



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 29th January 2014

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Richard J. McMahon, Esq., Deputy Bailiff and Deputy Presiding Officer

Law Officers

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

People's Deputies

St. Peter Port South

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

St. Peter Port North

Deputies M. K. Le Clerc, J. A. B. Gollop, P. A. Sherbourne,
R. Conder, M. J. Storey, E. G. Bebb, L. C. Queripel

St. Sampson

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

The Vale

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

The Castel

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

The West

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

The South-East

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

Representatives of the Island of Alderney

Alderney Representative L. E. Jean,
Alternate Alderney Representative R. N. Harvey

The Clerk to the States of Deliberation

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

Absent at the Evocation

Deputy A. H. Langlois, (*relevé à 10h 07*)

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THE STATES' DEBATES

OFFICIAL REPORT

2014

Wednesday, 29th January

Volume 3

*The States met at 9.30 a.m. in the presence of
His Excellency Air Marshal Peter Walker C.B., C.B.E.
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE DEPUTY BAILIFF *in the Chair*]

PRAYERS
The Greffier

EVOCATION

CONVOCATION

The Greffier: Billets d'État I, II and IV: to the Members of the States of the Island of Guernsey, I hereby give notice that a meeting of the States of Deliberation will be held at the Royal Court House on Wednesday 29th January 2014 at 9.30 a.m. to consider the items contained in the Billets d'État which have been submitted for debate.

Tribute to Alderney Representative Arditti

The Deputy Bailiff: Members of the States, it was, I am certain, an immense shock to us all when on the morning of Monday of last week we heard of the sudden death of Alderney Representative Edward Paul Arditti.

10 Paul was born in May 1951 in London. He qualified as a solicitor of the Supreme Court of Judicature in 1974 and practised world-wide from the City of London, being a partner of Ince & Co. for a quarter of a century.

15 A glance at that firm's seven core business areas reads like a summary of Paul's areas of interest and expertise: aviation, business and finance, commercial disputes, energy and offshore, insurance and re-insurance, international trade, and shipping.

In recognition of his vast experience, towards the end of his period in London Paul served as a member of the Commercial Court Users Committee.

20 Paul moved to Alderney in 2007 and quickly immersed himself in Bailiwick-wide matters. In March 2008 he was one of the participants in the Guernsey Finance Delegation to China, headed by the then Chief Minister, former Deputy Torode. Joining the practice of the late advocate Jon Kay-Mouat, himself a former President of the States of Alderney, gave Paul the opportunity to continue practising law and, no doubt, a detailed insight into the local political environment.

In the November 2010 elections he secured a seat as a Member of the States of Alderney. The following January he was elected by the States of Alderney as their Representative in this Assembly – a position which he continued to hold until his death.

Whilst understanding that the *raison d'être* for the office of Alderney Representative is to represent the views of the States and the people of Alderney, Paul appreciated that the position was not confined to that duty and he felt strongly that the Alderney should take a full part in the work of the States of Deliberation.

Thus it was that in the May 2012 elections he allowed his name to be put forward for the Chairmanship of the Scrutiny Committee. In that election there were five candidates and he secured a majority vote in the first ballot. That result is testimony to the confidence reposed in him by the Members of this Assembly. As Chairman of the Scrutiny Committee he was well able to use the skills honed through legal practice to seek full and frank answers to probing questions asked during scrutiny reviews. He also served as a Member of the Public Accounts Committee.

Paul made only one promise when seeking election to the States of Alderney, writing in his manifesto, 'If elected I will diligently do my homework and base my views on the evidence.' He was, I am sure you will agree, true to that promise which he repeated when advancing his candidature as Chairman of the Scrutiny Committee, adding that he saw scrutiny as the oxygen of good governance, of accountability, transparency and due process.

He was consistently a champion of good governance. He used his skills as a gifted orator to good effect in this Assembly. He strongly believed that any point of view articulated by him should be capable of defence in the face of robust debate.

For all these reasons Paul can properly be described as having been a keen and committed parliamentarian.

Apart from his work in both the States of Guernsey and the States of Alderney, Paul had a wide range of interests. He had previously farmed beef cattle and his love of things mechanical led to his involvement with the Alderney train, including driver's duties.

Paul's faith was important to him and he regularly attended services at St Anne's Church where he was a bell-ringer.

He leaves a widow, Philippa, who is present in the Public Gallery this morning, and children by a previous marriage, to all of whom we extend our sincere condolences.

Will you please now join me in rising to honour the memory of Paul Arditti?

Members stood in silence.

The Deputy Bailiff: Thank you all very much.

**Welcome to Alternate Alderney Representative Harvey, Deputy Storey
and students from La Mare de Carteret School**

The Deputy Bailiff: Members of the States, I can confirm that the formalities pursuant to section 5 of the States of Guernsey (Representation of Alderney) Law, 1978 have been complied with – with the President of the States of Alderney appointing Mr Neil Harvey to sit at this meeting of the States of Deliberation in place of the late Mr Arditti. So welcome to Alderney Representative Harvey.

I also take this opportunity to welcome back to the Chamber Deputy Storey having convalesced from his cardiac episode. (**Members:** Hear, hear.) And finally on the welcome front, welcome to the students from La Mare de Carteret School who are present for the first part of this meeting in the public gallery.

Members of the States you will note that Deputy Robert Jones is occupying the seat previously allocated to Mr Arditti as Chairman of the Scrutiny Committee. Deputy Jones is the Vice-Chairman of the Scrutiny Committee and I am grateful to him for agreeing the temporary switch of seat to enable the two Alderney Representatives to be seated together.

**Procedural –
No sitting on Friday**

The Deputy Bailiff: In terms of sitting days and the order of business, the first procedural motion I will put to you is that as a mark of respect to Mr Arditti, whose funeral is taking place on Friday, if the business for this meeting has not concluded by the end of tomorrow the States shall not adjourn to Friday, as would

normally occur under the Rules, but rather that we adjourn to a later date to be decided once we take stock at an appropriate time tomorrow.

By giving an early indication at the outset, it enables anyone wishing to follow particular items of business towards the end of the agenda to be forewarned about what might take place.

So the motion is that notwithstanding the provisions of Rule 33(b) the States shall not sit on Friday 31st January 2014 and that any business not concluded on Thursday 30th January 2014 shall be adjourned to a date to be determined before business is adjourned that day.

Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: I declare that unanimously carried.

Procedural – Order of business

The second procedural motion I will put – and I am aware that there might be other suggestions about the order in which the business for this meeting should be taken – relates to the election of a replacement for Deputy James on the Health and Social Services Department following her resignation.

The order prescribed by Rule 9 would see that election occurring before the debate on the Motion of No Confidence in the Department.

In those circumstances it seems to make sense to defer that election and indeed the elections generally so as to include electing a replacement for Deputy Storey on the Housing Department until after the debate on the Motion of No Confidence has taken place and the outcome is known.

So the motion is that Article I of Billet IV of 2014 be taken immediately before Article III of Billet I of 2014. Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: Thank you very much. Then I will declare that carried, as well.
The Chief Minister.

The Chief Minister (Deputy Harwood): Sir, I would also like to put forward a procedural motion that Article IX of Billet I, which is the Requête on the Alderney Airport, be taken before Article I of Billet IV and before Article III, given the large number of members of the Alderney community who are in the Public Gallery today.

I think it would be appropriate if we could take that matter early in the agenda, sir.

The Deputy Bailiff: Thank you very much, Chief Minister.

The motion is that Article IX of Billet d'État I – the Airfield in Alderney – be taken immediately before Article I of Billet IV. Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: I declare that carried.

So the order will be: statements, questions, legislation. Then we will move to the Requête in relation to the Airfield in Alderney.

STATEMENT

Bowel Cancer Screening – Statement by the Minister of Health and Social Services

The Deputy Bailiff: Deputy Dorey, the Minister of the Health and Social Services Department, has been given leave to make a Statement pursuant to Rule 8.

Deputy Dorey.

Deputy Dorey: Thank you, Mr Deputy Bailiff. I am grateful for the opportunity to make this Statement. On Wednesday 30th October last year and Wednesday 11th December I answered Rule 5 questions about bowel cancer screening asked by Deputy Hadley.

On further investigation it has emerged that some of the information on which I based my answers was wrong. That is deeply regrettable and I offer my full apologies. I now wish to correct the record on two accounts.

The first is the funding of the bowel cancer screening service. In October 2013 Deputy Hadley asked, 'Is the Department spending all the money that was allocated for bowel cancer screening?'. I answered,

'The Department is spending all the money that was allocated. An annual sum of £328,000 was allocated as part of the States Strategic Plan in 2011 to set up and run the bowel screening services. This covers the cost of the service which is delivered by MSG, as well as HSSD staffing, facilities and administrative costs.'

Following detailed financial analysis and investigation of all relevant Board minutes and papers I can now report the following.

HSSD received a budget uplift of £294,000 for the bowel cancer screen programme in 2012 following a successful States Strategic Plan bid. Expenditure on the service in 2012 was £207,608 – an underspend of £86,392. In 2013 HSSD received a budget uplift of £327,500 for the service. Expenditure in 2013 was £171,528 – an underspend of £155,972.

The underspend in 2013 was greater than in 2012 because the budget allocated in 2013 was also greater. In reality, HSSD spent £40,000 less on the service in 2013 than in 2012.

States Members have received a breakdown of the financial position in both years. This shows that the £40,000 difference can be explained by a reduction in expenditure in two main areas.

First, the contract with the Medical Specialist Group. MSG are paid per session. For much of 2013 there was one bowel screening session per week, compared to two sessions in most of 2012. HSSD, therefore, spent £27,300 less on this budget area in 2013 than in 2012.

Second, the cost of nursing staff. A full time Band 6 bowel screening nurse was appointed to support the service in 2012. She left HSSD in June 2013. Since then her role has been covered by nurses from the day patient unit and more recently by a part-time bank nurse. The cost of *bona fide* nursing staff who support the service was also decreased in 2013, as a result of the reduction of one session per week. Overall HSSD spent £11,600 less on nursing costs in 2013 than in 2012.

At this stage I wish to emphasise that the service continues to screen 60-year-olds who are eligible for the service and who accept their invitation. That was a target cohort at the beginning of the programme.

We screened 543 people in 2012 and we screened 471 in 2013 – despite the change from two sessions per week to one.

I also want to emphasise that financial figures only cover the incremental costs of the service. That is where new staff have been recruited or where spending is clearly linked to the bowel cancer screening programme alone. It does not include overheads which are part of the true cost of providing this service but were not included in the original business case.

