



XI  
2012

# BILLET D'ÉTAT

WEDNESDAY, 30th MAY 2012

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# ***B I L L E T D ' É T A T***

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## **TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY**

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I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY**, the **30<sup>th</sup> MAY, 2012**, at 9.30am, to consider the items contained in this Billet d'État which have been submitted for debate.

**R. J. COLLAS**  
Bailiff and Presiding Officer

The Royal Court House  
Guernsey  
20 April 2012

**PROJET DE LOI**

entitled

**THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF  
GUERNSEY) (AMENDMENT) LAW, 2012**

The States are asked to decide:-

I.- Whether they are of the opinion to approve the draft Projet de Loi entitled “The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2012” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE MERCHANT SHIPPING (OIL POLLUTION) (BUNKERS  
CONVENTION) (BAILIWICK OF GUERNSEY) ORDINANCE, 2012**

The States are asked to decide:-

II.- Whether they are of the opinion to approve the draft Ordinance entitled “The Merchant Shipping (Oil Pollution) (Bunkers Convention) (Bailiwick of Guernsey) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE PILOTAGE (AMENDMENT) ORDINANCE, 2012**

The States are asked to decide:-

III.- Whether they are of the opinion to approve the draft Ordinance entitled “The Pilotage (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE GUERNSEY COMPETITION AND REGULATORY AUTHORITY  
ORDINANCE, 2012**

The States are asked to decide:-

IV.- Whether they are of the opinion to approve the draft Ordinance entitled “The Guernsey Competition and Regulatory Authority Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE POST OFFICE (BAILIWICK OF GUERNSEY) (AMENDMENT)  
ORDINANCE, 2012**

The States are asked to decide:-

V.- Whether they are of the opinion to approve the draft Ordinance entitled “The Post Office (Bailiwick of Guernsey) (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE REGULATION OF UTILITIES (STATES’ DIRECTIONS)  
(BAILIWICK OF GUERNSEY) ORDINANCE, 2012**

The States are asked to decide:-

VI.- Whether they are of the opinion to approve the draft Ordinance entitled “The Regulation of Utilities (States’ Directions) (Bailiwick of Guernsey) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (AMENDMENT) ORDINANCE, 2012**

The States are asked to decide:-

VII.- Whether they are of the opinion to approve the draft Ordinance entitled “The Income Tax (Guernsey) (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (EXEMPT BODIES) (GUERNSEY) (AMENDMENT)  
ORDINANCE, 2012**

The States are asked to decide:-

VIII.- Whether they are of the opinion to approve the draft Ordinance entitled “The Income Tax (Exempt Bodies) (Guernsey) (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENTS  
WITH INDIA, JAPAN, POLAND, SEYCHELLES AND ST KITTS AND  
NEVIS) ORDINANCE, 2012**

The States are asked to decide:-

IX.- Whether they are of the opinion to approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreements with India, Japan, Poland, Seychelles and St Kitts and Nevis) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE RENEWABLE ENERGY (GUERNSEY) LAW, 2010  
(COMMENCEMENT) ORDINANCE, 2012**

The States are asked to decide:-

X.- Whether they are of the opinion to approve the draft Ordinance entitled “The Renewable Energy (Guernsey) Law, 2010 (Commencement) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**LADIES’ COLLEGE BOARD OF GOVERNORS**

NEW MEMBERS

The States are asked:-

XI.- To elect

1. as a member of the Ladies’ College Board of Governors with effect from 1st June, 2012, Mr J M Marren who has been nominated in that behalf by the Education Department for election by the States.
2. as a member of that Board of Governors with effect from 1st June, 2012, Mrs S A Nickolls who has been nominated in that behalf by the States appointed Governors and the Education Department nominated Governors for election by the States.

**(NB The Education Department has provided the following profiles of Mr Marren and Mrs Nickolls**

***Mr John M Marren***

Mr John M Marren is a Director of Northern Trust International Fund Administration Services (Guernsey) Limited with responsibility for client servicing. He is a non-executive director of a number of fund management companies and a variety of listed and unlisted investment funds. John is a Fellow of the Institute of Chartered Accountants in Ireland, a Member of the Institute of Bankers in Ireland and has a Bachelor of Commerce Degree from University College Galway, Ireland. He is a past executive committee member of Guernsey Investment Fund Association, Guernsey Society for Chartered and Certified Accountants and has been an Adviser to the Young Enterprise programme in Guernsey. He has lived in Guernsey since 1989, is married to Fiona and has a daughter, Isabella, who attends Melrose at The Ladies’ College.

***Mrs Stephanie A Nickolls***

Mrs Stephanie A Nickolls was born in Guernsey and educated at Castel Primary School, Melrose and The Ladies' College, leaving in 1961. Following appointments at the Pharmacy Department of The Princess Elizabeth Hospital and as a secretary/receptionist at Tektronix she successfully undertook General Nurses Training in London 1964 to 1967 and moved back to Guernsey to marry Mr. Richard Nickolls in 1968. She was then employed for 12 years as a Nurse/Receptionist/Dispenser for Drs. Cambridge, Kellett Smith and Razzak leaving to assist her husband in their own successful retail business, Design Ltd, that they have run for 32 years. In 1991 she qualified as a Reflexologist and had her own practice for 14 years. During the years that their daughter attended Melrose and The Ladies' College Stephanie Nickolls was Chairman of the Melrose Parent Teachers Association and followed on as chairman of The Ladies' College Parents Association. She has been a Governor of The Ladies' College since June 2000.)

**HOME DEPARTMENT**

**PAROLE REVIEW COMMITTEE – CHAIRMAN**

The Chief Minister  
Policy Council  
Sir Charles Frossard House  
La Charroterie  
St Peter Port

13<sup>th</sup> February 2012

Dear Sir

**Executive Summary**

The purpose of this report is to propose the renewal of Mrs Judith Haslam's term of office as the Chairman of the Parole Review Committee.

**Report**

The Parole Review Committee (Guernsey) Law, 1989 came into force on 1 December 1989. The constitution of the Parole Review Committee is determined by States' resolution. On 14 December, 1989, the States resolved that the chairman of the Parole Review Committee shall be appointed by the States and should be an independent person, i.e. not a sitting member of the States nor a person holding judicial office, chosen because of their experience and standing in the community. The ordinary members of the Committee are appointed by the Royal Court and are also independent persons.

Mrs Judith Haslam was first appointed Chairman of the Parole Review Committee on 1 March 2006 after having served as an ordinary member since June 2003. Her present term of office expired on 29 February 2012 and was not reviewed prior to this date due to an administrative oversight. Mrs Haslam's curriculum vitae is appended.

**Recommendation**

In the circumstances of this report, the Home Department recommends the States:

To approve the appointment of Mrs Judith Haslam as Chairman of the Parole Review Committee for three years, retrospectively with effect from 1 March 2012.



Yours faithfully

G H Mahy  
Minister

F Quin – Deputy Minister  
J Tasker  
M Laine  
B Kelly

A Ozanne

**CURRICULUM VITAE****JUDITH HELEN HASLAM**

**Name:** Judith Helen Haslam

**Qualifications:** First part of M. A. Psychology with Open University (2004)

B.A. (Hons) Psychology (2001) Open University

F.I.A. Fellow of the Institute of Actuaries (1982)

B.Sc. (Hons) Mathematics (1974) London University

**Voluntary work:**

**Jan 1996 to date:** **Samaritan Volunteer** in Kingston Branch  
transferring to Guernsey in 1997, committing an  
average 20 hours of telephone listening per month.

I am also currently responsible for Initial training in  
the Guernsey Branch and I am involved with the  
Friends of Samaritans fund raising.

**Aug. 2000 to Aug 2003:** **Director of Guernsey Samaritans.**  
This is a voluntary part-time position and involves  
management of the local Branch and attendance at  
Regional and National meetings in the U.K.

**Jan 2005 to date:** **Chairman of Guernsey Samaritans.**  
Involves chairing the Branch Committee which is  
responsible for the finances, premises and day to day  
maintenance of the Branch.

**Nov 2004 to date:** **Samaritans Branch Visitor.**  
This involves visiting Samaritans Branches  
throughout the UK and Ireland to check on the  
consistency of service being given to callers and to  
ensure that all policies and procedures are followed.

**Employment:**

**Nov. 1994 to 1999:**                      **Avington Ltd and Avington (Guernsey) Ltd.**

Position:                                      **Director and Manager**

Avington was an independent consultancy providing advice on actuarial and other insurance activities to corporate clients.

**Nov. 1987 to 1994**                      **Consolidated Insurance Group Ltd**

Position:                                      **Director and Managing Actuary**

Responsibilities:

- ❑ Corporate actuarial activities for the three insurance companies in the Group.
- ❑ Product development.
- ❑ Sales and marketing of life assurance products.
- ❑ Non life insurance reserving.
- ❑ Investment management.
- ❑ Administration of specialist life products.
- ❑ Financial Services Act compliance.
- ❑ Development of overseas branches.

Involving:

- ❑ Management of a separate profit centre
- ❑ Supervision of 12 staff, including recruitment, training and motivation
- ❑ Preparation of budgets and business plans

**Previous employment and training:**

My actuarial training was undertaken firstly at the Prudential Corporation and then at Equity & Law Life Assurance Society. On qualification as an actuary I joined Consolidated Insurance Group in Richmond, Surrey where I was a Director and Actuary until 1994.

**(NB As there are no resource implications identified in the report, the Treasury and Resources Department has no comments to make.)**

**(NB The Policy Council has no comment on the proposals.)**

The States are asked to decide:-

XII.- Whether, after consideration of the Report dated 13<sup>th</sup> February, 2012, of the Home Department, they are of the opinion:-

To approve the appointment of Mrs Judith Haslam as Chairman of the Parole Review Committee for three years, retrospectively with effect from 1 March 2012.

**TREASURY AND RESOURCES DEPARTMENT****PROPOSED REVISIONS TO INCOME TAX LEGISLATION**

The Chief Minister  
Policy Council  
Sir Charles Frossard House  
La Charroterie  
St Peter Port

24<sup>th</sup> November 2011

Dear Sir

**1. Executive Summary**

This Report contains proposals for:

- 1.1 the amendment of the Income Tax (Guernsey) Law, 1975, as amended (“the Income Tax Law”) to enable online filing and electronic communication for personal income tax returns to be the default option, notwithstanding that paper returns will still be accepted by the Director of Income Tax;
- 1.2 the amendment of the Income Tax Law to provide for compulsory online filing of returns by, and transmission of electronic assessments to, companies;
- 1.3 the amendment of the Income Tax Law to clarify the level of penalties for failure to submit income tax returns applicable to companies taxable at the standard rate of 0%;
- 1.4 the clarification of the part of the Income Tax Law which enables the Director to obtain information from third parties, in order to make it clear that where, before a formal notice is issued, the third party is given a reasonable opportunity to furnish the documents voluntarily, the Director may require them not to inform the taxpayer that the documents have been requested;
- 1.5 the amendment of the part of the Income Tax law referred to in 1.4 above, to remove the requirement that a reasonable opportunity to furnish documents or information voluntarily be given, where the person from whom the documents or information is requested is an entity subject to regulation by the Guernsey Financial Services Commission (GFSC);

- 1.6 the amendment of the Income Tax Law to update a cross-reference to companies legislation.

## 2. **Default option online filing for personal income tax returns**

- 2.1 Part VI of the Income Tax Law requires every person to whom a notice has been given, to deliver a return of their income (although any person chargeable with tax, that has not received a notice, also has a duty to inform the Director of Income Tax (“the Director”) that they are chargeable to tax and make a return of that income).
- 2.2 At present, the Director serves most individual taxpayers with a paper tax return as their notice to file a return. This costs approximately £23,000 per annum in postage and printing (plus additional costs of scanning the returns when they are received by the Tax Office and postage costs associated with issuing notices of assessment).
- 2.3 Whilst the Income Tax Law requires the Director to give “notice” that a return is required, it does not specify that he must issue paper forms. Therefore, in order to encourage online filing which will enable economies (as some returns will be automatically assessed), be environmentally friendly and provide a more efficient service, it is proposed that the Director will no longer, as a matter of course, issue paper returns to every taxpayer, although paper returns will be made available at various collection points, such as the post office, library and douzaine rooms, and will be available to download and print via the Income Tax website.
- 2.4 The Department therefore proposes that the legislation is amended to make online filing and electronic communication the default option for personal income tax returns. An individual taxpayer will still be able to file a paper return (and receive notices of assessment by post); however they will have to physically obtain or download one themselves.

## 3. **Compulsory online filing for companies**

- 3.1 As noted in Section 2.1 of this Report, Part VI of the Income Tax Law requires every person to whom a notice has been given, to deliver a return of their income. Again, at present, the Director issues a paper return to most companies as their notice to file a return. This costs approximately £6,000 per annum in postage and printing. There are also additional postage costs incurred from issuing assessments to companies.
- 3.2 Companies are already required to complete distribution returns online. Employers are also required to file E.T.I. returns electronically.
- 3.3 The Department therefore proposes that the Income Tax Law is amended to provide for compulsory online filing of returns by, and electronic

transmission of assessments to, companies albeit, similar to the E.T.I. Regulations, paper returns will be permitted in certain limited circumstances at the Director's discretion.

#### **4. Penalties (for 0% companies)**

- 4.1 At their meeting on 29 September 2011, the States resolved to amend the Income Tax Law in order to provide for the automatic imposition of a penalty, in the circumstances as described in Billet D'Etat XV of 2011, to enable the Director to enforce delivery of tax returns.
- 4.2 Subsequent to that, a question has arisen as to the level of penalty that can be imposed on a company subject to tax at 0%.
- 4.3 At present, the level of the penalty that the Director can impose is restricted to £50 by section 190(ii) of the Income Tax Law, where the taxpayer can prove that if it had made a return, it would not have been liable to pay any tax.
- 4.4 As previously indicated in Billet D'Etat XV of 2011 (para 5.3(e) on p1318), the Director wishes to retain this relief for taxpayers not liable to tax. This relief is clearly aimed at persons whose income was insufficient to create a liability, but there are concerns that some might contend that this might also apply to local trading companies which have income taxed at 0%. This was clearly not the States intention, as outlined in para 5.2 on p1317 of the Billet.
- 4.5 In order to put this matter beyond doubt, the Department proposes that the Income Tax Law is amended to make it clear that companies required to complete Certificate 1 on a tax return (Certificate 1 is generally completed by local trading companies with employees) are not able to take advantage of this provision simply by virtue of their profits being subject to tax at 0%.

#### **5. Clarification of Information powers under section 75B**

- 5.1 Part VIA of the Income Tax Law was introduced in 2005 in order to enable the Director to obtain information from both taxpayers themselves and from third parties in respect of that taxpayer, in order to assist the Director in establishing a taxpayer's liability, and to comply with obligations under international agreements (such as Tax Information Exchange Agreements ("TIEAs")).
- 5.2 Section 75B of the Income Tax Law enables the Director to issue a third party with a notice requiring certain documents to be made available, or information to be provided, in relation to a taxpayer, without them informing, or permitting to be informed, the taxpayer that the notice has been given.

- 5.3 Subsection (3) requires the Director, before a notice is given, to give that person reasonable opportunity to deliver or make available the documents in question or to furnish the information in question voluntarily. However, this subsection places no requirement on the third party not to inform the taxpayer that this information has been requested.
- 5.4 The Department therefore proposes that the Income Tax Law be clarified in order to put it beyond doubt that under section 75B(3), the third party may not (if required by the Director), when given a reasonable opportunity to deliver the information requested prior to a formal notice being issued, inform the taxpayer that this information has been required.

## **6. Notices to regulated entities under section 75B**

- 6.1 As described in 5 above, the Director must give a person reasonable opportunity to provide documents or information voluntarily before he requires them to do so under section 75B.
- 6.2 The Director's experience of administering these powers since their introduction in 2006 is that, almost without exception, financial institutions which have been the subject of such a request have required the protection of complying under a formal notice. This is understandable given a financial institution's fiduciary duty to its clients and the consequent need to obtain the protection for the institution and its employees from action arising from breach of client confidentiality. This protection is afforded by section 75M of the Income Tax Law.
- 6.3 The offer to the financial institution of a reasonable opportunity to provide documents or information voluntarily can lead to additional work for both the institution and the Director and could delay timely access to the documents or information.
- 6.4 The Department therefore proposes that the reasonable opportunity described above should not be required to be given where the recipient of the notice is an entity regulated by the GFSC (although the Director would not be prevented from offering this facility in any particular case, if he considers it expedient to do so).

## **7. Amendment to section 68**

- 7.1 Section 68 of the Income Tax Law gives the Director powers to require a company to deliver to him with their tax return any "accounting records required to be kept by a company under section 59 of the Companies (Guernsey) Law, 1994".
- 7.2 As the Companies (Guernsey) Law, 1994 has been repealed by Order in Council No. VIII of 2008, the Department proposes that the reference at



section 68 to the Income Tax Law be amended to refer to section 238 of the Companies (Guernsey) Law, 2008.

## 8. **Principles of Good Governance**

In preparing this Report, the Department has been mindful of the States Resolution to adopt the six core principles of good governance defined by the UK Independent Commission on Good Governance in Public Services (Billet IV of 2011). The Department believes that all of the proposals in this Report comply with those principles.

## 9. **Legislation**

9.1 Following Royal Assent to the Income Tax (Zero 10) (Guernsey) Law 2007, the Income Tax Law was amended to introduce section 208C, which permits the States to amend the Income Tax Law by Ordinance. This is the process which will be used to effect the amendments proposed in this Report.

9.2 The Law Officers have been consulted about these proposals.

## 10. **Recommendations**

The Department recommends the States to agree that:

1. The Income Tax Law is revised to enable online filing and electronic communication for personal income tax returns to be the default option, notwithstanding that paper returns will still be accepted by the Director of Income Tax;
2. The Income Tax Law is amended to provide for compulsory online filing of returns by, and electronic transmission of assessments to, companies albeit, similar to the E.T.I. Regulations, paper returns will be permitted for certain limited circumstances at the Director's discretion;
3. The Income Tax Law is amended to make it clear that the relief given by section 190(ii) will not apply to companies completing Certificate 1 on a tax return, simply by virtue of their profits being subject to tax at 0%;
4. Section 75B of the Income Tax Law be amended to make it clear that when under subsection (3) the Director gives the third party a reasonable opportunity to furnish the documents required voluntarily, before a formal notice is issued, that subsection (4) applies, so that the third party may be required not to disclose to the taxpayer that the documents have been requested;

5. Section 75B of the Income Tax Law be amended to provide that a reasonable opportunity to provide documents or information need not be available to an entity which is regulated by the GFSC.
6. Section 68 of the Income Tax Law be updated to refer to the Companies (Guernsey) Law, 2008 rather than the repealed Companies (Guernsey) Law, 2004.

Yours faithfully

C N K Parkinson  
Minister

Deputy J Honeybill (Deputy Minister)  
Deputy R Domaille  
Deputy A Langlois  
Deputy S Langlois

## ANNEX

### **Proposed revisions to income tax legislation**

This Annex sets out information which:

1. contains information justifying the need for legislation;
2. confirms how funding will be provided to carry out functions required by the new legislation;
3. explains the risks and benefits associated with enacting/not enacting the legislation;
4. provides an estimated drafting time required to draw up the legislation.

#### **1. The need for legislation**

Each of the proposals contained in the Report will either result in additional tax revenues (sections B and E), facilitate or enhance the administration of the income tax system (sections C, E, F and G), or provide support to Guernsey's financial services sector (section D).

#### **2. Funding**

Only sections C and E will require additional funding. In both cases, any additional salary or computer program costs will be accommodated within normal departmental budgetary allocations, as appropriate.

#### **3. Risk and benefits**

If the legislation to implement the proposals is not enacted, it is likely that tax revenues will not increase (sections B and E), the administration of income tax could be less efficient than might otherwise be the case (sections C, E, F and G), or the ability of Guernsey's financial services sector to expand might be inhibited (section D).

#### **4. Drafting time**

Required drafting time for legislation is estimated to be one week.

**(NB The Policy Council has no comment on the proposals.)**

The States are asked to decide:-

XIII.- Whether, after consideration of the Report dated 24<sup>th</sup> November, 2011, of the Treasury and Resources Department, they are of the opinion:-

1. That the Income Tax (Guernsey) Law, 1975, as amended, be revised to enable online filing and electronic communication for personal income tax returns to be the default option, notwithstanding that paper returns will still be accepted by the Director of Income Tax.
2. That the Income Tax (Guernsey) Law, 1975, as amended, be amended to provide for compulsory online filing of returns by, and electronic transmission of assessments to, companies albeit, similar to the E.T.I. Regulations, paper returns will be permitted for certain limited circumstances at the Director's discretion.
3. That the Income Tax (Guernsey) Law, 1975, as amended, be amended to make it clear that the relief given by section 190(ii) will not apply to companies completing Certificate 1 on a tax return, simply by virtue of their profits being subject to tax at 0%.
4. That Section 75B of the Income Tax (Guernsey) Law, 1975, as amended, be amended to make it clear that when under subsection (3) the Director gives the third party a reasonable opportunity to furnish the documents required voluntarily, before a formal notice is issued, that subsection (4) applies, so that the third party may be required not to disclose to the taxpayer that the documents have been requested.
5. That Section 75B of the Income Tax (Guernsey) Law, 1975, as amended, be amended to provide that a reasonable opportunity to provide documents or information need not be available to an entity which is regulated by the GFSC.
6. That Section 68 of the Income Tax (Guernsey) Law, 1975, as amended, be updated to refer to the Companies (Guernsey) Law, 2008 rather than the repealed Companies (Guernsey) Law, 2004.
7. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

**COMMERCE AND EMPLOYMENT DEPARTMENT****COMPETITION LAW – FINAL IMPLEMENTATION**

The Chief Minister  
Policy Council  
Sir Charles Frossard House  
La Charroterie  
St Peter Port

13<sup>th</sup> March 2012

Dear Sir

**1. Executive Summary**

- 1.1 The States have considered a number of Reports on the implementation of competition law in Guernsey since the issue first came to the fore in 2005/2006, and significant progress has been made in drafting and enacting the necessary legislation. In particular, the primary legislation, “The Competition (Enabling Provisions) (Guernsey) Law 2009” has been registered and through the New Service Development Bid process the funds necessary for the administration of the legislation have now been made available. Significant progress has been made in the drafting of the secondary legislation, a proportion of which is being laid before the States for approval. A small number of matters need however to be resolved prior to the final drafting of the remaining legislation, but subject to the approval by the States it is now expected that full implementation of the law will be achieved during the summer or early autumn of 2012.
- 1.2 In particular, since the principle of the legislation was approved by the States, there have been developments in the following two areas which result in the need for this further Report to the States prior to the final implementation of the law and the establishment of the associated administrative procedures:
  - i. An agreement between the Jersey and Guernsey authorities that the Island’s two Competition and Regulatory Authorities should work more closely, culminating in the States’ decision in September 2010 that Guernsey’s Office of Utility Regulation (OUR) should in future be restructured by establishing a Board to operate along similar lines to the Jersey Competition and Regulatory Authority. In addition, the same Board should oversee both authorities, effectively forming a pan-Channel Island body.

**One of the objectives of this Report is to appoint Mr Mark Boleat as the Chairman of the Guernsey Competition and Regulatory Body. It is also recommended that the name of the new body should be changed from “The Guernsey Competition and Consumer Authority” to “The Guernsey Competition and Regulatory Authority” which is felt to be a more accurate description of the responsibilities of the Authority, and to avoid potential confusion in that it mirrors the name used for the corresponding body in Jersey.**

- ii. Secondly, and partly through the closer working relationship with Jersey an opportunity to revisit the thresholds for the notification of proposed mergers and acquisitions to the Guernsey competition authority that were approved by the States in 2009. Based on further research and the information and experience that are now available, it is considered that the earlier approved thresholds are unnecessarily complex and simpler thresholds based solely on turnover would be more appropriate for a small island market economy such as Guernsey. Under the revised proposal, there would be a legal obligation to notify the merger and/or acquisition where:

- a) The combined aggregated turnover in Jersey and Guernsey of all undertakings concerned exceeds £5m; and
- b) The turnover in Guernsey of each of at least 2 undertakings concerned exceeds £2 million.

**1.3 It is recommended that these thresholds should apply to Mergers and Acquisitions legislation in Guernsey and be incorporated in the legislation currently being drafted to fully implement competition law in the Island.**

## **2. Introduction**

2.1 In 2006, the States approved the principle of Competition Law for Guernsey, including by way of amendment legislation to control, subject to the appropriate legal provisions, mergers and acquisitions<sup>1</sup>.

2.2 Competition Law has a number of functions: behavioural in the prohibition of price-fixing and cartels and of market abuse by a company that is in a dominant position; and structural, for example through Mergers and Acquisitions regulation, which attempts to ensure that there are sufficient players in the market to enable competition to succeed. Criteria related to Mergers and Acquisitions, as well as detailed arrangements for the administration of the legislation were approved by the States in 2009<sup>2</sup>.

<sup>1</sup> Billet d’Etat XIII, 2006, page 1354: <http://www.gov.gg/article/5515/2006-July-26th-Billet-XIII>

<sup>2</sup> Billet d’Etat XXI, 2009, page 1536: <http://www.gov.gg/article/5593/2009-July-29th-Billet-XXI>

- 2.3 In addition, the Review of Utility Regulation in Guernsey Report that was considered in September 2011<sup>3</sup> included consideration of issues that are also relevant to the implementation of Competition Law in Guernsey, in particular with regard to co-operation with Jersey. In particular, and taking into account the increasing co-operation in Regulation matters, following consideration of that Report the States approved the creation of a joint Board to assume responsibility for the competition and regulatory authorities in both Islands.
- 2.4 In terms of legislation, the Competition (Enabling Provisions) (Guernsey) Law, 2009 is now in place and work has continued in drafting the Ordinances that are necessary for the full complement of legislation to be put into place. In addition, in 2011 the Department put forward a detailed business case in order to obtain through the New Service Development Bid process the financial allocation that will be essential for the administration of competition legislation. The bid for funds was approved by the States in October 2011 as part of the States Strategic Plan<sup>4</sup> and a sum has subsequently been included in the Commerce and Employment Department's budget for 2012<sup>5</sup>. This sum will be supplemented by the receipt of fees for Mergers and Acquisitions applications, as resolved by the States following consideration of the 2009 Report, but it is not expected that overall annual costs will exceed £200,000.
- 2.5 The Commerce and Employment Department is pleased to report that significant progress has been achieved in drafting the Ordinances, and in particular the Guernsey Competition and Regulatory Authority Ordinance will set up the new competition and regulatory authority through a restructuring of the current Office of Utility Regulation.
- 2.6 Work is now continuing on finalising the Competition Ordinance which will define the details of how the full legislation will be administered, as well as the related Regulations to deal with specific issues such as exemptions and the criteria for Mergers and Acquisitions control. It is expected that these will be laid before the States in the very near future.
- 2.7 The purpose of this Report is therefore:
- i. In view of recent developments, in particular in the operation of Mergers and Acquisitions legislation in Jersey, to use the opportunity to give further consideration to the appropriateness of the Mergers and Acquisitions notification thresholds that were agreed by the

<sup>3</sup> Billet d'Etat XV, 2011, page 1373: <http://www.gov.gg/article/5648/2011-September-28th-Billet-XV>

<sup>4</sup> Billet d'Etat XVI, 2011, page 1986: <http://www.gov.gg/article/5649/2011-October-11th-Billet-XVI>

<sup>5</sup> Billet d'Etat XXII, 2012, page 20: <http://www.gov.gg/article/5656/2011-December-14th-Billet-XXI--XXII-Budget>

States in 2009. The recommendation is that the agreed thresholds should be amended to be based solely on the turnover of the companies concerned, and not on both turnover and market share or share of supply as was agreed in 2009. If agreed, provision for these thresholds will be incorporated in the legislation to be laid before the States in the near future.

- ii. To amend the name that was agreed in 2009 for the new authority from “The Guernsey Competition and Consumer Authority” to “The Guernsey Competition and Regulatory Authority”, a name which will represent more accurately the exact responsibilities of the new authority.
- iii. To appoint the Chairman of the Board of Guernsey’s new Competition and Regulatory Authority, as provided for in the Guernsey Competition and Regulatory Ordinance. The Board will also be responsible for Jersey’s competition and regulatory authority, the JCRA.

2.8 The result of this process will be the enactment of full competition legislation in Guernsey in the very near future, with the new competition and regulatory authority being in a position to put in place a detailed implementation programme. In this regard the Department understands from the OUR that during the introductory period the new competition authority will be undertaking a full education process to ensure that businesses are fully aware of their position under competition law. It also understands that a number of guidance notes will be issued detailing criteria and procedures on specific competition issues.

### **3. Notification Thresholds for Mergers and Acquisitions Applications**

3.1 A requirement to obtain the authorisation of the relevant competition and regulatory authority before putting in place a merger or acquisition between two companies is a key strand of all competition law. The purpose of such a requirement is to prevent the creation of companies that are unjustifiably dominant in the market place. This represents a form of “market failure” whereby the normal operation of the market is prevented to the potential detriment of the consumer and the competitiveness of the broader economy. In this regard, the States have agreed that market and economic efficiency should be a principal objective of the operation of competition law in the Island.

3.2 Of course all mergers and acquisitions cannot be considered to be detrimental to an economy, and particularly in a small market economy such as Guernsey some mergers may even be advantageous by achieving efficiencies through economies of scale. Notification thresholds are a method of excluding from further consideration those proposed mergers and



acquisitions that if they went ahead could not be considered to be detrimental to the consumer or the wider economy.

- 3.3      Setting the appropriate thresholds is particularly important in that:
  - i.      If they are set too low, then the competition authority can waste resources investigating and assessing proposed mergers that clearly have no detrimental consequences.
  - ii.     On the other hand, if they are set too high, then some mergers or acquisitions that are detrimental could slip through the net.
  
- 3.4      In initially defining the thresholds that it considered would be appropriate for Guernsey, the Commerce and Employment Department naturally took into account the thresholds that were then in place for considering mergers and acquisitions in Jersey, but was of the view that given the size of Guernsey's economy these thresholds were unnecessarily intrusive and could even be damaging to the Island's economy in that they would discourage mergers that may be beneficial in terms of economies of scale. In addition, the small size of many businesses in the Island meant that many mergers and acquisitions could not be considered to be of sufficient economic importance to warrant consideration.
  
- 3.5      One of the Commerce and Employment Department's objectives in the introduction of competition legislation was to ensure that any system put in place should meet as closely as possible the Island's needs as a small market economy and in order to decide on the recommendations, including the thresholds for the notification of mergers and acquisitions, that it wished to lay before the States it enlisted the assistance of Dr Michal Gal, a recognised authority on competition policy in small market economies, to produce a report and make recommendations as to the appropriate thresholds for Guernsey. Her advice was influential in the drafting of the Recommendations in the States' Report on Mergers and Acquisitions that was considered by the States in 2009, and indeed her own report was appended to the States' Report.
  
- 3.6      Since that time, however, Jersey has been reconsidering its own thresholds based on the concerns expressed by Jersey industry and on its own experience of applying the thresholds that had been put in place. This provides an opportunity for further consideration to be given to the thresholds that were recommended by Dr Gal, and if appropriate to put in place alternative, and if possible simpler thresholds that would still be capable of meeting Guernsey's needs, and indeed the needs of both islands. Simpler thresholds could have the following advantages for the application of competition legislation in both islands, in that:

- i. They should reduce the number of proposed mergers and acquisitions that will require consideration in both islands, thereby reducing the relevant administration costs.
- ii. They should also reduce the costs and inconvenience to local businesses.
- iii. Common thresholds will be of particular advantage to those businesses that have a presence in both islands.
- iv. Simpler thresholds will make it much easier for businesses to understand whether or not they are required to notify the competition authority of a proposed merger or acquisition.

#### **4. Merger and Acquisition Thresholds – the proposed amendments**

- 4.1 The Report that was considered by the States at its September 2009 meeting recommended notification thresholds that consist of dual criteria using turnover as well as market share.
- 4.2 While the turnover threshold was put forward as the primary criterion for notifying proposed mergers and acquisitions, it was felt that market share/share of supply criteria may be useful in some, albeit limited, circumstances where a small company has a large share of a particular market, even though that market may not be of significant strategic or economic importance to the Island.
- 4.3 However, the use of a market share or share of supply threshold causes difficulties, especially in a small market economy in that it is not easy for a business to define accurately its market share or share of supply and indeed its share of the market can vary significantly over a comparatively short period. In addition, almost by definition small companies operate in markets where there are few barriers to new companies being formed, and that potential competition provides in itself an effective restraint on unjustified price increases.
- 4.4 In the light of concerns from Jersey industry and the experience of the JCRA in applying a mandatory merger notification regime using a share of supply threshold, a consultation was carried out in Jersey over 2011 with a view to assessing whether the share of supply approach remained appropriate.
- 4.5 **The consultation concluded that the existing merger notification thresholds should be amended to a turnover threshold only.**

### **The Thresholds approved in 2009**

- 4.6 Mergers and Acquisitions legislation deals directly with structure rather than specific types of behaviour and therefore a degree of variation is possible in the conditions and criteria specified in the legislation. Achieving the appropriate trade-off between the objective of encouraging businesses to operate at an efficient size and encouraging competition within the economy, which is essential if market efficiency is to be optimised, is particularly important in a small market economy and will have particular implications in terms of mergers and acquisitions policy.
- 4.7 The proposals as put forward in the 2009 States' Report took account of the above as well as two fundamental principles:
- i. that they should meet the special needs of Guernsey as a small market economy, and
  - ii. that they should be administered in as cost effective a manner as possible.
- 4.8 The recommended thresholds were:
- that any merger and acquisition that results in the combined entity having a turnover of less than £4m per annum should be exempted from the legislation.
- 4.9 In addition market share thresholds were recommended, and
- For “horizontal” mergers: (i.e. between competitors within the same market), it was recommended that the merger should be exempted in circumstances where the merged entity's market share is below 40%, and there exist at least two other competitors in the market with a market share of at least 20%.
  - For “vertical” mergers (i.e. between businesses which have a “vertical” relationship, for example in that one firm supplies the other), it was also recommended that the merger should be exempted in circumstances where the merged entity's market share is below 40%, and there exist at least two other competitors in the market with a market share of at least 20%.
  - For “conglomerate” mergers (i.e. large businesses that do not necessarily operate generally within the same markets), it was recommended that the merger should be subject to the legislation only in circumstances where the merged entity's market share is above 60% in more than five markets. Such mergers are likely to be rare in local circumstances.

