which is fundamentally just equal pay for work of equal value. It is fair to say there are issues with it. It is not simply about equal pay for two people doing exactly the same job in an organisation; it does spread wider than that and I fully understand that it may be difficult.

2140 It could well be that if this amendment is approved, and the report comes back in 18 months or so, that issues are highlighted, which might mean that there is a different path that is taken. I mean my concern is very much an outcome-based one. It is very good to sign up to conventions but what we really want to see are the right things happening on the ground.

2145 So because of the fact that it has taken so long, and because of the fact that there is a reason it has taken so long – which is partially the difficulty of this remaining outstanding work stream – I think it is very, very important that we do not link something else in with it, which is only attached to it in a small way.

2150 In CEDAW, general recommendation 21, I think it is, refers to reporting on what work given state is doing in terms of violence against women and girls. That is the main linkage between the two. What is going to be more important, if the UK ratify it, is this Istanbul Convention, which is much more specific, and is just on the subject of violence against women and girls, and that is perhaps somewhere we are going to have to go if it is ratified by the UK, and it is looked to be extended to Guernsey.

2155 On amendment E, I did enquire of the staff at Home, how onerous investigating a Violence Against Women and Girls Strategy would be, and if it would impact unduly on other work, and I was advised that much of the work is linked to research already done for the Domestic Abuse Strategy, and it would take a maximum of about one month for one staff member who is familiar with the work stream.

2160 Thank you, Deputy Adam. I think he highlights a very important point, much domestic abuse does actually start during pregnancy. That is often when things go wrong, when a woman gets pregnant for the first time. So that is an important point to highlight.

So I do not think I have got any other comments to make and I would ask Members to support all three amendments.

Thank you.

2165

The Bailiff: Well, Members, we come to the vote on the three amendments.

If Deputy Bebb wishes to vote he has to return to his seat, otherwise he is precluded from doing so.

We will vote first on amendment C. Those in favour; those against.

Members voted Pour.

2170

The Bailiff: I declare amendment C carried.

Amendment D. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

Amendment E. Those in favour; those against.

Members voted Pour.

2175

The Bailiff: I declare it carried.

Does anybody who has not spoken in general debate wish to do so? Yes, Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

Sir, I hear the groans, (**A Member:** Hear, hear.) but I will be brief. (*Laughter*)

2180

Sir, the current Children's Law clearly states that the wellbeing of a child has to be paramount at all times. I want to say, before I go on, that I absolutely and fully support the much needed

continuation of this Strategy. But, as Deputy Burford's amendments have highlighted, there were some shortcomings that needed to be addressed and amended.

2185 I am concerned that there might be another shortcoming that needs to at least be addressed. I emphasise the word 'might' because I am hoping the Minister can allay my concerns. Because I rise to seek clarification from the Minister regarding the issue of Police checks, which is, of course, a preventative measure, because as I understand it – and I apologise to the Minister and my colleagues if I am expected to know the answer to the question, but, in my defence, sir, my good friend Deputy Trott often asks questions that he already knows the answer to... (*Interjections and*
2190 *laughter*)

Sir, in a situation where a couple go their separate ways after allegations have been made against one parent or partner regarding abuse, the partner who is the alleged abuser moves out of the family home and is denied access to his or her children. Yet, ironically, I think I am right in saying, a new partner can move into the family home and have access to the children every
2195 minute of the day and night, and no Police checks are undertaken on that new partner.

So my question is, if the parent, or previous partner, who has been accused and has left the family home requests that a Police check is undertaken on the new partner, who has moved into the family home, is that Police check automatically undertaken as requested? The reason I ask is because again I believe I am right in saying, though I stand to be corrected by the Minister, a
2200 system already exists in Jersey, which I think is called Operation Amber, whereby any member of the public can ask for Police checks to be undertaken and the Police are obliged to undertake that check and provide the information to the person who has requested it.

I believe I am right in saying that in the UK the same mechanism is known as Claire's Law. I might be wrong, sir. I fully appreciate I might be confusing my Laws and my operations, but I look
2205 forward to the Minister answering that question.

Thank you, sir.

The Bailiff: Deputy Lowe.

2210 **Deputy Lowe:** Thank you, sir.

Sir, 21 years ago the President of the Children's Board, Deputy Dan Le Cheminant, assigned his committee to be part of a working group to establish whether there was a domestic abuse problem in Guernsey; if so, what sort of numbers were involved and was there a need for a
2215 women's refuge.