It also does not include the additional work that has been taken on by HSSD staff within the existing work load. The time spent on bowel screening work by pathology and sterile service staff, for example, would equate to another £32,000 per year.

A single cost centre for the bowel cancer screening service was not established when the project was approved. This has made it very difficult to track specific project costs. This has now been remedied and there will be a single cost centre in place for the service from 2014 onwards.

In the meantime it has been necessary to conduct a thorough investigation of HSSD accounts in order to provide this level of information. Senior HSSD, financial and operational staff, including staff directly involved in providing the service, have spent a significant number of hours finding and verifying the information in the past few weeks.

Finally, on this first issue, I wish to state that although it is now clear that not all the funding has been spent as was originally planned, this was not the result of a deliberate decision by the Department. The Board of HSSD has at no time made a decision to reduce funding for the bowel cancer screening service. Nor has the funding for this service been transferred to other services.

However, as the Department has overspent in both 2012 and 2013 the underspend on the bowel cancer screening budget had been netted off against the total budget overspend. There is no residual budget in 2013 and 2012.

The second point on which I wish to correct the record relates to consultation with professionals.

In December 2013 Deputy Hadley asked, 'Is the Minister aware that the original plan was to screen two cohorts – people reaching 60 years of age and people reaching 65 years of age?' As part of my answer I said, 'When the final business case was prepared with T&R, following the SSP, it had been revised to a

single cohort of 60-year-olds. This decision was taken in light of the most up-to-date research and on the recommendation of senior professionals from HSSD and MSG’.

This response caused concern among some senior professionals who have since informed me that their views were not reflected in the final business case for the bowel screening service, which was approved by the then HSSD Board in early 2012.

HSSD has not published a report on the bowel cancer screening service and it will be apparent that there are significant differences of opinion about the scope of the programme. These differences came to light in the last quarter of 2013, at the time I made my statement in the December States meeting which took place early in that month. The differences in professional opinion had not been made known to the HSSD Board.

Following a meeting in early October HSSD and MSG agreed that a review of the service should be carried out and the extent of professional differences only became apparent in the weeks that followed. These have now been discussed in detail and a process has been put in place to resolve them within the early months of this year.

Again, I would emphasise that as soon as I became aware of the concerns that the clinicians held I engaged with them directly in order to get a better understanding of those concerns. I have worked, and continue to work, to improve communication between HSSD and its partners. And in general I believe that communication *has* improved.

I wish to assure States Members that the answers to Deputy Hadley’s Rule 5 questions were given in good faith, based on the information and advice available to me within the short timeframe allowed.

Now that further information has come to light I have corrected the errors in full and have ensured that a dialogue has been opened with the relevant professionals.

I apologise sincerely for the inaccurate information that was given last year.

Thank you.

The Deputy Bailiff: Thank you Deputy Dorey.
Deputy Hadley and then Deputy Trott.

Deputy Hadley: Mr Deputy Bailiff, I would like to ask the Minister why he did not read the outline financial case at an early stage. These issues were first raised by me in the October meeting of the Assembly but, indeed, were raised much earlier than that.

The outline financial case which was approved by Treasury and Resources Department and this Assembly makes it quite clear that £44,000 was to be allocated for a specialist nurse endoscopist.

In his Statement the Minister has said that that work is being taken on by other professionals in the Department. Mr Deputy Bailiff, that is not possible. A specialist nurse endoscopist is somebody trained to carry out sigmoidoscopies. We have not anybody that is trained to do that, sir. Furthermore –

The Deputy Bailiff: Deputy Hadley, this is an opportunity to ask a question rather than make a speech. Is there going to be a question at the end of all this preamble?

Deputy Hadley: The question is, sir, why hasn’t he read this thoroughly, because his Statement makes it quite clear that he still has not understood the issues involved?

The Deputy Bailiff: Can you answer that question then please, Deputy Dorey?

Deputy Dorey: Perhaps if I can explain how the information was given to me about the answer it would help Deputy Hadley.

The mistake was made by staff working under pressure and not realising the significance of the question. The Rule 5 question was received late from Deputy Hadley arriving by email at 11.23 p.m. on Wednesday 23rd October, instead of the deadline of 3 o’clock on the Tuesday afternoon, but I agreed to answer the questions.

The staff who prepare the draft replies for my consideration were stretched and very thin on the ground. Among numerous other things they were assisting me with my preparations for the States meeting that would start on the Tuesday of the following week and would include the Budget debate.

My mind and the staff’s mind was very much focused on the extent to which HSSD was over budget. That was and is the position across the whole budget. There was not a separate cost centre for the bowel cancer screening service so the expenditure against budget could not easily be reported.

There was a belief among the staff – in hindsight clearly a mistaken belief – that the budget was being fully used on the service. The first draft response to Deputy Hadley’s question was written to that effect and, having been written down, the initial statement was not subsequently challenged by officers who were invited to comment on the draft before it was approved as final.

The Acting Chief Officer accepts his responsibility for the actions of HSSD staff and has scrutinised every internal email involved in the preparation of the answers for the October States meeting. His conclusion is that the error happened because the pressure on staff produced an answer quickly, the absence of the cost centre in the accounts and the presumption that the budget was overspent, a lack of appreciation of the significance of the question being asked and the lack of in-house challenge to the initial draft answer.

The Acting Chief Officer was quick to apologise to the HSSD Board and to me personally for the mistake of staff. His conclusion was that the mistake had occurred because of the unfortunate combination of factors that I have just mentioned.

The Deputy Bailiff: Deputy Hadley, you are rising again.

Deputy Hadley: Yes, sir.

I would like to ask the Minister, given that the States approved this particular financial plan and the appointment of a specialist nurse, has the Minister now advertised for the specialist nurse to be appointed in line with the Resolution of this Assembly?

The Deputy Bailiff: Deputy Dorey, can you answer that question?

Deputy Dorey: The business plan was not approved by the States. The States approve the States Strategic Plan bid that is subject to the particular Department, rates all States Strategic Plan bids, putting a business case to T&R and then approving it.

In relation to the nurse, there is uncertainty about the future which is partly why we have done the review and we will make a decision about the future of the programme, which is what is outlined in the report which I have circulated to all States Members.

On the basis of the setting up properly of the programme we will make the appropriate appointments within the Department.

The Deputy Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

Many outside of this Assembly, and some within, are incredulous at how poor the management of information provided to the Board of HSSD appears to have been with regard to the bowel cancer screening as the cost centre, and I think the Minister has gone some way towards explaining that this morning. But my question to him is this: what assurances can the Minister give this Assembly that this matter is *not* an isolated occurrence?

The Deputy Bailiff: Deputy Dorey.

Deputy Dorey: As I am sure many Members know, there have been significant financial challenges within HSSD and I am sure having read the Finnamore Report, the report done by PAC... there has also been an internal audit report on private income. There are considerable financial challenges.

So we are trying to improve the financial situation but I cannot give an assurance that a mistake would not be made again. What we have done in this is set up a cost centre. There is a cost of setting up cost centres and if you look within the last three budgets – those are the three I looked at – the T&R Department have specifically said they do not micro-manage Department's budgets and you can see, I am sure, if you look in the accounts there are many areas of States' expenditure where Departments have overspent in one area and underspent in other areas.

So there has not been, in the past, the need to perhaps monitor spending to that extent. The monitoring has been done at the bottom line... and does the Department reach that budget? So, I have spoken around the subject but I cannot give an *absolute* assurance that an error will not happen again. But we will do our best. Obviously we have learnt from this and we will do our very best to ensure it does not happen again.

Deputy Trott: May I ask a short supplementary?

The Deputy Bailiff: Yes, Deputy Trott, and then Deputy Gollop.

Deputy Trott: Can I ask the Minister, sir, how damning an indictment this episode is for the SAP system? And does he share the view of many in this Assembly that was a significant contributory factor in this matter?

Deputy Dorey: I am not going to stand up here and criticise the SAP system. It has been a very significant challenge to the Department but there was an underspend in 2012 before the SAP system was put in and there has been an underspend in 2013. There is a States' decision to put that system in and we have to work with it and we are doing our best to work with it, with the help of T&R.

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Sir, thank you very much.

To the best of the Minister's and the Department's knowledge, was the change that Deputy Dorey referred to between the initial proposal that the States approved for the bowel cancer screening of two cohorts, where the Minister has identified it was changed perhaps by the previous Board to a different system that was approved... Why was it that the States Members as a whole were not informed about that? And was Treasury and Resources responsible for that change during the business plan approval process?

The Deputy Bailiff: Deputy Dorey to answer.

Deputy Dorey: I was not there when the change was made.

What is particularly interesting is, I think, the States Strategic Plan bids which I believe were available to States Members in the Members' Room... On the front page is a description of proposals. The second one says, 'Invite both men and women of two age cohorts to attend for screening at the Princess Elizabeth Hospital.'

Then when you read the actual business plan, which was presented to T&R and presented to the HSSD Board in January 2012, it says, 'To invite both men and women to attend for screening at the Princess Elizabeth Hospital.' The two cohort words have been dropped and, additionally, it has been added, '... to detect pre-cancerous polyps and remove these at an early age of 60, which will prevent bowel cancer developing in the older population and thus protect the vulnerable population from the effects of cancer as they invariably have other age-related medical conditions.'

I was not there. I do not know why the change was made. But I can guess that one of the factors was Professor Wendy Atkin who came over and did a presentation about the study that she did on bowel cancer screening. I think she made the presentation in June 2011 and she concluded that 60 was the most economic age to do the screening.

That is referred to in the business case. Whether that was an influencing factor... but there is no doubt there were differences of opinion in the professionals at both HSSD and MSG and, essentially, the business case was presented with one view of it.

The Deputy Bailiff: Deputy Brehaut.

Deputy Brehaut: Sorry, sir, can I just ask the Minister for a clarification for perhaps those listening? He said he was not there. What he means, presumably, is - it was the previous Board. Thank you.

Deputy Dorey: Thank you, yes. I was not on the HSSD in January 2012.

The Deputy Bailiff: I do not see anyone else rising to ask questions on this Statement, so we will move to Question Time but before doing so, Deputy Langlois, do you wish to be *relevé*?

Deputy Langlois: Thank you, sir.

The Deputy Bailiff: Thank you. I will note Deputy Langlois' presence.

Questions for Oral Answer

CHIEF MINISTER

Review of Legal Aid – Increased budgetary funds and improved access

The Deputy Bailiff: Deputy Gollop has a question on the review of Legal Aid to the Chief Minister.

Deputy Gollop: Yes, sir, thank you. Thanks to the Chief Minister and the Policy Council for their
365 answer.