- 4.10 The Report also highlighted the fact that developments in competition law and practice were likely to lead to the need to amend these thresholds in light of experience gained in administering the competition law.
- 4.11 It must be said that the above thresholds are of significant complexity, particularly in respect of the definition of both the market and market share/share of supply, and since their approval by the States in 2009 research has continued into the appropriate thresholds, particularly for small market economies, both internationally and as referred to above in Jersey. The results of such research indicate that thresholds based solely on turnover are more appropriate and effective in the administration of the legislation, particularly for a small market economy such as Guernsey.

### **Proposed Amended Thresholds**

- 4.12 In Jersey, since 2005, the JCRA has experience of administering its mergers and acquisitions regime using share of supply thresholds. However, this use of share of supply thresholds has not been without difficulties and one of the difficulties faced is that the level of business information in small economies is generally lower than larger economies. This considerably weakens the ability of businesses to reasonably estimate subjective measures such as share of supply and the same is true of market share measures. Given this, the JCRA's consultation concluded that neither a share of supply nor a market share test were appropriate and it has instead opted for a turnover threshold approach only. The ability of businesses to assess whether their transaction meets such a criterion was seen to improve considerably under such an approach, given the objective and transparent nature of such a criterion. Thereby the burden on business is reduced.
- 4.13 This view was also informed by a review carried out by the International Competition Network (ICN) which has published best practice guidelines<sup>6</sup> for merger notification thresholds. These state that merger notification thresholds should be based on objectively quantifiable criteria, such as assets or turnover that reflect domestic activity. The ICN regards market share based tests (including share of supply) as not objectively quantifiable or appropriate in making the initial determination as to whether a transaction should be notified. They cannot therefore be relied on to give an accurate picture.
- 4.14 A similar conclusion was reached in 2011 by the UK Department for Business, Innovation and Skills which issued a consultation<sup>7</sup> that included an assessment of merger notification thresholds. This stated:

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<sup>6</sup> ICN Recommended Practice for Merger Notification and Review Procedures

<sup>7</sup> Department for Business Innovation & Skills (March 2011) A Competition Regime for Growth: A Consultation on Options for Reform

‘A test based on turnover is commonly used worldwide and is considered to be objective and appropriate to a mandatory notification regime. In contrast, a share of supply test is viewed as less appropriate as it is more subjective.’

- 4.15 The case for moving to a turnover only merger and acquisition threshold is therefore compelling in the light of experience in Jersey and international recommended practice. Such a system is far simpler than that approved in 2009, and is particularly appropriate for Guernsey, being easier for relatively small businesses to understand and generally avoiding the need for professional advice. The sole application of turnover thresholds should achieve overall the same result at a significantly reduced cost and inconvenience.
- 4.16 A less onerous notification regime is also important given that businesses in Guernsey are on average smaller than in larger economies and cannot benefit from the same economies of scale, although in reality of course only a very small number of businesses will be directly affected by the legislation.
- 4.17 **Adoption of a turnover threshold only is therefore recommended for the Guernsey merger notification regime based on the above considerations.**

#### **The appropriate threshold levels**

- 4.18 A concern in drafting the 2009 States’ Report was how the appropriate turnover level for Guernsey should be defined, given the lack of experience of the issue in the Island. With greater co-operation between the OUR and JCRA further detail has now been made available that better informs the appropriate level and nature of a turnover threshold for the Island. In reviewing its own case history the JCRA examined the turnover from those mergers and acquisitions it has dealt with between January 2009 and January 2011 and turnover figures in other jurisdictions that have mandatory notification regimes. Given the similarity of both Islands’ economies this information is also relevant for Guernsey.
- 4.19 This review concluded that since a turnover threshold offers to some extent a proxy for the significance of a merger or acquisition to the economy, there is an argument that the total local turnover of all the parties involved in a merger or acquisition is the appropriate approach for an island economy and a local turnover threshold should therefore take account of this. The JCRA’s own database of confidential information provides the best available indicator as to the appropriate turnover threshold in a small island economy, which concluded that a merger or acquisition that met the following thresholds should be notified, if:

- a) The combined aggregated turnover in Jersey and Guernsey of all undertakings concerned exceeds £5m; and
- b) The turnover in Jersey of each of at least 2 undertakings concerned exceeds £2 million.

4.20 Given comparable issues with data availability and the limited ability of many businesses to assess their share of supply, the experience of Jersey of administering the merger regime in a comparable small island economy, and in order to achieve the benefits of a single pan-channel island approach to notification thresholds, it is recommended that the equivalent thresholds for mergers and acquisitions legislation in Guernsey should be as follows:

- a) The combined aggregated turnover in Jersey and Guernsey of all undertakings concerned exceeds £5m; and**
- b) The turnover in Guernsey of each of at least 2 undertakings concerned exceeds £2 million.**

4.21 Examples illustrating how these thresholds will apply to businesses in different circumstances are detailed in Appendix 1. The definition of turnover in the legislation will be based on accepted definitions in the European Commission Merger Regulation and the Schedule to the UK Enterprise Act 2002, but adapted to meet the specific needs of the Island by focussing solely on transactions that affect Guernsey consumers.

4.22 It should be noted that the specific reference to the Islands in these thresholds makes redundant any requirement also to introduce any form of “upper threshold” as envisaged in Section 6.3 of the 2009 States’ Report.

## **5. The name of the new Guernsey Competition Authority**

5.1 In 2009, the States of Guernsey resolved that competition legislation should be administered by a “Guernsey Competition and Consumer Authority”, to be based on a restructuring of the current Office of Utility Regulation. However, the name “Guernsey Competition and Consumer Authority” is not in line with international practice and as it does not mention Regulation is not an accurate description of the work of the new Authority. In particular, the name implies that the new authority will also be dealing with ongoing consumer issues, such as Trading Standards, Trades Descriptions, and Sunday Trading, which is not the case.

5.2 **The Commerce and Employment Department is recommending therefore that that part of the Resolution is rescinded and that the name of the new Authority should be the “Guernsey Competition and Regulatory Authority”.** This name will echo the title of the equivalent

Authority in Jersey and in practice the work of both authorities will take place under the “umbrella” title of the Channel Islands Competition and Regulatory Authority (CICRA).

## **6. The appointment of the Chairman of the Guernsey Competition and Regulatory Authority**

6.1 In the autumn of 2009, it was decided by the Guernsey Commerce and Employment Department and the Jersey Economic Development Department that, given the already extensive level of co-operation between the OUR and JCRA in Regulation matters, there would be justification in investigating the potential merits of further developing and enhancing this level of co-operation between the two authorities.

6.2 This process led ultimately, in September 2010, to the appointment of a common Director General/Executive Director across the two organisations. The benefits of the more consistent approach to Regulation now being taken are evident in a number of pan-Channel Island initiatives, which previously were carried out separately across the two Islands.

6.3 At its meeting in September 2011, the States, following consideration of the Review of Regulation Report, made a number of Resolutions, of which the following (Resolution 13, a & b ) are relevant to the Recommendations of this Report:

*a) The Regulation of Utilities legislation be amended to alter the organisational structure of the OUR, thereby replacing the role of the Director General of Utility Regulation with an executive director and independent Board.*

*b) Subject to the agreement of the Jersey Authorities, the Boards of the JCRA and OUR should comprise the same people, who in practice would operate as a single Board, while administering two separate sets of laws.*

6.4 It had already been agreed in the 2009 Report that “competition legislation should be administered by a Guernsey Competition and Consumer Authority, to be based on a restructuring of the current Office of Utility Regulation” and with the introduction of competition law in Guernsey, it is clear that the opportunity now exists to further extend the level of co-operation between the regulatory bodies. In particular, the benefits of common notification procedures and thresholds, and consistent assessment of competition issues generally, will reduce the regulatory costs as well as provide greater certainty for businesses operating across both islands.

6.5 Following the practice that has already been established in Jersey, the Guernsey legislation has been drafted to include the following provisions:

- a) That the States of Guernsey shall appoint the Chairman of the Authority on the recommendation of the Commerce and Employment Department.
- b) The members of the Authority shall be appointed by the Commerce and Employment Department after consultation with the Chairman.

6.6 **The Commerce and Employment Department is recommending that Mr Mark Boleat is appointed as Chairman of the Guernsey Competition and Regulatory Authority.**

6.7 Mr Boleat was appointed Chairman of the Jersey Competition Regulatory Authority with effect from 21 April 2010. He has extensive experience in the regulatory field. He was a member of the Gibraltar Financial Services Commission from 2000 to 2009, he established the regulatory regime for claims management companies under the Compensation Act 2006 and for one year was formally the Claims Management Regulator, and in December 2009 he was appointed a member of the British Government's Regulatory Policy Committee. His book *An Agenda for Better Regulation* was published by the Policy Exchange in January 2010.

6.8 Mark Boleat holds a portfolio of other positions including Deputy Chairman of the Policy & Resources Committee and Chairman of the Markets Committee of the City of London, a Director and Chairman of the Audit Committee of the Travelers Insurance Company and Chairman of the Association of Labour Providers. He has held a number of other positions in the commercial, public and charitable sectors.

## 7. **Consultations**

7.1 The contents of this Report are either in fulfilment of, or consist of minor amendments to, earlier States Reports, all of which were subject to formal and wide consultation procedures. Alderney and Sark have been consulted on all issues related to Utility Regulation, but neither Island will under the current proposals be subject to competition law.

## 8. **Principles of Good Governance**

8.1 In preparing this Report, the Department has been mindful of the States Resolution to adopt the six core principles of good governance defined by the UK Independent Commission on Good Governance in Public Services (Billet IV of 2011). The Department believes that all of the proposals in this Report comply with those principles.

## 9. **Resource Implications**



- 9.1 The Recommendations if approved will not have the effect of increasing States' expenditure beyond what has already been agreed, as the funds for the implementation of competition legislation are being met through a New Service Development Bid that was approved by the States in October 2011.
- 9.2 Neither will the Recommendations require any additional allocation of legal resources which have already been allocated for the purpose of this legislation. Indeed, the Law Officers are currently in the process of drafting the legislation necessary to implement competition legislation in Guernsey. In addition, they will not result in any increase in the Island's energy use.

## **10. States Strategic Plan**

The implementation of competition legislation in Guernsey is in accordance with the States Strategic Plan, and in particular Fiscal and Economic Policy Objective 9 related to well-regulated, competitive domestic markets, and Objective 5 related to stable and low inflation.

## **11. Conclusion**

- 11.1 The recommendations being put forward in this Report represent the final stage in the implementation of competition law in Guernsey and are either in fulfilment of earlier States' Resolutions or consist of minor amendments to those Resolutions. The only issue of any consequence is the proposed amendments to the notification thresholds for mergers and acquisition applications.
- 11.2 The Commerce and Employment Department is of the view that the revised thresholds will prove fully effective in administering the legislation, and are more appropriate to Guernsey's status as a small island market economy. In addition, they will be easier for businesses to apply to their own circumstances and will be less onerous for those few businesses to which the legislation may at some time apply. In effect, companies will only be directly affected by the legislation if they undertake a merger or acquisition and meet the specified thresholds.

## **12. Recommendations**

- 12.1 The Commerce and Employment Department recommends:
1. That the thresholds for the administration of Mergers and Acquisitions legislation in Guernsey should be that a merger or acquisition that met the following thresholds should be notified, and subject to the approval of the Guernsey Competition and Regulatory Authority, if:
    - a) The combined aggregated turnover in Jersey and Guernsey of all undertakings concerned exceeds £5m; and

- b) The turnover in Guernsey of each of at least 2 undertakings concerned exceeds £2 million

and that the part of Resolution 1, Article 9, Billet d'Etat XXI of 2009 related to thresholds shall be rescinded.

2. That the part of Resolution 2, Article 9, Billet d'Etat XXI of 2009 related to the name of the "Guernsey Competition and Consumer Authority" should be rescinded and that the name of the restructured Office of Utility Regulation should be "The Guernsey Competition and Regulatory Authority".
3. That Mr Mark Boleat is appointed Chairman of the Guernsey Competition and Regulatory Authority.
4. To direct the preparation of such legislation as may be necessary to give effect to the foregoing.

Yours faithfully

C S McNulty Bauer  
Minister

M Laine  
Deputy Minister

R Matthews  
M Storey  
A Brouard  
States Members

P Mills  
Non States Member

## Appendix 1

### Examples where the proposed merger or acquisition would be required to be notified and approved by the Competition and Regulation Authority.

#### Example 1

Firm A has £2.5m turnover in Guernsey, no turnover in Jersey, and Firm B has £2m turnover in Guernsey, £1m turnover in Jersey

Aggregate turnover of the Firm post merger would be £5.5m in Guernsey and Jersey together, and each has turnover of more than £2m – **merger notifiable**.

#### Example 2

Firm A has £3m turnover in Guernsey, no turnover in Jersey, and Firm B has £2m turnover in Guernsey, £0.4m in Jersey

Aggregate turnover of Firm post merger would be £5.4m, and each has turnover of more than £2m – **merger notifiable**

#### Example 3

Firm A has £3m turnover in Guernsey, no turnover in Jersey, and Firm B has £2.5m turnover in Guernsey, no turnover in Jersey

Aggregate turnover of Firm post merger would be £5.5m, and each has turnover of more than £2m – **merger notifiable**

### Examples where the proposed merger or acquisition would not be required to be notified and approved by the Competition and Regulation Authority.

#### Example 1

Firm A has £2.5m turnover in Guernsey, no turnover in Jersey, and Firm B has £2m turnover in Guernsey, £0.4 in Jersey

Aggregate turnover of the Firm post merger would be £4.9m, and each has turnover of more than £2m - **merger not notifiable**

**(NB As there are no resource implications identified in the report, the Treasury and Resources Department has no comments to make.)**

**(NB The Policy Council supports the proposals.)**

The States are asked to decide:-

XIV.- Whether, after consideration of the Report dated 13<sup>th</sup> March, 2012, of the Commerce and Employment Department, they are of the opinion:-

1. That the thresholds for the administration of Mergers and Acquisitions legislation in Guernsey should be that a merger or acquisition that met the following thresholds should be notified, and subject to the approval of the Guernsey Competition and Regulatory Authority, if:
  - a) The combined aggregated turnover in Jersey and Guernsey of all undertakings concerned exceeds £5m; and
  - b) The turnover in Guernsey of each of at least 2 undertakings concerned exceeds £2 million

and that the part of Resolution 1, Article 9, Billet d'Etat XXI of 2009 related to thresholds shall be rescinded.
2. That the part of Resolution 2, Article 9, Billet d'Etat XXI of 2009 related to the name of the "Guernsey Competition and Consumer Authority" shall be rescinded and that the name of the restructured Office of Utility Regulation shall be "The Guernsey Competition and Regulatory Authority".
3. That Mr Mark Boleat is appointed Chairman of the Guernsey Competition and Regulatory Authority.
4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## HOME DEPARTMENT

### DEVELOPING A CRIMINAL JUSTICE STRATEGY AND A REPORT FROM THE CRIMINAL JUSTICE WORKING GROUP

The Chief Minister  
Policy Council  
Sir Charles Frossard House  
La Charroterie  
St Peter Port

5<sup>th</sup> March 2012

Dear Sir

#### **1. EXECUTIVE SUMMARY**

- 1.1 The development of a Criminal Justice Strategy is a continuation of the work undertaken by the original Criminal Justice Policy Working Group ('the CJPWG') between 2003 and 2004. Mandated to explore existing and alternative sentencing options in what it termed 'Phase One', this Group outlined its findings – and subsequent recommendations – in a Report that was submitted to the States of Deliberation by the Home Department as an Appendix to Billet D'État XIV 2005, pages 1636-1730. At the time this Group considered that its work "might appropriately lead into a more comprehensive second phase of review, and possibly the formulation of a Criminal Justice Strategy, led jointly by the Home Department and Law Officers"<sup>1</sup>.
- 1.2 The Home Department is of the view that the development of a Criminal Justice Strategy is of significant value to the local community and will greatly enhance delivery of relevant States' objectives as outlined in the States Strategic Plan. The Home Department welcomes any cohesive and coordinated opportunity to review criminal justice initiatives and services and develop a Criminal Justice Strategy that may include consideration of alternative and appropriate approaches to the disposal of offenders.
- 1.3 In summary the Strategy will work to:
  - (a) Locate criminal justice initiatives within a framework that is premised on the protection of the local community and that has been developed to be in alignment with Social Policy, and ultimately States Strategic objectives as set by the States of Deliberation;

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<sup>1</sup> Appendix to Billet D'État XIV 2005, 1649.

- (b) Ensure that these criminal justice initiatives are underpinned by appropriate performance indicators and targets;
- (c) Mitigate against the risk of conflict of interests between criminal justice organisations in terms of goals and objectives and enhance the coordination of services in the delivery of criminal justice initiatives;
- (d) Facilitate a proactive approach to criminal justice and community safety issues at a local level.

This in turn will ensure that future requests for investment in specific initiatives arise from a clear strategic context and are evidence-based.

- 1.4 It is acknowledged that in developing multi-agency delivery plans key strategic links will be established, and existing links enhanced, with all other States of Guernsey departments and corporate strategies such as Health & Social Services' 2020 Vision, and also businesses and third-sector parties where appropriate.
- 1.5 In pursuance, therefore, of its original commitment to “continue to work jointly with the Law Officers of the Crown and other stakeholders” in order to achieve greater coordination of criminal justice services<sup>2</sup> – and also marrying its support of new States strategic-planning processes to its mandated responsibility to advise the States on matters relating to Criminal Justice Policy – the Home Department has worked alongside key professional stakeholders, as represented on the reconstituted Criminal Justice Working Group (‘the CJWG’), to lay the foundations for the Strategy’s development. The Department has also accorded its facilitation of this work-stream the highest priority ranking in its current Business Plan (2011-2013).
- 1.6 The States Assembly has already endorsed the value of this initiative by approving the Home Department’s New Service Development Bid in 2010 to obtain funding for a full-time dedicated coordinator so that a Criminal Justice Strategy may be developed and maintained. Associated funding was also approved to progress the introduction, maintenance and development of a corporate management I.T. tool to support the Strategy’s development and facilitate ongoing measurement of performance against objectives.
- 1.7 The purpose of this Report is to inform the States of Deliberation of progress to date to:
  - (a) Set out the full background to the initiative (Section 2);

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<sup>2</sup> Appendix to Billet D’État XIV 2005, 1639.

- (b) Outline how the development of a Criminal Justice Strategy responds to States' objectives as outlined in the States Strategic Plan and correlates with the Principles of Good Governance as endorsed by the States of Deliberation in Billet D'État IV 2011, 247 (Section 3);
  - (c) Acknowledge the Home Department's progress to date in laying the foundations for the Strategy's development (Section 4).
- 1.8 In addition, this Report acknowledges to the States of Deliberation a report from the CJWG which is appended to this Billet and which undertakes to:
- (a) Summarise progress made in relation to key recommendations arising from the original Criminal Justice Policy Working Group's Phase One Report;
  - (b) Outline the Strategy's framework following consultations with key professional stakeholders.

## 2. BACKGROUND

- 2.1 The need to review aspects of Guernsey's criminal justice system and to establish a coordinated approach to joint-working practices has been endorsed at various points by various parties and in response to various issues in the last seven years. In particular, the Townsend Anti-Poverty Policies Report of November 2002 acknowledged that a criminal justice policy was necessary and that any such criminal justice policy "would be most effectively implemented if the Police, Probation, Prison Services [and] the Judiciary" were involved in its development<sup>3</sup>. Discussions of the Social Policy Working Group at the same time noted the absence of a coordinated criminal justice policy in Guernsey and acknowledged that there was a need for this to be developed<sup>4</sup>.
- 2.2 The CJPWG was established in November 2003 under the Chairmanship of the then H M Comptroller following discussions between the then H M Procureur and the former Advisory and Finance Committee<sup>5</sup>, a States Resolution of 28<sup>th</sup> February 2003 and the 2003 Policy and Resource Plan.
- 2.3 The February 2003 States Resolution<sup>6</sup> to the then States Committee for Home Affairs proposal to extend accommodation and visitor facilities at the Prison further directed the Committee to return to the States with a comprehensive report outlining –

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<sup>3</sup> Townsend 2002: viii

<sup>4</sup> Social Policy Working Group Minutes: 15.11.02

<sup>5</sup> Correspondence 02.07.03.

<sup>6</sup> Resolution 4 on Article IV of Billet D'État III 2003, 20.

*“future alternatives to conventional custodial sentencing including such options as wet house facilities, restorative justice, compulsory detoxification and rehabilitation orders, electronic tagging, weekend prison confinement, Community Service Orders and programmes, home confinement programmes and other relevant options, having regard to possible future consequences for staffing, funding and other resources.”*

2.4 The 2003 Policy and Resource Plan<sup>7</sup> reported that the need to review aspects of Guernsey’s criminal justice policy and to consider alternative sentencing options had arisen from:

- *The Committee for Home Affairs’ policy proposals to extend the prison, which were approved by the States in February 2003;*
- *The Anti-Poverty Policies Report produced in November 2002 by the Townsend Centre for International Poverty Research;*
- *The Social Policy Working Group;*
- *Chief Officer consultations which took place in regard to the development of proposals in relation to the Review of the Machinery of Government.*

2.5 The 2003 Policy and Resource Plan also acknowledged that:

*“The [Advisory and Finance] Committee understands that there is widespread support for this initiative, although it fully appreciates that this is a very sensitive matter and that any review must fully involve all authorities concerned in the criminal justice system in Guernsey.”*

2.6 The CJPWG was mandated to explore existing and alternative approaches to criminal justice in Guernsey. Given the enormity of a review of criminal justice – and the absence of any formally recorded existing local criminal justice policy – the CJPWG elected to focus on what it termed ‘Phase One’, a review of current and alternative sentencing options.

2.7 In undertaking its work, the CJPWG identified three ‘Pillars’ to underpin any future criminal justice policy. These Pillars were as follows:

- Improving the delivery of criminal justice for all by ensuring that victims and witnesses are recognised as central to a system which delivers swiftly, proportionately and effectively, that crime does not pay, and that restorative principles are taken into consideration;

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<sup>7</sup> Billet D’État XIV 2003, 1398.



- Reducing the incidence of crime by tackling its causes, engendering social responsibility and maximising its detection;
- Dealing with the perpetrators of crime in ways which appropriately reflect society's disapproval and deter others, whilst aiming also to rehabilitate offenders into responsible citizens.

These Pillars were then further broken down into a series of recommendations that the CJPWG would take as action points.

2.8 At the time, the CJPWG considered that its work would lead to a more comprehensive second phase of review and, ultimately, the formation of a Criminal Justice Strategy led by a dedicated coordinator. The CJPWG outlined its findings and subsequent recommendations in a Report that was submitted to the States of Deliberation by the Home Department as an Appendix to Billet D'État XIV 2005, pages 1636-1730 for States Members' acknowledgement of the work in progress.

2.9 The report to the States of Deliberation with which the Home Department prefaced the CJPWG 2004 Report endorsed the significance of the CJPWG's recommendations and acknowledged that "given the Island's current financial situation, [the Department would] take forward only those recommendations deemed to be a high priority and concerned with alternatives to prison"<sup>8</sup>. Within the same report, the Home Department acknowledged its commitment to further investigation in respect of how to achieve greater coordination of criminal justice services and committed itself to "continu[ing] to work jointly with the Law Officers of the Crown and other stakeholders in taking this important matter forward" with the ultimate aim of returning to the States with a further Report.

### 3. STATES STRATEGIC OBJECTIVES & PRINCIPLES OF GOOD GOVERNANCE

3.1 The development of a Criminal Justice Strategy also corresponds with the Principles of Good Governance, as outlined in Billet D'État IV 2011 (pg. 247) and endorsed by the States of Deliberation on 30<sup>th</sup> March 2011. In particular:

**Good governance means focusing on the organisation's purpose and on outcomes for citizens and service-users.**

The Criminal Justice Strategy focuses on outcomes for citizens and service-users.

**Good governance means engaging stakeholders and making accountability real.**

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<sup>8</sup> Appendix to Billet D'État XIV 2005, 1637.

The Criminal Justice Strategy is necessarily a multi-agency strategy involving stakeholders across the criminal justice, health and education sectors and also relevant non-government organisations.

#### 4. CRIMINAL JUSTICE AGENCIES' ACTION (2009 - 2012)

4.1 To date, the Home Department plays an ongoing role in leading, promoting and supporting the Strategy's development. In doing so, the Department has:

- **Reconstituted** the original Working Group under revised membership to lead the Strategy, and continues to resource the CJWG with administrative and research support from within existing staff resources;
- **Constituted** a new Criminal Justice IT Working Group to lead on the development of IT solutions related to information-sharing, and continues to resource this Group with administrative and research support from within existing staff resources;
- **Taken the lead** on investigations into how the Criminal Justice System as a whole may capture and produce meaningful statistical information;
- **Engaged** with the local community by way of re-launching the Community Safety Survey so as to ensure the representation of the public voice in the future Strategy;
- **Recruited** a dedicated staff resource, the Criminal Justice Strategy Coordinator, to lead on the development of the Strategy<sup>9</sup>;
- **Procured** a corporate management tool by which to administer the Strategy and to measure the overall effectiveness of it;
- **Consulted** with professional stakeholders in respect of what a Criminal Justice Strategy should look like in terms of capturing expectations, identifying common values and aligning these within a Framework that has been endorsed by the CJWG.

#### 5. ALDERNEY & SARK

5.1 It is acknowledged that there is a need to liaise directly with Guernsey's sister-Islands of Alderney and Sark where appropriate so that the benefit of the Criminal Justice Strategy may be felt Bailiwick-wide. This report, and the CJWG Report to which it refers, have been passed to the relevant authorities of Alderney and Sark to note, and it is expected that further liaison will be appropriate in relation to specific initiatives as the Strategy develops.

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<sup>9</sup> The establishment of such a post was a recommendation arising from the original CJPWG. The States of Guernsey approved the Home Department's New Service Development proposal in this regard on 29th October 2010.

## **6. CONCLUSION**

- 6.1 Maintaining the community as a safe and secure place in which to live and work involves a great many organisations, some of which are not necessarily Home Department – or even States of Guernsey – based and some of which must retain independence from political direction. There can therefore be no central 'ownership' of the Criminal Justice System, but rather joint-working is embraced by all organisations to deliver the services and initiatives that protect the local community and maintain the safe environment that we all enjoy.
- 6.2 The development of a Criminal Justice Strategy constitutes a proactive undertaking by professional stakeholders, as supported and sponsored by the Home Department, to enhance the coordination of services and initiatives as part of a mutual commitment to protect the local community. The Strategy will ensure the development of services and initiatives in areas of need whilst ensuring that requests for investment in specific initiatives in these areas of need arise from a clear strategic context and, crucially, are evidence-based.
- 6.3 The Home Department resources the coordination and development of the Strategy and is supported by the States Assembly in doing so through the provision of funding for a full-time Criminal Justice Strategy Coordinator and a Corporate Management Tool by which the performance of the Strategy may be measured.
- 6.4 Ultimately the Strategy will ensure that Criminal Justice organisations (both States and non-States) are in greater alignment with one another and that progress is underpinned by appropriate evidence so that the objectives as set out in the States Strategic Plan can be met to best effect and so that all future requests for additional funding may be evidenced.
- 6.5 As outlined at Section 1.7, the purpose of this Report is to inform the States of Deliberation of progress made to date on the development of a Criminal Justice Strategy and to acknowledge to the States of Deliberation the Strategy Framework as developed by senior professionals in full cognisance of States Strategic Plan Objectives.

## **7. RECOMMENDATIONS**

- 7.1 The Home Department recommends the States of Deliberation to note the Report prepared by the CJWG and appended to this Billet, and to acknowledge that reports on the Strategy's progress will be submitted to the Assembly in future years as appendices.

Yours faithfully

G H Mahy  
Minister

F Quin  
Deputy Minister

J Tasker  
M Laine

B Kelly  
A Ozanne

**(NB As there are no resource implications identified in the report, the Treasury and Resources Department has no comments to make.)**

**(NB The Policy Council supports the proposals.)**

The States are asked to decide:-

XV.- Whether, after consideration of the Report dated 5<sup>th</sup> March, 2012, of the Home Department, they are of the opinion:-

To note the Report prepared by the Criminal Justice Working Group and appended to the Billet and to acknowledge that reports on the Strategy's progress will be submitted to the Assembly in future years as appendices.

***ORDINANCES LAID BEFORE THE STATES***

**THE BELARUS (FREEZING OF FUNDS) (GUERNSEY) (AMENDMENT)  
(NO.2) ORDINANCE, 2011**

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Belarus (Freezing of Funds) (Guernsey) (Amendment) No.2) Ordinance, 2011, made by the Legislation Select Committee on the 31<sup>st</sup> October, 2011, is laid before the States.

**THE SYRIA (RESTRICTIVE MEASURES) (GUERNSEY) (AMENDMENT)  
(NO.2) ORDINANCE, 2011**

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Syria (Restrictive Measures) (Guernsey) (Amendment) No.2) Ordinance, 2011, made by the Legislation Select Committee on the 31<sup>st</sup> October, 2011, is laid before the States.

**THE SYRIA (RESTRICTIVE MEASURES) (GUERNSEY) ORDINANCE, 2012**

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Syria (Restrictive Measures) (Guernsey) Ordinance, 2012, made by the Legislation Select Committee on the 27<sup>th</sup> January, 2012, is laid before the States.

**THE IRAN (RESTRICTIVE MEASURES) (GUERNSEY) (AMENDMENT)  
ORDINANCE, 2012**

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Iran (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2012, made by the Legislation Select Committee on the 27<sup>th</sup> January, 2012, is laid before the States.

**THE INCOME TAX (PENSION AMENDMENTS) (GUERNSEY) ORDINANCE,  
2012**

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Income Tax (Pension Amendments) (Guernsey) Ordinance, 2012, made by the Legislation Select Committee on the 26<sup>th</sup> March, 2012, is laid before the States.

## **THE PUBLIC HOLIDAYS (DIAMOND JUBILEE) ORDINANCE, 2012**

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Public Holidays (Diamond Jubilee) Ordinance, 2012, made by the Legislation Select Committee on the 26<sup>th</sup> March, 2012, is laid before the States.

## ***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

### **THE REGISTERED PATENTS AND BIOTECHNOLOGICAL INVENTIONS (BAILIWICK OF GUERNSEY) ORDINANCE, 2009 (COMMENCEMENT) ORDER, 2012**

In pursuance of Section 70 of The Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Ordinance, 2009, The Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Ordinance, 2009 (Commencement) Order, 2012, made by the Commerce and Employment Department on 7<sup>th</sup> February 2012, is laid before the States.

#### **EXPLANATORY NOTE**

This Order brings The Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Ordinance, 2009, into force on 1<sup>st</sup> March 2012.

### **THE EXPORT CONTROL (MILITARY, SECURITY, AND RELATED MATTERS) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDER, 2012**

In pursuance of Section 12 of The Export Control (Bailiwick of Guernsey) Law, 2006, The Export Control (Military, Security, and Related Matters) (Bailiwick of Guernsey) (Amendment) Order, 2012, made by the Home Department on 13<sup>th</sup> February 2012, is laid before the States.

#### **EXPLANATORY NOTE**

This Order amends The Export Control (Military, Security, and Related Matters) (Bailiwick of Guernsey) Order, 2010 ("the principal Order") to prohibit the export of products containing sodium thiopental, pancuronium bromide, potassium chloride concentrate or sodium pentobarbital. This prohibition only applies to the export of these products where they are in a form suitable for injection or for preparation of an injection and the final destination is the United States of America. This prohibition will expire on the 13<sup>th</sup> of April, 2012.

This Order also updates the penalty provisions of the principal Order to reflect the increased jurisdiction of the Magistrate's court to impose a fine of twice level 5,

imprisonment of up to two years, or both, under The Magistrate's Court (Guernsey) Law, 2008.

**THE EXPORT CONTROL (MISCELLANEOUS GOODS) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDER, 2012**

In pursuance of Section 12 of The Export Control (Bailiwick of Guernsey) Law, 2006, The Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment) Order, 2012, made by the Home Department on 13<sup>th</sup> February 2012, is laid before the States.

EXPLANATORY NOTE

This Order updates the penalty provisions of The Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) Order, 2010 ("the principal Order") to reflect the increased jurisdiction of the Magistrate's court to impose a fine of twice level 5, imprisonment of up to two years, or both, under The Magistrate's Court (Guernsey) Law, 2008.

This Order also removes naphyrone from the list of prohibited exports in Schedule 4 to the principal Order. Naphyrone has been prescribed as a Class B controlled drug in the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, by the Misuse of Drugs (Modification No. 3) Order, 2010.

**THE REGISTERED PATENTS AND BIOTECHNOLOGICAL INVENTIONS (BAILIWICK OF GUERNSEY) REGULATIONS, 2012**

In pursuance of Section 64 (3) of The Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Ordinance, 2009, The Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Regulations, 2012, made by the Commerce and Employment Department on 7<sup>th</sup> February 2012, are laid before the States.

EXPLANATORY NOTE

These Regulations make provision for a variety of purposes of The Registered Patents and Biotechnical Inventions (Bailiwick of Guernsey) Ordinance 2009.

Regulation 1 amends the list of designated countries in Schedule 2 to the 2009 Ordinance by adding Hong Kong and Singapore to the list. Regulation 2 prescribes the period within which certain registered patent renewal fees must be paid. Regulation 3 provides for the circumstances in which acts and procedures under the 2009 Ordinance must be undertaken by a Guernsey registered patent attorney. Regulations 4 to 8 provide for the keeping of a register of Guernsey registered patent attorneys. Regulations 9 to 11 make provision relating to applications for the extension of the

terms of certain registered patents. Regulation 12 provides that the form of any certificate of extension of a registered patent shall be as set out in Part III of the Schedule to the Regulations. Regulation 13 contains provision relating to certain forms set out in Parts I and II of the Schedule to the Regulations. Regulations 14 and 15 are the interpretation and commencement provisions.

The Schedule contains details of the forms of application for extension of a registered patent and the form of certificate of extension.

These Regulations came into force on the 1<sup>st</sup> day of March, 2012.

### **THE HEALTH SERVICE (PAYMENT OF AUTHORISED SUPPLIERS) (AMENDMENT) REGULATIONS, 2012**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2012 made by the Social Security Department on 15 February 2012, are laid before the States.

#### **EXPLANATORY NOTE**

These Regulations amend the Schedules to The Health Service (Payment of Authorised Suppliers) Regulations, 2003, by increasing the graduated fees paid to pharmacists not employed by a medical practice. These Regulations came into operation on 1 January 2012.

### **THE HEALTH SERVICE (PAYMENT OF AUTHORISED APPLIANCE SUPPLIERS) (AMENDMENT) REGULATIONS, 2012**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, The Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2012 made by the Social Security Department on 15 February 2012, are laid before the States.