I was one of the three political Members from Children's Board who formed the working group, inviting others to join and assist the research. As was said earlier, Sandra James, who is now a Deputy, was involved – as was Anita Howell Harrild from the NSPCC, Dr. Maggie Costen, Senior Inspector from the Police Ann Watt, and Mrs Graham.

2220 That working party existed to find out the answers to those questions. Lots of meetings took place, sir, and indeed lots of States' debates, and I have to say, sadly, there was a reluctance by the States at that time to recognise that there was a problem in Guernsey with domestic abuse.

2225 However, there was a Resolution in the end that a property would be supplied by the States, and that was known as Property A, and eventually Property A was approved by the States. It was called Property A obviously for confidential reasons. Mrs Graham took over as Chairman of the Women's Refuge, followed by Jurat Len Moss; and Sandra James, Anita Harrild and Maggie Costen left once the Refuge was open, and after the working group was established and it had succeeded in the work that it has established to do.

2230 The board consisted of colleagues – Deputy Hunter Adam, who has said quite clearly how he assisted the Refuge and was an excellent member as a gynaecologist – we had Police on the board, we had Jurats on the board, we had advocates on the board, and we had a very well and supportive and hardworking management committee, and indeed we had a fundraising committee; and at one time we had Deputy Sillars who was Chairman, who worked tirelessly with the committee to get that Refuge able to operate.

2235 The Refuge was new to Guernsey, no longer was there a shelter as previously in Pedvin Street, which had a combined occupation for women that were homeless, or families that were homeless, and women that were suffering in a violent relationship. Not ideal in Pedvin Street right alongside the pub, and there was an open door policy – again, not ideal. So that was closed down, and hence the working group was established.

2240 An enormous amount of work has taken place since – much of it through the trained staff at the Refuge. Staff worked with Education and visited schools as part of the school curriculum. Guernsey Women’s Refuge staff gave training to States’ employees, on how to recognise domestic abuse amongst the workforce, and how or who to contact for support.

2245 Those same Refuge staff worked with the private sector. The Women’s Refuge Outreach Service was established, as not every woman suffering domestic abuse wished or needed to come into the Refuge.

2250 So much has evolved, sir, during the last 21 years of my involvement, of three years as a States’ Member and 18 years as a volunteer on the Guernsey’s Women’s Refuge Board. All that time there was only a £20,000 grant from the States. So, as I say, without the hard work of the fundraising committee, the Refuge would not have been able to continue to operate. So it goes without saying – although I will say it again, anyway – I fully support the Domestic Abuse Strategy.

2255 Many UK statistics were read out this morning. Interesting, yes, but for me it is the Bailiwick statistics that I want to spend time observing and making informed decisions on. UK operate completely differently to Guernsey. We used to get the stats about the UK refuge occupancy and clearly they were not temporary emergency accommodation for those needing a place of safety, as many women had been living in the UK refuges for three years or more. That is housing and blocking emergency temporary accommodation.

2260 So back to the Bailiwick and Guernsey Women’s Refuge, and how through the years of learning and changing policies as time went on, and as an example there was a written agreement with the Police for Guernsey Women’s Refuge to support women if they chose to opt in to get support when an incident happened. After a few years of listening to the women and reviewing with the Police, a way forward of a new system was put in place, where every incident reported was sent to the Women’s Refuge staff to follow up and support women, unless they chose to opt out. Women preferred the opt-out system.

2265 Guernsey Women’s Refuge – and we were talking about statistics earlier on this morning... During my time in the 18 years of involvement, we saw women aged from 16 years to 85 years of age, not what we were hearing before about 60, and there were gasps around about 60. The oldest lady we had staying in the Women’s Refuge was 85 years old, and over the last few years of my involvement we saw many women in their 70’s staying in the Refuge. We saw an increase in that age group coming to seek support in the Refuge. We also used to see many pregnant women coming to the Refuge – a significant number who would stay during their pregnancy. Those are the statistics which I think we should be basing our information on – those and the Police ones – but the Refuge used to get everyone that they knew about unless they opted out.

2275 Domestic abuse – not domestic violence; that wording changed years ago. Many suffer abuse but not violence, and women did not feel that they could contact the Refuge or other agencies if violence was not involved, so ‘domestic abuse’ has been used for a considerable amount of time.

2280 What you have to be careful about with statistics... many are counted as incidents – that is not to dismiss them in any way, shape or form – rather than having statistics of how many men or women have been abused, double counting does exist here in Guernsey. Nevertheless, one abuse case is too many.