When will the Policy Council complete a review of Legal Aid provision, maybe in conjunction with Home and Treasury Departments, and report back to the States of Deliberation with a request for increased budgetary funds and improved access to the law in family safeguarding and other related matters?

370 **The Deputy Bailiff:** Chief Minister, Deputy Harwood, to reply.

The Chief Minister (Deputy Harwood): Mr Deputy Bailiff, I should like to thank Deputy Gollop for his question and use this also as an opportunity to invite all States Members to a presentation on Legal Aid on Thursday 3rd April at 12.30 p.m. – the venue will be confirmed in due course – during which the Legal Aid Administrator and Policy Council staff will provide States Members with a summary of the main options arising out of this in-house review referred to by Deputy Gollop and also a summary of the draft ordinance being prepared which, subject to this Assembly's agreement, will place Legal Aid on a statutory footing during the course of 2014.
375

At this point it would be premature to speculate whether the outcome of the review will necessitate increased budgetary funds, nor the extent to which the Departments that Deputy Gollop mentions – Home Department and Treasury and Resources Department – will be involved.
380

It is important to note that the outcome of other reviews currently being carried out, such as the Social Welfare Benefits Investigation Committee review, may also impact on Legal Aid provision in Guernsey.

The focus of the in-house review, which is being undertaken by staff amongst other priorities, is to provide fit-for-purpose legal assistance to those in our Bailiwick community who most need this, whose cases fall within the scope and whose personal circumstances fit the means and merits criteria test the Policy Council and the States has set for legal assistance, whilst ensuring that services provided by the Guernsey Legal Aid Service to members of the public demonstrate best value for money and safeguard scarce public funds at the same time as making important improvements to the Legal Aid scheme.
385

Policy Council is mindful of its duty to ensure the Legal Aid provision in the Bailiwick continues to meet our international human rights obligations.
390

Deputy Gollop: Thank you very much, sir.

395 **The Deputy Bailiff:** Deputy Gollop.

Deputy Gollop: I would like to ask Deputy Harwood though... An issue that recently arose, particularly at a public meeting broadly about the safeguarding service, is this: some claimants requesting Legal Aid have found the current process to be daunting because they are obliged to guess the outcome of the case before funding and a lawyer is provided. In other words an adjudication is made by the providers of the funds as to whether the case has a greater than likely chance of success before the court.
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Will the Chief Minister and the Policy Council undertake that this review will include relooking at those provisions and whether they are too great a hurdle for certain clients and certain situations?

405 **The Deputy Bailiff:** Chief Minister.

The Chief Minister: Sir, I am certainly happy to take that point on board.

For Legal Aid requirements there are certain categories of Legal Aid for which there is a merits test, which is basically an assessment of the likely outcome of the case for which the Legal Aid is requested. But I understand if there is concern that this is seen to be an insurmountable problem for people and clearly I will ask the Legal Aid Administrator and Policy Council staff to consider the matter further.
410

Thank you, sir.

**Disability and Inclusion Strategy, Civil Partnerships and ratification of the UN Convention
on the Elimination of Discrimination against Women –
Progress report**

The Deputy Bailiff: Deputy Gollop, I invite you to place your second question to the Chief Minister.

Deputy Gollop: Thank you, sir.

Is the Chief Minister able to inform and perhaps update the States Assembly of the priorities given and resources needed to deliver, within the lifetime of this Assembly, completion of work on the approved Disability and Inclusion Strategy, the Civil Partnerships – particularly in relation to homosexual equality – and also ratification of the United Nations Convention on the Elimination of All Forms of Discrimination against Women?

The Deputy Bailiff: The Chief Minister to reply.

The Chief Minister: Mr Deputy Bailiff, appendix 4 of the Policy Council's Report on the Disability and Inclusion Strategy, debated in November 2013, had an update on the States' commitments to equality. I will, therefore, only provide an update from that period onwards in the priority order previously set by the States.

Firstly, on the Convention on the Elimination of All Forms of Discrimination against Women, in relation to statutory paternity and maternity benefits, we are still awaiting the outcome of the personal tax pensions and benefits review due this summer. This is because there is a need to consider the requirement for increased social insurance contributions to fund the new benefits as part of that wider review. The Social Security Department will need to undertake further work depending on what the States decide.

Statutory maternity and paternity leave is in the Commerce and Employment Department's Business Plan. That Department is waiting for the benefits issue to be resolved and is ready to liaise over drafting.

Policy Council will investigate the right to equal pay for work of equal value and protection from discrimination in the field of education and goods, facilities and services. This will require input from other Departments and discussions with the UK Government.

Secondly, the Disability and Inclusion Strategy. Progress is ongoing to recruit a Disability and Equality Officer post. Further detailed plans will be developed and shared with relevant interested parties as the implementation work progresses.

Thirdly, civil partnerships/civil union. Policy Council has recently considered a paper on *Union Civile* which sets out options to work on a non-discriminatory system to provide legal recognition for long-term relationships, whether same sex or heterosexual.

Policy Council has identified and agreed these options and work streams, with a view to bringing a proposal for future consideration by this Assembly, hopefully – resources permitting – within the next 12 months.

Currently resources are through the Policy Council's existing staff and budgets but any work will also require input from other States Departments and the Law Officers.

The Deputy Bailiff: Deputy Gollop, to be followed by Deputy Bebb.

Deputy Gollop: I am aware, through the Disability Champions Group, of the work being done with the SLAWS connection but my question remains really in two parts.

The first is: is the Chief Minister confident that there are sufficient staff in place to deliver these three vital projects within the year outlined that he just identified?

My second is: I recall Deputy Hunter Adam, in particular, did a lot of work in the previous States on a social child pre-school project and it is not clear whether that is part of the CEDAW work stream or not, because the answer refers to statutory maternity and paternity – but that particular work stream seems to have been dropped from the Policy Council list.

The Deputy Bailiff: Chief Minister, Deputy Gollop has placed his *two* supplementary questions in one. *(Laughter)* If you could try and answer both.

The Chief Minister: As regards the second, I will need to take note of that question and make further enquiries. I cannot answer that aspect immediately.

With reference to the issue of resources, certainly in relation to the SLAWS project he has recognised that there will be a request for additional resource in order to be able to deliver that. The Equality, Disability and Inclusion Strategy – as we know, there is already provision for an officer to be appointed

470 specifically for that project. In reference to the civil partnership/civil union issue, I believe that that can be accommodated from within existing Policy Council and St James's Chambers' resources.

The Deputy Bailiff: Deputy Bebb.

475 **Deputy Bebb:** Thank you, *Monsieur le Député Bailli*.

Could I possibly ask the Chief Minister, as to the post of the Equalities Officer, how it is progressing in relation to actually making that appointment, whether the job specification has been completed and that it has actually gone out to the public domain for employment?

480 **The Deputy Bailiff:** Deputy.

The Chief Minister: Sir, the answer is that it has not yet gone out to the public domain. That is still being progressed. There is an issue with HSSD. We need, I understand, to have a post released in order to be able to proceed with the job specification, but that is being attended to. There was a meeting of the Social Policy Group of Policy Council yesterday at which this very point was discussed.

The Deputy Bailiff: Deputy Fallaize.

490 **Deputy Fallaize:** Thank you, sir. I believe this is a supplementary arising out of the reply.

The poor Chief Minister this morning has been put in an impossible position. Does he agree with me that it would be sensible for whichever members of staff are responsible for supporting and providing answers to these questions to go on a course to advise him or at least to produce answers which can actually be read at reasonable speed in the one and a half minutes available? (*Laughter and applause*) Is the Chief Minister able to undertake to send his staff on that sort of course, please?

495

The Deputy Bailiff: Chief Minister, I will permit that question. (*Laughter*)

The Chief Minister: Sir, it would be very presumptuous of me to suggest to staff to go on a course. I apologise. It is probably my speed of delivery rather than the preparation on the part of staff. But it is quite difficult to get some of this information into one minute and 30 seconds.

500

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

Rules of Procedure – Compliance with Rule 6(2)

The Deputy Bailiff: I do not see anyone else rising so we will turn to Deputy Lester Queripel to pose a question to the Chairman of the States Assembly and Constitution Committee.

505

Deputy Lester Queripel: Thank you, sir.

Even though Rule 6(2) on page 14 of the Rules of Procedure instructs Departments to provide a written reply of their answers to Rule 6 questions, some Departments are not even aware of the Rule. This has resulted in my not only having to bring the Rule to the attention of several Departments but also having to insist they provide me with a written reply of answers to my Rule 6 questions.

510

Would the Chairman of SACC agree with me that additional measures need to be introduced to ensure that Departments are aware of and comply with the Rules of Procedure? Also does he think this particular Rule should be dispensed with?

515 **The Deputy Bailiff:** The Chairman of the Committee, Deputy Fallaize, to reply.

Deputy Fallaize: Thank you, sir. I will try and do this one in mono. (*Laughter*)
The Committee is mindful of Law in Guernsey which states:

'A document, record, notice or instrument shall not be denied legal effect, validity, enforceability or admissibility solely because it is in electronic form.'

520

However, in Rule 6 the States have clearly attempted to make a distinction between replies to questions sent in paper form and replies sent electronically. Rule 6 states that a written reply should be sent to the Member

asking the question, whereas later in the Rule there is mention of other parties being sent the reply either in writing or in electronic format.

525 The Committee hopes that Committees of the States will provide replies to Rule 6 in writing, as standard, although the Committee cannot see any reason to object if an arrangement is reached, between any particular Member who has submitted such a question and the Committee of the States which is to answer that question, for it to be sent and received in electronic form only.

530 The Committee sincerely hopes that it will not be necessary to propose any amendments to the Rules of Procedure to deal with these very fine details of administration.

The Deputy Bailiff: Deputy Queripel to ask a supplementary.

535 **Deputy Lester Queripel:** Sir, to say that the Committee *hopes* written replies would be provided is not acceptable. I have to go through hell and high water to get a written reply, sir, and I do not think that is acceptable.

540 Does the Minister not think that some other measure could be introduced? Perhaps just to change the wording because, as the Chairman says, a written reply should be furnished to a Member and later on in the Rules it says 'an electronic format reply'. Would it not be better just to amend the words and put something along the lines of 'a hard copy to be supplied to the Member' or 'a written paper copy'? It just seems to be the logical thing to do.

I would like the Minister's... the Chairman's response to that please.

545 **The Deputy Bailiff:** Deputy Fallaize, could you answer that question?