#### **EXPLANATORY NOTE**

These Regulations amend the Schedules to The Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003. These Regulations came into operation on 1 January 2012.

### **THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT) REGULATIONS, 2012**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)



Regulations, 2012 made by the Social Security Department on 15<sup>th</sup> February 2012, are laid before the States.

#### EXPLANATORY NOTE

These Regulations add to the limited list of drugs and medicines available as pharmaceutical benefit which may be ordered to be supplied by medical prescriptions issued by medical practitioners. These Regulations came into operation on 15<sup>th</sup> February 2012.

### **THE WEIGHING EQUIPMENT (NON-AUTOMATIC WEIGHING MACHINES) REGULATIONS, 2012**

In pursuance of Section 61 (1)(e) of the Weights and Measures (Guernsey and Alderney) Law, 1991, as amended, The Weighing Equipment (Non-automatic Weighing Machines) Regulations, 2012, made by the Commerce and Employment Department on 13<sup>th</sup> March 2012, are laid before the States.

#### EXPLANATORY NOTE

These Regulations consolidate, with minor amendments, the provisions of The Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) Regulations 1991 (S.I. No. 54) and The Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) (Amendment) Regulations 1993 (S.I. No.16) ("the 1991 and 1993 Regulations"), and revoke those Regulations. The 1991 and 1993 Regulations were drafted by reference to the equivalent United Kingdom Regulations; these Regulations are free-standing, in that they do not require the reader to refer to the United Kingdom provisions.

The Regulations continue to prescribe non-automatic weighing machines for the purposes of section 8(1) of The Weights and Measures (Guernsey and Alderney) Law, 1991 (regulation 3(1)). The effect of prescription is to make it unlawful to use such machines for trade purposes unless they have been tested, passed as fit for such use and bear a valid stamp.

The Regulations also make provision as to:

- (a) the purposes for which such non-automatic weighing machines may be used for trade (regulation 4);
- (b) the materials and principles of construction of them and their marking (regulations 5 to 21 and Schedule 1);
- (c) the manner of erection and use of them for trade (regulations 22 to 32);
- (d) their testing, passing as fit for use for trade and stamping and the obliteration of such stamps (regulations 33 to 38 and 40 to 47 and Schedule 2); and
- (e) the prescribed limits of error (regulation 39 and Schedule 3).

The Regulations came into force on 14<sup>th</sup> March 2012.

## **THE BUILDING (GUERNSEY) REGULATIONS, 2012**

In pursuance of Section 89 of The Land Planning and Development (Guernsey) Law, 2005, The Building (Guernsey) Regulations, 2012 made by the Environment Department on 18<sup>th</sup> March 2012, are laid before the States.

### **EXPLANATORY NOTE**

These Regulations revoke and replace the Building Regulations, 1992 (G.S.I. No. 27 of 1992) and the subsequent amending regulations (G.S.I. No. 39 of 2006 and No. 88 of 2008). These Regulations consolidate with amendments these previous regulations. The main amendments are listed below.

Part II provides for Guernsey Technical Standards to be issued providing practical guidance on the requirements of the regulations as opposed to such guidance being provided by English Approved Documents; the Guernsey Technical Standards will be based on English Approved Documents with modifications to reflect differences in the requirements in Guernsey.

There are amendments to the definition of a material change of use in regulation 7; in particular a change of use now occurs, in specified circumstances, where a building is used for sale of food or drink for consumption on the premises where it was not previously. Changes of use in relation to lodging houses are also now dealt with in the provisions relating to rooms for residential purposes.

Regulation 8 has been amended to change the requirements of these Regulations which must be met when a particular change of use occurs; these changes include amendments to reflect changes to the requirements set out in Schedule 1 to these Regulations.

Regulation 13 and Schedule 2 have been amended to give a partial exemption from the requirements of the Regulations for protected monuments.

Regulation 17 has been amended to provide for prior notification of completion of additional stages of work. A new regulation 18 gives the Department a statutory power to issue completion certificates certifying that the requirements of these Regulations specified in the certificate have been satisfied.

A new Part V (self certification schemes) allows the works set out in Schedule 3 to be carried out without the prior deposit of plans with the Department if they are carried out by a specified accredited person. The Department may accept a certificate from such an accredited person that the works have been carried out in compliance with the requirements of the regulations and using proper materials and workmanship.

A new Part VI (regulations 20 to 22) includes new requirements relating to energy efficiency; regulation 20 sets out when the energy efficiency requirements apply; these requirements have different exemptions from those applying to other requirements as set out in regulation 13; there are also consequential amendments to the meaning of

"building work" in regulation 5, to the requirements in relation to the deposit and approval or rejection of full plans in Part IV and to the exemptions from the requirements of the building regulations in regulation 13. Part VII provides for new requirements relating to the water efficiency of new dwellings.

Part VIII includes new requirements on persons carrying out building work to test sound insulation, carry out pressure tests in certain circumstances and to provide notice of commissioning of space heating and hot water systems. Part VIII also includes wider powers for the Department to carry out tests of building work to establish compliance with these Regulations.

Schedule 1 has been amended to replace the former Part G, relating to Health and Hygiene standards, with a new Part G relating to Health, Hygiene and Water Efficiency standards; the new Part G largely reflects current, similar requirements in England.

Schedule 2 (which sets out buildings and works which are exempt/partially exempt from the requirements of these Regulations subject to the specific exemptions relating to the energy efficiency requirements in regulation 20) has been amended to add garden walls of a specified description. Protected monuments are now also included in the Schedule as mentioned above.

Schedule 3 sets out the descriptions of work which may be carried out without deposit of plans with the Department if carried out by the accredited person described in that Schedule.

These Regulations will come into force on 1<sup>st</sup> July, 2012.

### **THE COMPANIES (TRANSITIONAL PROVISIONS) (AMENDMENT) REGULATIONS, 2012**

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, The Companies (Transitional Provisions) (Amendment) Regulations, 2012, made by the Commerce and Employment Department on 10<sup>th</sup> January 2012, is laid before the States.

#### **EXPLANATORY NOTE**

These regulations further amend The Companies (Transitional Provisions) Regulations, 2008, which prescribe savings and transitional provisions in connection with the commencement of the Companies (Guernsey) Law, 2008 by extending until the 31<sup>st</sup> December, 2013 the transitional period for the provisions of that Law relating to the memorandum of incorporation, the articles of incorporation, shadow directors, the duties of secretaries, conversion of shares into stock and the powers of the directors to issue shares.

The regulations repeal The Companies (Transitional Provisions) (Amendment) Regulations, 2011 which were in force from the 23<sup>rd</sup> February, 2011 and which extended those transitional provisions to the 1<sup>st</sup> July 2012.

These regulations came into operation on the 22<sup>nd</sup> February, 2012.

# Guernsey Quarterly Inflation Bulletin

31st December 2011 - 25th January 2012\*



**POLICY COUNCIL**  
THE STATES OF GUERNSEY

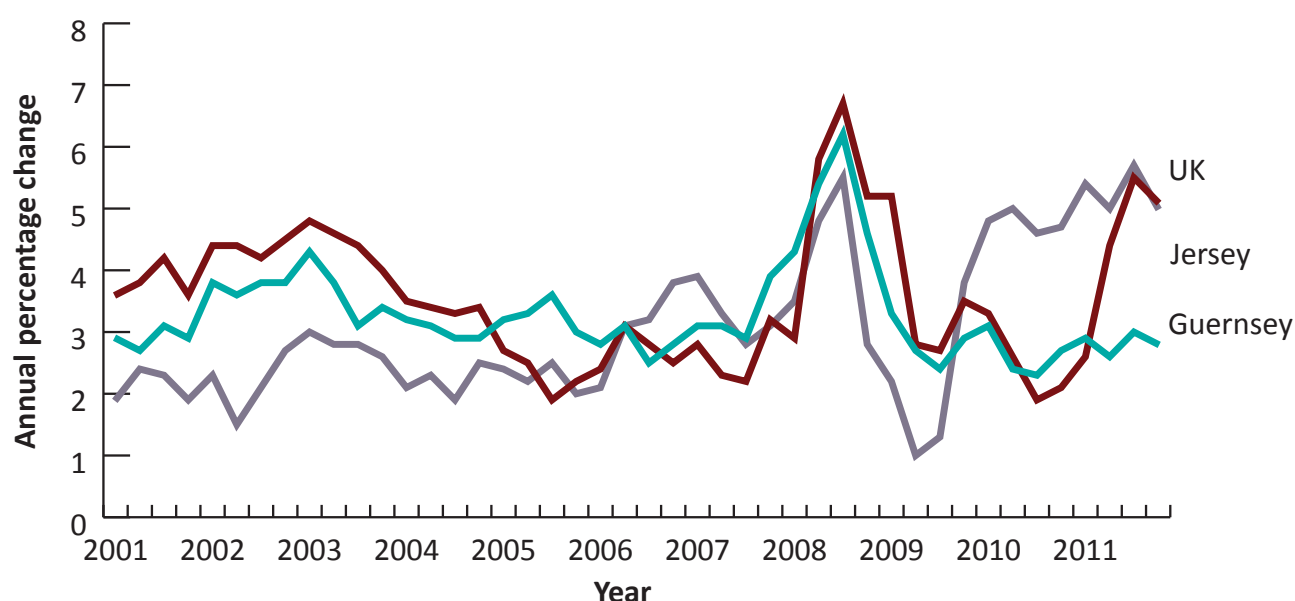
## 1.1 Introduction

The Guernsey RPIX and RPI are measures of inflation used in Guernsey. They measure the change in the prices of goods and services bought for the purpose of consumption or use by households in Guernsey. The indices are published quarterly by the States of Guernsey Policy and Research Unit. The calculation of the RPIX and RPI are based on the price change of items within a 'shopping basket'. Whilst some prices rise over time, others will fall or fluctuate and the indices represent the average change in these prices. More detailed information on the calculation of these indices can be found at the end of this handout.

## 1.2 Headlines

- Guernsey's annual inflation as measured by RPIX ('core' inflation excluding mortgage interest payments) was 2.8% in the year ending December 2011, compared to 3.0% in the year ending September 2011 and 2.7% in the year ending December 2010.
- In the UK and Jersey equivalent RPIX figures for the year ending December 2011 were 5.0% and 5.1% respectively (see [Figure 1.2.1](#)).
- Twelve of the fourteen RPIX groups increased in the year ending December 2011.
- The housing group made the largest upward contribution to the annual change in RPIX in December 2011, contributing 0.7 percentage points.
- The 'all items' RPI inflation rate was 3.2% in the year ending December 2011, compared to 3.5% in the year ending September 2011 and 2.3% in the year ending December 2010.

**Figure 1.2.1: Annual percentage change in RPIX**



\* This bulletin was initially published on 20th January 2012 at which time inflation figures for Jersey in December 2011 were unavailable. Comparable figures for Jersey were added to the publication following their release on 25th January 2012

**APPENDIX 2**

**POLICY COUNCIL**

**OVERSEAS AID COMMISSION – ANNUAL REPORT 2011**

The Policy Council has received the Overseas Aid Commission's 2011 Annual Report which is attached for publication as an appendix to the Billet d'Etat.

L. S. Trott  
Chief Minister

2 April 2012

<b>GUERNSEY OVERSEAS AID COMMISSION</b> <b>ANNUAL REPORT 2011</b>
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**In accordance with Resolution XVIII on Billet d'État III of 2004**

<b>Background</b>
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The Overseas Aid Commission was established by the above States Resolution and begun its work in July 2004.

***Constitution***

The constitution of the Commission is:

- A Chairman who shall be a member of the Policy Council (appointed by the Council)
- Six ordinary members who need not be sitting members of the States (elected by the States)

Commissioners serve for a four-year term. The Chairman was appointed by the Policy Council in January 2012 and the other Commissioners in July 2008. Deputy Carol Steere was the Commission's Chairman between May 2008 until January 2012.

The Commission comprises

Deputy Geoff Mahy, Chairman  
 Mrs José Day, Vice-Chairman  
 Mr Glyn Allen  
 Mr Mike Dene MBE  
 Mr Ian MacRae  
 Mr Steve Mauger  
 Mr Tim Peet MBE

***Mandate***

The mandate of the Commission is:

- To distribute monies voted by the States for overseas aid making contributions by way of grants and emergency and disaster relief
- To develop programmes relating to the collection and distribution of funds involving the private and voluntary sectors (although this element is not being actively pursued at the present time)

in accordance with policies set by the Policy Council, having regard to

recommendations from the Commission.

### ***Annual Report***

The Commission is required to submit an annual report to the Policy Council. This is normally included as an appendix to a Billet d'État. However, during each of the two States terms since 2004 the Policy Council has submitted one of the annual reports for debate by the States – the 2006 annual report was debated in 2007 and the 2009 report in 2010. Although the Commission's recent annual reports have been published later in the year this 2011 report has been made available earlier in view of the fact that the current Commission's four year membership term will end in July 2012.

### **2011 Funding**

The Commission was provided with States funding in 2011 as follows:

- £2,420,000 in respect of grant aid
- £200,000 in respect of emergency and disaster relief

In addition to this, and in accordance with the March 2004 States Resolution, £100,000 which remained unspent in respect of the 2010 allocation for emergency and disaster relief was also utilised for grant aid in 2011.

Expenditure on grant aid in 2011 totalled £2,520,771 (of which £2,700 resulted from previous years' refunds).

Expenditure on emergency and disaster relief in 2011 totalled £100,000. In accordance with the March 2004 States Resolution, the remaining £100,000 will be made available to the Commission for grant aid in 2012.

Details of the grants made during 2011 are enclosed, together with breakdowns of expenditure.

### ***Distribution of Funding 2011***

#### **Africa**

<i>Agriculture/Fisheries</i>	<i>£167,754.00</i>
<i>Education</i>	<i>£474,325.00</i>
<i>Health</i>	<i>£796,634.00</i>
<i>Integrated Development</i>	<i>£415,514.00</i>
<i>Emergency Disaster Relief</i>	<i>£100,000.00</i>

<b>Total Aid Given to Africa</b>	<b>£1,954,227.00</b>
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**Indian Sub-Continent**

<i>Education</i>	<i>£50,732.00</i>
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<i>Health</i>	<i>£190,778.00</i>
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<b>Total Aid Given to Indian Sub-Continent</b>	<b>£241,510.00</b>
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**Latin America & Caribbean**

<i>Health</i>	<i>£39,948.00</i>
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<b>Total Aid Given to Latin America &amp; Caribbean</b>	<b>£39,948.00</b>
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**Other Asia & Pacific**

<i>Agriculture/Fisheries</i>	<i>£61,874.00</i>
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<i>Health</i>	<i>£175,249.00</i>
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<i>Integrated Development</i>	<i>£147,963.00</i>
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<b>Total Aid Given to Other Asia &amp; Pacific</b>	<b>£385,086.00</b>
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<b>Total Contribution to Aid Overseas</b>	<b>£2,620,771.00</b>
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## SUMMARY OF GRANTS MADE DURING 2011

During 2011 the Guernsey Overseas Aid Commission disbursed £2,520,771 in Grant Aid and supported a total of 76 projects which, for administrative purposes, can be subdivided into four main categories. The amounts shown have been rounded to the nearest £1,000.

### 1. AGRICULTURE

£230,000 has been invested in eight projects, for the direct benefit of more than 147,000 people. The projects included supporting the production of disease resistant seeds, the provision of crop irrigation systems, the purchase of livestock and fertilisers, the building of crop storage facilities and providing training. In one case Guernsey's support triggered supplementary funding from the EU of £105,000.

### 2. EDUCATION

£525,000 was invested in 16 projects supporting more than 34 schools, directly benefitting over 95,000 pupils. The projects included school and classroom construction (and rehabilitation), the provision of educational materials and books,



the construction of schools' water storage units as well as the supply of various new materials to enable vocational training to take place. In one case Guernsey's support triggered supplementary funding from the EU of £100,000.

### **3. INTEGRATED DEVELOPMENT**

£563,000 was invested in 17 projects for the direct benefit of nearly 89,000 people. The projects included:

- seven promoting the establishment of small businesses and the provision of various types of vocational and skills training for a variety of organised groups.
- seven which promote improved quality of life and cleaner living and working conditions, several of which specifically target children.
- four diverse projects, which include the building of a dam, supporting an all-female mine clearance team, the purchase of a vehicle to support an aviation fellowship's operation serving a poor and remote region, and supporting a vulnerable community's plans for natural disaster preparedness.

### **4. HEALTHCARE**

As the largest category, this encompasses the remaining 35 projects. For convenience they are subdivided into three main groups:

- Water/Sanitation: £702,000 has been invested in 20 projects to provide water, latrines and associated hygiene training for the direct benefit of over 246,000 people. In one case Guernsey's support triggered supplementary funding from the EU totalling over £460,000.
- Essential Equipment: 10 projects were supported. These included the purchase of hospital supplies and specialist medical equipment. The projects supported also included two for the purchase of ambulances intended specifically to cope with difficult terrain. All the investments – totalling £323,000 - will benefit at least 99,000 people a year, as well as providing much needed assistance to a large number of medical staff.
- Infrastructure: Support of £178,000 was provided to five projects which will benefit at least 49,000 individuals, the bulk of the money funding essential new hospital facilities.

### **5. EMERGENCY DISASTER RELIEF**

Emergency Disaster Relief amounted to £100,000 and was provided (in two equal payments, one in July and one in August) in respect of one major disaster, as follows:

- Disasters Emergency Committee – East Africa Drought Appeal - £100,000

The Guernsey Overseas Aid Commissioners are hopeful that States Members will feel that the money donated by Guernsey has been used to the benefit of the wider world.

<p style="text-align: center;"><b>OVERSEAS AID COMMISSION</b> <b>ANNUAL REPORT 2011</b></p>
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## **Agriculture/Fisheries**

### **BURKINA FASO**

#### **Christian Blind Mission**

#### **SIM Survival Yard Project, Mahagaga, Diapaga Region**

**£39,901**

The project will develop approximately 20 "survival yards" in the Diapaga region to enable selected, extended families (a total of up to 600 direct beneficiaries) to become self sufficient in running their own food-producing gardens, as well as providing them with other support facilities and services including latrines, improved stoves, mosquito nets, immunisation, child education and improved nutrition, hygiene and clean water.

Mahadaga is a small but growing market town with a population of around 400,000 people. It is situated in the eastern part of Burkina Faso, a country with limited natural resources and increasingly prone to drought. Reduced food production, poor sanitation and disease are rife due to the many limitations of the area. In order to enable and encourage rural development - and in particular to provide food security - the project will develop survival yards to enable carefully selected extended families to become self sufficient, as well as providing wider benefit to the local community.

Each yard will consist of a garden (measuring 25m<sup>2</sup>), a well and a system for pumping the water. The gardens will allow a wide variety of produce to be cultivated, with emphasis placed on improved soil fertility and water retention within the soil. The food produced will be harvested throughout the year with a portion of the garden specifically dedicated to the production of vegetables which will be sold at the local market. In addition, the wells will provide water to other community members and the new techniques employed will be shared with the wider community. The standard of living for each family unit will improve considerably and the survival rates of children will be greatly enhanced. At the same time the local communities will also benefit from the output and improved nutrition provided by the gardens' produce.

## **CAMBODIA**

### **Methodist Relief and Development Fund**

#### **Community Life Improvement Project (CLIP), Banteay Meas and Chum Kiri Districts (Kampot Province), Samraong Tong District (Kampong Speu Province)**

**£12,756**

The project will reduce poverty and increase livelihood options for 98 very disadvantaged families and poor farmers (a total of nearly 900 people) in the Kampot and Kampong Speu provinces of Southern Cambodia - where the majority of the population is dependent on agriculture for subsistence and income - by providing them with chickens, materials for constructing chicken cages, training and organic fertilisers.

Among the needs identified in these areas are:

- 1) a lack of adequate water supply for agriculture, and vulnerability to both flooding and drought annually which leads to uneven agricultural output;
- 2) a lack of skills and capital to improve farming and initiate alternative income generating activities;
- 3) family disruption which has left many widows and orphans solely responsible for income generation;
- 4) high rates of school dropout due to poverty.

The project will:

- Increase the agricultural output of 30 poor farmers in the Kampong Speu province by training them in the use of low-cost organic fertiliser and sustainable agriculture techniques (e.g. crop diversification and disease resistance).
- Provide 98 landless families in the Kampot province with the opportunity to begin chicken farming, through offering chickens on a loan basis, materials for building pens, and training.
- Offer training to 20 village chiefs from Kampot province in chicken farming and project management to monitor the activities and replicate them in their communities once the project ends.

The project will directly benefit 148 individuals, with priority given to women, orphans, widows and people living with HIV / AIDS, and indirectly benefitting 740 family members. It will help provide food and will increase the incomes of landless families and farmers, indirectly helping them to improve their homes, improve their nutrition, pay for healthcare and to send their children to school. Funding - which represents 48.7% of the project total - is requested for the purchase of chickens, materials for constructing chicken cages, chicken farm training, organic fertiliser and sustainable agriculture training.

## **GHANA**

### **CARE International UK**

#### **Breaking the Cycle of Hunger in five districts of Northern Ghana**

**£37,450**

The project will improve access to food for around 11,500 people in northern Ghana through improved agricultural productivity and sustainable livelihood opportunities, and by promoting self-sufficiency and resilience against climate shocks. The aim is to achieve this by providing households with agricultural inputs such as livestock and by supporting the construction of community crop storage facilities, as well as by providing training in sustainable crop and livestock management techniques. Five Districts across Northern Ghana will be targeted due to their susceptibility to extreme climatic conditions and widespread hunger. According to the UN, up to 9 out of 10 people in parts of northern Ghana live below the poverty line.

Over the past three years Ghana has experienced both severe drought and flash flooding. In 2007 major flooding across northern Ghana left 52,000 hectares of farm land inundated with water, with over 3 million people affected by the loss of crops, livestock and their homes. This was compounded by the 2007/8 global food crisis, with the price of staple crops across Ghana rising sharply (maize prices rose by 41%, for example). Volatile food prices and climate shocks continue today and many families in Ghana go hungry, often surviving simply by eating wild fruits. Poor crop management remains a key determinant of communities' failing livelihoods and the persistent hunger across northern Ghana. Local farmers typically lose around 30% of their crops post-harvest due to bacteria, insect infestation and poor storage. This project will empower communities to prevent post-harvest loss by training them in sustainable crop management (packaging, fumigating etc), thereby helping them to improve storage arrangements and to protect their seeds and produce.

Over 80% of people living in northern Ghana remain reliant on agriculture as their main source of livelihood and survival, so this project will be vital in helping bolster communities' agricultural productivity and food security. Funding is requested to provide 1,000 households with livestock (e.g. pigs, goats & rabbits) for breeding, as well as for materials to build 50 seed/crop storage structures and to train 1,800 people in conservation agriculture, livestock and post-harvest crop management. In summary, the expected outcomes are that 11,500 people across northern Ghana will benefit from (1) improved agricultural practices and productivity, (2) increased access to food and livelihood opportunities, and (3) be empowered and better equipped to safeguard their livelihoods from harsh climate shocks such as drought.

## **LESOTHO**

### **The British Red Cross Society**

#### **Building Food Security for Vulnerable Groups, Kena Mapholaneng, Sebapala and Thabana Morena**

**£17,194**

The project will increase the self sufficiency of those most affected by HIV and by HIV-related illnesses in four communities in Maseru, Mokhotlong, Quthing and Mafeteng by increasing food security through the provision of vegetable seeds, gardening tools and ‘lead’ gardeners drawn from local communities who will provide support and training, in total directly benefiting 3,900 people (of whom 1,950 will be orphans and vulnerable children (OVC)). Indirect beneficiaries - extended family members and other community members - will number around 1,000.

The project aims to add value to the successful partnership established between the Guernsey Overseas Aid Commission and the British Red Cross in 2010. This enabled the latter to set out the ground work to help the most vulnerable in Lesotho, who face severe malnutrition as a result of the chronic food crisis. A grant of £17,194 will allow the Red Cross to build upon the work carried out to date. The intention is to focus on providing the communities with further skills and the knowledge required to address long-term food production needs. Lesotho still suffers from the third highest prevalence of HIV in the world, with nearly 1 in 4 people infected. Reports published this year have highlighted the lethal combination of HIV and TB now prevalent in Lesotho, further negatively impacting on the already low life expectancy of the population. This has had a devastating impact on households' ability to sustain food production levels because the disease is in effect killing the active, working population. Unfortunately the global financial crisis, climate change, environmental degradation and the impact of HIV now all mean that the people of Lesotho are no longer self-sufficient and face acute food shortages. The spiralling cost of food - much of which is now imported from South Africa - is also having far-reaching effects on the livelihoods of the poorest communities and their general ability to cope.

## **NEPAL**

### **Appropriate Technology Asia**

#### **Increased Food Security and Income and Improved Health through Apiculture (Beekeeping), Surkhet and Humla Districts**

**£24,118**

The project will assist 11,805 people improve their general health and increase food security and self-reliance through training and education and by empowering them to exploit indigenous honeybees through appropriate apicultural development and the provision of equipment such as hives, covers, cages and storage pots.

The training will involve the promotion of improved management, harvesting and processing practices for improved and diversified bee keeping. This will assist poor farmers and will have health benefits including therapeutic use of honey, pollen and beeswax for community-based healthcare. At the same time biodiversity will be conserved and restored (especially for indigenous honeybees and their forest habitat), whilst the health and nutritional status of families will improve, particularly for socially excluded groups. The project will also result in more diversified and increased agricultural production, strengthening the local economy. Hive making techniques will be developed and seeds and saplings will be provided for fruit growing, vegetable production and agro forestry purposes.

## **SENEGAL**

### **Christian Aid**

#### **Increasing Food Security in Nganda District**

**£38,209**

The project is to increase food security in four villages in rural Senegal by providing communities with environmentally appropriate technologies - solar powered technologies - to improve food production, with 18,000 people benefiting from more secure livelihoods and food availability.

The project will provide (1) Three solar powered milk processing units. These will not only promote sustainability in local milk production within the region, they will also ensure that less produce is subject to waste. Communities will be trained in milk collection, curdling and preservation (the quantity of milk discarded by the villages as a result of the milk production units is expected to reduce by 25%, for example). (2) Four solar powered millet mills will be provided. These will further ensure that communities are able to process their own food, with 40% of cereal production in the region carried out by the communities themselves as a result of the new mills. (3) The provision of 21 new ovens. These community-operated ovens will enable families to prepare meals more easily, both for their own use and to sell-on in times of surplus (including, for example, different types of flat breads which are very popular). In order to support these activities, seven community management committees will be set-up, comprising of 12 members each in order to ensure community ownership for the project. Committee members will be taught specialist skills in financial management, focusing on simplified accounting methods, minute-taking and record-keeping. These training opportunities will take place in each locality. (4) Promoting youth involvement, where 25 young people will receive technical training on the installation, upkeep and maintenance of the new equipment.

The expected results from this project are multiple. Food security will greatly increase in the region through the ability to process cereals and milk. Women will be relieved of arduous chores through appropriate new technologies. The women and youths who will be involved in (and managing) the project will gain satisfaction from the high levels of "ownership" resulting from their new activities. The young people will also gain various useful new skills and hence become much more employable. A further benefit is that deforestation in the area will be reduced as the need for timber to power the ovens decreases.

## **THAILAND**

### **The Karen Hill Tribes Trust**

#### **Provision of 5 Irrigation Systems, Mae Hong Son Province**

**£25,000**

The project will help provide sustainable livelihoods for 1,200 Karen people in Mae Hong Son Province by building five new irrigation systems to increase crop production.

Agriculture and water development in northern Thailand have considerable significance as the region depends on agriculture both for subsistence and economic growth. The mountainous terrain, however, makes it difficult to grow crops without proper irrigation. The main crops grown by the Karen farmers are rice and soya. Rice completely dominates the Karen diet, subsistence needs, and the way of life. Soya is grown mostly for marketing, but both rice and soya crops require proper irrigation. If land is properly irrigated it is possible to produce two crops off the same piece of land each year. Providing new irrigation systems will enable the Karen to bring more land into crop production and further help sustainability and income generation.

Most of the Karen's irrigation systems work by building a small dam across a river using rocks, bamboo and brushwood. This interrupts the flow of the river or stream just enough to redirect sufficient water to nearby fields via a system of small canals. These canals incorporate simple gate systems to allow water to be channelled off to irrigate the land. However, heavily swollen rivers and flash floods have seriously damaged many of these fragile dams and canals. Repairs become necessary and this work is included in the programme. The new dams will be stronger than the existing ones, being made of good quality concrete to withstand more extreme weather conditions.

As a result of over 20 years' experience of visiting and consulting villagers throughout the province, the project Manager is uniquely able to identify those villages in greatest need of new or urgent repairs to irrigation systems in order to restore land productivity. The Karen Hill Tribes Trust intends to install five new irrigation systems in 2012.

## **ZAMBIA**

### **Self Help Africa**

#### **Seed Entrepreneurship for Economic Development and Food Security in ten districts across Zambia**

**£35,000**

The overall aim of the project is to increase food security and incomes for 100,000 small scale farmers (with direct benefits for a further 500,000 people) in ten separate districts by improving their access to high quality seed, creating local seed banks and improving productivity through the training of farmers in sustainable agriculture methods.

The project will enable 80% of farmers to plant good quality seed, and three-quarters to grow 3 or more different crop types, such as beans, maize, ground nuts, cowpeas, sorghum and millet. The expectation is that 10,000 farmers will be able to produce at least 50% more goods at harvest, with the incomes of seed growers increased by 70%. It is also expected that 85% of the 100,000 families which would be helped could in the future eat 3 meals a day throughout the year, a great improvement on the current situation.



Funding is required for the purchase of seeds, tree seedlings, storage sheds and bicycles for the lead farmers, as well as for training, monitoring & evaluation and a contribution to local staff & office costs. The total cost of the project is £1,032,544, with the Commission's contribution representing 3.39%. An EU matched funding commitment would release £105,000 of EU funds towards the project.

## **Education**

### **BANGLADESH**

#### **Relief Education Development International**

##### **Rural Education Development Project, Sirajgani and Bogra**

**£15,000**

The project is to provide education facilities - which will be used by both 300 primary school children and 200 women (for adult literacy classes) - in the poor rural areas of Sirajganj and Bogra through new, single class units.

Experience gained by staff of Human Resource Development Project (HRDP, the local partner agency) in operating the Schools Assistance Project (SAP) - which has provided facilities for schools since 1992 - has highlighted the fact that many children are unable to enter mainline education because of the poverty and lack of motivation of their parents. The single class primary school model will address this; it has been tried and tested by other NGOs operating in Bangladesh and has proved successful in helping poorer children into full-time education. The project will be implemented in locations where HRDP has established relationships with government schools, working in partnership with them to promote wider access to education, with a particular emphasis on the needs of girls. At the same time, it is recognised that many adult women have had little or no access to education. As well as carrying its own stigma, this has limited their ability to motivate or assist their children into education.

Ten classroom facilities will be constructed using low-cost, locally-available materials. These will be utilised by children in the mornings and adults in the afternoons. The aim is to construct five facilities in both the target districts during the first year. The total project cost is £59,500, and the Commission is being requested to provide funding of £15,000 towards that, which represents 25.2% of the total.

## **BANGLADESH**

### **The Leprosy Mission**

#### **Education and Food Security for Ultra Poor Women, Gaibandha District**

**£35,732**

The project will directly benefit 3,225 ultra poor women who are either widowed, divorced, separated or single (most of whom have a family to support) the majority of which are affected by leprosy-related or other disabilities - which limit their mobility and impacts on their ability to earn a living - by providing them with vocational education and training, as well as surgery or assistive devices as needed.

The project forms part of a larger programme co-funded by the European Commission which aims to improve education and food security for 40,000 female-headed households within the Gaibandha district over a period of 5 years. Bangladesh is a male-dominated society, where women with disabilities find themselves particularly vulnerable, especially those who are affected by leprosy due to the stigma and exclusion they experience. This makes it almost impossible for them to earn money with which to buy food. Many of them have only one meal a day if fortunate and generally experience high levels of malnutrition and poor health. The project will provide corrective surgery for 200 women with disabilities or eye conditions. A further 3,050 women will be provided with mobility aids and assistive devices such as wheelchairs, crutches, prostheses, protective shoes and sandals. An key aspect of the project is to provide livelihood training and start-up costs for another 85 women to enable them to establish tailoring or shop keeping businesses, thereby enabling them to feed themselves and their families. On the basis that households have at least five other family members it is estimated that the total number of indirect beneficiaries is expected to exceed 15,000 people.

## **BURUNDI**

### **Archbishop of Canterbury Davidson Bequest Trust**

#### **Post War Reconstruction of Community Schools in Burundi, Matana District**

**£39,792**

The project will improve educational facilities for up to 1,000 children living in Matana, a rural area of Burundi, by the construction of a community primary school.

30 years of civil war has left the small country of Burundi with an extremely poor infrastructure. Following a peace agreement signed in 2005 the country has been making good progress towards building a sustainable, peaceful future. As part of this effort, the government introduced universal primary education. An increase in the number of children, combined with the damaged educational infrastructure which existed, has resulted in severe overcrowding in schools. The re-establishment of a quality education system in Burundi is vital for the provision of skills and hope for the future, but the challenges of accommodating the increasing number of children in school requires a multi-stakeholder partnership.

The Anglican Church has been a provider of education in Burundi since the 1950s and still has oversight of over 100 primary and secondary schools, many of which were destroyed in the civil war. The Church has a formal agreement with the Government to reconstruct and rehabilitate schools and to open its churches and other available space to accommodate the huge increase in enrolment. In addition to opening up churches, the Anglican Church has been running a programme to refurbish and rehabilitate 5 primary and 3 secondary schools across Burundi. This particular proposal - to be delivered in partnership with CMS Ireland - is to seek financial assistance for the last of the Primary schools in the Matana area. The funds will be spent on the construction of 6 classrooms; funds have already been secured for hygiene and sanitation provision, as well the teacher's administration block. The requested funding represents 71.5% of the total cost.

The immediate beneficiaries of the project will be the 1,000 children who will be provided with learning opportunities in a well-constructed and resourced school that meets international standards. This number is based on morning and afternoon sittings during the school day, which is currently implemented nationally. Around 120 new children will benefit for each year that the school is open. The local communities will also indirectly benefit at the broader level, such as through the provision of space for community meetings.

## **ETHIOPIA**

### **Voluntary Service Overseas (VSO)**

#### **School Facility Improvement to Realise Quality Primary Education in Ethiopia**

**£40,000**

This project will increase access to, and the quality of, education in primary schools in eight districts of Ethiopia, benefitting more than 5,000 children, 300 teachers and 10 school leaders. The project will

- 1) improve library infrastructure by providing furniture and textbooks
- 2) build sanitation facilities for girls and female teachers

The activities will benefit 10 selected primary schools.