2285 Today, I am hearing a lot about women and little about men. There are men who suffer domestic abuse, please do not dismiss them. On occasions the Refuge would receive a call from a man, or his relation, asking where he could get help, and the Refuge had a support line number, plus St Julian’s would offer help with accommodation.

2285 Deputy Adam was right when he said before that the Domestic Abuse Strategy followed years of work with the Refuge, the Police and agencies, all working together seeking a strategy,

ensuring all public and private sector working together and monitoring value for money and best practice. That is something the Home Department will need to ensure happens, as the more the Domestic Abuse Strategy continues and the funding of nearly half a million pounds is in place.

2290 So, yes, sir, I fully support the Domestic Abuse Strategy – it goes without saying – because I said before and I say it again... So I urge Members to support this. I urge that we have lots of local statistics the next time this comes around, because although the UK statistics this morning were interesting, it is nothing like Guernsey because they operate completely differently and they are funded differently too.

2295 **The Bailiff:** Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

I had a slightly different perspective on the operation of the Refuge when I was a member of HSSD, because Members will remember – those who have lived long enough – the saga of the failure to be able to inspect or to gain access to the Women’s Refuge. Now, this is my perspective, and I appreciate there are always two perspectives or more than that –

I will not give way, if that is what Deputy Lowe is looking for.

Deputy Lowe: It is a point of correction, sir, because it is important.

2305 The Women’s Refuge never refused an inspection and there is written documentation to say so, signed by the Chairman before my time and indeed after.

Deputy Brehaut: Clearly it is on the record. If I could put it another way: they refused access, would be the other way to put it.

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The Bailiff: Is it actually relevant to the debate though?

Deputy Brehaut: Yes, yes. (*Interjections*) No, it is, sir. It is, and I wanted to say this, because the reports we were getting as individual members of the Department of Health & Social Services, were... One case I remember where a woman gave an account of staff members coming into the room clapping, saying, effectively, ‘Come on. What are you doing sat in on a day like today, when it is so glorious outside?’

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Deputy Lowe: That is not true, sir.

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Deputy Brehaut: Now, how you... These are anecdotes that get through to political Members and it was felt... I am listening to Deputy Lowe clearly being animated, but if she could please... I have given her the opportunity to express herself clearly, and would she please allow me to do the same thing?

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Now, clearly it was felt because the property was in the ownership of the States, as well as a small – and I acknowledge it was a very small – grant from the States, a type of inspection was necessary; and I remember, vividly, discussions had around the table with Deputy Hunter Adam, with the Refuge lawyers being present, and access was not given at that time. Now, Deputy Lowe is just saying – and it is on *Hansard*, if it was recorded! – ‘That is not true’. *That is absolutely true*, but I do not want to... I will call it a day at that.

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Now, what you have here, or historically is – and it happens in lots of organisations throughout the States – you have to be careful when you hand things over to what we like to call these days the third sector, because while you enjoy the independence of the third sector what you also lose, and Government should not lose, is an element of control that is also necessary, regardless of the sums of money.

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I would make probably the same observation, because it is timely, with regard to St John Ambulance and Rescue – and it is relevant to this discussion because of the fiscal restraint in so

many areas we have, we are becoming more and more reliant on the third sector, but if you want the third sector to do things you also still need the tools, and because organisations and groups can pull out at any stage and the States need to pick up the pieces...

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I did note in the Report that it did list, I think, the number of Latvians – particularly, listed Latvians – that were in the Refuge. Of course, their partners may be local, so the relevance of nationality I am not too certain why that specific reference needed to be made, when it is not clear of the nationality of their partner.

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Now, what is being implied here today is that in the UK things are very, very different. Guernsey is unique and therefore Guernsey's experiences are different, but actually there may be more pressures on Guernsey, because – (*Telephone ringing*) Sorry, somebody's telephone is going off, I think. (*Interjection*) Deputy Gollop, thank you – because of the type of society we are in. I think that is £5 to the autism charity, £10, Deputy Gollop, any advance anyone? Because of the nature of the lifestyles we live on Guernsey, the pressures Guernsey people are under, perhaps we need to do the work that Deputy Lowe is suggesting to get the Guernsey stats; and what if the Guernsey stats actually demonstrate that Guernsey has a greater problem, and it is worse than it is in some parts of the UK? Because I am sure that the pressures on a small Island can be equal to that in larger places.