Deputy Fallaize: Thank you, sir. I thank the Deputy for the promotion to the rank of Minister. (*Laughter*) It is unwarranted and unwanted. (*Laughter*)

550 Sir, the Committee really does not believe that it is necessary to change the Rules because the Rules in this respect are quite clear. However, I am happy to undertake, as Chairman of the Committee, to speak with other Committees of the States to ensure that they are fully aware of the provisions of the Rule and that where Members still wish to require copies in paper form that they are provided in that form, in accordance with the Rules.

555 **The Deputy Bailiff:** Deputy Perrot.

Deputy Perrot: Sir, could I ask Deputy Fallaize to confirm that when Departments give answers to questions those answers are in any event listed on the States' website and, therefore, anyone who is burning to receive a printed copy of this is able to go to the website and press the print button and a printed copy will come out on his electric machine?

560 **The Deputy Bailiff:** Deputy Fallaize.

Deputy Fallaize: Yes, sir, I believe that that is true. (*Laughter*)

565 **The Deputy Bailiff:** Deputy Lester Queripel, with a second supplementary question.

570 **Deputy Lester Queripel:** Sir, doesn't that bear out my statement that perhaps it should be best just to remove the Rule in the first place? The written reply aspect could simply be taken out of the Rule Book – that would make perfect sense, surely? If we are to access the answer on the website then that should not be in the Rule Book in the first place. Shouldn't we just remove the written reply aspect?

I would like the *Chairman's* reply, please, sir.

The Deputy Bailiff: Deputy Fallaize.

575 **Deputy Fallaize:** I think Deputy Perrot was pointing out perhaps that this is not such a major issue after all. (**Several Members:** Hear, hear.) However, the Committee does not believe that there is any flaw in the way that Rule 6 is constructed. It appears to be very clear.

580 I have given an undertaking that I am happy to speak to Committees of the States to ensure that they are complying with the Rule. The Committee will be bringing a general review of the Rules to the States – its annual report – I think probably in September of this year and if Deputy Queripel at that point wishes to raise the matter by way of an amendment then, of course, the Committee would be happy to consider it at that time. But at the moment the Committee does not believe this Rule needs to be changed.

585 **The Deputy Bailiff:** Well, Members of the States, that concludes Question Time so we will now proceed to the legislative business of this month's meeting.

Billet d'État I

ORDINANCES

I. Competition (Guernsey) (Amendment) Ordinance, 2014 – approved

Article I.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Competition (Guernsey) (Amendment) Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.

The Greffier: Billet d'État I, Article I. The Competition (Guernsey) (Amendment) Ordinance, 2014.

590 **The Deputy Bailiff:** Members of the States, you will find this Ordinance in the brochure, beginning at page 1. Is there any debate on the Ordinance or are we going straight to the vote on the Proposition?
All those in favour of approving the Ordinance; all those against.

Members voted Pour.

595 **The Deputy Bailiff:** I declare that duly carried.

II. The Income Tax (Guernsey) (Approval of Agreements with Bermuda, Gibraltar, Hungary, Slovakia, Swaziland and Switzerland) Ordinance, 2014 – approved

Article II.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Income Tax (Guernsey) (Approval of Agreements with Bermuda, Gibraltar, Hungary, Slovakia, Swaziland and Switzerland) Ordinance, 2014", and to direct that the same shall have effect as an Ordinance of the States.

600

The Greffier: Article II, The Income Tax (Guernsey) (Approval of Agreements with Bermuda, Gibraltar, Hungary, Slovakia, Swaziland and Switzerland) Ordinance, 2014.

605 **The Deputy Bailiff:** Members of the States, this short draft Ordinance is at pages 5 and 6 in the brochure. Is there any debate?

No. Very well, we go to the Proposition to approve the draft Ordinance. Those in favour; those against.

Members voted Pour.

610 **The Deputy Bailiff:** I declare that duly carried.

ORDINANCES LAID BEFORE THE STATES

**The Income Tax (Approved International Agreements) (Implementation)
(Guernsey) Ordinance, 2013;**

The Syria (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013;

The North Korea (Restrictive Measures) (Guernsey) (Amendment) (No. 2) Ordinance, 2013

The Deputy Bailiff: Greffier?

615 **The Greffier:** Ordinances laid before the States: The Income Tax (Approved International Agreements) (Implementation) (Guernsey) Ordinance, 2013; The Syria (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013; The North Korea (Restrictive Measures) (Guernsey) (Amendment) (No. 2) Ordinance, 2013.

620 **The Deputy Bailiff:** We note, Members of the States, that they have been laid before the States today. There are no motions to debate.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

The Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2013;

The Prison (Guernsey) Regulations, 2013;

Waste Disposal Charges Regulations, 2013;

The Temporary Prohibition of the Importation of Animals from Alderney Order, 2013;

The Seafarer Recruitment and Placement Services (Maritime Labour Convention 2006)

(Guernsey and Alderney) Regulations, 2013;

The Notifiable Animal Diseases Order, 2013;

The Income Tax (Loans to Participators) (Exemptions) (No. 3) (Amendment) Regulations, 2013;

The Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013;

and the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit)

(Amendment) (No. 5) Regulations, 2013

The Deputy Bailiff: Can we just mention the Statutory Instruments as well, Greffier?

625 **The Greffier:** The Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2013; The Prison (Guernsey) Regulations, 2013; Waste Disposal Charges Regulations, 2013; The Temporary Prohibition of the Importation of Animals from Alderney Order, 2013; The Seafarer Recruitment and Placement Services (Maritime Labour Convention 2006) (Guernsey and Alderney) Regulations, 2013; The Notifiable Animal Diseases Order, 2013; The Income Tax (Loans to Participators) (Exemptions) (No. 3) (Amendment) Regulations, 2013; The Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013; and the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 5) Regulations, 2013.

630 **The Deputy Bailiff:** Thank you, Greffier. Once again we note that they have been laid before this meeting. There are no motions to debate them.

635

**IX. Requête – The Airfield in Alderney –
Debate Commenced**

Article IX:

The States are asked to decide:

Whether, after consideration of the Requête dated 31st October, 2013, signed by Alderney Representative E P Arditti and six other Members of the States, they are of the opinion to direct that by no later than October 2014 the Public Services Department shall lay before the States a report setting out the measures which they consider necessary for Alderney airfield to accommodate aircraft with capacity of up to forty seats and to upgrade a crosswind runway so that it is suitable for use by twenty-seater aircraft in wet weather and in darkness together with any other measures they consider necessary to ensure the suitability of the airfield for the next 25 years; and to direct that such report

shall include proposals outlining how such measures should be implemented and an estimate of the likely costs; and to which report shall be appended a letter of comment from the Treasury and Resources Department which shall include advice regarding the most appropriate means of funding the measures considered necessary by the Public Services Department; and to direct the Treasury & Resources Department to transfer to the revenue budget of the Public Services Department a sum not exceeding £100,000 in order to undertake the investigation work necessary for them to report to the States as directed.

640 **The Deputy Bailiff:** The next item of business is Article IX.

The Greffier: Billet d'État I, Article IX. Requête – The Airfield in Alderney.

645 **The Deputy Bailiff:** Deputy Fallaize, I understand that you are going to speak as a representative of the requérants on this matter.

Deputy Fallaize: Yes, sir, I am, thank you.

650 Members will be aware that I circulated on behalf of the requérants an amendment which is to be seconded by the Chief Minister. In order to lay that amendment, sir, it is necessary to put a Proposition pursuant to Article 7 of the Reform Law, (**The Deputy Bailiff:** Yes.) to suspend the Rules of Procedure, as outlined at the top of the amendment that was circulated. I hope Members have hard copies of this amendment this morning.

655 I wonder, sir, if we might deal with the procedural motion in advance, please, so that I know whether the States are prepared to suspend the Rules and we can then lay the amendment before I speak to the Requête?

The Deputy Bailiff: Yes, Deputy Fallaize.

660 Does every Member have a copy of the amendment that is to be proposed by Deputy Fallaize and seconded by Deputy Harwood, which also has a Proposition pursuant to Article 7 of the Reform Law, in front of them?

Members of the States, it is unusual to take a procedural motion like that before even opening the debate, but in order to facilitate the opening on the Requête I deem it appropriate to put that procedural motion to you.

665 Deputy Harwood do you formally second it?

The Chief Minister (Deputy Harwood): I do, sir.

The Deputy Bailiff: Thank you very much.

670 The motion is to suspend paragraph 2 of Rule 13 of the Rules to the extent necessary to enable the States to consider the amendment to be placed through Article IX.

Members of the States will note that Rule 13(2) permits either a Department or Committee submitting an amendment to its proposals not to comply with the time requirements in Rule 13(2). It may be regarded as an anomaly that that is not extended to the representatives of Members placing a Requête.

675 In those circumstances this is a rather technical motion. Those in favour; those against.

Members voted Pour.

680 **The Deputy Bailiff:** I declare the motion carried and invite Deputy Fallaize now to open the debate on the Requête on The Airfield in Alderney.

Deputy Fallaize: Thank you, sir.

I think it will probably be more efficient for the States if I address the amendment at the same time as speaking to the Requête and then obviously I will effectively forgo my right to speak again on the amendment later in the debate.

685 Sir, three years ago this month our colleague and friend, Paul Arditti, took his seat in this Assembly after nothing short of a landslide victory in Alderney's election for their Representatives in Alderney. He obtained 80% of the vote. Paul being Paul, the other 20% were long ago forgiven for their mistake. *(Laughter)*

690 On the day of his election he said, 'I am delighted to have won and to represent Alderney in Guernsey. I do not think as Alderney Representatives we should moan, whinge or plead. I would like to go there to do business with Guernsey on behalf of the people of Alderney.' And he was true to his word. He did not

moan, whinge or plead but instead he deployed immense determination and diligence, and eloquence in advancing the interest and causes of the people of Alderney.

695 It is because of his approach that today we in the States in Guernsey are to debate Alderney, its challenges and its opportunities, and any role we in Guernsey might have to play in supporting Alderney further.

700 I know many Members were grateful when Paul provoked this overdue debate. Sir, he tried hard to persuade this Assembly – most of the time successfully, I think – that the economic and social conditions of Alderney and Guernsey are inextricably linked... that we are – as he always put it – two Islands with one shared economy.

Indeed, sir, the very basis of the 1948 Agreement between Alderney and Guernsey is that there is no distinction to be made between the economies of the two Islands. We in Guernsey are very much in fiscal union with our friends in Alderney.

705 Let us be clear, today our friends in Alderney face very significant challenges of economic decline and depopulation. Ironically, in the case of the latter, the very opposite of the problem which we often wrestle with in Guernsey. But in Alderney since 2001 the population has fallen by nearly 20% and the number of children under 15 has fallen by around 50%.