The Ethiopian government has made education a key development goal, which has led to a significant increase in children's access to education. However, this has not been matched by any focus on educational quality or by investment in school resources or infrastructure. In Benishangul Gumuz Regional State, for instance, only 148 out of 345 primary schools have sanitation facilities for girls and only 70 have school libraries.

This project has been developed based on VSO's previous experience in Ethiopia, including the successful "Improving the Learning Environment of Schools" project, previously funded by the Guernsey Overseas Aid Commission. This experience has shown that provision of resources to improve library services and sanitation facilities increases the participation of children, especially girls, in education. By working with schools and communities, this model also facilitates the building of strong working relationships between parents and school management and increases the commitment of parents, students and teachers' associations in supporting school improvement programmes.

Funding is requested to construct segregated toilets for students and teachers and to improve school library infrastructure (including the supply of stationary and textbooks), and represents 89% of the total costs.

## **KENYA**

### **Good News! Trust**

#### **Build New Facilities at two Existing Schools, Oyugis, South Nyanza**

**£39,485**

The project is to build new facilities at two existing secondary schools by providing additional classrooms, new latrines and installing water tanks for clean water supplies in a poor rural area, thereby increasing the capacity for improved education and better health and - in the first year of use - benefitting over 500 pupils.

The local community does not have the resources to raise the relatively large capital sum required to build these community facilities. The two schools identified as having priority needs are God Agula and Nyandiwa Secondary Schools. Each has many HIV / AIDS orphans. Good News! Trust has previously built a science block at Nyandiwa Secondary School so has previous experience of this type of project. New classrooms and administration blocks will be built at both of these schools. The new classrooms will measure 30ft x 25ft and will be built using brick and cement, with concrete floors and galvanised sheet roofing, providing bright and spacious low maintenance classrooms with a long life. Administration blocks will be of similar construction, but consisting of a number of small rooms to serve as offices, store rooms and a staff room. The science block to be built at God Agula Secondary will be of similar construction as the classrooms and will provide a vital facility to enable the school to teach the full curriculum, something not currently possible. This will enable pupils to take the national secondary examinations (KCSE) for the first time.

God Agula Secondary School will be provided with blocks of latrines for both boys and girls. The new latrines will be hand dug and built of brick and cement and have galvanised roofing sheets. Both schools will have water tanks and guttering installed in order to provide a source of clean water, improving the children's health. Project Management will be by a volunteer from Jersey, with 15 years experience of projects in the Oyugis area, working in partnership with the school committees & community leaders.

## **KENYA**

### **Good News! Trust**

#### **God Agulu Primary School, Oyugis**

**£39,593**

The project will benefit over 500 pupils by rebuilding a primary school that was destroyed by a storm, located in a poor rural community near Oyugis by providing the school with new latrines, installing water tanks and guttering and by providing classroom desks.

There is an urgent need to rebuild this school. Children are currently being taught under trees as the storm-damaged school is too dangerous to use. Eight brick built new classrooms will be provided, incorporating concrete floors and galvanised sheet roofing. The school will also be provided with latrines, again of brick construction with galvanised sheet roofing. Two 5,000 litre water tanks - with associated guttering - will also be supplied, providing a source of clean water for the children and staff.

In 2010 the Commission provided a grant of £35,070 for a community development nearby in Oyugis.

**KENYA****The Ellen Jane Rihoy Charitable Trust****Segera Schools' Upgrading and Infrastructure Development Project, Laikipia East district****£29,583**

The project will provide four new classrooms at a primary school and a secondary school with a new ablution block (as well as enhancing both schools' rainwater harvesting capabilities) to benefit over 800 children (and around 1,200 others) in an area where there has been limited educational opportunities, chronic water shortage and where there are historic legacies of inter-ethnic conflict.

The completed project will provide accessible opportunities for pastoralist school children to obtain better education grades, create a centre of academic excellence in Endana community, as well as improving general hygiene levels. Laikipia district has a history of inter-ethnic conflict centred mainly on culturally sanctioned livestock thefts and revenge raids that follow afterwards. Schools provide the only realistic means of escape from such conflict for many school age children. Poverty is endemic and many schools in the area lack resources to provide schooling to each child, even though it is official government policy to provide universal free primary education to all. The transition rate of students from lower to upper primary level (and on to high school) is very low, with a drop out rate at primary level in excess of 20%. The transition rate to high school is only 15% of all students who sit the primary school examination. Children who do manage to attend both primary and local high school are faced with overcrowded and poorly ventilated and equipped classrooms. The high school has no bathroom block and the boys have to get up before 6am each day in order to bath in an open field before other day students arrive at school.

**MADAGASCAR****Azafady****Provision of Classroom Furniture to Rural and Semi Rural Schools, Anosy Region****£10,573**

This five month project will directly help in excess of 6,000 pupils by developing Madagascar's human resource capacity, improving educational facilities for the most marginalised through the provision of 400 desks and benches to high priority schools in isolated villages in Tolagnaro and Mahatalaky Rural Commune, where in excess of 90% of the population lives below the poverty line and illiteracy rates reach 80%.

Poor education in this region is recognised by the government as being one of the key challenges to Madagascar's future development. The population of Tolagnaro has greatly expanded over recent years and the impoverished people struggle for employment. The effects of global recession and ongoing political instability mean that tourism (a key economic driver for the region) has dropped substantially. Last year villages within Mahatalaky were hit by a widespread food security crisis and in both communes only a small proportion of the workforce receives regular monetary wages. As levels of poverty and unemployment increase, a growing number of children are under pressure to withdraw from school in order to support their families with income-generating activities. The current educational system has a process whereby those who do not pass their end of year exams twice – extremely difficult given the current learning environments – are expelled from public school, leaving no education alternative other than private fee-paying schools, far beyond the capacity of most families. With the increasing need for greater and more evident effectiveness of schooling, improvements to the quality of education and learning environment are vital.

Despite restrictions on education opportunities, schools are greatly over capacity, such is the desire for youngsters to learn. Class sizes range from 100-200 students, but often have sufficient furniture for only a fraction, meaning children are required to sit on the floor or stand, severely hindering their ability to learn effectively. Funding will provide 400 desks and benches in 3 schools, through the purchase of all materials and meeting the cost of the labour necessary to complete desk and bench construction.

## **NIGER**

### **Oxfam**

#### **Improving Access to and Quality of Education in Agro-Pastoral Community Schools, Tillabery region, West Niger**

**£39,823**

This project will improve access to - and quality of education - for at least 2,500 children in the Tillabery region who attend agro-pastoral community schools, through classroom and latrine construction, the provision of school furniture and training. It represents a continuation of a project that the Commission is already supporting in Niger.

Niger is one of the poorest countries in the world where access to clean water, sanitation and education is limited. Communities that have to choose between immediate food security and their children's education do not always prioritise education. Less than one third of adults are able to read and write. In 2007 the girls' school enrolment rate for Niger was only 44 per cent, and completion rates were significantly lower than this. Meeting the Millennium Development Goal (MDG) on education by 2015 remains a challenging target. The Niger Education Ministry does not have the resources to build classrooms and sanitation facilities for schools in remote agro-pastoral areas such as the Tillabery region. This shortfall in the state budget also impacts on recruiting and training teachers and on providing essential school equipment such as textbooks.

Building on the lessons learnt and the experience gained from the first year of this project, the aim is to continue improving access to education for children in three more villages in Tillabery so that more than 2,500 children receive a quality primary education. Activities in the three identified villages for this project include: (1) building classrooms and latrines in three schools (2) provision of equipment and school books for the classrooms (3) training nine animatrices and members of three Mothers' associations in income-generating activities (4) the provision of adult literacy training, and training for the School Management Committees and Parents and Mothers' Associations in three communities.

Oxfam intends to use this project as a model to lobby the Education Ministry for better investment, quality and governance in the education sector, building the capacity of parent-teacher committees responsible for managing schools, and enabling them to better articulate their education needs to government authorities - Oxfam will fund this part of the programme. The funding requested represents 14.3% of the total project cost of £278,000.

## **NIGERIA**

### **ActionAid**

#### **Enhancing Access to Basic Education through Improved Service Delivery, Kogi State**

**£40,000**

This project will enhance access to basic education for up to 2,000 children and their families in two communities in Kogi State through the construction and establishment of two new community schools, complete with gender sensitive toilets and recreational facilities.



Kogi State is one of the most disadvantaged States in Nigeria in terms of education and health infrastructure. Only an estimated 10% of adults and 22.8% of children and young people in the project area are literate. The communities targeted by this project, Ofuloko and Ogbogba, do not currently have ready access to quality education. The nearest primary school is several kilometres away and consists of thatched houses made of wood and raffia, which fail to provide sufficient cover during the rainy season, resulting in children missing school. The school lacks access to potable drinking water and there are no toilet facilities.

This project will address these problems through the construction of 2 new community primary schools, each consisting of 3 classrooms, two toilets (1 for boys and 1 for girls) and safe and gender friendly recreational facilities. Boreholes will be drilled in each school to provide a source of clean drinking water. Children attending the schools will receive basic training in improved hygiene and sanitation practices to ensure the toilets and drinking water are used effectively and kept clean.

## **NIGERIA**

### **The Leprosy Mission**

#### **Supporting Education for Children affected by Leprosy, Ochadamu, State of Kogi**

**£29,621**

The project is to provide a community school in Ochadamu, a poor rural area where subsistence farming is the main occupation, which will enable 234 children from both leprosy and non-leprosy backgrounds (together with a further 1,630 victims of leprosy) to receive a good primary education, at the same time enabling children affected by leprosy to become integrated into mainstream society.

There is a high level of discrimination against people affected by leprosy. In Ochadamu, schooling currently takes place in two locations - a local church, and a temporary site which will shortly have to be vacated. A purpose built school is needed to accommodate the 134 children from the temporary site as well as 100 pupils currently educated in the church building. Neither existing facility has proper recreational provision or basic sanitation, such as on-site toilets. This project will construct a school building on land donated by the Holley Memorial Hospital and will have six separate and fully equipped classrooms, together with a teachers' staff room and headmaster's study. The facility will include three Ventilated Improved Pit (VIP) latrines for the pupils and teachers. The school will be provided with items such as swings and sports equipment to facilitate recreational activity.

## **RWANDA**

### **Rwanda Restored**

#### **Gihogwe Secondary School, Kigali - Water Harvesting and Underground Water Storage/Supply Project**

**£40,000**

The project will provide a constant and reliable supply of water at the Gihogwe Secondary School, Kigali, by the construction of a water harvesting and underground water storage facility, benefitting over 300 pupils at the school (which, although partly built, is still under development).

In 2007 the Guernsey Overseas Aid Commission provided a grant of £28,200 to Cobo Mission Hall (in cooperation with Rwanda Restored) for the ongoing development of Gihogwe Secondary School, in particular for the construction of one classroom, toilets, medical room and a library, as well as for purchasing medical equipment and medicines. Gihogwe school is still being developed, and construction work continues so that it will eventually provide education for 900 pupils; at present it serves 162 students, 59 of them boarders. The current number of pupils is expected to increase to over 300 during 2011 and there is an urgent need to ensure a constant supply of water for use in the toilets, showers and in the kitchen. During the long dry season the school's existing water storage butts soon empty, and tank-loads of water have to be continually purchased in order to allow the school to function in a hygienic and safe manner. Providing a continual supply of water will also help reduce the school's running costs considerably.

## **SIERRA LEONE**

### **Feed the Minds**

#### **Literacy and Employment Opportunities: Reshaping the Future of Bo**

**£11,490**

The project will support 150 highly disadvantaged young people in Bo to gain skills which promote self reliance by combining literacy with vocational training and trauma healing, making them better placed to secure employment (or become self-employed), more able to provide for their families and support their children's education and health, and better able to reintegrate into society. The project will outreach 80 young women and 70 young men in slums within and around the city of Bo Town in southern Sierra Leone. A further 8,000 people are estimated to benefit from the eventual cascading effect of this project.

The scheme is necessary because one of the most pressing challenges facing Sierra Leone remains the reintegration and settlement of its youth. Young people played a central role in the country's recent brutal conflict, as both fighters and the civilian victims of ruthless violence. With this project the aim is to seek to address the need for basic education, skills training and trauma healing for the most severely impoverished inhabitants of Bo Town.

The funding sought will cover the costs of delivering the project in its entirety: providing literacy classes (educational materials, facilitators), vocational training (raw materials, trainers), as well as trauma healing (weekly counselling, drama and music sessions).

## **SIERRA LEONE**

### **The Waterloo Schools Charity**

#### **Science, Technology and Vocational Training Department Phase Two, Peninsula Secondary School, Waterloo District**

**£40,643**

The project is to undertake Phase 2 of a project to establish a Technical Vocation building at Waterloo School to enable 1,860 secondary school students and 20 day release apprentices to be taught mechanics, carpentry and engineering within a purpose-built two storey building.

Each course held within the new facility will be taught to examination level. The elders and Head Man of the village of Waterloo have asked to be provided with education facilities that will lead to positive, gainful employment opportunities which provide income to support families. In 2007 the Commission gave Waterloo Schools Charity a grant of £30,098 to help with the construction and equipping of a building which forms the basis of a science, technology and vocational training department at the Peninsula Secondary School in Waterloo town. That grant resulted in a modern, well-equipped building comprising a general science laboratory, a computer room and a Family Science/Home Economics laboratory, all now in regular use.

This latest proposal is for Phase Two, which will provide additional accommodation to add to the technical training facility not only for the school children, but for youths too.

## **SUDAN**

### **Christian Aid**

#### **Strengthening Education in South Sudan**

**£39,149**

This project is to improve the quality of education for over 70,000 pupils enrolled in Munri district through the construction of a library and two classrooms at the Kotobi Institute of Teacher Education.

There are two parts to the project. The first is to build a library, equipped with shelves and furniture, at the Kotobi Institute of Teacher Education (KITE) in South Sudan. The second part is the construction of two nursery classrooms and a latrine. The nursery classrooms will be equipped with desks and benches and will be designed for children aged from three to five years, to prepare them for primary school.

After twenty years of conflict the Comprehensive Peace Agreement signed in 2005 brought about relative stability in the country. As a result the Ministry of Education for the Western Equatoria State is now responsible for paying teachers' salaries and prescribing a curriculum for teachers to follow. As part of the agreement, the government requires teachers to carry out two years of residential training in order to qualify, but lacks the capacity and resources to support this. It is therefore seeking the support of NGOs working in the region to carry out the work. Progress has already been made in Mundri district and, through its partners, Christian Aid has already supported KITE with teacher training and lodgings, however there is still a real need for more infrastructure and equipment to be provided. The absence of a library in the district means that teacher trainees are not given a fair chance at gaining their qualifications. It is expected that at least 80% of teacher trainees at the institute will be able to pass their exams as a result of a new library (currently less than half of all trainees pass their exams) thereby enabling the standard of teaching in the region to improve dramatically. The lack of a library also affects the older students' performance at secondary schools and these individuals would also benefit from the use of text books.

There are also very few nurseries in this area, meaning that children are often ill-prepared when they start school at age six and subsequently make slow progress with their academic learning. Two years in a nursery will help address this problem and ensure children are much better prepared. It is expected that 90% of these children will perform much better at primary school as a result of this project, when currently less than half do so. This estimate is based on studies conducted in neighbouring countries which have shown that nursery attendance can double success rates at primary level. The funding requested is to meet material and labour costs to build two classrooms and a library, and to provide them with furniture.

## **ZAMBIA**

### **Build IT International**

#### **Livelihoods and Rural Community Schools Programme, Ndola**

**£34,573**

The project will provide access to basic primary education for up to 1,000 children per year - particularly girls - and indirectly benefit approximately 3,500 other people, whilst offering practical building skills (and job opportunities) to young adults through the constructing of a two classroom school (incorporating an office, latrines and teacher's house) in Chipulukisu, using the project to train them in building skills and ultimately to improve their future employment opportunities.

Poverty in rural Zambia is endemic and is reflected in the fact that many communities are still without formal schools. Villagers will generally provide a simple school structure and will collect what little money they can to hire a teacher. As a consequence, children attending such schools do so for the lower primary grades only. Many pupils travel long distances to attend school, which often results in young girls being kept at home instead. Those children who are able to attend are faced with over-crowded and poorly maintained and equipped classrooms, often without toilets.

Despite the fact that over 50% of Zambians are unemployed there is a serious skills shortage within the construction sector, with a general need for quality, low-cost buildings to be provided around the country. This project will create lasting opportunities for people to earn a better living. This will be achieved by giving selected local people basic construction skills training, work experience and qualification opportunities. Environmentally sustainable building technologies are used, including using stabilised soil blocks and locally-made micro cement tiles. The project will benefit up to 1,000 children per year, as well as 10-15 adult trainees and (indirectly) another 3,500 people within the community. The requested amount of £34,573 represents 72.8% of the cost of building Chipulukisu school.

## **Health**

### **AFGHANISTAN**

#### **The British Red Cross Society**

##### **Afghanistan Water and Sanitation Project, Shortepa, Khulm and Balkh Districts**

**£39,888**

The project will improve the health of 10,200 vulnerable people living in Shortepa, Khulm and Balkh in the northern Afghanistan province of Balkh by constructing 16 wells to provide safe drinking water, together with 32 hygienic latrines and the provision of training in safe hygiene practices.

More than two decades of conflict have left these districts in pervasive poverty and an enormously damaged health infrastructure. In rural areas 83% of the population do not have access to safe water and a similar proportion have no access to sanitation. In addition, there is an acute shortage of health facilities and trained staff, with the majority of the population lacking access to basic health services. Life expectancy is 44 years and infant mortality is dangerously high: 1 in 6 infants die before the age of one year. Knowledge of personal hygiene and basic health care is poor: a Red Cross survey showed that 49% of households had experienced diarrhoea in the past 7 days, yet only 4.5% were aware of the importance of using rehydration salts, or even of rehydration; this is a leading cause of childhood deaths.

A grant from the Commission will enable the Red Cross to construct wells and twin pit latrines, thereby instigating a significant improvement to the health of the local population and decreasing their vulnerability to disease. The twin pit latrines are recommended by technical experts due to their safety component, essential in an area at risk of cholera epidemics. The structures are constructed of bricks and the foundations made from stone, with a concrete base.

### **BANGLADESH**

#### **Habitat for Humanity Great Britain (HFH)**

##### **Water, Sanitation and Hygiene Promotion in Bangladesh**

**£40,000**

The project will improve water, sanitation and hygiene conditions for 2,940 poor people living in the rural communities of Jessore, Satkhira and Tangail by constructing low-cost latrines, harvesting clean rain water and staging community-based health education training programmes to raise awareness of WaSH-related illnesses (Water, Sanitation and Hygiene).

In Bangladesh 64% of the population do not have access to sanitation facilities and 20% do not have safe drinking water sources. In rural areas - where an estimated 80% of the population lives - conditions are worse. Women spend a significant amount of their time fetching water and caring for children made sick by Water, Sanitation and Hygiene (WaSH) related illnesses. 51,000 children under the age of five die from diarrhoea each year. Low-income families struggle to meet their basic needs and are unable to afford water and sanitation facilities.

This project supports the Bangladeshi Government's target of "Sanitation for All" as part of its commitment to achieving the Millennium Development Goals. In particular 150 families (750 individuals) will receive low-cost loans, technical assistance and training to construct low-cost latrines and rain water harvesting systems, whilst 900 individuals will receive training in the construction of low-cost latrines.

The project will give priority to the most vulnerable in the community, including women-headed households and those with children and adolescent girls. Beneficiary income averages 26p per person per day.

The planned interventions will reduce family vulnerability to potentially fatal infections and diseases and will result in a healthier living environment for everyone. The overall health improvements will have the added benefits of providing enhanced opportunities for women and increased school attendance for children. Funding is requested for 83.8% of the cost of the project.

## **BANGLADESH**

### **IMPACT Foundation**

#### **Provision of Arsenic Filters to make Drinking Water Safe for Poor Families, Chuadanga and Meherpur**

**£26,000**

The project will provide 500 poor households (a total of 2,500 people) in Chuadanga and Meherpur districts with arsenic filters to make their drinking water safe for consumption. This will lower the incidence of poisoning and address other potentially serious health issues. Families with a disabled member or other particularly vulnerable households (e.g. female-headed or landless) will be prioritised. Arsenic contamination of drinking water urgently needs to be tackled as it represents one of the biggest public health challenges in Bangladesh today.

During the 1970s international support Agencies installed over eight million tube wells across Bangladesh in a bid to tackle one of the highest infant mortality rates in the world. Traditionally, local people had collected their water from ponds or open dug wells; the diseases they harboured killed millions and caused a huge amount of ill health. As a result of the intervention, deaths from waterborne diseases such as cholera, typhoid and diarrhoea decreased by 50%. However, in the early 1990s scientists discovered that the water in more than half of all the wells was contaminated by naturally occurring arsenic. Unfortunately up to 57 million men, women and children have been exposed to this potentially deadly poison, putting them at risk of skin lesions, cardiovascular disease and - eventually - cancers of the skin, lungs, bladder and kidneys. The WHO has called this situation “the largest mass poisoning of a population in history”.

Many of the tube wells in the impoverished districts of Chuadanga and Meherpur are contaminated and this is slowly poisoning otherwise healthy people. A straightforward and cost-effective solution is for households to filter their water before using it. Funding will be used to provide 500 of the poorest families with the award winning ‘Sono Filter’ as a low-technology, high-impact solution to remove arsenic from their drinking water. These will be installed in homes and basic training provided on how to use the filters, as well as giving families an understanding of the devices' importance.

## **BANGLADESH**

### **The British Red Cross Society**

#### **Bangladesh Water and Sanitation Project, Bhola, Noakali, Feni, Chittagong, Patuakhali and Pirojpur**

**£20,380**

The project is to reduce the incidence of preventable diseases and improve the health of 35,525 people across seven coastal districts of Bangladesh by providing protected tube-wells and supporting community-based hygiene and maintenance training.



Bangladesh is widely recognised as one of the most disaster-prone and climate-vulnerable locations in the world, and accounts for over 60% of all global deaths related to cyclones and tropical storm surges. Whilst a joint initiative between the Government of Bangladesh and the Bangladesh Red Crescent Society to implement an early warning and evacuation system has been largely successful in mitigating the immediate loss of life, the repeated damage caused to local water and sanitation infrastructure has nevertheless left these communities extremely vulnerable to widespread illness from water borne diseases. A prime example of this within the project target districts was the legacy of Cyclone Sidr, where a lack of clean drinking water led - in 3 months - to 3,572 people contracting diarrhoea, 3,210 pneumonia, 7,538 skin diseases, 2,309 with eye infections and 10,349 with typhoid fever. With at least two cyclones affecting these communities each year the resultant damage has led to significant regional disparity amongst the coastal population, with up to 70% living below the poverty line and finding themselves unable to mitigate the threats posed by drinking contaminated water.

Support from the Commission will enable the British Red Cross Society and the Bangladesh Red Crescent Society to address these needs by building protected tube-well drinking water facilities within 35 cyclone shelters in the most disaster-prone coastal communities of Bangladesh. Indirect beneficiaries totalling approximately 100,000 who live within a 5km radius of these shelters will gain from the provision of clean tube-well water drinking facilities. The resulting work will help limit the spread of epidemics amongst the wider community and will help mitigate against the impact of the annual cyclones.

## **CAMBODIA**

### **Christian Aid**

#### **Increasing Community Resilience in Cambodia**

**£39,446**

This project will directly benefit 7,469 people (and an estimated 100,000 indirectly) by increasing resilience to extreme weather conditions within two communities in Kampong Speu Province through new water supply and irrigation systems.

The project will provide basic infrastructure, including five spillways (a structure used to create a controlled release of water from a dam into a downstream area), two community ponds, one well, four rainwater catchments, one culvert (to channel water underneath embankments), one canal, two hill water supply systems, two dams and five school latrines. The provision of these basic items of infrastructure will improve people's health and decrease their vulnerability to floods and drought. The new water catchment systems will result in (1) improved access to water for families and their animals all year round (2) better access to water and improved sanitation in schools (3) improved water storage to catch water during the rainy season, allowing for water reserves during the dry-season or drought (4) extended drainage for relieving the rice paddy fields during extreme weather conditions. The impact on the communities will be significant; children's health will dramatically improve and small scale water harvesting will ensure that farmers can grow more than one crop of rice per year (and also enhance their vegetable production during the dry season) thus benefiting their livelihoods.

Cambodia is the third poorest country in Asia with 80% of Cambodians relying on the land for their food intake and livelihoods (most of the population earn their living through rice cultivation). The monsoon climate and uncertainty of rainfall in the country means that communities are vulnerable, with crops often destroyed by lack of water or through flooding. Water shortages in the project area are having a huge impact on the poorest people of the communities, both on their own water needs as well as on agricultural practices. Funding will be used for the construction of various water catchment and storage facilities, including dams, rainwater catchments, wells, canals, community ponds and spillways.

## **CAMBODIA**

### **PLAN International UK**

#### **Improving Maternal Care and Facilities - Maternity Ward Construction, Ponhea Kraek, Kampong Cham Province**

**£39,698**

The project will improve access to quality maternal and neonatal health care for 350 pregnant women and their newborns in Doun Tei through the construction of a 6 bed maternity ward. Maternal mortality will be reduced through access to quality facilities and ante and post-natal care. Village committees will be trained to raise awareness of maternal health services (vaccinations, birth registration, monitoring) and safe motherhood. An area of land for the construction will be provided by the community.

In Cambodia a lack of access to health services and facilities for pregnant women and women in labour is a critical barrier to the reduction of maternal mortality. Maternal mortality is high: 432 deaths per 100,000 live births in the year 2000. In this district 73% of 2,044 births were assisted by midwives in 2008, the remainder assisted by traditional birth attendants. The Doun Tei health centre serves 17 villages with a total population of 11,444 people. The capacity of the local health centre to increase the percentage of assisted deliveries is limited in part by the lack of facilities available. There is only one delivery room, measuring 2m x 3m with no area for post-delivery recovery. This causes problems for post-birth checks and follow-up with mothers and newborns - there is no facility or beds for observation purposes, vaccinations or motherhood care.

The project will increase capacity for treatment and service provision at Doun Tei health centre by constructing a maternity ward comprising one delivery room and one post-natal recovery room, 6 beds, a bathroom and toilet, and a kitchen. Solar power will provide electricity, and a water reservoir and pump will ensure safe water. The ward will provide essential space for additional births attended by professional staff, plus beds for recovery and monitoring. The ward will also be used for pre and post-natal care, including consultations and treatment, immunisations and mother and child health promotion (e.g. breastfeeding and hygiene education). Training courses in mother and child care for village health support groups will encourage the use of the new facilities and services and lead to advice and knowledge-sharing throughout the community. The inauguration event for the maternity ward will bring together the community and health staff, strengthening the relationship between these groups. Funding is provided for a 6 bed maternity ward, village health committee training on mother and child health and an awareness-raising event to coincide with the opening of the new maternity ward.

## **DEMOCRATIC REPUBLIC OF CONGO**

### **ActionAid**

#### **Improving Hygiene and Sanitation in Primary Schools, North Kivu Province**

**£39,882**

This project will improve hygiene and sanitation conditions for 2,987 children and 56 teachers in 6 primary schools in North Kivu Province through the construction of pit toilets and water tanks.

The Democratic Republic of Congo is among the world's least developed countries. Internal conflict has ravaged the country for over a decade and social and economic activities have virtually ceased, particularly in North Kivu where, despite a peace agreement reached in March 2009, several armed groups continue to cause insecurity in remote areas, challenging the government's efforts to support the longer term recovery. The education sector in particular has faced tremendous challenges, including 1. complete neglect due to the ongoing civil conflict 2. under funding 3. displacement of school-aged children and their parents and teachers 4. poor infrastructure 5. overcrowding 6. unhygienic school environments.

Over 85% of the few available school structures remaining are overcrowded and often used on a shift system to accommodate both primary and secondary school pupils. School facilities such as toilets are unhygienic and insufficient for the number of pupils. Schoolboys, schoolgirls and their teachers use the same limited toilet facilities, most of which have been built without providing water sources for hygiene purposes. This means children and their teachers are often exposed to waterborne diseases.

A multi-sector assessment in late 2009 revealed the enormity of the unhygienic school situation facing almost 90% of schools in North-Kivu province. A UN-led education grouping called for urgent action by humanitarian agencies. This project therefore aims to respond by constructing 12 toilets in 6 primary schools in Goma town and Nyiragongo territory in North Kivu province. Using space already available, two separate school pit toilet structures - consisting of three drop holes and doors - will be built in each of the six schools, along with one water storage tank per school to collect rain water. This help will ensure privacy and increase the safety of both male and female pupils and their teachers and facilitate the use of safe hygiene and sanitation practices. The tanks will also provide a source of water which can be easily treated for drinking.

## **DEMOCRATIC REPUBLIC OF CONGO**

### **SCIAF**

#### **Providing Care and Support to Women and Girls who have been subjected to Rape and Sexual Violence**

**£35,420**

This project is to enable 960 women and girl survivors of rape and sexual violence to regain health, dignity and hope by providing essential medical and - if necessary - surgical, obstetric, gynaecological, pre-natal and counselling care (with 120 of them receiving on-going health support) .

The six “Listening Centres” will offer a safe and discreet place for survivors to be listened to and receive the support they need, through referrals to health and legal services. The victims will also be helped to regain their livelihoods through training and economic support, and substantial efforts made through mediation and counselling to tackle stigma and enable reintegration into their families and communities. The women and girls will be helped to pursue justice through human rights training, access to advocates for legal advice, help to secure legal paternity for children born of rape, and to pursue actions through the courts on their behalf. SCIAF (Scottish Catholic International Aid Fund) and CDJP Uvira acknowledge the need for a major change among those in authority and within the wider population in attitudes and awareness of the human rights of women and girls, the need for action by those in authority to provide security for all, and to actively prosecute state employees, security forces, as well as civilians responsible for Sexual Gender Based Violence.

SCIAF works in both conflict and post-conflict contexts and responds to the root causes, effects and symptoms of violent conflict, in line with its mission to support the most vulnerable and marginalised to exercise their basic rights, to challenge injustice and promote integral human development. The current violent situation in the eastern DRC where thousands of women and children have been suffering the extreme consequences of armed conflicts for more than 15 years, forces SCIAF and its partner to address the rights of individuals and communities to live in peace and the rights of survivors of conflict to healthcare, livelihoods and legal justice.

In the DRC, SCIAF has 4 local Church based partners who have been working for a number of years with conflict affected communities on issues of gender equality, HIV prevention, livelihoods, peace building and access to justice. Based on their experience and intimate knowledge of the local situation, partners have identified the above mentioned problems, which will be addressed through this project.

## **ECUADOR**

### **CARE International UK**

#### **Emergency Healthcare for Indigenous Women and Babies, Otavalo, Imbabura Province**

**£39,948**

The project will help an estimated 300 indigenous women and their babies across Otavalo to have better access to emergency healthcare, thereby reducing the needlessly high number of maternal and neonatal deaths in the region, specifically by providing a 4x4 ambulance capable of reaching remote, indigenous communities in order to transfer emergency cases to hospital or local health facilities, and by supplying 10 local health centres across rural areas with essential medical equipment so that they are able to provide better antenatal and postnatal care (such as identifying complications during pregnancy or childbirth, and referring emergency cases to hospital).

In Ecuador 1 in 170 women die each year during pregnancy or childbirth, many of whom could be easily saved. Maternal and neonatal mortality rates are particularly high amongst remote indigenous communities which commonly lack access to essential healthcare and suffer weak transport links, often forcing women to give birth at home without professional care. Without adequate medical support, danger signs are often missed during pregnancy and childbirth, resulting in needless deaths or life-long health complications for mothers and babies. Extreme poverty compounds this, as indigenous families simply cannot afford to pay for transport to a hospital.

This project will target Ecuador's Andean region of Otavalo where half the population – some 50,000 people – are indigenous and live in extremely remote areas where terrain is notoriously difficult and infrastructure scarce. The project is expected to have a hugely positive impact on the lives of thousands of the women, babies and their families for years to come. The expected outcomes during this project include (i) an estimated 300 indigenous women and babies directly benefiting from improved access to healthcare during pregnancy and childbirth (and access to life-saving hospital treatment) (ii) 10 local health facilities - and 30 health workers - being better equipped to provide ante and postnatal medical care, with the overall aim of reducing the maternal and neonatal death rate in Otavalo.

## **ETHIOPIA**

### **Christian Aid**

#### **Improved Water and Sanitation in Lanfuro and Silti**

**£37,836**

This project is to help improve the health of people living within disadvantaged communities in the rural areas of Lanfuro and Silti by ensuring they have sustained access to safe water (64,348 people) and sanitation facilities (for 73,848 vulnerable people).

Lack of access to clean water is the biggest problem facing the communities in the project locations. Families living in this region collect water for drinking, cooking and cleaning from polluted rivers and unprotected ponds up to 5km away from their homes. The project will work in four key areas to address needs; these include (1) Improved Water Supply, which will be achieved through the construction and maintenance of a water supply system providing 20 litres of safe water per person per day (which is the World Health Organisation's recommendation) to 18 different villages. This will be done by capping a spring and constructing 91km of pipes, creating a gravity-fed system with 50 water distribution points. (2) Improved Sanitation - this will be achieved through the construction of improved basic sanitation facilities, building 54 model latrines, 18 clothes-washing and shower units and 20 school latrines. This will reverse the high levels of open defecation in this region. (3) Improving Hygiene - The project will build understanding amongst communities of five key hygiene practices - hand washing, covering of food and water, safe disposal of human and animal faeces, safe disposal of waste and maintaining personal hygiene. In addition, the project will arrange the distribution of information leaflets and training to four community organisations and 88 schools. (4) Formation of Water Committees - the project will support sustainability, with representatives of the community and local government organisations trained to properly maintain water supply systems. This will be achieved by setting-up 20 community-run committees which will hold responsibility for collecting water tariffs and running the system once the project has been completed, as well as training two key district level government bodies in taking responsibility for the services provided.

This project is part of a wider project supported by the EU. Funding from the Commission is for water supply and sanitation construction costs, as well as hygiene education in schools and is for the first (of the three) year project.

## **ETHIOPIA**

### **Disability and Development Partners**

#### **Making a Children's Resource Centre Accessible, Lideta subcity, Addis Ababa**

**£26,350**

The project will enable the completion of a partly-built Children's Resource Centre in Lideta subcity, including the construction of a ramp to make the upper storey accessible, and to provide equipment (including a workshop and associated aids and appliances within it) at the Centre, benefitting a total of approximately 820 people.