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I have made a note and unfortunately I have lost it, sadly. I am very supportive of the work that is done with regard... I have just remembered what I was going to say: I am very supportive of work that is done by the Women's Refuge, and I am supportive of the Home Department's Report. But today something interesting has happened because, as most of us have said, violence against women and children is the dominant thing here. One male – *one male* – contacted all of us, and that male has been very well represented here today, disproportionately –

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Deputy Laurie Queripel: Point of correction, sir, if I may.

I hope Deputy Brehaut remembers, when I spoke I did say I had been contacted by more than one male. Other Members have only been contacted by one male; I have been approached by more than one male on that issue.

2365

Thank you.

Deputy Brehaut: I take that point, but I think we had an email from a gentleman and his opinion here has been more than adequately represented. There has been a growth in the UK, and we are starting to see it here on Guernsey. People may recall the Fathers 4 Justice movement, and I remember a father saying, 'I cannot see my child because the Courts have determined that I am irresponsible,' and the response from the Court was, 'Well, you were up a 200-foot crane dressed as a gorilla; the Court also has to deduce you may not be entirely responsible.' I do not want to diminish the role of the father and the role of the parent, but it is easier when we talk about domestic violence and it seems to me, and it has been the case, the male voice sometimes can dominate very quickly when the issue really is predominantly one that concerns women and girls.

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I support the work, obviously, of the Women's Refuge and I support this Report, and perhaps my comments towards Deputy Gillson earlier may have been interpreted perhaps as mean spirited, but I do feel that something as sensitive and something as important as this, I would really like to see a Department with one voice really present it in a passionate way and sell it, because it is that important that these projects succeed.

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Thank you.

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The Bailiff: Chief Minister, Deputy Le Tocq.

The Chief Minister (Deputy Le Tocq): Sir, I think we have a unique opportunity this afternoon just to vote in and support the revised Strategy as amended.

2390 Years ago, sir, this Island, our community, this Assembly, liked to think that domestic abuse, in all its forms, did not take place, or if it did that it got dealt with appropriately and quietly in some sort of way. That, we know, is not the case and we are not any different, in that sense, than western society; and we are seeing, in some cases, aggravation of that, particularly as has been mentioned through social media, the sorts of activities that sometimes are learnt through the media in general.

2395 I think of my own experience, sir, of coming here back to the Island and being involved in Christian ministry, and one of the first experiences that I had was of a case of domestic abuse, and actually it was not a case against a women, but I was very shocked that this sort of thing was going on in Guernsey. At that time, back in the late 1980's I had nowhere to turn, and everyone that I looked to for help did not know how to help me, or even pooh-poohed the fact that I had come across this sort of behaviour.

2400 Of course, these strategies, such as Domestic Abuse, will only work if we give it our political support, if we recognise that it is a reality. So, whilst I am supportive of it because a large part of this is about early intervention, but it is not just about early intervention. I do not want early intervention at the expense of caring for and helping those who are already victims of domestic abuse, and I am glad that we have been able to find a solution to that, so we can have the extra spending, particularly to the Post Abuse Therapeutic Service, which I was privileged to have a tour around a few months ago. Other strategies – and the one I am thinking of at the moment is particularly linked to the Home Department, and that is the Drug and Alcohol Strategy – obviously overlap very much with domestic abuse as well and, as Deputy Le Clerc has already mentioned,

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2410 the Children and Young People's Plan will go a long way to addressing some of the other issues that have been raised today.

Sir, I am hopeful this Assembly will unanimously send the signal, in terms of supporting these amended proposals, that Guernsey wants to improve our society for all members, particularly its most vulnerable, particularly those that do not have a voice, and in doing so, I commend this policy letter to the Assembly.

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The Bailiff: No one else is rising.
Deputy Gillson will reply to the debate.

2420 **Deputy Gillson:** Thank you. Thank you, sir.

Deputy Laurie Queripel, most of the issues you raised, I think, were addressed by Deputy Bebb. I mean I am happy for Scrutiny to inspect any part of Home's mandate or any services it is related to. Specifically regarding accommodation, Safer, as part of their accommodation review, is reviewing whether they would be able to provide some facilities.

2425 Deputy De Lisle, asked me to comment on future funding. Deputy De Lisle knows full well that I cannot really commit to a future committee, but it really is dependent upon the future finances of the board. If the Department faces another 1% cut in budget next year, then obviously it is going to restrict the budget; if the finances are such that the Department gets a bigger budget then... because that is very much on the state of the finances for the Department.