710 Half the population of Alderney are aged 50 or over and Alderney has twice as many residents in their 60's as does Guernsey – not that there is anything wrong with people in their 50's and 60's, I hasten to add in present company, (*Laughter*) but obviously in terms of the economy and future prosperity those sorts of demographics do cause serious concerns. Significantly, tax collected from Alderney was about £1.3 million less in 2012 than it was in 2008.

715 I believe – as do the other signatories to the Requête – that there is something close to a moral imperative to assist and support Alderney. But even if Members do not endorse that view it cannot be in Guernsey's economic interests for us not to come to Alderney's assistance further when they are facing the sorts of challenges, in economic and fiscal terms and population terms, that they are clearly facing today and have been for some time. (**A Member:** Hear, hear.) Indeed, this debate is probably long overdue.

720 Sir, I know there has been some criticism of the Requête for its rather ambitious timetable for action to be taken in support of Alderney, but what Alderney does not need now is a whole series of investigations and reports and protracted analyses covering the next several years. I draw Members' attention to the final two sentences of the first clause – paragraph 1 of the Requête:

'It is evident to your Petitioners that Alderney is close to the point at which the demographics of the community become permanently distorted: how close no one can say. There is also an economic 'tipping point' beyond which revenue collapses while expenditure soars.'

725 We, the requérants, believe that the case is made for additional support in Alderney and we consider that the case for some urgency in directing that additional support is equally clear. Hence the first and second parts of the amendment which, given the lateness of its circulation, sir, I think, with your permission, I will read. Part 1 of the amendment reads:

'To recognise that since 1948 Alderney and Guernsey have been inextricably linked and today there is fiscal union between the Islands; to recognise that Alderney is facing significant challenges, especially economic decline and depopulation; and to agree that in such circumstances the States of Guernsey should wherever possible contribute to stimulating Alderney's economy and reversing depopulation.'

– and part 2:

'To direct that during 2014 the Policy Council, after consideration of the challenges facing Alderney and after consultation with other interested parties and in accordance with its responsibility "to advise the States on matters relating to... the coordination of the work of the States", shall lay before the States recommendations which once implemented will likely contribute to stimulating Alderney's economy and reversing depopulation.'

730 Sir, I will turn now to parts 3 and 4 of the amendment – that is the airfield in Alderney. The position of the Petitioners is set out quite clearly in the fifth clause or paragraph of the Requête. I will not read it all but the first couple of sentences make it clear:

'Your Petitioners hardly need advise that there is no idea, initiative or proposal for reversing the spiral of decline in Alderney which is not entirely dependent upon up to date transport links. For passenger traffic, Alderney's transport links are by air and they have been since the war.'

Sir, we in the States of Guernsey already know the importance of good connectivity by air, especially for small Islands like Alderney and Guernsey. The policy letter, upon which was based the recent work at Guernsey Airport, read as follows:

'Over and above technical, operational and trading considerations the Airport is a gateway to and from the Island and as such is a vital part of its strategic infrastructure. The strategic importance to the Island is significantly greater than is the case with the

mainland community which will be served by a variety of land transport links. The benefits of maintaining and where possible enhancing the connectivity of the Island with the outside world goes far beyond attracting tourists and extends to all areas of the economy and the social wellbeing of the community. Air links to a range of near destinations and to onward international connections underpin the overall economic attractions and quality of life of the community. In this respect the Airport is as much a part of the strategic infrastructure of the Island as are roads, schools, health amenities, waste disposal facilities etc. The airfield in Alderney and connectivity to Alderney is just as important to that Island as ours are in Guernsey.'

735 Sir, neither I nor the other requérants wish to torpedo necessary maintenance planned for the airfield in Alderney. Nor do we want the States to write a blank cheque in advance of testing proposals through proper preparatory studies. But we do want to recognise the prominent role of the airfield in the economic and social life of Alderney and we do want to emphasise the need to formulate recommendations to support Alderney, which in particular pay regard to the role that might be properly be played in that challenging task by making further improvements at the airfield.

740 Sir, from the outset of the 1948 union between Alderney and Guernsey it has been a cardinal principle for Alderney Representatives that when they are in the States of Deliberation they are representing the people of Alderney and not necessarily the States of Alderney. That was a principle that Paul Arditti held dear and in him the people of Alderney had a Representative in these States who was committed to them, who fought tirelessly for them and who spoke to their concerns, their fears, their expectations and their hopes, surely as powerfully and as persuasively as any Alderney Representative ever has.

745 Today, through this Requête and the amendment laid on behalf of the requérants, including of course Alderney Representative Louis Jean, these States – the States of Guernsey – have an opportunity to sustain and at least go some way towards fulfilling the objective of the Requête, which I know was on its author's mind when he initially drafted it: the objective of securing the future of the people of Alderney.

750 Sir, I hope that when we vote on the amendment and the Requête we will speak to the people of Alderney as a united States of Guernsey and send them a clear and convincing signal of *our* support and a commitment to face *their* challenges and succeed against those challenges in partnership as two Islands together and today in stronger union than ever.

I ask the States to support the amendment and the Requête, sir.

755 **Several Members:** Hear, hear.

The Deputy Bailiff: Thank you, Deputy Fallaize.

The Chief Minister is the next person to speak in accordance with Rule 17(3).

760 **The Chief Minister:** Firstly, sir, can I formally second the amendment?

The Deputy Bailiff: We are not placing the amendment quite yet, but...

765 **The Chief Minister:** I have nothing at this stage to say on behalf of the Policy Council.

The Deputy Bailiff: Thank you.

Deputy Stewart, the Minister of the Commerce and Employment Department, is the next person I turn to, in accordance with Rule 17(3). Do you wish to speak?

770 **Deputy Stewart:** No, sir, not at this point.

The Deputy Bailiff: Thank you very much.

The Minister of the Public Services Department, Deputy Luxon.

775 **Deputy Luxon:** May I speak to the Requête and the amendment, sir?

The Deputy Bailiff: Well the amendment is not technically in play yet, so... (*Interjection by Deputy Luxon*) Thank you very much.

780 Deputy St Pier of the Treasury and Resources Department.

Deputy St Pier: Yes, I will speak. Thank you.

785 Sir, Deputy Fallaize clearly articulated the fiscal and economic challenges faced by the ageing demographic in Alderney and, with that, the less economically active population. And it is worth noting that this is precisely the same challenge which the Social Security Department and the Treasury and Resources Department have recognised in conducting the personal tax, pensions and benefits review, and the consequent over-dependence on income tax and social security contributions in meeting our public

expenditure needs. With 73% of aggregate revenue coming from these sources this is unsustainable and Guernsey faces the same demographic challenges as Alderney.

790 Dealing directly with the Requête, sir, Treasury and Resources' comment on this Requête appears at page 58 of the Billet and this is self-explanatory, but I do want to expand on one point, namely that whatever the outcome of this Requête and the amendment – and whatever the outcome of the work undertaken by the Public Services Department in accordance with the current capital expenditure bid, or indeed any other work in looking at the options of securing Alderney's airfield for the next 25 years – under
795 no circumstances should the Contingency Reserve be used to fund any work.

Over the years the Contingency Reserve has in common and popular parlance been referred to as the 'rainy day fund'. Both terms are inappropriate. Both terms are misnomers. The term 'contingent' implies that assets in the Contingency Reserve have been set aside for use dependent upon a particular event – presumably that a rainy day has arrived – but this has never been defined. This is, I expect, why at
800 paragraph 7 of the Requête the Petitioners say that they consider that the risk of a spiral of decline is the type of emergency for which the Contingency Reserve exists. I disagree. In fact I strongly disagree. The Contingency Reserve is our savings account. The Contingency Reserve was set up to receive budget surpluses back in the glory days when we ran a fiscal surplus. In other jurisdictions these surpluses are not called 'rainy day funds' they are called 'sovereign wealth funds', and that is what this is. It is our sovereign
805 wealth fund. It is our family silver fund. It is our core capital.

We have budgeted that this core capital will be £150 million by the end of 2014, with a further £50 million set aside to fund the transition following the adoption of the Zero-10 Corporate Tax Strategy. £200 million sounds like a lot of savings to have in a savings account and as a lump sum £200 million is a lot of money, but actually this only equates to savings of £3,000 per resident. Compared to the UK with a trillion
810 pounds of borrowings or £15,000 debt per citizen we are in a very favourable position, but we cannot be complacent.

By way of a slightly flippant comparison, only this week Norway revealed that every one of its citizens is a millionaire as its core capital amounted to the equivalent of 1 million Norwegian kroner per person.

A more serious observation is that this position does not truly reflect our net worth. Like a family, we
815 also have to take into account our debts and the mortgage on our family home. 'But we do not borrow in Guernsey,' I hear the cry. Sorry folks, we do. We currently have to take account of around £150 million of public sector agency debts which are guaranteed by the States. Those really are contingent, in the true meaning of the word, albeit they are liabilities rather than assets.

So that £200 million, or £3,000 per person of savings, is now down to a net £50 million or £700 per
820 person. So you see the safety net is somewhat lower than we thought it was or might wish it to be.

However, whatever the gross value or whatever the net number per person, there will be many people who think that there is absolutely no point in having a savings account if you can never use it. And I totally agree. The problem is we have never articulated or defined when it might be appropriate other than this
825 nebulous and unsatisfactory concept of it being 'a rainy day'. It is not a criticism and it is not a surprise. We have never needed to think about this because all we ever did was add more surpluses to the fund each year. That era is over and we now need to give some serious thought to what our savings account is for and how we can use it for the benefit of our community.

One of my predecessors, Deputy Trott – perhaps with the benefit of the experience of having previously occupied my role – has in the past said that the investment return on the Contingency Reserve on core
830 capital could be used to fund capital spending. The logic of this is sound, provided, of course, that the real value of our savings is preserved.

I would like to take this thinking one step further. Up to now the value of the Contingency Reserve goes up in any year with good investment performance and we simply add that to the balance of the reserve. And if it declines in any year we just hope that investment performance is better the next year.

835 We need to develop a more dynamic and sophisticated view of the impact of investment performance on our savings. So my Department intends to spend some time this year really identifying our core capital requirements and developing our thinking on how any excess investment returns – in other words how outperformance above and beyond that necessary to maintain the real value of our core capital – could be safely used for the benefit of our community without imperilling our savings – our family silver fund.