The Children's Resource Centre - an inclusive centre for disabled and other children - is gradually coming to fruition but still needs further work to be undertaken in order for it to be completed. The Centre, which is already functioning, nurtures various activities including a children's theatre, music group and affordable rehabilitation services for children. The majority of the building is already complete and these proposals will greatly improve accessibility. The proposed ramp is a permanent structure that will require very little maintenance and is a low-cost alternative to installing an electric lift.

The Centre provides physical health rehabilitation facilities (for aids and appliances, enabling the fitting and repair of items such as callipers etc) as well as outreach rehabilitation therapy services so that disabled children can acquire independent living skills and begin to integrate into mainstream society.

## **ETHIOPIA**

### **ORBIS Charitable Trust**

#### **Elimination of Blinding Trachoma Project - Gamo Gofa Zone, Konso and Derashe (GGDK) Special Woredas**

**£39,153**

The project will reduce the burden of unnecessary blindness on the very limited economic resources of Ethiopia by directly helping approximately 19,000 people, and indirectly improving the quality of life and prospects of around two million people at risk of losing their sight to blinding trachoma, cataract or refractive error around the rural Gamo Gofa Zone, Konso and Derashe special woredas.

In this area of southern Ethiopia there are an estimated 500,000 children with active trachoma and nearly 60,000 young adults (mainly mothers) awaiting surgery and at immediate risk of losing their sight (with a further 11,000 becoming at risk each year). It is believed that a further 17,000 people aged 40 and over in the region are either blind or have low vision due to cataract.

The project aims to eliminate blinding trachoma in the area (to be indicated by 10% or lower prevalence of active trachoma among 1-9 years olds, and less than 1% prevalence of trichiasis cases) by 2015. This will be achieved by strengthening the in-country partner's capacity to fully implement the World Health Organisation's (WHO) SAFE strategy of trachoma control, focusing on training nurses to perform surgery to treat trichiasis and working with local organisations to distribute the antibiotics which are vital if the disease is to be eliminated from this area. Work to increase the capacity of local partners to treat blindness due to cataract is underway; efforts are also in process with health care workers and community volunteers to develop a network of people who can educate their communities towards permanent behaviour change on face washing and sanitation, thus lessening the prevalence of infectious diseases, including blinding trachoma.



The requested £39,153 will be used to purchase essential medical supplies (such as magnifying loops and trichiasis surgery sets), as well as Tetracycline ointment for trachoma control, and for training local health care workers to perform sight-saving surgery. Community health agents will also be trained to provide primary eye care and to provide incentives to school eye care clubs to promote long-term behaviour change.

## **ETHIOPIA**

### **United Nations Children's Fund (UNICEF)**

#### **Improving Water and Sanitation Facilities in Rural Ethiopia**

**£39,060**

The project will improve access to clean water and sanitation for at least 1,000 people living in communities in rural Ethiopia by supporting the development of low-cost water supplies and providing sanitation facilities for schools, communities and at a rural health post. The work will take place in the most under-developed regions of Gambella, Benishangul Gumuz and Afar, the precise location to be determined depending on specific need at the time the grant was made.

To improve local community water supplies throughout the selected regions, UNICEF will construct two cost-effective and sustainable water points, including hand-dug wells, protected springs and drilled wells. UNICEF will also help to build sustainable water and sanitation facilities in two rural schools to help improve each school's learning environment and to encourage student retention. Students at each school will be provided with safe drinking water points, separate latrines for boys and girls and hygiene education in order to promote improved hygiene behaviour amongst children. UNICEF will also provide a rural health post with sustainable drinking water points, gender separated latrines and hand washing facilities.

This project follows a successful nationwide effort which provided every village in Ethiopia with trained health workers who recognise danger signs of malnutrition and offer treatment to help prevent future famine. Following the success of that initiative, UNICEF's focus is to provide sustainable access to water for all communities across Ethiopia, this project being one element.

## **GHANA**

### **AfriKids**

#### **The AfriKids Partnership for Health, Upper East Region**

**£40,000**

The project will strengthen the capacity of the secondary care healthcare workforce in the Upper East Region of Ghana, helping provide specialist medical equipment and training to enable the treatment of 10,000 patients a year in the areas of maternity, paediatrics and anaesthetics. Currently there is only one doctor to every 36,000 people in the region and it is seen as such an isolated and poorly resourced area that only four out of 43 doctors have actually taken up their posting since 2001. This is a pioneering partnership between AfriKids Medical Centre, Southampton Hospital and the Ghana Health Service which will provide the equipment and training needed to fully equip medical professionals in the region and to attract more of them into the areas of paediatrics, maternal health, anaesthetics and diagnostics.

AfriKids is a multi-award winning child rights NGO which employs over 150 people in the region and benefits over 100,000 people per year. Healthcare is a huge service area and since 2007 AfriKids has developed a Medical Centre by means of a pioneering public-private partnership in the region which now treats over 60,000 people per year and generates over £150,000 in profit through the government health insurance scheme, all of which is ploughed back into child rights work, helping it to become locally sustained.

## **INDIA**

### **Appropriate Technology Asia**

#### **Health and Fuel Security Project using Low Cost and Low Impact Environmental Technologies, Bageshwar and Kargil Districts, Uttarakhand, and Jammu and Kashmir**

**£27,589**

The project - which further develops the food security and sustainable health grant provided by the Commission in 2010 - will provide innovative farmer-led solutions to the health, food and fuel securities issues of 12,086 people through low-cost, environmentally appropriate technologies in an area that relies on agriculture as the main income source and where food security is poor and - coupled with lack of sanitation - results in poor health for inhabitants, particularly women, the young and the elderly.

Firewood is used as the primary source of cooking and heating energy and this directly leads to various health problems, such as eye disease and respiratory-related distress. It is therefore planned that 180 smokeless stoves are constructed. To address the shortcomings caused by the lack of sanitation 90 twin pit toilets will also be constructed. Training will be provided which will result in improvements in a number of different areas, including general health matters, hygiene, the construction, maintenance and proper usage of stoves and the construction, maintenance and correct usage for new toilet facilities. There will also be three health camps provided for use by women and children. An environmental regeneration/carbon offset scheme will take place, utilising saplings and the planting of seeds.

## **INDIA**

### **Arpana Charitable Trust (UK)**

#### **Awareness Generation, Treatment and Management of Diabetes, especially Diabetic Retinopathy, initially in 100 Villages of Karnal District, Haryana**

**£30,300**

The project represents a new initiative to generate awareness of - and to treat and manage - diabetes (especially diabetic retinopathy) within a 50 km radius of Arpana Hospital, with between 18,000 and 24,000 people being screened per annum and 1,800 to 2,400 treated. The intention is to provide a vitrectomy machine which will enable the undertaking of vitreoretinal eye surgery, the provision of complete retinal care, the purchase of a Biothesiometer (used for the early detection of peripheral neuropathy - damage to nerves in the peripheral nervous system) and the acquisition of an HBA1C analyser (or "barometer") to help with assessing the overall control of diabetes.

During the initial (first year) phase of the project the aim is to cover a target area incorporating 100 villages in Karnal, with an approximate population of 250,000. In succeeding years the target area will be increased according to capacity. The project will primarily focus on:

1. Awareness generation and education on Diabetes and related complications through health education, including proper dietary patterns and healthy lifestyle, with special focus on identification and awareness-creation through outreach screening camps
2. Treatment and management of patients with ocular complication of diabetes with special focus on diabetic retinopathy at Arpana Hospital

The International Journal of Diabetes in Developing Countries, in referring to India as the diabetes capital of the world, reports an alarming rise in the prevalence of diabetes which has gone beyond epidemic form to being pandemic. The International Diabetes Federation estimates that the number of diabetic patients in India has more than doubled from 19 million in 1995 to 40.9 million in 2007 and is projected to increase to 69.9 million by 2025. Up to 11 per cent of India's urban population and 3 per cent of rural population above the age of 15 has diabetes. The World Health Organization estimates that mortality from diabetes and heart disease costs India around \$210 billion each year, and this is expected to increase to \$335 billion within the next ten years. These estimates are based on lost productivity and result primarily from premature death or disability. The medical complications associated with diabetes include heart disease (21.4%), neuropathy (17.5%) and retinopathy (19%). No other organisation in the target area is working on any initiative specifically focused on diabetes and diabetes-related complications.

The project will be implemented through

1. Providing training to community workers, general practitioners, paramedics & project staff on diabetes and its symptoms - they will then carry out visits amongst the communities, and will network with Panchayats (village councils), local leaders, government health functionaries, etc.
2. Community workers conducting awareness-generation programmes on diabetes through street plays, community meetings etc., prior to each screening camp being held. Those found to be requiring further treatment will be referred to Arpana Hospital for proper advice and medication.

## **INDIA**

### **Interlock**

#### **Patient / Ambulance for pilot Telemedicine Project to serve below Poverty Level Isolated Rural Communities, Konkan**

**£9,028**

The project will provide a diesel-powered patient transport / ambulance vehicle to allow the transportation of patients living in over 20 villages that are prone to become cut off from access to state roads as the result of landslides. The vehicle will permit patients to be collected and returned home after visiting a pilot telemedicine surgery. The vehicle will also enable seriously ill patients, including those requiring x-rays or treatment only available in hospital, to be transported over "smaller" routes that have remained unaffected by disruption.

The vehicle will be based at the proposed Interlock rural clinic in Konkan, on the west coast of India. Unfortunately many roads in the area have been long-neglected and landslides have become increasingly regular occurrences. This has led to major problems in transporting patients, which now often has to be done using more minor roads. The damaged roads which are repaired are often done so to a poor standard, however, and the work completed does not last.

It is estimated that between 4,000 and 5,000 people will directly benefit from being served by the vehicle, many of them children. The intention is to modify the vehicle in order to make it suitable for transporting patients - especially maternity cases - as required. It will be equipped with removable seating.

## **INDIA**

### **The Leprosy Mission**

#### **Restoring Vision - Nd YAG Laser Machines, Purulia and Naini**

**£37,481**

The project will provide two Leprosy Mission hospitals in Purulia and Naini with brand new “Nd YAG” Laser machines to significantly improve the level and quality of treatment offered, each of the hospitals carrying out over 1,500 ophthalmic surgeries each year, of which 90% are cataract operations.

The Leprosy Mission hospitals across India provide people affected by leprosy with free eye care services which they are unable to access elsewhere. Leprosy can cause or exacerbate eye conditions such as Lagophthalmos (inability to blink), Glaucoma and Cataract, often resulting in blindness. The hospitals aim to reduce the burden of blindness (which is both preventable and curable) by providing quality eye care treatment, including surgery and after-care monitoring. Ophthalmic treatments in India are expensive and poor people find it difficult to access sight-saving treatment at an affordable price. Each machine will be used to correct Posterior Capsular Opacification - a condition which develops over time, even after successful cataract surgery. Vision can be restored within a few minutes through laser capsulotomy. The Nd YAG Laser is also used for iridotomies in leprosy-affected eyes, damaged by secondary Glaucoma caused by Uveitis (chronic inflammation). The intention is that around 600 people within the two communities will have their sight restored in the first year of project implementation. The expectation is that over the 12 year (plus) lifespan of the YAG Laser Machines, over 7,000 people will have their sight restored. This gift of sight will enable many of these people to undertake livelihood activities that they would otherwise be unable to do, thereby reducing poverty and helping to achieve Millennium Development Goal 1.

**KENYA****Asecondchance****Bungoma Water Project****£18,330**

The project will alleviate health problems (which largely result from a lack of clean potable water) in the village of Bunambo by funding the construction of a borehole, the purchase of a submersible pump and generator, 4 water tanks, pipes, connections and generator as well as the provision of associated training and awareness in water hygiene to benefit approximately 20,000 people.

The area in question has around 1,200mm of rainfall per year. The 20,000 local residents rely on a single protected spring, fitted with a hand pump which usually dries up in the dry season. This spring is not sufficient to cater for the whole population. The only other water supplies are the polluted Kiminin stream which is 4km away and the stagnant marsh waters nearby. Water from these sources is collected by women and girls who carry up to 20 litres at a time. The average household requires 100 litres of water per day, requiring five trips to the river. The water needs to be boiled to make it safe for consumption, but often this does not happen due to lack of time or safety awareness. As a result, there is a high incidence of typhoid, worms and amoebas in the local population. Community members have in the past attempted to dig 2 hand-dug wells but neither proved successful due to the depth of the water table.

This project will install a 7.5 inch borehole to a depth of 105 meters and utilise a diesel-operated pump, benefiting the whole of the population. The pump will feed four overhead tanks to ensure a reliable supply of water throughout the year. The Childopportunity Trust - supported by Childopportunity UK - will implement the Bunambo Water Project and will include a community awareness-raising component to address topics such as how to properly boil water before using it, how to properly store and carry clean water and how to maintain hygienic water containers. The project will directly benefit 20,000 individuals, including school children in two neighbourhood primary schools, and particularly women, girls and the destitute. This project will reduce the incidence of water borne diseases by up to 90% and reduce the average distance travelled to collect water from 4 kilometres to 1.5 kilometres, thereby freeing time for women and girls to participate in development and educational activity.

## **KENYA**

### **International Childcare Trust**

#### **Increasing Access to Primary Health Care and Education for Disadvantaged Children in Western Kenya**

**£38,360**

This healthcare project will increase access to primary education for 13,376 disadvantaged and vulnerable children in three rural districts of Western Province through the provision of healthcare and psychosocial support, enrolment in primary education and material support, improving the livelihoods of parents/guardians and child heads of households and advocating children's rights.

Western Province is the second poorest province in Kenya. Over 56% of its population lives below the poverty line. This project is located in the poorest districts of the province, where one in every four people will not live beyond the age of 40. The need for this project arose from studies conducted by WEAEP (Western Education Advocacy and Empowerment Programme), ICT's partner in the area. Many children are unable to attend school because they cannot afford the educational costs, they suffer from ill-health or they are forced to work or care for fellow family members. Low economic status and limited access to financial resources amongst widows and child-headed households increases non-enrolment and the drop-out of children who struggle to meet their most basic needs, let alone to afford educational costs.

Project activities take place at a Drop-in and Community Centre (DICC) in the town of Mumias and three Child Support Centres (CSCs) in more rural areas. The centres provide non-formal education classes, 3 to 6 month short-term residential rehabilitation services, night shelter, psychological care and support, family reunification/placements, and enrolment in mainstream primary education. The project will also build and equip an extension to the DICC, to help meet the increasing demand for services. To encourage vulnerable children to attend school they will be provided with healthcare, uniforms and scholastic materials, and livelihood support (marketable vocational training, savings mobilisation and revolving funds) for their parents/guardians and also child-headed households. The project will also provide 153 school desks for local schools and establish child rights advocacy groups within 13 primary schools.

The project, which will indirectly benefit approximately 130,000 children, is to co-fund the third year of this five-year project and represents 33% of costs.

**KENYA****MaterCare International****To Provide an Incinerator and Water Treatment Plant at the Maternity Hospital, Isiolo****£39,734**

The project will assist a scheme providing comprehensive, essential obstetrical care to the rural population of Isiolo through the construction of an incinerator and waste treatment plant at a new hospital maternity unit, expected to deal with in excess of 1,500 deliveries per year.

The hospital maternity project commenced in February 2009, using a phased approach to development; its completion will allow the "base" hospital to become functional. The overall work will comprise of a multi-use block and a maternity building incorporating a 16 bed ward, 4 bed delivery room, two operating theatres (one for "clean" cases and the other for infected cases), two special care rooms with 4 beds, 2 outpatient rooms, small laboratory, pharmacy and an administration area. Also provided will be two manyattas (maternity waiting homes) each having 4 beds, a waste water plant, an incinerator, laundry, generator house and external works. Whilst the hospital will have access to mains electrical power, back up power will be provided by solar panels and a biogas plant for cooking and heating water. A mains water supply has been connected, but in keeping with this being a "green" approach, rain water will be collected from roofs and stored for general use. It is estimated that construction will take 24 weeks.

Funding is requested for the construction of a waste water treatment plant and incinerator elements of the programme, both essential to what needs to be provided. This represents 0.93% of the overall cost of the five year project.

**LESOTHO****CARE International UK****Safe Drinking Water and Food Security in Quthing****£39,730**

This health and food project will help break the cycle of hunger and improve the long-term food security of at least 12,600 extremely vulnerable people across Lesotho's Quthing district by ensuring access to safe drinking water sources and promoting self-sufficiency through organic food gardens. The project will primarily target school children, but the wider community will also benefit.



Lesotho is the poorest country in southern Africa with 43% of its population living below the poverty line and 42% of children under the age of five suffering from chronic malnutrition. The country faces a severe and worsening food crisis due to a number of reasons, including recurring droughts and flooding which have debilitated Lesotho's already weak agricultural production. Other reasons include high unemployment (45%) and one of the world's highest rates of HIV / AIDS (with almost 1 in 4 adults affected). Many families are trapped in a vicious cycle of hunger and deprivation and are highly dependent on international food aid to survive. One of the areas worst affected in Lesotho is the Quthing district, a rural and mountainous area with widespread poverty and child malnutrition. It's ongoing hunger crisis is compounded by a scarcity of safe drinking water and severe soil erosion resulting from harsh and erratic weather conditions. This project will target 6 extremely poor communities in the Mokotjomela area of Quthing, with simple and cost effective measures to help reduce hunger, enable self-sufficiency and improve overall health and nutrition.

The project aims include 1) Providing improved food security and nutrition to around 3,600 primary school children, as well as 9,000 people within the wider community 2) Providing improved access to safe water sources both for consumption and for year round agricultural irrigation 3) Reducing the spread of water-borne diseases, thereby improving the general health of villagers 4) Empowering 6 schools and at least 1,800 local households to become self-sufficient by growing a variety of highly nutritious vegetables 5) Providing income-generation opportunities from the sale of surplus produce.

Funding is sought for the installation of 12 gravity-fed water tanks across 6 primary schools, the provision of garden tools, the purchase of 108 kg of vegetable seeds, together with comprehensive training in the construction of food gardens and sustainable cultivation techniques.

## **MADAGASCAR**

### **Habitat for Humanity Great Britain (HFH)**

#### **Improving Health through Water and Sanitation Supply in the Rural Communities of Alakamisy and Ambohijafy**

**£39,992**

The project will improve the health and living conditions of 1,250 of the most poverty-stricken individuals in two rural Malagasy communities by assisting 100 families (800 individuals) in providing Ventilated Improved Pit (VIP) Latrines and distributing 300 long-lasting Insecticide Treated Mosquito Nets (an average of 3 per household) in order to reduce both diarrhoea and malaria, and also by installing five protected water points for accessing safe drinking water, as well as providing associated training.

In the rural communities of Alakamisy and Ambohijafy fewer than 20% of households have access to proper sanitation and a mere 4.7% benefit from access to safe drinking water. Women and children routinely spend hours collecting water from unprotected wells and distant rivers which are not only unsafe but can dry-up according to season. Malaria is endemic and few people have the resources to purchase their own mosquito nets or to continually re-treat them if they do have them. In such conditions families suffer from recurrent malaria, diarrhoea and other preventable illnesses associated with lack of proper access to water and sanitation. This also adversely impacts on school attendance and on livelihoods. The vast majority (79%) of the beneficiaries are subsistence farmers living on less than 13p per person per day, with families unable to meet their basic needs.

The projects consists of:

- a). providing 300 individuals with training in good health and hygiene practice (including hand washing, use and maintenance of mosquito nets);
- b). arranging for 40 individuals to form 5 water committees, and to maintain new water points;
- c). arranging for 40 individuals to construct Sanitation Platforms (SanPlats, which are concrete slabs used to cover and protect pit latrines).

Because of the extreme poverty of the beneficiary group, such interventions will be provided through 100% subsidy. The only cost will be a very small water charge to fund the ongoing maintenance of the water points. The interventions will reduce vulnerability to potentially fatal infections and diseases and the health improvements and time-saving outcomes will ultimately result in enhanced opportunities for women, children and their families. Each intervention is community-led and will contribute to building local capacity, whilst of course significantly improving general living conditions.

## **MALAWI**

### **Tearfund**

#### **Mchinji Water and Sanitation Project**

**£39,972**

This project in Mchinji will encompass 16 communities and directly targets 7,000 people by reducing water and sanitation-related diseases by means of improved access to clean and potable water. These communities currently depend on unprotected wells for their water supplies. This well water poses serious threats to health which can prove fatal. As well as making the drinking water safe the project will also address problems related to poor hygiene and sanitation practices which increasingly predispose communities to outbreaks of cholera.

The project outcomes will include:

1. A reduction of water and sanitation-related diseases, reduced child mortality, improved health and education (resulting in increased school attendance and improving the learning potential of girls – they are normally responsible for collecting water)
2. Community members will not have to walk so far for water and will devote less resources and time tending to the sick - they will be able to concentrate on productive activities to improve the quality of life

The work comprises of:

1. Mobilising and creating awareness of the underlying problems that exist within the 16 villages
2. Sinking 16 improved and protected shallow wells, fitted with pumps
3. Building capacity within the 16 communities to repair and carry out routine maintenance
4. Encouraging communities to set-up a fund for procurement of water points' spare parts
5. Formation and training of 16 active Water Point Committees to manage the water points
6. Training and encouraging communities to drink only treated water

## **MALAWI**

### **The British Red Cross Society**

#### **Rebuilding Sanitation Facilities for Vulnerable Children, Karonga Town**

**£39,437**

The project will enable the Malawi Red Cross Society (MRCS) - supported by the British Red Cross (BRCS) - to rebuild sanitation facilities for the most deprived children, young people and communities of Karonga Town in northern Malawi, directly benefiting over 2,500 people. The aim is to reduce the incidence of preventable diseases and to improve the health of the population. The project will provide 18 toilet/hand washing facilities in local schools and 78 Ventilated Improved Pit (VIP) Latrines in orphan/vulnerable headed households.

During December 2009 the area concerned was severely affected by two large, separate earthquakes which resulted in widespread damage to the town's infrastructure. It left 5,126 buildings destroyed or in need of extensive repair and affected over 215,000 people, including 15,000 children. In March 2010 the BRCS funded an assessment to identify and ensure the recovery phase activities addressed the most pressing needs. That report demonstrated the earthquakes have left 90.6% of households and 20 schools without flushing toilets, latrines or hand washing facilities. In particular it highlighted the health inequalities already facing children and young people in Karonga. 50% of children under 5 in the town are malnourished and are extremely susceptible to viruses and water borne disease. The lack of sanitation facilities has acutely affected such groups and forced them to use bush land for open defecation, thereby contaminating the local water supplies and regularly exposing them to highly contagious illness and disease. The assessment also identified a lack of basic hygiene practice amongst young people, with over 80% not washing their hands after the use of open bush land. Combined, these factors have resulted in a dramatic increase in the spread and number of incidents of diarrhoea and other related diseases, significantly increasing the mortality rate of children, young people and other vulnerable groups.

## **MAURITANIA**

### **Rainbow Development in Africa**

#### **Clean Water and Community Development, Lexeiba and Azgueilim, Gorgol District**

**£19,170**

The project is to construct two (of a planned total of four) water wells, providing access to clean water for 2,000 people living in remote communities, as well as providing them with associated logistical support and training, all with the aim of not only improving health and wellbeing but also in relieving poverty and releasing the community from having to fetch and carry water so that it has more time to focus on other activities, including care of children, livestock husbandry and education.

The predominantly pastoral subsistence communities living in this arid region on the edge of the Sahara represent some of the most marginalised and impoverished of peoples. Frequent drought and an almost complete lack of support from the government or NGOs (which are notable by their absence from the region) hinders agricultural and pastoral activities, which are further limited by a lack of access to clean water. People regularly have to walk five or more kilometres up to twice a day in order to collect water from polluted sources, resulting in many health problems. This daily trek consumes considerable energy and resources, leaving less time for women to care for children and men less time for livestock husbandry; young people are also less able to attend school, and village infrastructure in general deteriorates due to lack of attention.

With the establishment of small vegetable plots near to the new wells, problems of malnourishment will also be addressed as will the lack of income-generating activities specific to women. The process of digging the deep-bore wells (the water table is up to 50 metres deep), along with the training and community participation that are a part of the process, is a first step to improving the livelihoods of these demoralised and disadvantaged communities, motivating them and enabling them to voice their needs. Funding is being requested for two of four planned wells.

## **MOZAMBIQUE**

### **United Nations Children's Fund (UNICEF)**

#### **Improving Access to Safe Water in Schools through Rainwater Harvesting and Solar Powered Boreholes, Chibuto, Buzi and Changara**

**£39,370**

The project will help to improve the health of around 2,400 people (the majority of them children) whilst also encouraging the retention of pupils at school by providing safe water through environmentally sustainable means in remote and semi-arid areas of Chibuto, Buzi and Changara, areas known to suffer from prolonged droughts and short rainy seasons. The precise location of the work will be determined depending on the specific needs and priorities determined at the time of the grant.

Rainwater harvesting systems will be constructed in two target schools, using each school's tin roof in combination with a specially designed duct and pipe system to catch rainwater and store it in a concrete tank. UNICEF will also dig deep boreholes near two schools where high quality water is only available deeper underground. These facilities will include solar-powered pumping systems to provide convenient and reliable access to clean water from underground. The intention is that local community water committees will be trained to maintain and repair the new water systems. In the schools, education will be provided to improve hygiene and sanitation practices, such as hand-washing at critical points in the day. A "greening" programme will also be implemented whereby schools are involved in planting trees in the surrounding areas. The improved school facilities and hygiene awareness will help to reduce child mortality and improve the educational performance of thousands of pupils. Every year, thousands of children die as a result of diarrhoea and other diseases related to water, poor sanitation and lack of hygiene in Mozambique. Only 30 per cent of primary schools have access to safe water and the disparities between facilities in urban and rural settings are striking. Mozambique is prone to a wide range of natural disasters linked to climate change which regularly wreak havoc throughout the country, destroying existing water and sanitation infrastructure and leaving children and women even more vulnerable to disease.

**NEPAL****IMPACT Foundation****Provision of Safe Water Supply with Community Participation, Tanahun District****£29,091**

The project will provide 721 of some of the most disadvantaged and vulnerable people in Tanahun district with straightforward access to clean water, diminishing their reliance on unsafe water sources and reducing mortality and morbidity caused by waterborne diseases whilst also helping minimise the time that women spend collecting water, all with the added benefit of enabling indigenous peoples to remain in areas they have inhabited for generations.

The 103 beneficiary families involved are currently forced by a lack of alternatives to use water taken from spring wells and streams. For nine months of the year they must walk long distances to collect that water. The illnesses resulting from pathogens in the water supply are compounded by the absence of sanitation and many people become infected with parasites within the water, which often then contribute to malnutrition. Anaemia, for example, can be particularly dangerous to pregnant women and foetuses. A key part of this project is the provision of health education to encourage healthier sanitation practices. Safe water and sanitation are fundamental to any effort to reduce poverty.

A grant of £29,091 represents 80% of the total cost of installing the water system (which comprises an intake and pump which draw water to a reservoir tank, from where a gravity-fed system distributes it to a village on the opposite side of the hill). The beneficiaries will be asked to contribute a small sum - to be placed in a local bank - in order to pay for on-going maintenance; this element will foster a sense of "ownership" and will help afford the beneficiaries a degree of dignity.

**NEPAL****The Leprosy Mission****Refurbishment, Renovation and Equipping of Anandaban Hospital, Lalitpur District, Kathmandu****£27,126**

This project will improve the quality of treatment to approximately 30,000 mainly very poor people (4,500 of them affected by leprosy) at Anandaban Hospital through the provision of new medical equipment, the supply of leprosy reaction drugs, and through the renovation of the hospital building.

Nepal is one of the world's poorest countries with most of the population relying on subsistence farming for survival. Desperate poverty, poor hygienic conditions and a lack of medication has led to an increase in the number of reported cases of leprosy. Anandaban Hospital serves the 15 districts of the Central Development Region (population 7.2 million). It is also the only referral centre in the Kathmandu area for treating leprosy. The hospital's laundry room is, for example, very small and has no space to dry washed clothes. A new purpose built facility will address this problem and would allow for proper drainage. The whole hospital also desperately needs rewiring, with the existing system installed in 1957; voltage fluctuations from the national grid places pressure on the old circuits, representing a major potential safety risk. The new medical equipment will include an ultrasound machine, oxygen concentrator, ECG monitor and suction machine. This equipment will not only improve the quality of treatment provided (particularly pre and post natal care) it will also enable the hospital to increase its income by charging more from those who can afford to pay for the treatment it provides.

Those requiring specialist care for ailments linked to leprosy will benefit greatly. Government district hospitals do not have the expertise to treat complex leprosy cases and these are referred to Anandaban hospital. Alternative treatment facilities would be a nine hour bus journey away. Virtually all of the materials for the reconstruction and rewiring - as well as the medical equipment - can be purchased within the Kathmandu area, helping the local economy and encouraging the business community.

## **RWANDA**

### **Save the Children Fund (UK)**

#### **Improving Maternal and Child Health Services, Ntaruka Sector, Burera District**

**£39,899**

The project will improve maternal and child health services for 22,000 people in Burera district by constructing two additional blocks at Ntaruka health centre, including a paediatric ward and women's admission and technical rooms. It also entails installing vital water and electricity supplies at the centre, as well as training health staff and community members in providing lifesaving care.

One in ten Rwandan children die before their fifth birthday, yet almost all of them could be saved. In Burera district - one of the poorest and most rural in Rwanda - acute respiratory infections, diarrhoea and malaria account for more than three quarters of under-five health consultations. Mothers are also at risk - childbirth is responsible for a fifth of all deaths amongst women of child-bearing age. Of the 15 health centres in Burera, Ntaruka has one of the smallest delivery rooms and no waiting or observation room - women therefore prefer to deliver at home in privacy but in an unsafe environment. Half of Ntaruka's health centre is constructed from plastic sheeting, yet it serves in excess of 22,000 people, over half of them women and children.

Save the Children is one of the few international agencies working in Burera. Funding is requested to construct two additional blocks, including a paediatric ward, pharmacy, women's admission room, two technical rooms, sanitary facilities and incinerator, as well as the installation of water and electricity supplies. Three nurses will also be trained in Integrated Management of Childhood Illnesses (IMCI), as well as 13 community health workers on community IMCI in order to help refer and accompany sick children and pregnant women to the health centre.

## **SENEGAL**

### **World Vision UK**

#### **Improving Nutrition through Dairy and Cereal Enrichment in Velingara**

**£31,779**

The project will improve the health and nutrition of 3,262 children and adults in 10 villages of the rural Velingara Department through the construction of dairy and cereal enrichment facilities, as well as training local people in both managing the facilities and in marketing the new dairy and cereal products. Velingara is in a rural part of southern Senegal, over 500km from the capital city Dakar, and is one of the poorest areas of the country. Malnutrition is a significant problem - a recent World Vision (2009) survey found that 43.6% of children were underweight.

The overall objective is to help improve the nutritional status of children by directly benefiting 2,288 students in 10 schools, as well as 76 women and 140 milk producers; a further 128 people in Tacoudiala village and 630 women the Wassadou area (12 villages) will also be helped.

The project has two main aims:

- 1) To improve the nutritional status of children by ensuring that the target communities have community managed dairy and cereal fortification/enrichment infrastructure in the form of a mini dairy (in the Tackoudiala community) and a cereal mill (in the Wassadou community). The infrastructure will provide income to local dairy and cereal producers and provide fortified milk and cereals to 10 school canteens (which should contribute to improvements in child nutrition, enrolment rates and retention of pupils in school).



- 2) To improve the knowledge of the community on good nutrition practices - this will be achieved by supporting the training of Management Committees in techniques in fortifying cereals and dairy products eg. milk processing and storage. In addition, community based organisations - including teachers, Mothers of Students Associations, Family Life Education clubs (children's clubs where students learn life skills) - will be targeted with training and information so that they understand the products and their positive impact on nutrition. The various groups will then be trained and encouraged to share those messages and discuss the potential negative impacts of malnutrition on children's health and education.

Funding is requested for the construction of a mini dairy, the purchase of a mill mixer, the training of community-based organisations, and the provision of support to 10 school canteens in order for them to purchase fortified dairy and cereal products.

## **SOMALILAND**

### **ActionAid**

#### **Safe Water for Life in Hargeisa and Togdheer**

**£39,490**

This project will improve the health and livelihoods of 14,000 people and help protect livestock in Hargeisa and Togdheer by providing safe, clean water through the repair and restoration of 14 berkheds (underground water cisterns). Each berkhed can store up to 500,000 litres of rainwater twice a year, benefitting an estimated 1,000 people.

Somali pastoralists walk an average of 12 miles to fetch water for their families and livestock, the main source of their livelihood. Following recent drought the distance has increased and existing available water sources are often contaminated or insufficient for the number of people requiring them. This lack of access to clean water has resulted in poor health and diminishing income as families' livestock dies. It has also resulted in migration to urban slums or camps as well as conflict between clans over limited water sources. The long distances travelled by women and children in search of water prevents the women from undertaking alternative productive activities and keeps the children from school.

The expected outcomes of this project include 1) community members benefitting from improved health, with a reduction in waterborne illnesses 2) 200 women will have more time to look after their families and earn a living, as the distance to collect water is reduced from 12 to 9 miles 3) 4,800 girls will have more time to go to school as the result of reduced time spent collecting water 4) livestock will have a better chance of survival, improving livelihoods 5) Clan conflicts will reduce as water becomes more accessible.

**TANZANIA****ACORD****Promotion of Water, Sanitation and Hygiene in Muganza****£37,000**

The project will improve the health of 24,500 people in 4,700 households in three villages in Muganza Ward, Chato District, by providing access to clean water and sanitation in an area where there is a high incidence of water-borne diseases, including cholera.

Chato district is located in the remote north west of Tanzania and has a rapidly growing population, increasing the pressure on natural resources, in particular water. All households in Muganza depend on gravity discharge natural springs for their domestic water supply. The open natural springs, however, are threatened by deforestation in their catchment areas and also by pollution from wild animals, domestic livestock, wind-blown debris, and from humans.

The project will focus on the protection of three natural springs; this will be achieved through the construction of concrete protection walls around the water sources, and establishment of three water collection points. It will also entail the replanting of vegetation in the catchment areas, to help ensure sanitary conditions around the springs. The project will also strengthen the community's capacity to manage environmental resources. It will promote personal hygiene through the training of established village Water/Environmental Committees in sustainable watershed management, promotion of gender equality in natural resource management and conducting school-based water and sanitation management. As well as improving the health of the target population the project will contribute to reducing the time spent collecting water, a task which normally falls to women and children, which in many cases prevents the children from attending school. Funding will be used for the procurement of materials to construct spring protection walls and piping materials, the planting of vegetation suitable for water catchment areas, transport of industrial materials to construction sites, training the Environmental Committees on participatory management of natural resources, conducting gender equality meetings at community level through Village Councils, and facilitating school-based water, sanitation and hygiene education.