2430 Deputy Lester Queripel – Police checks. What you are referring to is known as Claire's Law in the UK. Now, the Police can give out information at present, but at present the public cannot request the information. It is being looked at locally as part of the review of the Law in the next couple of years. So it is something that is being looked at, but at the moment it is from the Police's perspective. So if something came from MARAC or the Police felt that they needed to tell somebody then they would be able to.

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Deputy Lowe, thank you for your support.

Deputy Brehaut – issues relating to the Refuge rather than the Strategy. I agree with his comments about the third sector. We do need to make sure that when we deal with the third sector it is fully sustainable and that we have some good KPIs to ensure that the outcomes are as anticipated. In his earlier speech he did make mention of me not being passionate enough. I make

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no apologies for my analytical approach. I think there needs to be balance. The staff have the passion, I provide a more analytical approach. There are instances where you can be too passionate, and I am going to be contentious and say that quite possibly the Transport Strategy... and the Minority Report was one, because that was on the back of some very passionate speeches, but then in the cold light of day it was rolled back such that we have arguably got a Transport Strategy which is less aggressive and less effective than the Majority Report would have been. But, sorry, that was digressing completely off the Strategy! (*Laughter*)

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This is a hugely important strategy. What is very clear throughout the debates, whether people have been pro or con amendments, is they support the Strategy. They support the fact that domestic abuse is not acceptable in our society and it cannot be tolerated, and the Strategy will help to alleviate... hopefully, in the longer term, through Education, stop it happening, but in the immediate term where it is happening, it will help to be able to mitigate the issues and protect people.

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I thank the Assembly for the additional monies which we have got in a fiscally appropriate way, and I hope that we can all unanimously support this policy letter.

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Thank you.

The Bailiff: Deputy Lester Queripel.

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Deputy Lester Queripel: Sir, sorry, could I just have further clarification from the Minister, please?

Is he saying that if a partner who has been accused of abuse, moves out of the family home and is denied access to the children – his or her own children – and a new partner moves in, if that parent or partner is then requesting a Police check on the new partner because they are concerned about the safety of their children, is the Minister saying that that request for a Police check is not taken into consideration and is, in fact, denied?

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The Bailiff: Deputy Gillson.

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Deputy Gillson: If any member of the public goes to the Police with concerns about any other member of the public's safety, the Police will address it and will take what they consider to be the appropriate action. What you cannot do is insist on a Police check, so in your circumstances if partner one went to the Police and said, 'Look my ex-wife is in a relationship. I think this is going to be detrimental to the children, etc.' the Police would then look into it as appropriately.

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The Bailiff: Members, the original Propositions are on page 3669 of the Billet. There were originally two. I remind you that Proposition 1 has been replaced as a result of the successful amendment B. Proposition 2 remains unamended, and then Propositions, 3, 4 and 5 have been added by amendments C, E and D, respectively.

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Unless anybody requests a separate vote, I will put all five Propositions to you. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare them carried.

**Procedural Motion –
Early March sittings –
Approved**

The Bailiff: The Chief Minister wishes to propose a procedural motion.

2485 **The Chief Minister (Deputy Le Tocq):** Thank you, sir.

I would like to lay before the Assembly a procedural motion regarding the business to be discussed in March.

2490 As some Members are aware, there is a large volume of business for the March meeting – 19 items, and several pieces of draft legislation. In view of this heavy agenda and my discussions with you, sir, as Presiding officer, I would like to propose that the March business commences as early as possible in March, in order to enable the large volume of business to be concluded prior to the opening of nominations for a People’s Deputy.

2495 Members are already keeping in reserve the period from 2nd to 4th March to meet, as required, to debate any items not disposed of during the February States’ meeting, which I think is very likely to be necessary.

2500 For efficiency, therefore, the proposal is that a meeting be convened on 2nd March, in accordance with the Rules of Procedure; any outstanding items from February would be debated before items in the Billet d’État for 2nd March. Subject to your agreement, Billet d’État, containing all the items for debate at the meeting, will be published next week, in accordance with normal time scales. A separate Billet would then be published a week later, containing most of the remaining items for debate on 8th to 11th March. Any items not concluded by that date will be debated the week commencing 14th March.

2505 I, therefore, propose the motion that a meeting of the States be convened for Wednesday, 2nd March 2016.

The Bailiff: That is the motion. Those in favour; those against.

Members voted Pour

The Bailiff: Those in favour, in my view, were in the majority. So I declare that motion carried. That concludes the business for the resumed December meeting. We will rise now and will be back here, I think, the week after next.

The Assembly adjourned at 3.26 p.m.