840 In the meantime under no circumstances whatsoever should the States consider dipping into the Contingency Reserve to fund any redevelopment of Alderney Airport or indeed any other capital project. It may seem like a good idea. It may seem like a painless way to fund this or other projects. It may seem like we can afford it. But the reality is it would be like a family selling off a strip of land at the end of the garden thinking that, 'As we do not use it now, it will be okay'. In short, it would be like a family selling off some
845 of its family silver. We *would* regret it.

We already have a capital reserve for funding capital projects and this should be no different for this project. It is for this reason, as stated in our letter of comment, that Treasury and Resources would strongly

oppose the use of the Contingency Reserve and we are pleased that Policy Council, in its letter of comment at page 60 of the Billet, takes the same position.

850 Thank you, sir.

The Deputy Bailiff: Deputy Fallaize, do you wish to formally move the amendment now, please?

Deputy Fallaize: Yes, please, sir:

855

Amendment.

To delete the Proposition and substitute therefor:

'1. To recognise that since 1948 Alderney and Guernsey have been inextricably linked and today there is fiscal union between the islands; to recognise that Alderney is facing significant challenges, especially economic decline and depopulation; and to agree that in such circumstances the States of Guernsey should wherever possible contribute to stimulating Alderney's economy and reversing depopulation.

2. To direct that during 2014 the Policy Council, after consideration of the challenges facing Alderney and after consultation with other interested parties and in accordance with its responsibility "to advise the States on matters relating to...the coordination of the work of the States", shall lay before the States recommendations which once implemented will likely contribute to stimulating Alderney's economy and reversing depopulation.

3. To recognise the prominent role of the airfield in the economic and social life of Alderney; and to direct that in undertaking the work referred to in 2 above, and after consultation in particular with the Public Services Department, the Council shall have particular regard to the case for any work at the airfield which may be necessary to make it suitable for the next 25 years or will likely contribute to stimulating Alderney's economy and reversing depopulation, such as, but not limited to, those works suggested in paragraph four of that Requête.

4. To reaffirm their Resolutions on Billet d'État XIX of 2013 which, inter alia, directed the Public Services Department and the Treasury and Resources Department to advance preparations for the rehabilitation of Alderney runway as a Category A pipeline project in their capital investment programme; and to direct that as far as possible that project should be advanced in a manner which would not prejudice any further work at the airfield which may in future be considered necessary or desirable either to make it suitable for the next 25 years or to contribute to stimulating Alderney's economy and reversing depopulation.

5. To authorise the Treasury and Resources Department, if required, to fund the work above from the General Revenue Budget Reserve up to a limit of £100,000; and to note that doing so would be expected to have no effect on the policy objective of the States to constrain increases in aggregate revenue expenditure to RPIX or less.'

The Deputy Bailiff: Deputy Harwood, do you formally second?

Deputy Harwood: I do, sir.

860 **The Deputy Bailiff:** We are going to debate on the amendment. This is an opportunity to stand to speak on the amendment.

Deputy Luxon and then Deputy Trott.

865 **Deputy Luxon:** Sir, in my Department's letter of comment on page 56, paragraph 2, of the Billet it sets out PSD's position under our mandate.

The Department accepts that the Petitioners have highlighted real economic and fiscal challenges facing Alderney and, by association, Guernsey. However, as the controlling body for the Airport, the Department must advise that it has no evidence to suggest that the current configuration at the Airport is not fit for purpose or that the reduction in passenger movements experienced is related to the existing runway size or configuration. This implies that perhaps market forces have been the main determining factor in the falling passenger numbers.

870 The Department does acknowledge that a larger airfield and a larger runway *would* increase the types that were able to operate to Alderney. Sir, we will, of course, willingly accept whatever decisions are made here by the States today and the PSD does support the amendment laid by Deputy Fallaize.

875 We included the urgent refurbishment works for the two runways in our capital prioritisation submission and it was rightfully awarded an 'A category: must do' pipeline status – something the CAA auditors have welcomed – and we are already undertaking preparatory work to move through the first gateway stage in

four weeks' time. This is vital if we are to see this project proceed through the due capital prioritisation skip debate and get these works started early in 2015.

880 Current estimated costs for the refurbishment of the asphalt and long grass runways ranges between £2.1 million and £2.5 million – already higher than the original indicative estimate now we have more details on drainage and professional fees etc.

Sir, if we are asked to undertake detailed investigation of the strategic option, as laid out in the prayer of the Requête, we would have to appoint specialist contractors to develop the technical aspects and this is
885 why we indicated to the requérants the need for some funding associated with that.

Sir, just briefly some clarifications, we do know that an avionics report has been contracted by the States of Alderney to determine the strategic air link requirements for the Island, which is due shortly. The States of Alderney itself has not as yet, we believe, indicated its preferred way forward.

890 We do know that the States of Alderney owns land around the existing boundaries. We know that there are currently no existing airlines indicating a desire to fly new routes or larger airplanes to and from Alderney.

We know that Aurigny are proposing changing their Trislander fleet to Dorniers shortly – both of which can currently operate comfortably out of Alderney Airport. And we know that Alderney Airport has seen increasing operating deficits over recent years, currently running at circa £800,000.

895 We also know that Aurigny incurs annual operating losses on their Alderney routes of circa just under a million pounds. We also know that the Airport is actually closed more for commercial reasons through fog than cross-winds.

Sir, my Department believes that if Members wish to engage on the bigger macro socio-economic aspects of this situation then Deputy Fallaize's amendment would enable that work to inform the Airport need, rather than proceeding with a solution which may not actually be in Alderney's best interests.
900

Deputy Fallaize is right – a long protracted delay is not possible. The CAA have already raised their concerns about urgent aspects of refurbishment required, at an early point.

Sir, PSD will undertake any instruction that States direct it to, either through the Requête itself or an amended Requête, and I want to assure Members here that we will undertake that work diligently and
905 thoroughly.

Sir, PSD supports the Fallaize amendment and I shall be personally supporting both the amendment and the amended Requête, if it is approved.

Thank you, sir.

910 **The Deputy Bailiff:** Deputy Trott.

Deputy Trott: Yes, sir, I rise to fully support the amendment and I am delighted to see that the Chief Minister has seconded it.

Before I explain precisely why, can I first address the matter that the Treasury Minister spoke to a moment ago, and that is the usage of the Contingency Reserve?
915

He and others will recall that at Budget time, over the last few Budget times, I have made the point that we only actually fall into deficit when we spend capital. We have sufficient monies coming in on an annual basis to pay our revenue expenses, our recurring annual expenses. We only fall into deficit once capital is deployed.

920 Some of the capital, of course, comes from the Capital Reserve which, the Minister is quite right, has been allocated specifically for that purpose. The balance comes from the Contingency Reserve. So, it is not an enormous leap of logic to see that it is already our Contingency Reserve that funds a significant portion of our capital expenditure and under this scenario it would be no different.

I want to address three issues regarding the amendment and the Requête *per se* that I think are of particular relevance: fiscal union, confidence and the runway itself.
925

Let's start firstly with fiscal union. This debate has been valuable. The lead up to this debate has been valuable for a number of reasons, not least reminding Members of the Assembly and indeed the Bailiwick of Guernsey as a whole that we are in fiscal union and we have been in it for some time, which means we are all in this together.

930 An elector of mine rang me and asked why I was supporting this Requête – after all, the people of Alderney cannot vote for me. (*Laughter*) Although in the future, sir, if we get online voting they may have that opportunity.

I said, the point is this, though, that whilst the people of Alderney cannot vote for the majority of us in this Assembly, our electors – the people who are of paramount importance to us – are in that fiscal union in a way that means it is in their best interest if we stimulate Alderney's economy in a manner that sees their tax revenues rise and, therefore correspondingly, the amount of subsidy that is required from the general revenue purse. It is in everybody's interests to support this amendment and after 14 years in this Assembly I
935

can think of no reason not to support it and look forward to hearing those arguments should they be articulated.

940 The second point is about confidence. It is absolutely essential that this Assembly sends out a strong message that we are all in this together and that existing investors and potential investors can be confident in the knowledge that Alderney matters and that this Assembly will continue to take its responsibilities with regards to Alderney seriously.

945 Finally, whilst I certainly share the view of those that the runway is of fundamental strategic importance... Why? Well, the majority of passengers who arrive in Alderney arrive by that means. Those of us who are intending to show our well-deserved respect to our former colleague Alderney Representative Arditti on Friday may experience first-hand the inadequacies of that Airport. Why? Because that Airport has a main runway – a tarmac runway, a primary runway – which is orientated west-east. The forecast for Friday is for extreme southerly gales which are likely to render that runway unusable.

950 Interestingly, Alderney also has a grass runway which faces into wind much more conveniently. However, as Members I am sure will be aware, that runway has been unusable for months – rendering it totally incapable of accepting traffic.

So there is a *very* real demand for this investment for a variety of reasons, sir. And, like I say, I have been around long enough to be confident that States Members will identify with those arguments and support the amendment by a significant majority, if not even unanimously.

Thank you, sir.

The Deputy Bailiff: I will take Deputy David Jones, Alderney Representative Louis Jean –

960 **Deputy David Jones:** I am happy to go after.

The Deputy Bailiff: No, no. And then Deputy Gollop.

Deputy David Jones: Thank you, Mr Deputy Bailiff, Members of the States.

965 I am going to cover the amendment in here because funnily enough I had written a speech before I had seen Deputy Fallaize's amendment and it covers pretty much what I wanted to say.

Being here today to speak on this particular Requête fills me with some sadness and I stand here with a fairly heavy heart. Paul Arditti was a friend of mine and I know I will miss him terribly. We laughed together and argued over what now seem ridiculous political points, and his infectious smile will stay with me forever. But I also know that if Paul was here today he would be as feisty and as passionate as I will try to be when talking about the Island of Alderney.

970 This Requête has much to commend it in my opinion and, if nothing else, it will bring into sharp focus one of the many challenges that Alderney faces in the coming months and years. I have to say from the outset that I am solidly behind the Policy Council's view that before we know how much needs to be spent on the airfield up in Alderney we have to carry out a proper review of its present condition and what needs to be done to accommodate slightly bigger aircraft – if that is possible – together with complying with the current CAA requirements.

975 However, it has to be said that the very same arguments that Guernsey has used in the past to support the necessary spending on its own Airport apply just the same to Alderney. We needed to maintain our first class Airport on this Island in order to secure a long-term future for our transport links. We know that this Island's economy is very much dependent on those air links and a modern operational airport, not only for the business and tourism communities but also for the essential medical services that we contract from UK hospitals and the vital health of our people.

985 Alderney has been a very vibrant community in the past and it could be again. And while in itself improving the Island's airfield will not solve all of Alderney's problems, given the airfield is its major lifeline, it is certainly a very good place to start.