## **UGANDA**

### **Voluntary Action for Development**

#### **Improving the general Health of Poor Rural Communities by increasing Access to Safe Clean Water and adequate Sanitation**

**£40,000**

The project will improve the general health of poor rural communities in Ssisa Sub County, Wakiso district by improving access to clean safe water and by providing sanitation for 4,912 people, resulting in a more healthy and productive community.

The project will cover two parishes of Ssisa Sub County. This area is heavily populated and the local community suffers from poor drinking water quality and poor levels of sanitation. The majority of the population collects water from unsafe water sources such as ponds and streams, posing serious risks to health. In addition, the majority of schools in Ssisa Sub County have no proper latrines and no provisions for the provision of safe drinking water. As a consequence pupils are required to walk long distances simply to collect clean and safe water, taking up time that would otherwise be spent on school studies. The result is that there are many outbreaks of disease amongst children directly attributable to drinking dirty water and practicing poor or non existent hygiene/sanitation routines.

Ten shallow wells will be constructed, with the beneficiary communities given training in proper hygiene and sanitation practice. The project will also directly benefit two primary schools with a total of over 700 pupils through the construction of two child-friendly, ventilated improved pit latrines, together with rain water harvesting tanks. In addition, there will be pupil hygiene and sanitation education, the benefits of which in time will spread throughout the pupils' families.

## **ZAMBIA**

### **World Vision UK**

#### **Improving and Protecting Health through Chitanda's Water, Sanitation and Hygienic Project**

**£36,670**

The project will improve and protect the health of 8,132 rural people living in Chitanda through increased access to, and improved use of, safe water and sanitation facilities. It will directly benefit 5,982 people (2,561 adults and 3,421 children) and indirectly benefit a further 2,150 people.

Chitanda community is one of the poorest rural communities in the Chibombo District. With limited access to water, people often have to share drinking water with animals at streams or shallow wells which dry out during the hot season. In addition, very few households (less than 30%) have access to sanitation facilities (such as pit latrines) and the quality of those that do exist is generally very poor. Furthermore, when water is scarce and needed for drinking, the use of precious water supplies for hygiene practices such as hand-washing can often be seen as a low priority – exacerbating already critically high health risks. This results in a high prevalence of illnesses such as diarrhoea, cholera and dysentery which can prove fatal, particularly for children. As a result, water borne diseases are amongst the primary causes of infant mortality in the area. Around 60% of the community is made up of children, so such issues place thousands of children at risk on a daily basis.

In order to address these challenges and protect the wellbeing of children and adults alike, this project aims to:

- Increase access to safe water by drilling 5 boreholes, complete with hand pumps. The project will work closely with local water management committees both to train and equip 10 pump technicians and to help communities develop complementary income-generating activities to support ongoing maintenance costs.
- Promote improved sanitation practice through the construction of 20 demonstration latrines from local materials. The latrine design has been specifically selected for its low cost and use of local materials, making it viable locally. The project will work closely with the community through participatory sanitation promotion techniques, providing training and encouragement for improved latrine construction at a household level.
- Improve community hygiene behaviours through interactive campaigns aimed at promoting key messages such as the importance of hand-washing. In addition to running a community-wide campaign, the project will work with school clubs and local water committees in order to train and support local hygiene champions.

The successful implementation of this project will contribute to a healthier, more productive community, and will help to ensure that the youngsters of Chitanda enjoy better health. The funding requested will be used for drilling 5 boreholes, water testing, purchasing hand pumps as well as a range of water, sanitation and hygiene training initiatives. The amount requested represents 66% of the total project costs.

## **Integrated Development**

### **AFGHANISTAN**

#### **HealthProm**

#### **Reducing Maternal and Newborn Deaths in Villages in Northern Afghanistan**

**£25,448**

The project, based in the rural Chaharkint district, will assist villagers with community development and will - in particular - reduce maternal mortality by three quarters by 2015, lowering newborn mortality by increasing the uptake of maternity care and improving its quality, in all benefitting approximately 5,000 people. The estimated maternal mortality rate in Afghanistan is 1,575 per 100,000 live births, the highest in the world. Deaths result mainly from delays in deciding to seek a midwife, followed by lack of transport to either a health centre or hospital once things have gone wrong but many are simply the result of poor care. However, infant mortality is greatly underestimated as births and deaths in villages, where most occur, are never registered.

This application is for Year 3 of a multiyear project. The intention is to continue until 2015, Millennium Goal Year. Work commenced during 2009 in ten villages in a mountainous district with poor access to health centres, especially when there is snow. This was extended in 2010 to cover a further 10 villages, and 9 more will be added in 2011, with the whole district covered by the end of 2012. The precise size of the population is not known, but the expectation is that in excess of 10,000 people will be potentially covered by the scope of the project by the end of 2011, around half being direct beneficiaries and a further quarter indirectly helped, mainly the older children and husbands. So far with this project there have been no maternal deaths (as compared to 5 during the previous 2 years) and 2 newborn deaths (as compared to 12 in the 2 preceding years).

The grant, if successful, will fund work to assist the villagers in a number of ways, including by providing resources, materials and equipment for community development (such as providing chickens to improve nutrition, introducing rainwater harvesting, repairing roads for access to the hospital, the provision of low-cost transportation, the supply of solar light units and sewing machines) as well as providing equipment for the hospital maternity department. The funding requested is for part (22.5%) of the third year of the 7 year long project.

## BANGLADESH

**Oxfam**

### **Helping Communities in Bangladesh to Cope with Natural Disasters**

**£39,980**

The project will help 4,275 people living in the poorest coastal communities of Bangladesh to prepare for floods and also strengthen their livelihoods. Bangladesh is recognised as one of the countries most vulnerable to natural disasters. There are frequent floods and cyclones and communities living along the river basin and coastal areas are hit the hardest. Lives are lost both through drowning and from water-borne diseases, and the surviving families continually have to rebuild their homes and livelihoods.

Oxfam's project will support char and haor dwellers: marginalised communities living in extreme poverty in the most disaster-prone areas of Bangladesh. Chars are low-lying sandy islands along rivers and coasts that flood regularly. Haors are swamps, often covered in water for several months of the year. The plan is to support people by (1) raising 60 homesteads and six Killas (cattle sheds) above the flood levels, keeping families and their assets safe during cyclones and tidal surges (2) establishing emergency supply stores in three locations which will support 25 communities (3) supporting income initiatives by training 75 women in business skills and small-scale agricultural technologies such as floating vegetable gardens; to support this training, the intention is to distribute 16,500 seedlings to 1,650 people (4) Credit will be provided to 60 people to enable them to start their own businesses, coupled with relevant training (5) 75 women will be trained in duck-rearing, and each provided with eight ducks (6) Three solar panels will be provided so that people can run their businesses after sunset (7) A Participatory Vulnerability and Capacity Assessment (PVCA) will be conducted in 25 villages in order to involve community members in identifying their specific capacities and vulnerabilities in emergency situations, and then to work with them on the course of action required.

The project will result in disaster-resilient communities, it will save lives and it will support people to prepare for - and cope with - floods and cyclones. Livelihoods will be adapted so that people can continue to generate an income, even after disasters. An added benefit of the project is that the role of women in the community will be enhanced.

**BENIN****PLAN International UK****Water and Sanitation in Schools, Couffo district****£39,609**

This integrated project will improve health and reduce child mortality by creating access to a sustainable, potable water supply and proper sanitation facilities for 1,200 children and their teachers at three primary schools in Couffo District. The project is to install a borehole with a hand pump, and to construct gender-separated latrine blocks with hand washing facilities in three schools. This work will be supported by training for teachers and school health committees in hygiene practices and school sanitation.

Benin is a Least Developed Country, ranked 161 out of 179 on the Human Development Index. More than a third of Benin's population lives below the poverty line, eking out a living by subsistence farming. Access to potable water is severely lacking in spite of plenty of rain and an abundance of ground water. In Couffo only 55% of people have access to safe drinking water and access to sanitation is virtually non-existent, at 6%. Preventable diseases related to unsafe water supplies and poor hygiene practices cause 39% of illnesses in Couffo and contribute to the high levels of child mortality in Benin - 120 deaths per 1,000 amongst under 5s.

Children are exposed to unclean water and water-related diseases at school, where they spend up to eight hours a day. A borehole at school will reduce time spent sourcing contaminated water from local rivers and reduce school absence due to illness. Children will have more time for study and extra-curricular activities. Latrine facilities will reduce open defecation and will help stop the spread of diseases and the contamination of the local environment. Plan will support child and community learning about health and hygiene practices and will involve the community in the management and long-term maintenance of this project. Funding is requested for Year 3 part-funding, with the assistance of the European Commission. The money will be used to provide 3 boreholes with water pumps, 6 latrine blocks (one boys' and one girls' latrine block at each of the three schools) and the training of school health committees and teachers.

**KENYA****Excellent****Excellent Development - School Water Tanks, Kibwezi and Makindu (formerly Makueni)****£34,495**

The project will provide 2,500 pupils at 5 schools in Kibwezi and Makindu, located in one of the least developed and dry areas of Kenya, with supplies of clean water for drinking, cooking school meals, hygiene and educational purposes by constructing a water tank at each school. This will enable more children to attend school, improve pupils' concentration in class and reduce the incidence of water-borne disease.

The 5 schools serve remote communities of subsistence farmers in marginal agricultural areas that are prone to drought and food shortages. Children, especially girls, tend to miss school in dry seasons and droughts as they are busy fetching and carrying water. Diarrhoea and typhoid from drinking poor quality water, and malnutrition from poor diets, are major causes of child illness and mortality in the area. In schools without a water supply the children are required to take water to school, both to drink and as a contribution to cooking school meals. Not having enough water at home (to take to school) is one reason children miss classes. Even where they do have a source of water near to home they may still have to fetch water on their journey into school, shortening the study time available.

Providing the schools with water tanks will free the children from the need to take water with them each day. The water from the tanks will be used for drinking, for cooking school meals (much needed if there is little to eat at home), for washing hands before meals, and after using the toilet. The precious water will help the children at an early age to learn important basic hygiene awareness. The tanks are designed to fill with fresh seasonal rainwater twice a year.



**KENYA****NEW WAYS****Construction of Rock Catchment Dam to provide Permanent Water Resource, Turkana****£35,017**

The project will establish a rock catchment dam as a permanent water resource in the Ilelmi Triangle, Turkana, to benefit around 600 families (4,200 individuals) by ensuring ready access to fresh water. This will help the local communities in several ways, most notably by providing a reliable supply of water for their livestock, thereby reducing the long distances that people need to travel to find fresh supplies. It will also relieve tensions within the area between different tribes, as conflict can arise over scarce resources in an area covering Sudan, Kenya and Ethiopia. The beneficiaries are largely nomadic and semi-nomadic, keeping small herds of goats and cattle.

Funding is requested to meet the capital costs of building the dam. The project is part of an ongoing, integrated programme to bring sustainable water supplies to the nomadic peoples of northern Kenya. The intention is to construct a double wall rock catchment dam consisting of a 30m long retention wall, 6m thick at the base and 11m high. 75 similar dams have already been built in this area, which have all been proven successful.

**LAO PDR****Mines Advisory Group (MAG)****Support to Mines Advisory Group All-Female Mine Clearance Teams, Khammouane and Xieng Khouang Provinces****£30,115**

The project will promote greater access for all-female Mine Clearance Teams in rural and remote communities through the purchase of two GAZ 66 Personnel Carrier Trucks, allowing MAG more flexible movement in accessing targeted remote and rural communities with high unexploded ordnance (UXO) contamination in Khammouane and Xieng Khouang Provinces, benefiting over 4,000 people.

Many villages in this area are located in isolated locations out of the reach of mainstream services. The villages suffer from a lack of access to irrigation and markets due to the presence of UXO, which hinders livelihood and development. In order to access these communities throughout the year MAG has requested funding for the purchase of the two GAZ 66 trucks. Lao PDR is one of the most heavily bombed countries on earth; by 1973 there had been over 580,000 bombing missions that dropped more than two million tonnes of ordnance during a nine year period. The bombs left an average of ten tonnes of UXO per square kilometre, or over half a tonne of ordnance for every man, woman and child living in Lao PDR. Xieng Khouang and Khammouane Provinces - the target locations for the project - both have a high prevalence of UXO which has a significant impact on food security. These have been identified as being amongst the poorest districts in Laos.

Since 2006, the all-female teams have undertaken a range of UXO clearance activities in the rural areas of Khammouane and Xieng Khouang. Clearance has taken place in support of national development strategies and rural development activities implemented by the Lao Red Cross, Concern, World Vision, WFP and other agencies, greatly benefiting isolated, rural and vulnerable populations. Based on the implementation of single person drills and the deployment of eight CEIA deep search detectors (purchased under a previous 2009 Guernsey Overseas Aid Commission grant of £39,140) the clearance outputs of the all-female teams increased by 170% over 2008 levels.

## **LIBERIA**

### **WaterAid**

#### **The WHIRL Project (WASH: Helping Improve Rural Lives), Barrobo District**

**£40,000**

The project will improve the lives of 5,000 poor and marginalised men, women and children in Barrobo District by providing access to safe water and sanitation services. The WHIRL project not only contributes towards Liberia's progress against Millennium Development Goals, it will also have a long-lasting positive impact on the health, education and livelihoods of vulnerable communities in one of the world's poorest countries.

The devastating 15 year Liberian civil war and the inaccessible terrain of Barrobo - a district in the south-east of the country - have left resident communities largely isolated from outside support. The majority of people are without access to basic services such as water and sanitation. The WHIRL project will enable 3,000 people to access safe water and 5,000 people to access sanitation and hygiene promotion, thereby reducing their exposure to serious health threats such as cholera, whilst at the same time tackling the exclusion of disabled community members and improving safety and privacy for women and girls.

The project will be achieved through the construction and rehabilitation of water points: 4 new wells will be provided, along with pumps and two new rainwater harvesting systems, whilst 10 existing wells will be rehabilitated and fitted with BioSand water filters. Complementary sanitation and hygiene promotion activities will be conducted, using a community-led total sanitation approach to encourage households to construct their own low-cost latrines. Further latrines will also be established in schools in order to maximise the sanitation options for local people. Hygiene messages will be disseminated using various information and education materials, adapted for different audiences, to improve awareness of water and sanitation-related health risks. Women will receive training in soap-making, to support positive hygiene behaviour change.

All project activities will be carried out in collaboration with a local partner NGO and with the communities themselves. Funding is requested for the hardware delivery element of the project - materials, equipment, safety testing and construction costs, and amounts to 63.5% of the total.

## **MALAWI / MOZAMBIQUE**

### **Christian Resource Ministries**

#### **Provision of additional Wind Pumps, Irrigation, Medicines and School Supplies for Maoni Orphanage, Malawi, plus the Provision of Pit Latrines for Rural Villagers in both Malawi and Mozambique**

**£39,158**

The project - in two main elements - is to improve the living standards of the rural population of southern Malawi and Mozambique, firstly by providing 2 further boreholes, each with a wind pump and water storage tank, at Maoni Orphanage in Blantyre, Malawi (which has 50 staff and cares for 200 children) whilst also increasing the Orphanage's medicines and school supplies, with the second element involving the construction of new pit latrines serving around 60 rural villages in north, central and south Malawi as well as the Nyassa, Zambezia and Tete provinces of Mozambique, each of the villages having around 200 inhabitants (a total of approximately 12,000 beneficiaries).

Maoni Orphanage currently has a single wind pump and utilises a brick built water tank, with piped irrigation channels. Excellent proven results have been achieved using the system, with two crops being harvested during the dry season when previously nothing could grow. The two additional wind pumps and the improved irrigation system will enable three crops to be grown each year, spread over a greater area of land, allowing the Orphanage to become self sufficient and able to produce a surplus of goods, thereby generating a new source of income. The wind pump and irrigation technology is simple, robust and reliable. Demand for places at the Orphanage will most likely continue to rise, the plan being to provide improved training and better job prospects for orphans when they leave, partly funded by the income generated from more productive farming.

The second part of the project - new latrines for rural villagers - will improve sanitation and lead to better general health for rural villagers. Current unhygienic living practices regularly result in outbreaks of water-borne diseases like cholera, particularly during the rainy season. Without properly built pit latrines there would be no toilet facilities and infections amongst the population are currently easily spread. Malawi's infant mortality rate is amongst the highest in the world. There is a particular need for pit latrines to be provided in villages for women and girls, who are often endangered by possible attack or assault when using the surrounding bush as a toilet. Owing to the difficult nature of the terrain and with thousands of small villages, the populations of Malawi and Mozambique are spread over wide areas with both governments only able to provide the most basic of facilities like primitive dirt roads and a few primary schools and clinics. At present Christian Resource Ministries is one of few groups working in the more remote areas of these countries.

## **NEPAL**

### **Tearfund**

#### **Improving Health and Agriculture in Sunsari and Morang**

**£38,000**

This project will improve the health and agricultural production of 1,500 poor and marginalized families in Sunsari and Morang (approximately 7,500 people), in particular by benefiting women, Dalits and people living with HIV/AIDS through developing their access to improved and disaster-resilient agricultural practices and improving their understanding of nutrition.

In these districts approximately 40% of people live below the poverty line. Around 65% depend on agriculture for their livelihoods and most families can only grow enough food to meet family needs for about 6 months of the year. Accordingly, members of these families (particularly the young) are forced to migrate seasonally, mostly to India, to acquire paid work to satisfy their families' basic needs. This migration increases the vulnerability of families to HIV/Aids. The project will contribute to reducing the root causes of migration, as well as increasing the self sufficiency of those beneficiaries who are already HIV positive. The underlying problems of poor farming families are compounded by the impacts of disasters and climate change, particularly those relating to flooding. This project will help families to modify their farming practices and to grow more nutritious and higher value vegetables.

The project objects are for:

1. Improved, disaster-resilient agricultural practices, leading to an increase in food security and household income.

This will be achieved by providing support to flood-affected families for improved vegetable cultivation and developing market linkage to their products. After helping farmers to organize themselves into groups, the project will provide improved seeds, livestock, fertilizers, equipment and training on vegetable crop management and the provision of simple veterinary, health and nutrition assistance.

2. An agricultural resource centre will be established in each of 8 target Village Development Committees (VDCs), benefiting about 300 families.

Village level agriculture and veterinary technicians will be trained in collaboration with the Nepal Government's Agriculture and Veterinary Offices. The technicians will set up agro-vet centres, multi-purpose nurseries and provide technical support to the communities. All recipients of the training will be selected by the farmers' groups based upon agreed criteria. Farmers' groups (later these will be developed towards cooperatives) will develop rules and regulations to regularize the technicians' services so that they are provided at a reasonable cost whilst enabling the technicians to develop a source of sustainable income. The biggest benefit to the communities will be the availability of these services locally, as currently farmers have to travel to the cities to source seeds, fertilizers, pesticides etc.

3. Reduction in malnutrition amongst women and children. In the targeted 1,500 households there are at least 750 women and 2,250 children who, suffering from severe or moderate malnutrition, will especially benefit.

Women's groups will be formed and, through these, the awareness of whole families will be raised on the importance of nutrition. Training will be provided on how nutritional deficiencies can be addressed through improving diet, sanitation and health care practices. The project also aims to raise awareness of the effects of unfair intra-household food distribution practices (of which women are usually the victims, not receiving a fair share of the available food). Women's groups will also start kitchen gardening work to grow green vegetables for household consumption and for the possible sale of surplus production.

## **NIGERIA**

### **The Leprosy Mission**

#### **Kabawa Education and Sanitation, Kogi State**

**£36,583**

This integrated project will provide a block of six new classrooms, two school offices and 12 Ventilated Improved Pit toilets (with water tap) at an existing village school in Kabawa, improving education, hygiene and sanitation for over 700 pupils. Recreational and sports equipment will also be purchased.

Kogi State in north-central Nigeria has a mainly rural population, where subsistence farming is the main occupation. Poverty is rife and there is a high level of discrimination against people affected by leprosy. The impoverished community of the Kabawa slum lacks sufficient educational and sanitation facilities. The school currently has seven classrooms which are all full to capacity, with over 120 children crowded into classrooms designed for 40. This leaves no room to accommodate all of the children currently of school age, living within the community. Unfortunately the school currently offers no recreational facilities. Some of the secondary school children are forced to attend classes in open fields. The children have no access to proper toilets or safe water points. Cholera and diarrhoea are common ailments within the Kabawa community, largely resulting from defecation in open fields.

Land has already been provided by the Local Education Authority on which the proposed new buildings will be constructed. The project will enable the existing 764 school children to receive improved education and benefit from better sanitation. In addition, a further 100 primary school children - including children affected by leprosy - will be able to immediately access education. This project directly contributes to Millennium Development Goals 2, 6 & 7.

## **PAPUA NEW GUINEA**

### **Mission Aviation Fellowship UK (MAF)**

#### **Mission Aviation Fellowship (MAF) – vehicle replacements, Kiunga / Rumginae and Kagamuga**

**£14,420**

The project will enable Mission Aviation Fellowship (MAF) to continue to effectively transport humanitarian relief, patients, medical supplies and indigenous people's goods and food to market within Papua New Guinea (PNG), one of the world's most remote regions, by providing a vital lifeline which will directly benefit over 10,000 people.

PNG is hampered by its geographical terrain of mountains, jungles and swamps, and is prey to volcanic activity, earthquakes and tidal waves. Over 80% of the 6.7 million population lives in rural areas with little or no access to basic healthcare and education and is dependent on subsistence agriculture.

MAF has been providing essential air transport in PNG for over 55 years helping those living in remote communities. As a result it has enabled barriers to be broken down, flying teachers and students, school books and educational materials – even the building blocks of the schools themselves. MAF also supports food production programmes and transports crops and other goods so that communities can engage in trade, generate income and see their standards of living improve. For the MAF staff who live and work from the bases in Kiunga/Rumginae and Kagamuga, vehicles are vital for the day to day running of operations. In areas which are subject to banditry and sporadic violence the need for reliable transport is essential and it relieves the pressure on staff. The vehicles are vital to ultimately allow MAF to fulfil its unique service in the delivery of relief supplies, aid and community development to those most in need. Funding is requested for the provision of two replacement vehicles at MAF's bases in Kiunga / Rumginae and Kagamuga.

## **TANZANIA**

### **Oxfam**

#### **Providing Water for Schools in Shinyanga Rural District, Tanzania**

**£39,480**

The project will improve the health and wellbeing of approximately 4,000 school children and 5,000 adults at four primary schools and in communities in Shinyanga Rural District by constructing four 30 thousand litre rain water harvesting tanks at the schools, four pit latrines (each with four cubicles and hand washing stations to improve the children's sanitation facilities) and four shallow community wells.

Shinyanga is a dry and drought-prone region in the north west of Tanzania where many schools and entire villages are without sources of clean water. Children - in particular girls - waste valuable hours collecting water for both school and domestic use. Where there is a lack of clean water, sanitation facilities are often very poor and children's concentration and attendance at school is often hampered by dehydration and sanitation-related disease. To ensure that the new facilities are well maintained and used correctly, the intention is to provide training to 20 members of the Water Users Committee (WUC), including pump mechanics, who will manage and maintain the wells. Training will be provided to 60 key community members and school pupils who will in turn train other pupils and community members to promote good hygiene practices and water management in order to reduce the incidence of disease. Oxfam will work to raise awareness within the community - particularly with influential leaders - of the importance of clean water and good sanitation by running community meetings to discuss such issues and developing promotional material for awareness-raising on public health messages.

This project will build on Oxfam's existing school water and sanitation programme in Shinyanga, which has been running since 2006.

## **TANZANIA**

### **Workaid**

#### **Skills Development - Tanzania Programme 2012, Dar es Salaam, Iranga and Mbeya**

**£15,086**

The project will help tackle poverty in several poor rural and urban areas of Tanzania by improving the livelihoods of marginalised groups and reaching approximately 2,000 disadvantaged people through over 40 skills training projects which will provide them with tools to acquire skills and knowledge to enable them to earn a basic living, and thereby become self-supporting.

Workaid assists carefully assessed, community-run, self-help and vocational training projects which have practically-designed teaching programmes leading to profitable, useful skills such as carpentry, typewriting, tailoring, leatherwork, metal work and masonry. This will enable people to generate income, helping to empower themselves, their families and the local communities.



The projects are concentrated mainly in the Dar es Salaam, Iringa and Mbeya areas of Tanzania, these having the highest incidence of HIV / AIDS as well as high unemployment. The projects will in particular benefit young students - particularly young women/girls - who are often the most vulnerable, as well as orphans, street children, elderly and disabled people, refugees and widows. Each of them needs to learn new skills to generate an income, to reduce their vulnerability, and to enhance their self-esteem. Rather than sending funds, Workaid recycles unwanted tools donated by the public in the UK which are used to assist training projects, providing practical education in useful skills. Material is sent by container - in this instance two containers will be sent. 280 volunteers collect, repair and refurbish this equipment. The operation has been shown to be extremely cost effective, with a significant environmental impact in the UK by keeping more than 60 tonnes of waste material out of UK landfill sites each year.

## **UGANDA**

### **WaterAid**

#### **WASH (Water, Sanitation and Hygiene) Disaster Preparedness Project, Amuria and Katakwi**

**£40,000**

The project will improve the quality of life for over 21,092 poor people living in the most under-served parts of Amuria and Katakwi Districts by addressing water, sanitation and hygiene needs. The project in particular seeks to ensure that the population of the five target sub-counties meet the Millennium Development Goal and National Development Plan (NDP) targets with respect to access to clean water. To further improve matters, the project will raise the profile of the resettling communities and support them to build resilience in case of future disasters.

Katakwi and Amuria districts are located in the north-eastern region of Uganda. The area has

experienced several conflicts over the years and as a result the population has spent almost 20

years in IDP (internally displaced persons) camps. Matters further deteriorated in July 2007 when floods destroyed agricultural fields, reversing the gains of resettling people and causing damage to most semi-permanent community dwellings, whilst also contaminating water sources. This flooding prompted the government of Uganda to declare a state of emergency for over six months. The flood reduced access to safe water from 55% in Katakwi and 55.6% in Amuria to 37% and 48.8% respectively. Since then, access to safe water has increased again as the result of emergency assistance, but better coverage was primarily the result of improvements made within the camps themselves. With resettlement picking up, the coverage will fall again unless people receive help to access clean water in the villages of their origin.

The water components of the project include:

- Conducting a baseline survey in 40 communities
- Construction of 19 drilled boreholes
- Construction of 4 Ferro cement tanks
- Construction of 24 rain water jars

The sanitation and hygiene components of the project include:

- Training 19 water user committees and providing refresher training for 10 water user committees
- Hygiene education and promotion activities, including drama shows, village improvement campaigns and household hygiene and sanitation follow-ups in 40 villages
- Procurement of 30 bicycles for the use of hygiene educators
- Capacity building for Community Based Monitoring Systems (CBMS)
- Procurement of 80 hygiene and sanitation tool kits (spades and pick axes)

The total cost of the project is £112,014, of which £40,000 has been provided by the Commission. The requested funding focusses on the construction of 19 communal water sources, the construction of 4 ferro cement tanks and the construction of 24 rain water harvesting jars, all for use by vulnerable households.

## **ZAMBIA**

### **Church on the Rock**

#### **Streetlife Orphan Project, Kitwe District in the Copper belt Province**

**£38,342**

The project will provide a means of generating income on an on-going basis by introducing chicken farming, an activity which will help secure the long-term future of two orphanages operating at Luangwa (for girls) and at Nkana West (for boys), benefitting over 200 children and approximately 20 widows. The chicken-rearing activity will help enable both orphanages to become self-sustaining. It is also intended that some of the income generated will be utilised to extend feeding projects currently being undertaken in Luangwa and Kapoto compounds in Kitwe, all operating under the umbrella organisation "Streetlife Orphan Project".

By taking the already proven business model of chicken farming and extending this to a larger scale (by establishing 3 poultry houses on land already gifted to the project) it is anticipated that 6 cycles of raising 2,000 chickens can be achieved each year. The new-born chicks will be reared and harvested over a six week period before being "dressed" (by around 20 widows) and sold to local supermarkets, thereby providing sufficient income to sustain 20 orphaned girls and 20 orphaned boys throughout the year (inclusive of their school fees and clothing) as well as feeding approximately 200 more children with at least one basic meal each week.

The requested funding will enable the set-up of infrastructure to allow the commencement of the project, including funding for the initial production cycle which will generate sufficient income to continue future cycles and thereafter maintain the project with sufficient funding for the financial needs of the two orphanages and feeding programmes.

## **ZAMBIA**

### **Help an African Schoolchild Trust**

#### **Lucece Women's Association, Start-Up Capital for Small Scale Business Ventures for Poor Women, Mbala**

**£39,000**

The project will provide a source of start-up capital to purchase premises and equipment to assist 2,000 poor women in the Mbala area to enable them to embark on small-scale business ventures including milling and selling maize and rice, and selling beans and ground nuts.

Help an African Schoolchild Trust will work with the Lucece Women's Association to provide and develop the following income generating activities (with the intention of maintaining competitiveness through high volume product sales):-

- i - Opening & operating a shop
- ii - Buying maize locally, and using the in-house mill to grind & package it, selling mealie-meal competitively through the shop
- iii - Buying rice, and using the in-house rice mill to process the rice and to sell it at affordable prices
- iv- Buying in bulk and then re-selling beans and ground nuts at competitive prices

Poor, rural communities exist on the outskirts of Mbala town (population 70,000), located in three settlements, namely "Ma-round" (literally meaning "round ramshackle huts", the typical accommodation of the poor), Londe and Luse (meaning "land given to the poor, out of the chief's benevolence"). Approximately 5,000 people live there (2,000 of them being poor women, some widowed, others in what could be termed "marriage", with a total of around 3,000 dependents). These women need to be ingenious in devising means of survival for both themselves and their families and dependents. However, the women are hampered by a lack of capital, both to expand existing activities or in venturing into potentially more profitable ones, such as that described here.

**ZAMBIA****Workaid****Skills Development - Zambia Programme 2012, Mansa, Kasama, Maamba, Monze and Choma****£18,744**

The project - centred both in the northern copper belt area around Mansa and Kasama, and in the south around Maamba, Monze and Choma - will reach approximately 2,250 disadvantaged people via 45 skills training projects, improving the livelihoods of marginalised people living in poor rural and urban areas and enabling them to acquire the skills and knowledge to earn a basic living and to become self-supporting.

Workaid assists self-help and vocational training projects which have practically-designed teaching programmes leading to profitable, useful skills. Skills such as carpentry, tailoring, leatherwork and masonry will enable people to generate income and help them empower themselves, whilst benefiting their families. The target areas suffer from extreme poverty, high unemployment and the devastating impact of HIV / AIDs, which has resulted in an estimated 630,000 orphans. The projects will benefit young students, orphans, street children, elderly and disabled people, refugees and widows - all of whom need to learn new skills in order to secure an income - to reduce their vulnerability and to enhance their self-esteem.

Rather than sending funds, Workaid recycles unwanted tools / equipment donated by the UK public, sending them by container. In this instance two containers will be sent. 280 volunteers give their time to collect, repair and refurbish equipment. The work is extremely cost effective and has a significant beneficial environmental impact in the UK as the recycling of items keeps more than 60 tonnes of waste material out of UK landfill sites each year.

**Emergency Disaster Relief****ETHIOPIA / KENYA / SOUTH SUDAN / SOMALIA****Disasters Emergency Committee****Donation to the East Africa Drought Appeal****£50,000**

A large scale drought devastated large parts of Ethiopia, Kenya, South Sudan and Somalia where funds were urgently required to provide emergency food, water, therapeutic feeding for malnourished children and medical treatment.

The Disasters Emergency Committee (DEC) co-ordinated an Appeal for all fourteen of its member agencies involved in the relief operation. The drought withered crops, killed cattle and led to massive increases in food prices. More than ten million people have been affected over large areas of Kenya, Somalia, Ethiopia and the rest of the region. At its height the crisis saw more than 1,300 people a day – the majority of them children – arrive in the Dadaab refugee camp in eastern Kenya, near the border with Somalia. With a population of over 350,000 people, Dadaab was already the world's largest refugee camp. Despite the enormous challenges of reaching those affected in Somalia in particular, DEC agencies and their partners helped hundreds of thousands of people.

## **ETHIOPIA / KENYA / SOUTH SUDAN / SOMALIA**

### **Disasters Emergency Committee**

#### **Donation to the East Africa Drought Appeal**

**£50,000**

In response to the ongoing drought which devastated large parts of Ethiopia, Kenya, South Sudan and Somalia, the Guernsey Overseas Aid Commission agreed in August to make a second donation of £50,000 to the Disasters Emergency Committee (DEC) East Africa Crisis Appeal. This and the original donations were used by the DEC for the provision of food, water, therapeutic feeding for malnourished children and medical treatment.

The Commission made its initial donation of £50,000 on 8 July, the day the DEC launched the Appeal. Given the scale of the crisis and the continued and urgent need for support the Commission felt it appropriate that a second donation was made.

**APPENDIX 3**

**COMMERCE AND EMPLOYMENT DEPARTMENT  
ANNUAL REPORT OF THE DIRECTOR OF CIVIL AVIATION**

The Chief Minister  
Policy Council  
Sir Charles Frossard House  
La Charroterie  
St Peter Port  
Guernsey  
GY1 1FH

14 March 2012

Dear Sir

The Aviation (Bailiwick of Guernsey) Law, 2008 provides, in section 10, that the Commerce and Employment Department is required to submit the Annual Report of the Director of Civil Aviation to the States of Guernsey.

I am pleased to enclose a copy of his report for the period 1 January to 31 December 2011.

The Department has no further comment to make on the report by the Director of Civil Aviation.

I would be grateful if you would arrange to publish this submission as an Appendix to the May Billet.

Yours faithfully

Carla McNulty Bauer  
Minister

# **BAILIWICK of GUERNSEY DIRECTOR OF CIVIL AVIATION**

## **Annual Report for 2011**

**Foreword, by the Director of Civil Aviation – Fergus Woods**

This report is delivered in accordance with section 10 of the Aviation (Bailiwick of Guernsey) Law, 2008.

2011 turned out to be a busy year with a number of notable achievements attributable to the Office of the DCA. The solution found jointly with Jersey to the problem of demonstrating equivalence to the new EU Regulations on aviation security will be tested in 2012. However, our proposals were developed quickly and effectively in response to growing UK concerns. It is important to note that the concerns were not about the effectiveness of aviation security itself, but about our ability to comply with new procedures and process – nevertheless important when considerations of compliance are being made in the light of European Regulations. These are Regulation EC No 300/2008 and the associated Implementing Rules contained in Commission Regulation 185/2010.