I also ask you to think of the massive investment we and Alderney residents have already made in that Island. The millions spent on the new harbour quay, the massive upgrade just a few years ago of the Island's Hospital, the money spent on St Anne's School, the millions being poured into Alderney today by the Alderney Housing Association into existing and social housing schemes in that Island. And, of course, not least of all the maintenance of our dearly beloved Alderney breakwater.

990 Are we really to sit back and watch all that investment go to waste because of the slow depopulation of that Island? My view is we must not and we cannot.

995 Alderney, like any community, needs families. It needs young people and jobs for them. It needs tourists on its beautiful beaches, people in its hotels and restaurants, visitors touring its rich history and its unique town. It needs to attract investment, the small footprint businesses that can trade world-wide with decent internet access and I have no doubt people will move to Alderney if they can see a viable future for them and their families. But, of course, all this requires the ability of people to get there in the first place.

Alderney is almost completely reliant on its airfield. It is its most vital asset and we – that is us, Guernsey – are responsible for that asset's upkeep.

The Island has no real commercial passenger ferry links to help it bring significant numbers of people to its shores and I think we do have a responsibility to help Alderney try and arrest the decline in its fortunes if we can. But I agree that it must be done at an affordable level.

Of course, the alternative is to watch it become a wasteland and, make no mistake, we will still have to look after the population through the shared services agreement going right back to 1949 – supporting its essential services.

So it is better to do anything we can to help Alderney help itself and to help it try and generate sufficient income that it might better stand on its own two feet. So I urge you to support the Requête and to back the Fallaize amendment.

Thank you.

The Deputy Bailiff: Alderney Representative Jean.

Alderney Representative Jean: In my speech on the amended Requête... First of all my congratulations to Deputy Fallaize and Deputy Jones both for their – [*Inaudible*]

A Member: His microphone is off.

Alderney Representative Jean: – also a fine speech.

On behalf of my fellow Requête signatories, we have all recognised together the need for the situation at our Alderney airfield to be looked into and we do support the Alderney Requête.

So many people in Alderney and Guernsey have helped to carry out the arrangements that my late colleague, Paul Arditti, was in the process of carrying out before he so sadly died. I would like to thank you all for the many ways you have helped in bringing such support from Alderney. There are more than 35, including my late colleague's wife, Philippa, who have made the journey over today in support of this – an Alderney Requête amended.

Affecting the Island's gateway to the rest of the Bailiwick and the outside world, Paul and I did talk about the history of our airfield in preparation for this Requête. I spoke of my last two years with the States of Alderney, from 1990 to the end of 2000 – the millennium year. We had started purchasing land around our runways and this work continued long after I left the States at the end of 2000.

In those years discussions took place about the future life of the remaining Islander and Trislander fleet – an issue that they may be replaced with bigger type of aircraft carrying more passengers and that the main runway would have to be widened, strengthened and made longer. It was decided because of this future need at Alderney airfield, along with CAA safety requirements, that we should continue buying land around the airfield in case this future need became a reality. At the same time we had already purchased some four to five acres of land at the top end of the Val de Sud, towards the town end of our airfield's tarmac strip.

The annual report for the Policy and Finance Committee for the year 1999 – I managed to find clues in my own archives – recorded:

'Further discussions on Alderney Airport review, together with discussions on Airport boundaries.'

Then in the Policy and Finance Committee minutes dated October 13th 2001, I found evidence to confirm my own memory of meetings of that time. Present were Philip Cranford-Smith, Mr John Russell, Mr John Postlethwaite and Mr Ralph Burridge. I think I should point out that two members of that Committee were retired Aurigny pilots who made a specially valuable contribution to those debates. Both men had flown the Alderney routes for around 20 years or more before retiring. In those minutes on page 4, and I quote:

'Runway extension. It was noted that the Clerk was pursuing the acquisition of further land, should it be required in the future.'

In the Airport Master Plan by Burkes and Green, prepared for the States and dated January 31st 2006, on page 21 at paragraph 6(25) it states that to double the seating capacity would, and I quote:

'Require extending the runway by 217 metres. It would also result in overloading of the pavement.'

That is the tarmac runway.

'Especially the O8 turning circle and the upgrading works would be required.'

This report continues to be informative, sir. On page 36 at paragraph 119 it says:

‘The States of Alderney should initiate the purchase of additional land to facilitate the extension of the runway safety end areas to the cross-wind runways, again in compliance with CAA recommendations.’

1055 After page 37 in Appendix ‘A’ there is a list entitled ‘Scope of Duties Alderney, Master Plan Overview’.
Two paragraphs down from the top of page 32 comes the title ‘Airport Master Plan’ and I quote:

‘The Master Plan is to provide a fit for purpose concept of a fully developed airport, reaching into and beyond the 20-year horizon’.

I would like to reiterate that this report was to the States of Guernsey. The situation that Alderney is now in reinforces the points already made years ago. We have an airfield that is only capable of handling planes of
1060 the size of a Trislander or a Dornier and only then when wind conditions permit operation on the main east runway.

Now I move towards the present day. We all heard on last Monday’s *Radio Guernsey* news about the issue of high airfares in and out of Guernsey with Aurigny. So you have problems too. The Airport Director, Colin Le Ray, said prices had risen considerably. With the reasons for this being the rise in extra
1065 security and increasing fuel costs.

In Alderney we are in an even worse situation. With indirect flights to some destinations, including Jersey, the impact of any indirect route is double the landing tax added to the fare, making already inflated flight prices even more expensive.

Another problem faced is the shortage of seats. Aurigny operate a much-reduced service now to and
1070 from Alderney and by taking out the two to three flights per day this is to increase the chance of the remaining flights on this now skeletal service being full of passengers.

I do not blame Aurigny as I understand they do what needs to be done to make profit. But the effect that inflated airfares and a reduced service has had on Alderney and its community as a whole, including the business sector, is catastrophic.

Let me try to explain, using the recent developments in the hotel industry as an example. The Chez André shut many years ago. It contained 25 to 30 beds. The Belle Vue Hotel shut last September after 40 years of being run by the same family. It contained 35 to 40 beds. The Harbour Lights Hotel – still running but on the market for sale. Victoria Hotel – still running but also on the market for sale. At the top of our town is The Town House, a very popular establishment. Last year it was sold after being on the market for
1080 some time. An attempt was made to re-open these premises but it has now closed again and I do not know whether it is on the market yet.

As you can see from these examples Alderney business in general is truly being held back by the public’s inability to get to us. My colleague and I both recognised this and together we knew the community and business in Alderney must strike out in an effort to put forward these proposals to
1085 modernise our airfield, one way or the other.

The requérants seek to persuade you to look at all these matters within the remits of the Committees involved and report back to this House with recommendations appertaining to that. Your recognition of the situation facing so many in Alderney who run business there is crucial. These people wish to be independent. They wish to be able to continue to run their businesses with independence, with good access
1090 routes and our own independent ability to work alongside of Aurigny in bringing in charters for events if necessary. Businesses have to maintain themselves.

You may be aware that Alderney is now being marketed in a very different way with key initiatives highlighting our eclectic history and forts, our Wildlife Trust, its activities and the various associated events around the Wildlife Trust, people to participate in the Alderney Flying and Air Races, the Arts Festival, the
1095 Fishing Festival, the Alderney Food Festival and a new attraction through a marvellous donation to Alderney, visiting church bell ringing associations – how marvellous is that! Alderney Week – ever popular, the Hill Climb – so popular in the autumn, various sporting events throughout the year. And last but not least the Jersey Classic and Modern Trials Club Event. This is a relatively new event in the Island’s calendar and a very welcome one it is too. But I am sorry to inform you of the recent news, sir, that this
1100 event has now been cancelled. This would have been its third year but due to the lack of direct flights and inability to negotiate because of the amount of people who wanted seats the event is no longer viable.

With growing numbers of over 100 people looking to travel from Jersey, France and England – where these enquiries were coming from – to Alderney for this annual event, it became impossible to make the logistical travel arrangements. This has meant a loss of vital revenue for local business, with possible losses
1105 estimated – and I cannot be sure of this – in the region of £60,000. Any loss our Island cannot afford to bear at this precarious time.

I have also heard many individuals finding it a real struggle to reach Alderney for social and business purposes. This is of great concern to me because of the skeletal service offered there... when it was brought to my attention that transportation links are putting people off from moving to our Island.

1110 In conclusion, sir – as the late Paul Arditti would have said – we need not patch up, we need catch up. Alderney is to look at all the viable options for our airfield to enable the Alderney people and the business owners on the Island to thrive and prosper and be proudly independent as they have every right to be. If my fellow Deputies vote through the then amended Requête a firm and positive message will be sent from this House to the people of Alderney, sir.

1115 I also mention the positive response from our Government on Alderney. Six Members signed a letter of support for our Requête as we were proceeding towards this debate – and that is more than half of the States of Alderney. At this present time I was grateful for that and so was my colleague the late Paul Arditti. I feel that this Requête represents the feelings of our public too and I would like to thank them for that acknowledgement. They have come here today in a *tour de force* to show what Alderney really needs to be – *[Inaudible]*

1120 The mood in Alderney amongst the general public is positive and for the first time in a long time with people in full support of this Requête which they see as a vital part – and it is a part, but only a part – to the problems being faced. I believe that this is reflected by the sheer number of residents who have taken a day out of their busy schedules to travel here and to demonstrate their support.

1125 Whilst I am on my feet, sir, fellow Deputies, may I take this opportunity to thank you all for your kind words and today's tribute to my colleague and fellow and former Alderney Representative Paul Arditti? He was a good friend to many and I would also like to thank the Deputies who made contact with me personally to express their support and sympathy at this sad time. His sudden loss on Monday last was truly a massive blow to the family, friends and communities both in Alderney and Guernsey and Sark as well.

1130 He was so proud to be one of the Alderney Representatives in this House and was an enthusiastic participant here, with his respect for fellow Deputies in this House well known to me and so many in Alderney. His reputation in Guernsey Government grew and eventually this led him to become the Chairman of Scrutiny and accepted fully by his colleagues here in Guernsey as a full working politician.

1135 There was so much more to come from this truly remarkable man and so much more he wanted to achieve. With all he had already achieved done with a smile on his face and a lot of humour, which he shared with so many of us as he made his way.

1140 We will gather in Alderney at St Anne's Church on Friday at 12.30 p.m. to say our goodbyes in a place that was so dear to Paul and so near his own family home in St Catherine's. I know many Guernsey Deputies have made arrangements to join the family and many friends of Paul's at this Memorial Service - Guernsey and Alderney together supporting Paul's family as a mark of respect to this charming man who was a good friend to so many. Thank you for that.