In addition, by the year end significant progress had been made with the Guernsey Aircraft Registry project; to the extent that we anticipate appointing a strategic partner in April 2012 with the very real hope of being able to commence operations during 2013.

Other points:

- Co-operation with Jersey on the DCA project continues to work well. The radar replacement projects on both Islands, the Channel Islands Control Zone redesign project and the recently instigated Air Traffic – General Aviation Working Group are examples of how the joint approach works to our mutual benefit in practice.
- The design and approval work for the new SBAS GPS based instrument approaches for Alderney was completed in time to allow commercial operation by Aurigny to commence before the end of 2011 - a first in Europe!
- Thankfully, no volcanic ash in 2011. Although, there was a brief threat of a recurrence from the larger Icelandic volcano.

Director of Civil Aviation for the Bailiwick of Guernsey

March 2012



## **1. Principal Activities**

The main purpose of the Director of Civil Aviation is to act as the Bailiwick's aviation safety regulator: responsible for licensing and regulating civil aviation activities in the Bailiwick on behalf of the Commerce & Employment Department, ensuring compliance with all international requirements and in accordance with the relevant provisions of the Aviation (Bailiwick of Guernsey) Law, 2008 and other regulations. (Appendix 1 gives more detail in an extract from the Commerce & Employment Department Business Plan 2011)

## **2. ICAO Compliance**

The DCA's principal obligation under the Law is to ensure that Guernsey remains compliant with the Chicago Convention of 1944 and its Annexes, "so far as possible". This obligation determines what regulatory requirements are imposed on the main stakeholder, Guernsey Airport, and others, and how the DCA conducts the oversight of their activities.

There has been no change in the Airport's level of compliance throughout the year as measured through their satisfactory implementation of Safety Management Systems for the aerodrome and Air Traffic Control service, and the excellent results of safety audits conducted during the year

## **3. Co-operation with Jersey**

The arrangement with Jersey, whereby the role of the DCA is shared between the Bailiwicks, continues to work extremely well to the benefit of both islands. During 2011 a further significant opportunity for collaboration arose: finding a solution to the changing requirements for aviation security regulation in the UK and Europe. (More detail in paragraph 6)

## **4. Aircraft Registry for the Channel Islands**

Towards the end of 2010 we engaged the services of Helios, a business and technology consultancy based in Farnborough, to assist us in conducting a feasibility study into the establishment of an aircraft registry for the Channel Islands. The work was concluded successfully in March 2011 with the submission of their report. The project was run jointly with Jersey and was part-funded by them. The report confirmed the conclusions of our initial background work over the previous eighteen months, which was that an aircraft registry established in Guernsey for Guernsey or the Channel Islands would be a viable proposition.

The conclusions of the feasibility study also informed the subsequent preparation of the States Report which was endorsed by the States in September. The preferred option chosen meant that there was no need to pursue funding for the project under the States' New Service Development process. During the last quarter of 2011 we invited expressions of interest from organisations to act as our strategic partner to develop and operate the registry. Following that, we commenced

a formal invitation to tender process to be concluded early in 2012. We remain on track to commence operations during 2013, subject to achieving the required legislative changes in good time.

## 5. Miscellaneous Activities

The European funded project to develop Satellite Based Augmentation System (SBAS) Instrument approaches at Alderney came to fruition in December 2011. After a prolonged period of negotiations an EGNOS Working agreement was concluded between Guernsey Airport and ESSP, the agency responsible for providing the EGNOS Open Service and Safety of Life Service compliant with ICAO SBAS standards and recommended practices throughout the European region. The ESSP website extract explains how the Bailiwick of Guernsey has led the way in the use of this technology:

### *First European Commercial Use of EGNOS for Approach and Landing Operations*



For the first time in Europe a commercial scheduled airline is using an **EGNOS based LPV procedure** for landing.

From December 21<sup>st</sup>, the Trislander aircraft operated by Aurigny Air Services, a regional airline operating connection flights between the Channel Islands and the UK and France can use EGNOS when approaching the runways.

This is possible after the publication on December 7<sup>th</sup> of two EGNOS based LPV approach procedures (RNAV GNSS approach to LPV minima) at **Alderney Airport** (EGJA), the only airport on the island of Alderney in the Bailiwick of Guernsey, a British Crown Dependency in the Channel Islands.

The activities leading to the publication of these LPV procedures were undertaken by a consortium led by NATS, the main UK Air Navigation Service Provider, and they are part of a European project partially funded by the European Commission and EUROCONTROL.

*"EGNOS technology is a major step towards equipping airfields to operate safely in inclement conditions" said David Pole, NATS Project Manager and GNSS Systems Engineer. "It's a cost effective solution for smaller airfields that need the accuracy and reliability of an instrument landing system. Not only does EGNOS improve the regularity of flight services it also offers reductions in both pilot and controller workload".*

The main advantage of this kind of EGNOS based procedures is to enable approaches equivalent to ILS approaches (potentially down to 250 ft minima at some runways) with a limited ground infrastructure. Thanks to EGNOS, the Alderney airport will now benefit from an approach with vertical guidance which increases the safety and accessibility compared to non precision approach (NPA) procedures. This LPV approach procedure complements the 2 NPA procedures based on NDB and the 2 recent procedures based on GPS (RNAV GNSS approach to LNAV minima) published in the airport.

The replacement radar project for Guernsey airport remains on track for delivery towards the end of 2012. The radar will provide both Primary and Secondary functions and will be integrated with similar equipment already installed in Jersey to offer mutual support and resilience in the event of a failure or temporary unserviceability of either unit.

In September, the annual Battle of Britain air display unfortunately had to be cancelled due to the adverse weather conditions on the day. The weather also affected the Jersey International Air Display scheduled to be held on the same day.

## **6. Aviation Security**

Early in 2011 it became apparent that, as Europe increasingly regulates aviation security, replacing national rules with supranational ones, the Bailiwick's rules on aviation security were at risk of diverging from the UK's. If not resolved this divergence could have resulted in the introduction of restrictions on the movement of passengers and cargo by air between the Channel Islands and the UK/EU. The Channel Islands therefore needed to introduce a new aviation security regime to ensure continuing equivalence with EU and UK standards. This regime required the implementation of recent new security standards as a priority, and the creation of the office of an independent aviation security regulator.

At a practical level, significant progress was made in the development of draft new regulations on aviation security for the Channel Islands in order to minimise the potential disruption to flights. However, to comply with international requirements both Guernsey and Jersey also needed to create an independent aviation security regulator.

In a States Report in July the States approved:

- i. a collaborative approach with Jersey to allow both Bailiwicks to meet international obligations whilst minimising the regulatory burden in each jurisdiction, by sharing it. (This recommendation was expected to deliver the most cost effective solution for both jurisdictions.) ;
- ii. the creation of the function of aviation security regulation under the office of the Director of Civil Aviation; and,
- iii. the transfer of the responsibility for aviation security regulation from the Public Services Department to the Commerce and Employment Department.

Guernsey and Jersey have collaborated on this project throughout, and are in the process of achieving parallel changes under their own laws to the extension of the DCA's functions, to the separation of responsibility for the regulation of aviation security from that of implementing aviation security at the airports and to finalising joint agreement on the detailed security directions applicable in the Channel Islands. They also followed a joint process to recruit and select a suitable applicant to fill the post of Aviation Security Regulator to act in that capacity for both jurisdictions. The selected applicant took up his post in February 2012. The result of what has been a protracted period of work on this issue is that the Channel Islands will have in place the appropriate structures, organisation and regulations to manage and oversee aviation security in a way which is compliant not only with the latest UK and EU requirements, but also with ICAO Annex 17 and associated guidance material, as required under Guernsey and Jersey Laws. Importantly, this has all been achieved under the 'least cost and shared cost' model that exemplifies best practice in terms of collaboration with Jersey on aviation matters.

## **7. DCA – Functions**

### **a. Regulate the Safety of Aerodromes, Air Traffic and Air Transport Services**

Aerodrome – there were fewer regulatory activities related to the Guernsey Airport Pavement Project in 2011 compared to 2010 due to the fact that the focus had moved from design options to the tender process. Nevertheless, the project remains high on the list of priorities for the DCA, particularly to be assured of a safe implementation plan.

An audit of the aerodrome and Rescue and Fire Fighting Service took place in June 2011 as part of a 15 month rolling programme of formal audit and inspection of the facilities conducted with the assistance of expert inspectors from the UK Civil Aviation Authority. There were no major findings. Accordingly, the aerodrome licences issued to both Guernsey and Alderney airports remain valid on an ongoing basis.

Air Traffic Services – An audit of the Air Traffic Control Unit was conducted in October 2011 with advice and assistance of an air traffic control expert from the UK Civil Aviation Authority. The result was entirely satisfactory, with only a few comments and minor recommendations being made. The visit also provided the CAA their opportunity to maintain continuous oversight as the licensing authority for the air traffic controllers operating in Guernsey and Alderney.

**b. Permissions and Exemptions**

The DCA had to deal with very few requests for permissions under the Aviation Law and exemptions from it for unusual aviation activities. The general exemptions issued by the DCA covering UK registered 'Permit' aircraft remain in force and provide cover for the majority of visiting aircraft in this category to the Bailiwick.

**c. Fees and charges**

Section 4(1)(d) of the Aviation (Bailiwick of Guernsey) Law, 2008 empowers the DCA to determine and prescribe the fees and levies payable on application for the grant of licences, certificates, authorizations, approvals, permissions and exemptions. The progress made with the aircraft registry project to date means that work will commence during 2012 to develop an appropriate scheme of charges to support that activity.

**d. Trend Analysis**

Based on occurrence reports regarding aviation incidents taking place at the aerodromes and airspace around Guernsey and Alderney, there is no general trend that would raise any cause for concern. The DCA continues to monitor aviation activity in the Bailiwick and will require those involved in serious incidents to explain their actions.

**e. Aviation Advice**

The DCA provided information and advice to the Department on the subject of Air Passenger Duty (again) and the revised Gatwick Airport landing charges over concerns that these issues might adversely impact on our air links with the UK.

**8. Aviation Objectives**

Section 2 of the Aviation (Bailiwick of Guernsey) Law, 2008 charges the DCA to carry out his functions under the Law in a manner that he thinks is best calculated to achieve the "general aviation objectives" set out in the section. These objectives are to ensure a high standard of safety in operating air transport services to, from and within the Bailiwick and extend to furthering the reasonable interests of users of air transport services and of users of the aerodromes in the Bailiwick.

The DCA has upheld the duty imposed on him by the general aviation objectives by providing for the direct safety oversight of the aerodromes of the Bailiwick and their associated air traffic services ensuring the provision of safe aerodrome and air traffic services in support of all flights to and from the Bailiwick airports. These services are provided in compliance with the Chicago Convention and its associated Annexes, which established the ICAO system and facilitate the safe movement of international flights around the world.

## Glossary

EGNOS:	European Geostationary Navigation Overlay Service.
ESSP:	European Satellite Service Provider
GNSS:	Global Navigation Satellite System
GPS:	Global Positioning System
ICAO:	International Civil Aviation Organisation
LPV:	Localised Performance with Vertical Guidance
NDB:	Non Directional Beacon
NPA:	Non Precision Approach
RNAV:	Area Navigation (previously known as Random Navigation)
SBAS:	Satellite Based Augmentation System

## Appendix 1

### Extract from the Commerce and Employment Department's Business Plan for 2010: CIVIL AVIATION

#### 3. CIVIL AVIATION

##### Purpose:

To conduct with fairness, impartiality and independence the regulatory functions to assure a high standard of civil aviation safety in the Bailiwick whilst ensuring that the Bailiwick complies, so far as possible, with the Chicago Convention of 1944 and its associated Annexes. To fulfil Guernsey's contractual obligations to Jersey in providing the equivalent service to Jersey as their Director of Civil Aviation.

Title	Description	Activity and updates
Bailiwick Aviation Law	To advise on amendments to the Aviation (Bailiwick of Guernsey) Law, 2008 to ensure it takes account of developments in global standards in aviation safety regulation and to propose appropriate amendments, where necessary, to improve consistency with the equivalent UK and Jersey regulations.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities
Bailiwick Aviation Law	To act as the independent aviation safety regulator for the Bailiwick of Guernsey, ensuring the efficient administration of the aviation laws and enforcement of the regulatory regime.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities
Licensing	To regulate the safety of aerodromes, air traffic and air transport services in the Bailiwick. Annual Licensing activity: to be satisfied through continuous oversight and regular audit activity of the fitness of the aerodrome to hold its licence.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities



Liaison	Liaise with UK Department for Transport (DfT) and Civil Aviation Authority (CAA) to ensure a coherent and compliant aviation safety regulatory system is maintained in the Bailiwick, particularly with respect to compliance with International Civil Aviation Organisation Standards.	Ongoing - receive notifications of amendment and proposed amendments to ICAO Annexes from CAA. Consult locally on the proposals and respond through the CAA and DfT. Implement changes where necessary
Liaison	Attend meetings with DfT, CAA and DCAs from Crown Dependencies and Overseas Territories, as appropriate to ensure a consistent approach to the aviation safety regulatory system.	Six monthly communication meetings
Compliance	Complete post audit activities and actions from the International Civil Aviation Organisation's safety audit of the United Kingdom and its Overseas Territories and Crown Dependencies conducted during February 2009.	Implement Corrective Action Plan agreed with CAA and DfT, during 2011
Compliance	Grant, renew and validate licences, certificates, authorisations, approvals, permissions and exemptions in a manner consistent with States' Directions and the provisions of the Law.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities
Licensing	Monitor, enforce, modify, suspend, revoke or consent to the surrender of licences, certificates, authorisations, approvals, permissions and exemptions in a manner consistent with States' Directions and the provisions of the Law.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities
Income Generation	Subject to approval of the Department, determine and prescribe the fees and levies payable on an application for the grant, renewal or validation of licences, certificates etc.	To be co-ordinated with Jersey under the joint DCA arrangements. Shall be reviewed as a key part of the Aircraft Registry project during 2012
Regulatory	Receive and conduct inquiries and investigations (including inspections of aerodromes, aircraft and aviation facilities) and to hear complaints regarding aviation activities.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities



Advisory	Act as States Aviation Advisor within the Department.	Advise on the UK implementation of the EU Aviation Emissions Trading Scheme and Air Passenger Duty
Advisory Regulatory	Act as the Director of Civil Aviation for Jersey under the terms of the contract between Commerce and employment Department and the Office of the Chief Minister for the States of Jersey.	<b>Core Section Service</b> - routine and reactive work to deliver advisory and regulatory activities to Jersey
Role and Business Development	Make an "Initial Proposal" under the States Business Planning process for new service developments in 2011 for the establishment of an Aircraft Registry in the Channel Islands	End April 2011 deliver draft initial proposal to C&E Board

**APPENDIX 4**

# **REPORT OF THE CRIMINAL JUSTICE WORKING GROUP**

## **PHASE TWO**

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**(January 2012)**

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# 1. INTRODUCTION

- 1.1** Maintaining the community as a safe and secure place in which to live and work involves a great many organisations, some of which are not necessarily Home Department – or even States of Guernsey – based and some which must retain independence from political direction. There can therefore be no central 'ownership' of the criminal justice system, but rather joint-working is embraced by all organisations to deliver the services and initiatives that protect the local community and maintain the safe environment that we all enjoy.
- 1.2** The development of a Criminal Justice Strategy constitutes a proactive undertaking by professional stakeholders, as supported and sponsored by the Home Department, to enhance the coordination of services and initiatives as part of a mutual commitment to protect the local community. The Strategy will ensure the development of services and initiatives in areas of need whilst ensuring that requests for investment in specific initiatives in these areas of need arise from a clear strategic context and, crucially, are evidence-based.
- 1.3** Ultimately, the Strategy will ensure that criminal justice organisations (both States and non-States) are in greater alignment with one another and that progress is underpinned by appropriate evidence. In this way, the objectives as set out in the States Strategic Plan can be met to best effect and all future requests for additional funding in relation to Areas of Focus may be evidenced.
- 1.4** The Home Department has accorded its facilitation of the Strategy's development and ongoing maintenance the highest priority ranking in its current Business Plan (2011-2013). The Department resources the coordination and development of the Strategy and is supported by the States of Deliberation in doing so through the provision of funding for a full-time Criminal Justice Strategy Coordinator and a Corporate Management Tool by which the performance of the Strategy may be measured.
- 1.5** In delivering this significant piece of work four separate phases should be acknowledged:

<b>Phase 1:</b>	Review of existing and alternative sentencing options
<b>Phase 2:</b>	Development of a Criminal Justice Strategy Framework
<b>Phase 3:</b>	Development of a Multi-Agency Delivery Plan & the establishment of an evidence-base
<b>Phase 4:</b>	Strategy Implementation

- 1.6** This Report follows the Report produced by the original Criminal Justice Policy Working Group and principally undertakes to set out:

- Progress made in relation to the key recommendations that came out of the Criminal Justice Policy Working Group's Phase One Report (2004);
- A Criminal Justice Strategic Framework as developed by the reconstituted Criminal Justice Working Group ('the CJWG') and based on consultations led by the Home Department, and also appropriate key Areas of Focus as identified by the CJWG.

**1.7** This Report also acknowledges the structure of the CJWG in delivering this significant piece of work and acknowledges key projects already in stream as initiated by the CJWG.

**1.8** The CJWG is pleased to acknowledge its ongoing efforts to the States of Deliberation.

# **UPDATE ON RECOMMENDATIONS OF PHASE ONE**

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## 2. UPDATE ON RECOMMENDATIONS OF PHASE ONE

- 2.1** The original Criminal Justice Policy Working Group was mandated to explore existing and alternative approaches to criminal justice in Guernsey. Given the enormity of a review of criminal justice – and the absence of any formally recorded existing local criminal justice policy– the CJPWG elected to focus on what it termed ‘Phase One’, a review of current and alternative sentencing options.
- 2.2** In undertaking its work, the CJPWG identified three ‘Pillars’ to underpin any future criminal justice policy, and these Pillars were then further broken down into a series of recommendations that the CJPWG would take as action points. Relevant parties with lead responsibility for these recommendations have been approached to provide broad updates, which are shown at 2.3 - 2.23. Further details can be obtained from relevant agencies’ reports which are cited here wherever appropriate.

**PILLAR 1: Improving the delivery of Criminal Justice for all by ensuring that victims and witnesses are recognised as central to a system which delivers swiftly, proportionately and effectively; that crime does not pay; and that restorative principles are taken into consideration**

- 2.3 Recommendation: That resources should be made available to enable satisfactory monitoring and evaluation of the criminal justice system, including sentencing outcomes and reconviction rates**
- 2.3.1** Agencies take responsibility for collecting and maintaining their own statistical data for the purposes of reporting on their operations. It is acknowledged that statistical reporting on criminal justice services is not straightforward and that these agencies are therefore best-placed to explain their own data.
- 2.3.2** However, further to this recommendation being made by the original Working Group, the Home Department (Central Services) invested in the development of a central database for the purpose of holistic statistical reporting and into which information relating to convictions and sentencing could be captured. Whilst this database has been regularly updated with information passed on by Guernsey Police, it is acknowledged that its full potential has not yet been realised and that further development is necessary in terms of data population from other agencies.
- 2.3.3** As part of the new Criminal Justice Strategy, specific focus is being given to the capture and communication of meaningful statistics so as to ensure that consistent banks of data are centrally maintained and are populated by information from all key agencies for use by the CJWG.

## 2.4 Recommendation: Support the work of the Serious and Organised Crime Committee (SOCC)

- 2.4.1** The Serious and Organised Crime Committee was established in 2004 under the Chairmanship of H.M Procureur. Its membership comprised the Chief Officers and respective Heads of Operations from the Police and the then Customs & Immigration Service which has now become the Guernsey Border Agency. The Committee's purpose was broadly to develop policies to combat serious and organised crime.
- 2.4.2** In 2008 the work of the Committee was suspended in deference to the activities which resulted from States resolution in respect of the "Future of Law Enforcement". In 2011 the Committee was restyled as the Law Enforcement Strategic Forum. Its Chairmanship is now alternately shared between the Chief Officers of Police and the Guernsey Border Agency its other members being the Deputy Chief of Police and the Head of Cross Border Crime
- 2.4.3** It is acknowledged that serious crime relates to a wide range of offences that can have a significant impact at a local, national and international level. Significant achievements in this area since 2004 include, but are not limited to, the following:

**Development of a Financial Crime Strategy:** a Strategy has been developed in order to assist in the delivery of a coordinated multi-agency approach to countering money laundering, the financing of terrorism and other financial crime, including tax evasion, within the Bailiwick. A key aim of this Strategy is to ensure that 'crime does not pay' and that any action taken makes best and full use of the law. Its purpose is also to ensure the Bailiwick follows best international standards and acts effectively and proportionately to any threat to either its financial stability or security.

**Inspection by the International Monetary Fund:** In January 2011 the key local stakeholders with responsibility for the implementation of the Financial Crime Strategy welcomed the publication of a report by the International Monetary Fund following its 2010 inspection of the Bailiwick's effectiveness in countering money laundering and the financing of terrorism (AML/CFT). In this report it was acknowledged by the IMF that the Bailiwick has a comprehensive AML/CFT legal framework that continues to support the Bailiwick's position in the top echelons of global finance centres.

**Development of a Drug Trafficking Strategy:** a Strategy has been developed in order to assist in the delivery of a coordinated multi-agency approach to countering drug trafficking. This Strategy is fully synchronised with the Bailiwick Drug & Alcohol Strategy and complements that Strategy's 6 pillars. The Strategy is a living document which is regularly reviewed so that it can quickly and flexibly respond to changing local circumstances, threats and risk.

## 2.5 Recommendation: Establish a Court Users Group, to help respond positively to the needs of victims and witnesses



**2.5.1** The Royal Court User Group ('the RCUG') was established and first met in 2006. This Group amalgamated and superseded both the Home Department Court User Group (forum for Prison/Probation/Police/GBA to discuss issues of an operational and administrative nature, and also other matters of mutual interest) and the Court Development Groups (forums in which to discuss elements of the courts' development). The RCUG is mandated to:

- Identify enhancements and developments in judicial systems/procedures and the administration of the Royal Courts and its buildings for the benefit of Court Users;
- Assist the Royal Court in anticipating and responding to the changing and developing needs of Court Users;
- Ensure the effective, economical and efficient utilisation of public and private resources in the administration and use of the Courts.

**2.5.2** In 2012 the User Group meetings have been split into three separate meetings for court users dealing with criminal matters, family matters and civil matters respectively. The Group works in tandem with the Criminal Justice Working Group and feeds in discussions of mutual interest.

## **2.6 Recommendation: Continue to fund Victim Support, extending to the provision of witness support in the Courts**

**2.6.1** The Home Department continues to part-fund the Service with an annual grant of £38,000. This money provides for the manager's salary and ordinary, everyday running costs. External funding from businesses, LTSB Foundation and Association of Guernsey Charities (Channel Islands Lottery) provides for the manager's assistant's salary, staff and volunteer training, purchase of equipment and furniture, travel & accommodation to off-island conferences etc, and all special events.

**2.6.2** Important developments since 2005 include:

- 2006** Service relocated Lower Vauvert offices to a suite in the new Court building. Witness Service launched. An emergency account set up for victims in urgent need of, but unable to afford items such as home security devices. Engagement with schools in respect of the impact of crime on victims and witnesses and the experience of attending Court.
- 2007** Three Service volunteers trained as Restorative Justice Facilitators. Service purchased 100 personal security alarms to give to victims/witnesses who have safety concerns.
- 2008** Part-time Assistant employed with businesses' and LTSB Foundation funding. Live Link Evidence Ordinance approved and Witness Suite video-link facilities used for first time. Witness Service produced a DVD of the court process to show to witnesses. Bailiwick of Guernsey

## Victim Support & Witness Service 10th Anniversary.

- 2009** Crown Dependencies Services no longer affiliated to UK Scheme but able to purchase services. Recipient of Queen's Award for Voluntary Service attended Government House and Buckingham Palace Royal Garden Party.
- 2010** Service hosted the first Victim Support Inter-Island Conference (attendance from Jersey and Isle of the Man).
- 2011** Manager's Assistant and volunteers trained as Restorative Justice Facilitators. A 3-yr sponsorship from G4S confirmed in order for Victim Support and Witness Service to continue employing a part-time assistant.

The Service continues to receive excellent feedback from service-users and other agencies.

## **2.7 Recommendation: Adopt a needs-assessment approach to the management of victims and witnesses going through the Courts**

- 2.7.1** The management of victims and witnesses going through the Courts is undertaken by the Victim Support & Witness Service and is supported by the Royal Court User Group. The Service has ongoing liaison with the Police and the Law Officers throughout the criminal justice process so as to ensure that victims' and witnesses' needs are appropriately communicated to all parties. As a whole, the Service provides both victims and witnesses with 'neutral ground' so that they feel more at ease with the Court process and can discuss their experiences afterwards with Service staff.
- 2.7.2** The provision of Witness Support in the Courts is a considerable development and it is noted that witnesses who are supported are more likely to attend court and give evidence than those with whom the Service has had no contact. The Witness Service offers witnesses pre-trial visits to the court rooms. These are of great benefit to many witnesses and also to the Service which, at that time, is able to assess the needs of witnesses if this has not been carried out by any other agency beforehand. This may be a request to use the video-link, or to use screens in the courtroom to shield the witness from the sight of the defendant and possibly the public gallery, or it may be that they have medical problems or special needs for example unable to read or hear. Service volunteers can accompany witnesses into the court-room. The service also updates witnesses on the outcome of the trial and sentencing and explains sentences.
- 2.7.3** The Witness Service is available to both prosecution and defence witnesses. At present, very few defence witnesses are referred to the Service by Advocates, and this is something that the Service is actively committed to remedying. The Witness Service also supports people attending the family/domestic/matrimonial courts.

## **2.8 Recommendation: Consider the introduction of legislation in relation to alternative ways of giving evidence in Court**

**2.8.1** The Live Link Evidence (Bailiwick of Guernsey) Ordinance 2008 came into force on 12 March 2008 and the Live Link Evidence in Civil Proceedings (Guernsey and Alderney) Ordinance 2011 came into force on 28 April 2011.

**2.8.2** Live-links operate from the Victim & Witness Suite in the Royal Court, the Royal Court and also at Guernsey Prison. In doing so, a number of services are provided, including:

### **Giving evidence:**

Evidence can be given to the Courts from a remote location. This may be used for vulnerable witnesses/victims for whom attendance at Court would be a distressing experience. Additionally, links can be established with other locations to facilitate the provision of evidence by expert witnesses in criminal cases or those witnesses who are unable to travel. Civil cases such as divorce can also be heard where a party does not live locally.

### **Presentation of defendants:**

The facilities allow a defendant who is in custody to appear before the Court without leaving the Prison. This process is not only quicker but avoids the security risks and protocols associated with transporting detainees for presentation at Court for only a very short period of time. For those who are serving a sentence, this is beneficial as it means that engagement in, for example, education programmes are not disrupted. Additionally, links between the Court and UK Prisons can and have been used. This has included linking a high-security prison to a Royal Court criminal trial, as well as linking a high-security prison to a Family Court. When this involves a high security prisoner the benefits, in terms of reduced risk and avoidance of expenditure, are significant. The same facility has been used for Counsel to liaise with clients who are in high-security prisons. The facilities can also be used regularly where extensions to prison remand have to be brought before a Judge every 28 days. This is now standard practice and is invariably preferred by the defendant.

### **Presentation of digital evidence:**

The same equipment provided for Video Conference facilities is also used to present evidence, digitally (on screen) to the Court. This has proved particularly popular for presenting CCTV evidence to the Court. PowerPoint presentations, incorporating evidence is also being used more frequently, together with evidence from expert witnesses (who are present in Court) as they invariably present their evidence from a Laptop.

### **Advocate/Defendant Liaison:**

Advocates may also make use of the same facilities when holding routine meetings with their clients and this opportunity is used only in a few instances.

## **2.9 Recommendation: Research how victims' needs can be represented by MAPPA**

- 2.9.1** Multi-Agency Public Protection Arrangements ('MAPPA') is the name given to arrangements for the responsible authorities (Probation, Police, Prison) tasked with the management of offenders who pose a serious risk of harm to the public, including violent and sexual offenders. The objectives of MAPPA are to reduce serious offending, minimise serious harm to the public, and assist in the early detection of repeat offenders. Delivery against these objectives integrates Criminal Justice and Social Care agencies, and the responsible authorities are supported by representation from other agencies as appropriate, including Children's Services, Mental Health Services, Housing Department, Social Security Department and other voluntary organisations (e.g. churches).
- 2.9.2** The Victim Support & Witness Service Manager attends all relevant MAPPA meetings in order to represent the needs of victims with whom the Service has had contact. If there has been no involvement, Victim Support will sometimes be invited to ensure that a victim perspective is given. The Probation Service assigns a Victim Liaison Officer ('a VLO') to every victim where the perpetrator has committed a sexual or serious violent offence. There would therefore be a VLO in most MAPPA cases involving serious offending. The VLO role is to inform the victims of significant events in a custodial sentence, such as a move to less secure conditions consideration of parole, and impending release date. It is acknowledged at all points that victims have first-hand knowledge of the crime committed by the offender and sometimes of the risks the offender may still pose.
- 2.9.3** The MAPPA guidelines are currently under review in light of the new Sex Offender legislation which will put MAPPA on a statutory footing and the appropriate representation of victims will be considered further in that review.

## **2.10 Recommendation: Progress the implementation of a Criminal Injuries Compensation Scheme**

- 2.10.1** In December 2001 the States approved a Report from the then Advisory & Finance Committee to establish a system for compensating victims of crime. At its September 2004 meeting the States approved the draft *Projet de Loi*, the Criminal Injuries Compensation (Bailiwick of Guernsey) Law, 2004. The Law provides the enabling provisions for a Scheme to be established locally and to have effect throughout the Bailiwick. However, at a meeting of the Chief Pleas of Sark held on 24 February 2005, the Chief Pleas raised various questions in respect of the financial implications of such a scheme for the Island and did not approve the *Projet* in respect of Sark.
- 2.10.2** All progress on the development of a Scheme ceased when it became apparent that no new funding was to be made available for the administration of the Scheme or the granting of awards. In 2008 the Treasury and Resources Department advised that a formula-led budget of £300,000 would be made available.

**2.10.3** The Department acknowledges the considerable difficulties in determining appropriate levels of award for the Scheme (i.e. is the criteria for the granting of awards based on impact on quality of life or actual injury sustained). The Department further notes that in administering new Prioritisation of Legislation processes, this Scheme's development may not be considered a priority against other Department interests that have arisen in the time since the proposal was approved, and has therefore only been able to intermittently allocate resources to progress its development.

**2.10.4** The Department acknowledges that this proposal is fully sympathetic to the Victim-Focus that has been identified as a key strategic theme in the new Criminal Justice Strategy and will be reviewing this work-stream in 2012 with a view to prioritising the development of secondary proposals required to put the Scheme into operation and retaining the principle behind it: that an award is an expression of public sympathy and support for innocent victims.

## **2.11 Recommendation: Consider alternative approaches to tackling anti-social behaviour**

**2.11.1** It must be acknowledged that within the Bailiwick there is no legal definition of anti-social behaviour. Notwithstanding this, a great deal of work and initiatives have been taken forwards. Significant achievements since 2004 include – but not limited to – the following:

### **Alcohol consumption in public places**

Since its introduction in 2007, The Control of Intoxicating Liquor (Designated Public Places) Ordinance, 2007 has been used effectively by Guernsey Police at large public events such as Liberation Day and music events as appropriate where excessive drinking had previously led to a myriad of anti-social behaviour-related issues. This legislation has also been used to support measures taken by Guernsey Police at known anti-social hotspots.

### **Instant Restorative Justice Warning Initiative**

This initiative is designed to restore parental responsibility for young people by encouraging the attendance of parents at scenes where young people are causing problems or are found in possession of alcohol.

### **Truancy Initiative**

The Neighbourhood Policing Team ('the NPT') works in partnership with the Education Department, the Children's Convenor and relevant Youth Services in order to tackle truancy from education sites.

### **Environmental Design**

Extensive partnership working between Guernsey Police and planners on new developments has worked to reduce unwelcome congregation at prominent community locations such as Delancey Park and the new Bouet Development site.

### **Community Action Teams**

Community Action Teams ('CATs') consist of representation from Guernsey Police, the Housing Department, the Education Department, the Children's Convenor, youth workers and voluntary organisations as appropriate. CATs establish a collaborative relationship with the local community in identifying problems related to anti-social behaviour and devising solutions.

### **Establishment of new facilities for young people**

Since 2004 several new facilities have been established to divert young people off the streets.

## **2.12 Recommendation: Further consider restorative approaches, including the deferment of sentencing**

**2.12.1** It is acknowledged that those who have been affected by crime may be left with questions and feelings that will not go away, such as:

- Why did this happen to me?
- Was I targeted?
- Does the person responsible realise the harm they have caused?
- Is it going to happen again?
- What sort of person would do this?
- Are they sorry?
- What does their family think of their behaviour?

**2.12.2** Restorative Justice ('RJ') is a voluntary process which offers victims the opportunity to ask such questions and have their harm or loss acknowledged by the offender. RJ is entirely focused on achieving greater peace of mind for the victim and, in turn, is a powerful mechanism by which to encourage offenders to acknowledge the impact of what they have done and provide both victim and offender with an opportunity to negotiate a means by which the offender can make reparation to the victim. RJ is not an alternative to the Court process.

**2.12.3** Since the introduction of restorative cautions for juveniles by Guernsey Police in 1999 the use of RJ approaches has developed significantly at a local level. In 2005 the RJ Management Group was formed. Comprised of representation from Police, Education, Probation, Youth Justice, Prison (and later Victim & Witness Support), the aim of the Group was, and remains, to develop and support a multi-agency approach to RJ.

**2.12.4** In 2008, the Home Department agreed to appoint a new Restorative Justice Development Officer for an initial period of 3 years so as to coordinate a strategic approach to multi-agency development and delivery of RJ initiatives for the benefit of the local community.

**2.12.5** In 2010 the States of Deliberation acknowledged the successes of the RJ Strategy and the Strategy's role in supporting Social Policy Objectives 1 ("Foster an inclusive and caring society which supports communities, families and individuals") and 7 ("Maintain a healthy society and safeguard vulnerable people") and approved ongoing funding for the Development Officer's post until 2014.



#### 2.12.6 Key developments since 2004 include, but are not limited to:

**RJ Awareness Training:** RJ awareness training is now provided to all new recruits joining Guernsey Police as well as to all Operational Police Officers. Teachers, Probation Officers, Youth Workers and Prison Officers, as well as a range of people working in the voluntary sector, have also been trained as facilitators. The Bailiwick now has 33 trained facilitators available for RJ work and training is ongoing.

**RJ Protocols for use by agencies:** Protocols have been successfully developed and are in use in local schools, the Prison, the Children's Convenor Service, the Probation Service and voluntary agencies such as Action for Children and Victim Support.

**Establishment of professional connections:** A broad spectrum of professional connections have been established between the Bailiwick and national-based agencies to review best practice and enhance information-sharing across professionals.

**Development of a media and communications plan** to support the Strategy and outline creative, pragmatic and prudent ways in which to communicate the philosophy and work of RJ in the Bailiwick of Guernsey.

#### 2.12.7 Deferment of sentencing

The Law Officers Chambers has undertaken research in respect of possible reforms to sentencing and has been working on detailed proposals in conjunction with other key stakeholders. As part of this work the deferment of sentencing by up to 6 months has been considered. Under this initiative a criminal court would be given the power to postpone sentencing for a period to allow it to take into account any post-conviction behaviour or changes in circumstances before the sentencing the offender.

#### 2.12.8 The Court may require the offender to agree to requirements as to his or her conduct before the matter returns to court, with the general aim of preventing reoffending or assisting in rehabilitation. For example, an offender might undertake to gain and maintain employment in this period. The expectation is that if a defendant abides by the requirements to which he or she has agreed then he or she will receive a non-custodial sentence, whereas failure to comply would result in a custodial sentence. This therefore allows the court to deal with offenders in the most effective manner possible and provides the offender with an incentive to take the necessary steps to change his or her conduct. Consultations on all aspects of this work remain ongoing.

### 2.13 Recommendation: That further consideration should be given to the replacement of committal proceedings, and the introduction of committal for sentence

- 2.13.1** Committal proceedings are currently required before a case can be sent from the Magistrate's Court to the Royal Court for trial on a serious offence. At present, witnesses may have to give live evidence before a Judge of the Magistrate's Court in order to show that the defendant has a case to answer. The proposals to be brought forward will ensure that defendants are sent to the Royal Court without the need for witnesses to give oral evidence before trial.
- 2.13.2** Where a defendant is tried and convicted in the Magistrate's Court but, having heard the evidence, the Judge of the Magistrate's Court is of the opinion that the sentencing powers of that Court are insufficient, the Judge may commit the defendant for sentence in the Royal Court. In situations, for example, where new information appears during proceedings in the Magistrate's Court, a committal for sentence allows the defendant to be given the appropriate sentence, taking account of all the circumstances.
- 2.13.3** This piece of work is sponsored by the Home Department and interested parties including the Royal Court and the Bar have already been consulted. These proposals are being considered alongside other reforms to the criminal justice system and the complexity of this work is acknowledged. However, the proposals have reached an advanced stage of development and completion is anticipated before the end of 2012.

## **PILLAR 2: Reducing the incidence of crime, by tackling its causes, engendering social responsibility and maximising its detection**

### **2.14 Recommendation: Establish greater cooperation and consultation between States-funded projects and non-governmental organisations**

- 2.14.1** Maintaining the community as a safe and secure place in which to live and work involves a great many other organisations, some of which are not necessarily Home Department - or even States of Guernsey - based. Joint-working is embraced by all organisations to deliver the services and initiatives that protect the local community and this involves engagement and partnership working with non-governmental organisations.

### **2.15 Recommendation: Crime Prevention – policies should prevent crime rather than be drafted in reaction to a situation**

- 2.15.1** The need to prevent harmful activity from happening in the first instance is a fundamental part of any community. Whilst it is acknowledged that more can always be done, significant developments since 2004 include – but are not limited to – the following:

#### **Securing by Design & Safer Places Initiatives**



These initiatives promote close liaison between police and planners in both public and private sector development projects. The aim of the relationship is to ‘design out crime’ at the planning stage of such projects - for example, the generation of natural surveillance through the proper placement and design of windows, lighting and landscaping, or natural access control which employs elements like doors, shrubs, fences and gates to deny admission to a crime target and to create a perception of risk to offenders. Whilst such relationships have a statutory basis in the UK it is acknowledged that the relationship is presently working satisfactorily on a voluntary basis at a local level.

### **Street lighting and CCTV surveillance**

Additional street-lighting in hot-spot areas of CCTV has been secured through funding obtained from the private sector. CCTV coverage in St Peter Port has also been enhanced and extended through both public and private sector funding.

### **Community engagement**

Additional efforts have been made by Guernsey Police to rejuvenate interest into the following groups: *Neighbourhood Watch*, *Pub Watch*, and *Shop Watch*. Whilst each of these groups operates according to their own policies and protocols as appropriate, the common factor is the involvement of the local community and businesses in supporting crime prevention measures.

## **PILLAR 3: Dealing with the perpetrators of crime in ways which appropriately reflect society’s disapproval and deter others, whilst aiming also to rehabilitate offenders into responsible citizens.**

### **2.16 Recommendation: Introduction of Community Service (Court legislation) with additional funding made available to Probation to deliver such sentences**

**2.16.1** A Community Service Order is effectively a fine on an offender’s free time. It is a punitive sentence although the focus of the sentence is on the positive effect of the offender’s work within the community and not the negativity of the punishment. The sentence allows the offender to retain their liberty which allows them to maintain accommodation, employment and family links, all factors known to reduce the likelihood of reoffending. Those sentenced to a Community Service Order remain under the supervision of the Probation Service so as to ensure that all aspects of the Order are complied with. An offender may be returned to Court for failing or refusing to cooperate in any way. The Court may then cancel the Order and re-sentence the original offence, which could mean a custodial sentence.

**2.16.2** Further to this original recommendation of the CJPWG, the States of Deliberation approved the Home Department’s recommendation to institute a 3-year pilot to provide a Community Service Scheme as a credible alternative to short-term custodial sentences (Billet D’État XX 2005, p.2424).

- 2.16.3** The Community Service Scheme was established in the Bailiwick at the end of 2007 following the preparation of its governing legislation, the Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) Law, 2006 which was registered by the Royal Court on the 29th October 2007. Community Service Orders have been available as a sentencing option for the Bailiwick Courts since that date.
- 2.16.4** Community Service is targeted at offenders who would have been sent to Prison or who would have received a suspended sentence or fine. In cases where the order is made as an alternative to a custodial sentence, the default sentence is stated in court and the offender can expect to receive that period of custody if they re-offend or fail to comply.
- 2.16.5** In November 2009 the States of Deliberation approved the Home Department's recommendations (Billet D'État XXXI, p. 2623) to "continue to provide a Community Service Scheme adequate to respond to the sentencing needs of the Courts" as managed by the Probation Service and to approve proposals to amend relevant legislation in order to reduce the minimum number of hours which can be imposed on a child offender in the Juvenile Court from 40 hours to 10 hours following the establishment of the Child, Youth and Community Tribunal under The Children (Guernsey and Alderney) Law 2008.
- 2.16.6** In 2010 the States of Deliberation acknowledged the successes of Community Service Scheme in supporting Social Policy Objectives 8 ("Maintain the Bailiwick as a safe and secure place in which to live") and 4 ("Promote, and remove barriers to, social inclusion and social justice") and approved ongoing funding for the resourcing of the Scheme.
- 2.16.7** Since the inception of the Scheme in 2007 over 530 orders have been made and 40,000 hours of work done for the local community.
- 2.17 Recommendation: Review the possibility of electronic monitoring, including costing**
- 2.17.1** Whilst there has been no substantial review of this initiative as yet, the Home Department and the CJWG acknowledge that such an initiative would incur significant costs that could not be justified as a priority in the present economic climate and also in view of the exceptionally high standard of supervision and offender management that is already in place.
- 2.17.2** The Home Department and CJWG look to examples of other jurisdictions in which electronic monitoring is in operation and note that the evidence for their effectiveness is not compelling. Consultation with other professional stakeholders as part of the Criminal Justice Strategy's development endorse this view and it is therefore acknowledged that this recommendation is dismissed and that electronic monitoring will not have a place in the future Criminal Justice Strategy.

## **2.18 Recommendation: That a Court imposing a fine should have the power to make an appropriate considered order in each case where the fine is not paid**

**2.18.1** The Fines Review Court was introduced in 2008 as a means to assist HM Sheriff in the fine recovery task, as well as meet Human Rights criteria. Up to 2008, HM Sheriff's authority to arrest a fine defaulter (someone who missed payment of an instalment to pay their fine as ordered in Court) required no further endorsement of the Court before the Sheriff exercised his authority to make an arrest and transmit that person to the states prison.

**2.18.2** In late 2007 it was felt that a review by the Court of a fine defaulter's reasons for non- payment of their fine prior to HM Sheriff making an arrest would be sensible, and would protect HM Sheriff should any arrest without any such review be legally challenged. HM Sheriff also felt that to require a persistent fine defaulter to attend a review court would also focus the offender firmly on their obligation as well as providing an opportunity for a judge to endorse any Sheriff's resulting arrest. There are, sometimes, compelling reasons why an otherwise good payer of their fine suddenly finds that their personal circumstances change and they can no longer afford to pay at the rate set. In these circumstances it would seem reasonable that an explanation should be given to the Court which may decide to alter the payment schedule.

**2.18.3** In order to establish a suitable process in the lead up to a fine review court, HM Sheriff introduced an administrative process which reminded fine defaulters of their responsibilities and the consequences of their failure to meet payment schedules. If, having been warned, payments are not resumed, HM Sheriff summons an offender to the Fine Review Court. Experience has shown that many defaulters resume their payments under the threat of having to re-attend a Court to have the matter reviewed. Those summoned to Court and who choose not to appear are arrested when found and serve their alternative sentence at the Prison. Magistrate's Court Judges invariably choose to tell an offender at the time their fine is given that they are required to attend a review court sometime in the future, but that they need not attend if they are maintaining their payments. Any default from the payment plan means they will have to explain their reasons at the review court.

**2.18.4** The Fine Review Court occurs every month and is a very successful mechanism as described above to ensure fine payments are met. The uncollected fine monies were as shown at Table 1:

**Table 1: Uncollected fine monies for period 2006 - 2011**

<b>Year</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Uncollected fine monies</b>	£17,516	£6517	£ 2459	£7376	£5343	£18k

\* At the end of 2011 some £18k was uncollected but again much of this will be collected throughout 2012.

## **2.19 Recommendation: Continue to monitor the development of Parole legislation**

**2.19.1** The Parole (Guernsey) Law, 2009 has received Royal Assent and requires an enactment Ordinance before it comes into effect. The 2009 Law has been drafted in such a way so as to allow parole to evolve and continue to play a valuable role in the management of offenders.

**2.19.2** The Home Department (Central Services) is actively working with the Probation Service and the Law Officers on the subordinate Regulations. These Regulations will not only support administration of this new Law but will also provide positive guidance which will assist the Parole Review Committee in carrying out its functions under existing legislation, the Parole Review Committee (Guernsey) Law, 1989 as amended. Work on these Regulations is recognised by the Home Department as a priority and it is anticipated that the new Law will be in operation by the end of 2012.

## **2.20 Recommendation: Support any measures to improve how sex offenders are dealt with in order to protect the community**

**2.20.1** The need to modernise and reform sexual offences legislation in the Bailiwick has been acknowledged and a multi-agency working party set up to review how new legislation may best serve the interests of the local community across the Bailiwick. These proposals were approved by the States of Deliberation (Billet D'État XIII 2011) and the Home Department, as sponsor of this piece of legislation, retains this as a high priority. The Law Officers are in the process of completing the first draft of the proposed legislation.

**2.20.2** The legislation will create a requirement for convicted sex offenders to register with the Police and to keep relevant agencies informed of their whereabouts and other relevant information whilst in the Bailiwick.

**2.20.3** In most jurisdictions, Police powers have traditionally been reactive to offences which have already been committed but, in the field of sexual offences, crime prevention by active management of offenders in the community is crucial. Importantly, the legislation, as proposed, will make extra powers available by way of three separate civil preventative orders:

**Sexual Offences Prevention Order:** This allows a court to restrict the activities of convicted sex offenders who pose an ongoing risk of serious sexual harm to others. It would prohibit the offender from doing anything that the order specifies, such as working with or near children, living by a school or visiting children's play areas, or specified use of computer equipment.

**Risk of Sexual Harm Order:** This can be made in respect of a person over the age of 18 if that person has on previous occasions engaged in sexually explicit conduct or communication with a child and there is reasonable cause to believe that the order is necessary to protect a child from harm. The child must be under 16 and harm includes physical and psychological harm. For this purpose, "sexually explicit conduct" might include making a child watch sexually explicit activity either in person or electronically, and communicating with a child where any part of the communication is sexual. The person concerned need not have a conviction for an offence and thus the behaviour on which the application for a Risk of Sexual Harm Order is based does not itself need to amount to a criminal offence. This civil order can prohibit the person from doing any act, where it was felt necessary to protect a child, a group of children, or children in general.

**Foreign Travel Order:** A Foreign Travel Order would enable a court to prohibit a convicted sex offender who has offended against children from travelling abroad if such an order is considered necessary to protect children from serious sexual harm.

**2.20.4** As noted at 2.9, Multi-Agency Public Protection Arrangements ('MAPPAs') integrate Criminal Justice agencies and Social Care agencies to ensure the appropriate management of offenders who pose a serious risk of harm to the public, including violent and sexual offenders. The significance of the MAPPA process to the proposed sex offender legislation is that it provides the process by which relevant offenders are managed. A fundamental part of the Home Department's proposals for Sex Offender legislation is to formalise these arrangements through legislation.

**2.20.5** A further significant development relevant to this recommendation relates to employment vetting services as it is recognised that malicious individuals may use employment as a means of gaining access to vulnerable groups. A key responsibility for the Home Department is to empower local employers to make more informed and ultimately *safer* recruitment decisions, particularly where an occupation involves contact with children and vulnerable adults or where a higher degree of integrity for a role is required (e.g. law enforcement, legal services). In 2010 the Department successfully facilitated legislative amendment to provide the Bailiwick of Guernsey with direct access to the Criminal Records Bureau, a provider of criminal records checks for England and Wales. This move brings the Bailiwick in line with services available in the UK and has delivered considerable enhancements to employment vetting services in the Bailiwick. Jersey has also proceeded in the same manner and there has been a great deal of joint working between the two Islands on this work-stream.

**2.20.6** The Department continues to liaise with the UK Government in respect of changes being made to the Vetting & Barring Scheme, a system designed under the Labour Government as a means by which to ensure that all persons wishing to work or volunteer with vulnerable groups are risk-assessed by an independent body on the basis of information contained in their criminal record checks. Access to the Scheme was approved by the States of Deliberation on 1st October 2009 (Billet D'État XXIV 2009). The Scheme has since been made the subject of extensive review by the new Coalition Government and the Department has otherwise met with relevant counterparts in both Jersey and the Isle of Man in order to pursue a coordinated

Crown Dependencies approach to synchronise with UK changes and facilitate the provision of consistent employment vetting measures in line with national standards.

## **2.21 Recommendation: Support non-custodial options for juveniles**

**2.21.1** The Child, Youth & Community Tribunal ('the CYCT') system was established as part of successful implementation of The Children (Guernsey and Alderney) Law 2008. This new law came about following a fundamental and far-reaching review of children law within the Islands. The new system that has been developed is based on the Children's Hearing system that has been in place in Scotland since 1971 and is premised on the recognition that children and young people appearing before courts, whether they had committed offences or were in need of care and protection, had common needs.

**2.21.2** The establishment of the CYCT is acknowledged by the CJWG as a significant development in ensuring the best possible outcome for young people who commit offences in terms of meeting their needs and, where appropriate, diverting juveniles to support structures and away from Prison.

## **2.22 Recommendation: Support HSSD in making more appropriate provisions for mentally-ill offenders**

**222.1** The CJWG acknowledge the essential input of HSSD and other agencies in making appropriate provisions for mentally-ill offenders. Partnership working is embraced by all agencies in this regard and, in particular, there is representation of mental health services in Multi Agency Public Protection Arrangements ('MAPPAs') as appropriate. See 2.9 and 2.20 for further information on MAPPAs.

**222.2** The CJWG acknowledges the development of a Mental Health Strategy<sup>1</sup> by the Health & Social Services Department and will take every step to ensure full synergy between the Criminal Justice Strategy and the Mental Health Strategy going forwards.

## **2.23 Recommendation: Support initiatives that take non-violent recidivist drinkers away from Prison**

**223.1** In 2009 the Criminal Justice Alcohol Service was set up to deal directly with those high risk drinkers whose alcohol-related offences (including violent offences) would warrant a custodial sentence. The aim of the Service is to provide the Judiciary with an alternative sentencing option that incorporates treatment appropriate to needs and offending behaviour and diverts offenders away from Prison if appropriate. Treatment can include one-to-one therapeutic work and counselling, as well as offending behaviour work undertaken by the Probation Service.

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<sup>1</sup> The States of Guernsey approved the Health & Social Services Department's New Service Development proposal in this regard on 29<sup>th</sup> October 2010.

**2.23.2** In 2010 the Drug and Alcohol Strategy began researching the implementation of a drink-driving scheme. The scheme will aim to divert appropriate high-risk drink-drivers away from the Prison and towards alternative rehabilitation options such as educational courses and counselling. This project is still active and is led by the Drug & Alcohol Strategy in conjunction with the Probation Service, Law Officers and the Vehicle Registration & Licensing Department.

# **WORKING GROUP STRUCTURES & PROJECTS IN-STREAM**

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### 3. CRIMINAL JUSTICE WORKING GROUP CONSTITUTION & RELATED SUB-GROUPS

**3.1** The original Criminal Justice Policy Working Group has been reconstituted by the Home Department and is now known as the Criminal Justice Working Group ('the CJWG'). The CJWG revives the work undertaken by its predecessors in exploring existing and alternative approaches to criminal justice and builds on this work by formulating a Criminal Justice Strategy.

**3.2** The CJWG is chaired by the Chief Officer of the Home Department and full resource support is provided by the Home Department and coordinated by the Criminal Justice Strategy Coordinator. The Group is comprised of representation from the following agencies:

- Criminal Bar Association
- Guernsey Border Agency
- Home Department
- Island Police
- Judiciary
- Law Officers' Chambers
- Prison Service

- Probation Service
- (Prosecution) Law Officers' Chambers
- Royal Court & Greffe Office
- Social Policy
- Victim Support & Witness Service

**3.3** The CJWG is supported by a number of sub-groups which are at this time in varying states of formalisation. An overview of present structure is shown at Figure 1 and an overview of each Group and key projects presently being taken forward by each is provided at 3.4-3.6.

**Figure 1:**



### 3.4 Criminal Justice I.T. Working Group (CJIT-G)

- 3.4.1** The criminal justice system is necessarily multi-agency driven and the integrity of its service is dependent upon effective data-capture and the exchange of data between organisations.
- 3.4.2** The rationalisation of the information-sharing process by enabling technologies is key to the achievement of an integrated criminal justice system. The benefits of these efforts will not be confined to criminal justice organisations themselves but will be felt by victims, witnesses, judges and magistrates, and defendants as the accuracy and consistency of knowledge shared means a reduction in the time-frame in which cases are processed.
- 3.4.3** CJIT-G provides a consultative forum that can advise the CJWG on all matters relating to the rationalisation and linking of I.T. systems and also the development of these systems to improve data-sharing. CJIT-G also assumes responsibility for the provision and monitoring of systems that facilitate the generation and extraction of statistics.
- 3.4.4** CJIT-G is comprised of operational managers, or their equivalents, of core Criminal Justice organisations who have appropriate experience and skills in I.T. and a comprehensive understanding of the business requirements of the agency with which they are affiliated. CJIT-G is also open to external providers of I.T. services. All members share investigative and reporting responsibilities.
- 3.4.5 Projects in-stream:** At the time of writing this Report, CJIT-G has a project in-stream and this is outlined at 4.2.
- 3.4.6** Full resource support is provided by the Home Department and coordinated by the Criminal Justice Strategy Coordinator.

### 3.5 Victim-Focus Working Group (VFWG)

- 3.5.1** A focus on “Supporting victims and witnesses of harmful activity at all points of their engagement with the criminal justice system and reducing repeat victimisation” has been identified by the CJWG as an essential part of the Criminal Justice Strategy (outlined at Section 5).
- 3.5.2** The VFWG is at present operating in ‘shadow’ status and is comprised of several CJWG members with an interest in developing areas where victims and witnesses can be better supported.
- 3.5.3 Projects in-stream:** At the time of writing this Report, the VFWG has a project in-stream and this is outlined at 4.3.

**3.5.4** It is anticipated that this Group will be formalised as the Strategy develops and further work-streams related to this area are identified by the CJWG.

**3.5.5** Full resource support is provided by the Home Department and coordinated by the Criminal Justice Strategy Coordinator.

### **3.6 Communication & Engagement Working Group (CEWG)**

**3.6.1** A focus on proactively engaging with the local community so that the Strategy “is reflective of and responsive to the concerns of a diverse community” has been identified by the CJWG as an essential part of the Criminal Justice Strategy (outlined at Section 5).

**3.6.2** The CEWG is at present operating in ‘shadow’ status and is comprised of several CJWG members or their nominated representatives with an interest in developing areas where communication and engagement can be developed.

**3.6.3 Projects in-stream:** At the time of writing this Report, there are no projects owned by this Group, however it is acknowledged that future input of this Group into the Home Department’s Community Safety Survey is welcomed. Additionally this forum can look to how relevant information as presented on the States of Guernsey website may best be managed and maintained.

**3.6.4** It is anticipated that this Group will be formalised as the Strategy develops and further work-streams related to this area are identified by the CJWG. Full resource support will be provided by the Home Department and coordinated by the Criminal Justice Strategy Coordinator.

## 4. PROJECTS IN-STREAM

**4.1** In taking the development of a Criminal Justice Strategy forwards some significant areas have been identified as meriting immediate action. The following projects have therefore been taken forwards by the Home Department on behalf of the CJWG and with that Group's full input and involvement:

### 4.2 Criminal Justice Process Mapping

**4.2.1 Project intent & Scope:** To gain a visual overview of existing work-flow processes by which an offender moves through the criminal justice system in order to assist Criminal Justice Working Group and Criminal Justice I.T. Working Group members in acknowledging existing efficiencies in information-exchange and identifying any areas for development by way of enabling technologies so as to improve efficiency and service-delivery.

**4.2.2 Rationale:** There is a commitment on the part of all organisations to improve work-flow processes, and part of this work includes a review of data-exchange mechanisms and information management and handling across organisations.

**4.2.3** In order to understand how data-capture and exchange can be improved, it is first necessary to plot the core activities associated with an offender's progression through the criminal justice system because this will contextualise where the need for information arises and where it is otherwise captured.

**4.2.4** Process-mapping will define existing processes in chart-form, from which problem areas in information-management can be identified, such as bottle-necks and duplication of effort that can result in unnecessary delays or a waste of resources. The knowledge as presented in a process-map provides a solid and visual basis from which to develop solutions, plan and introduce new improved processes. It also provides a solid and visual basis by which it may be easily identified where information is captured and in what format so as to inform the production of meaningful statistics.

### 4.3 Victim & Witness Guide

**4.3.1 Project intent & Scope:** to develop a central document that captures in one place: i) an outline of the criminal justice process in clear and accessible language; ii) an overview of each organisation's role within the process; 3) an overview of all support services available to victims and witnesses and relevant contact details; and 4)

comments from each relevant organisation in relation to what victims and witnesses can expect from them (as informed by their own operations and service-standards)

**4.3.2 Rationale:** It is recognised that every victim is, by definition, an unwilling victim and it is recognised that, for both victims and witnesses, coming into contact with the criminal justice system can be an intimidating experience at an already difficult time. Feedback received by the Victim Support & Witness Service has highlighted the fact that one of the main causes of fear about engagement with the criminal justice system is a lack of knowledge and understanding about the process and what part each organisation plays. In short, it is acknowledged that most victims and witnesses do not know what to expect when they engage with the criminal justice system. Commentary received in response to relevant questions in the Community Safety Survey 2010 about victims' and witnesses' experiences corroborates this.

**4.3.3** It is suggested that this document will demonstrate organisations' unity of effort and commitment to putting victims and witnesses at the heart of the criminal justice system by clearly and proactively acknowledging what victims and witnesses can expect when engaging with the system.

#### **4.4 Community Safety Survey**

**4.4.1** The Community Safety Survey is a Home Department-owned initiative, however its value in gathering information for use by the CJWG in developing the Criminal Justice Strategy is acknowledged.

**4.4.2** The purpose of the Survey is to gauge Islanders' perceptions and awareness around areas of the Home Department's mandated responsibility to protect the community and also other general areas relating to community safety that are not necessarily crime-related. The Department hopes that this Survey can become recognised by all Criminal Justice organisations as a **central** conduit through which to gain the feedback of community members on matters relating to criminal justice and community safety, and by which public perceptions of related issues may be captured. In this way it is anticipated that savings can be made in terms of time, money and effort in centralising coordination of such work for the benefit multiple agencies.

**4.4.3** It is the Department's intention to repeat the Survey every 2 years in order to stabilise communications with the public and facilitate meaningful trend analysis. The Department acknowledges at all points that the Survey will continue to evolve – and indeed should continue to evolve – with the input of all organisations, and the input of the CEWG is welcomed.

**4.4.4** Whilst no community is without its concerns, the 2010 Survey Results broadly endorse the message that those who completed the Survey are generally satisfied that Guernsey is a safe place in which to live and that all relevant agencies are successful in maintaining it as such.

# A CRIMINAL JUSTICE STRATEGY

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## 5. PHASE TWO: A CRIMINAL JUSTICE STRATEGY

**5.1** In driving the development of a Criminal Justice Strategy the Home Department has facilitated consultations with professional stakeholders from all areas across criminal justice service providers, Education and Health in respect of what a Criminal Justice Strategy should look like. In doing so, the Department has captured expectations and identified common values and reconciled all consultation outputs into a single strategic framework for consideration by the CJWG. A list of agencies involved in the consultation process is shown at Appendix I.

**5.2** The CJWG is pleased to acknowledge the strategic framework for the Criminal Justice Strategy as presented on Page 31 and to outline the Group's Areas of Focus as follows:

**1. To develop a Pre-Offending Plan;**

It is acknowledged that there is a need to develop a comprehensive and coordinated pre-offending plan if our strategic objective "to prevent harmful activity in the first instance" is to be met. It is anticipated that such a plan will be necessarily linked with areas of Health and Education.

**2. To reduce the impact of anti-social behaviour;**

It is acknowledged that anti-social behaviour has a huge impact on public feelings of security and well-being and on the local area's reputation as a place in which to live, conduct business and also visit. It is acknowledged that there is a need to develop a comprehensive and coordinated approach to tackle anti-social behaviour and consequently reduce its impact on the local community.

**3. To develop effective management of prolific offenders in order to break the cycle of crime;**

It is acknowledged that effective intervention in the lives of offenders is essential to the prevention of further offending and to breaking the cycle of crime. The impact of crime on our community is both social and economic and it is important that there is public confidence in the ability of criminal justice agencies to tackle crime and offenders effectively.

**4. To ensure effective management of high-risk offenders;**

It is acknowledged that some offenders, such as sex offenders and violent offenders, are of particularly high-risk to the community and it is essential that these offenders are effectively apprehended and managed so as to minimise the risks they pose to the local community.

**5. To enhance provisions for mentally-disordered offenders;**

It is acknowledged that whilst justice must be served, provisions for mentally-disordered offenders must be enhanced so as to ensure that their particular needs are catered for in an appropriate manner. It is anticipated that this will involve close links with the Health & Social Services Departments and other existing corporate strategies.

**6. To combat serious and organised crime and ensure that crime does not pay:**

It is acknowledged that serious crime relates to a wide range of offences that can have a significant impact at a local, national and international level. Whilst it is important that the perpetrators of these crimes are dealt with in their own right through the criminal justice system it is equally important to ensure that they do not get to enjoy the benefit from their exploits after serving their sentence, or have the means to reinvest into their criminal activities.

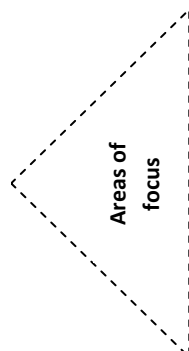
**7. To enhance provisions to tackle cyber crime;**

It is acknowledged that computers, the Internet and electronic communications play an ever-increasing part in our lives and that this has implications for safety and security, including crime and its prevention, detection, investigation and prosecution. Cyber criminals are quick to spot potential vulnerabilities of new technologies and exploit them to commit offences. It is acknowledged that there is a need to enhance provisions in this area in order to ensure continuing protection against threats.



## CRIMINAL JUSTICE STRATEGY: STRATEGIC FRAMEWORK

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- To develop a Pre-Offending Plan;

- To reduce the impact of anti-social behaviour;

- To develop effective management of prolific offenders in order to break the cycle of crime;

- To ensure effective management of high-risk offenders

- To enhance provisions for mentally-disordered offenders;

- To combat serious and organised crime and ensure that crime does not pay;

- To enhance provisions to tackle cyber crime.

### PROTECT

A commitment to protecting the local community by-

#### PREVENT

**Preventing** harmful activity in the first instance

#### CHALLENGE

**Challenging** undesirable behaviour and controlling harm

#### RESTORE

Rehabilitating those who do cause harm and restoring them to the community as productive members of the community

#### RISK MANAGEMENT

Managing risks at all points

#### VICTIM-FOCUS

Supporting victims and witnesses of harmful activity at all points of their engagement with the criminal justice system and reducing repeat victimisation

#### COMMUNICATION & ENGAGEMENT

Proactively engaging with the local community so that the Strategy is reflective of and responsive to the concerns of a diverse community

### EVIDENCE-BASED DECISION-MAKING

A commitment to evidence-based decision-making

### ENHANCE DATA CAPTURE & EXCHANGE

A commitment to the ongoing review and enhancement of existing work-flow processes and the enhancement of data capture & sharing practices

### GOVERNANCE (CJWG)

A commitment to strong Governance by ensuring -

- Collective investment in the Strategy and ensuring that the right people are involved at the right time so that Strategy objectives can be driven successfully by their agreed owners;
- All objectives are focused and aligned to, and fully understandable within the context of, the Strategic pillars and that owners are accountable for objectives
- The investment of resources is proportionate to the benefits derived and that all investments deliver value for money.

## 6. PHASE 3: MULTI-AGENCY DELIVERY PLAN

- 6.1** The CJWG acknowledges that the next phase of work is the development of multi-agency delivery plans in respect of each Area of Focus. Each Area of Focus will be comprised of SMART objectives - that is, objectives that are **Strategic** (i.e. meet the Strategic Pathways identified in the Framework), **Measurable** (i.e. have appropriate underpinning performance indicators - See Section 7), **Achievable and Realistic** (i.e. are valid objectives that have been developed in full cognisance of, for example, financial constraints or other external pressures), and **Time-bound** (i.e. have direction to be completed within a specific time-frame).
- 6.2** It is acknowledged that in developing multi-agency delivery plans key strategic links will be established, and existing links enhanced, with all other States of Guernsey departments and corporate strategies such as Health & Social Services' 2020 Vision, and also businesses and third-sector parties where appropriate.
- 6.3** Thereafter Phase 4 - Implementation - can be initiated.

## 7. MEASURING PERFORMANCE

- 7.1** The need to underpin objectives with appropriate indicators of performance is of paramount importance.
- 7.2** In full support of the States of Guernsey's commitment to strategic decision-making, economic efficiency and value for money, the Home Department conducted investigations into corporate performance management tools to assist in business planning and performance measurement. This is more critical than ever in terms of ensuring that strategic objectives are met and is offset against a responsibility to track and monitor performance and efficiency.
- 7.3** The Corporate Management Tool will be used to support the Strategy's framework and the measurement of performance against its objectives relating to the identified Areas of Focus.
- 7.4** It should be acknowledged that the implementation of a case management tool was a recommendation of the original Criminal Justice Policy Working Group.

## **8. A BAILIWICK APPROACH**

- 8.1** The CJWG acknowledges its sister-Islands of Alderney and Sark and the need to liaise directly with these Islands where appropriate so that the benefit of the Criminal Justice Strategy may be felt Bailiwick-wide. This report has been passed to the relevant authorities of Alderney and Sark to note, and it is expected that further liaison will be appropriate in relation to specific initiatives as the Strategy develops.

## **9. CONCLUSION**

- 9.1** The CJWG and the Home Department acknowledge that the development of a Criminal Justice Strategy is a significant and complex undertaking. In particular, the Strategy is developed and administered by multiple agencies, some of which are not necessarily Home Department – or even States of Guernsey – based and some which must retain independence from political direction.
- 9.2** Whilst there can therefore be no central 'ownership' of the criminal justice system, the development of a Criminal Justice Strategy constitutes a proactive undertaking by professional stakeholders, as supported and sponsored by the Home Department, to enhance the coordination of services and initiatives as part of a mutual commitment to protect the local community. The Strategy will ensure the development of services and initiatives in areas of need whilst ensuring that requests for investment in specific initiatives in these areas of need arise from a clear strategic context and, crucially, are evidence-based.
- 9.3** Ultimately, the Strategy will ensure that Criminal Justice organisations (both States and non-States) are in greater alignment with one another and that progress is underpinned by appropriate evidence so that the objectives as set out in the States Strategic Plan can be met to best effect and so that all future requests for additional funding in relation to Areas of Focus may be evidenced.
- 9.4** The Home Department has accorded its facilitation of the Strategy's development and ongoing maintenance the highest priority ranking in its current Business Plan (2011-2013). The Department resources the coordination and development of the Strategy and is supported by the States of Deliberation in doing so through the provision of funding for a full-time Criminal Justice Strategy Coordinator and a Corporate Management Tool by which the performance of the Strategy may be measured.
- 9.5** In presenting this Report, the CJWG is pleased to acknowledge its ongoing efforts to the States of Deliberation and looks forward to the next phases of development and reports on progress will be made in future years.

# **APPENDIX I**

## **LIST OF CONSULTEES**

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Adult Mental Health Services

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Criminal Bar Association

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Drug & Alcohol Strategy

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Education Department

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Fire & Rescue Service

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Guernsey Ambulance & Rescue Service

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Guernsey Border Agency

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Guernsey Police

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Guernsey Prison (including Learning & Skills)

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Guernsey Probation Service

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Health & Social Services Department

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H M Procureur

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H M Sheriff

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Home Department

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Judiciary

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Law Officers' of the Crown

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Office of the Children's Convenor

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(Prosecution Directorate) Law Officers' Chambers

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Restorative Justice Strategy

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Services for Children & Young People

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Policy Council, States of Guernsey

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Victim Support & Witness Service

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Youth Services

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