I would urge you to support this amended Requête. I really do thank the requérants for staying with us. It is pretty important to Alderney. They are here today. It is great to see them. I am so proud of them.

Thank you. *(Applause)*

1145 **The Deputy Bailiff:** Thank you very much, Alderney Representative Jean, for those moving words. Deputy Gollop.

1150 **Deputy Gollop:** It is difficult to follow such a heartfelt and moving speech but I will nevertheless begin that we had some perhaps more technocratic points made by the Treasury and Resources Minister, Deputy St Pier, about the nature of capital funding and the issues underlying that.

1155 A point was made about the need to have a measured approach to looking at how much to apportion per year. But we have to bear in mind that Guernsey and Alderney, in a way – as the Requête makes clear – is one community and although Alderney has had significant social expenditure spent on it there is a feeling that the commercial side of Alderney has perhaps been neglected by the States.

If you look around and think of the people who have come in tribute today to Mr Arditti and have a concern for this issue – there are perhaps 30 or 35 people from Alderney here – that is equivalent to about 340 people from St Peter Port, *pro rata*. I think it would be amazing if we got 340 St Peter Port people – and where they would all sit? I do not know but that is not my concern.

1160 This is clearly a major issue and I would take it from the speeches we have heard from Mr Jean, Deputy Fallaize and Deputy Trott that the old Requête in a sense has been replaced by the amendment, as I do not know if we will hear requérants particularly wanting specific wording of the Requête.

1165 Going back to what Deputy St Pier said: he made reference to the family silver, which in a way is a rather old fashioned antique concept that I remember was brought into political life by the late Lord Earl of Stockton Harold Macmillan, who was concerned that the then Prime Minister, Mrs Thatcher, was embarking on a policy through privatisation of selling the family silver.

1170 We can all debate whether the shares were equivalent to silver or not and whether such moves were a good thing, but I would point out that in many ways Alderney has been getting the family pewter and it is sense that they want, *(Laughter)* not just a level playing field but a level airfield – in more ways than one. And the fact that we have – happily, in a way – spent up to £80 million, is it, on the Guernsey Airfield, plus

of course the £20-odd million that went into the new Airport construction in the late 1990's... That is a major investment for Guernsey. It is clearly in the interests of Guernsey's economy and Alderney has not benefited in the same way.

We have had the revelation today from somebody that Aurigny loses nearly £1 million on its Alderney links, which are basically two services to Southampton and to Guernsey, although occasionally a Jersey service is provided – and I think the loss of a regular Jersey service is one of a number of factors that has weakened the Island's economy. But clearly we have it in our control to regulate how much we choose to subsidise Alderney via the air service, because the only air carrier serving Alderney at the moment is Aurigny. Aurigny is a States-owned enterprise and is politically overseen by Treasury and Resources, particularly I think Deputy Kuttelwascher and Deputy St Pier.

Clearly the issue of how much the States, in a way, props up Alderney and Aurigny to support our sister Island is something we need to have, I think, an urgent debate as to the best way forward. Clearly, the matter cannot be allowed to be in the province of one Department and one business that, in a way, is undertaking to run things commercially. And when they make decisions about changing the network to Jersey that has an impact on Alderney, and so do the airfares but I will come to that slightly later as it is relevant to what the Public Services Department have responded in their letter of response.

I did not sign the Requête. Although I was well aware that it was being put into play. I met beforehand Mr Arditti, Mr Jean and Deputy Trott, for example, and I remember getting all hot because I was eating a rather spicy curry at the time, but it nevertheless was – *(Laughter)* It is true. But nevertheless we engaged with the issues quite usefully and I realised that this Requête was going to go places. It was going to go places not just because of the knowledge and passionate commitment of the Alderney Representatives – especially the late great Mr Paul Arditti – but also because they had a high calibre of signatories, including and especially Deputy Trott, because he, as, in a way, a semi-retired Chief Minister, *(Laughter)* Treasury Minister –

Deputy Trott: Sir, there is no semi about it. *(Laughter)*

The Deputy Bailiff: A point of correction then, Deputy Trott – *[Inaudible]*

Deputy Gollop: Yes, I accept the point of correction. I meant in a specific role that he currently undertakes but not in his diligence. And he is, of course, too a renowned and, I think, able member of the former Board of Administration. The Board of Administration have particular oversight of matters in Alderney and Guernsey, particularly the ports, the breakwater and the Airport, and that knowledge would have given Deputy Trott more insight into the issues surrounding the complex... than most Members. And I think too he is renowned for taking a pro-active stance in trying to look forward to generating and strengthening our economic base, rather than just managing the *status quo*.

I did not sign the Requête precisely because they already had the required seven, but I was very supportive of the concept and the work done. Perhaps there were one or two words I would not have put in or put differently, but to a degree the amendment covers those areas, as I will go into.

The Requête makes clear that the exodus of – and I should declare an interest here in that my mother lives in Alderney and has done happily for nearly 20 years – of economically active child-rearing families has combined with a deep and prolonged recession to create a potentially self-fulfilling spiral of decline.

The Petitioners argue Alderney is close to the point at which the demographics of the community become permanently distorted – the tipping point – and yet they are two Islands with one economy, one taxation system, one social security system. The Islands depend upon service industries.

The point is well made that a loss of industry to Alderney has a direct effect on Guernsey's economy and taxation base as well. But the case for Alderney Airfield 2040 is identical to the case for Guernsey Airport: connectivity. We know this States – through Deputy Stewart's project Proteus and other initiatives and the infrastructural work that the Policy Council are undertaking – are particularly concerned about connectivity. And the Petitioners argue that there can be no doubt that without this infrastructure investment the great risk of a spiral of decline will become a certainty. It is a time to be pro-active.

Then in more detailed points the arguments are made that there are two issues with Alderney Airport. Perhaps a third could be raised but I will raise that in a minute. Alderney is closed for business more by reason of cross-winds than fog and the size and the type of aircraft which can be accommodated on the main runway are too limited for today's market. They are inclined to believe a cross-wind grass way needs to be tarmacked and it be used in wet weather and in darkness, while the main runway needs to be enlarged and strengthened to accommodate a greater variety of aircraft, including some aircraft of 20 seats or more.

But, of course, public services have referred to, in their letter of comment, other concerns about the security at Alderney Airport and its capacity for handling more than 16 passengers at a time. Clearly if Public Services are concerned about that they should be investing in a new terminal building for Alderney or at least significant modifications to the existing one. That is implicit within this project.

The Petitioners argued there is no idea, initiative or proposal for reversing the spiral of decline in Alderney which is not entirely dependent upon their transport links. And, of course, I have heard some people in the community argue that Alderney should go back to relying on a boat service like Sark. Well, the Sark service is very expensive. Sark is suffering too, significant problems of economic, population decline maybe... and if you have ever tried to go there by boat. I mean, I think some Board Members have suffered a certain amount of sea sickness in the past when they have tried boat trips, so I cannot see that as a sensible issue.

The point is made too about the investment – and Deputy Jones has already made this point about in the Hospital and the Quay. In a way, the Airport is more important than either, in terms of the economic future of Alderney – although one cannot really equate the vital needs of a hospital, especially in a society with a higher than average proportion of older people.

Where the Requête got criticised, of course, in the Chief Minister's words, was that it was a leap of faith. What was the evidence to support the airfield being expanded for larger planes? Well, I would say if you look at Guernsey's history there have been many examples when the Island has made a leap of faith without commissioning a hundred scrutiny reports or consultants or... Look at the size of the harbour that was built, the connectivity linking little Castle Cornet island with the rest of the town, the South Esplanade, the White Rock, Elizabeth College... that quite a few Members of this Assembly have appreciated the education and I think Deputy Trott will agree that this education is second to none. Elizabeth College, when it was rebuilt in the 1820's, did not have any pupils at one stage and yet it had capacity to fit in 700 or 800 pupils.

I think if we are going to base it on a kind of rather negative cost benefit analysis – I am not going to be pejorative about accountants but using only that profession as a method of guidance – we are not going to have the enterprising spirit that the Islands have traditionally done very well with.

When I turn to the letters of comment – still with Deputy Luxon, sir, because I think he spoke very positively today to be fair but the letter was somewhat negative.

'The Department accepts that the petitioners have highlighted real economic and social challenges facing Alderney, and by association Guernsey. However, as the controlling body –'

– I like that word –

'– for Alderney Airport, the Department must advise that it has no evidence to suggest that the current configuration at the airport is not fit for purpose.'

Well, the number of flights lost per year is high, and the disruption to the timetable – higher than I think would be acceptable in Guernsey or Jersey.

Then the PSD points out:

'– the reduction in passenger movements experienced is related to the existing runway size or configuration.'

There is no evidence of that. And then they say:

'A noticeable change in the past 5 years has been reduced numbers of flights to Alderney and higher prices. This implies that market forces have been the main determining factor in the falling passenger numbers and not the airfield infrastructure.'

Well, that is an assumption and a half. For a start I found in booking to go to a certain event later this week the fare had mysteriously risen – a return to Alderney – from £104, £108, or £96 on a good day, to £120. Aurigny – a States-owned enterprise – has decided apparently to raise inter-Island flights by 15% this month. Has that been politically approved? Of course it is a commercial decision but I think the implications of that for the Guernsey-Alderney relationship and the Alderney economy needs to be investigated. Where is the clear corporate vision of encouraging trade and investment in Alderney?

We lost the competitor Blue Islands. That was probably done for market reasons. But when you look at figures, when you have got two airlines running a route and one of them pulls out because there is not enough viability for both, the consequence that you *always* see is a reduction in numbers, because the remaining core player may have brand loyalty and win but the competition in itself encourages more interest in the market. And we have lost that because there is only one carrier to Alderney at the moment. And maybe Blue Islands partly pulled out – there were a lot of States issues at the time, Treasury and Resources' interference... this was in the Deputy Parkinson era and so on – because they could not use the little jets that they used on the Jersey run, they were stuck running Trislanders and an antiquated Islander, precisely because the runway lacked flexibility.

Mr Jean has just pointed out that Alderney is in danger of weakening any economic recovery for the hotels and the place precisely because of the shortage of aircraft. We have seen that the decline in hotels has matched in real terms the decline of Alderney Airport to cope with airlines – especially as the grass runway

1280 has become less and less active. And you will not see a revival of tourism in Alderney unless we invest in a runway for higher capacity planes, especially given the changing dynamics of the aircraft economy.

Therefore I am disappointed that the Public Services Department are taking perhaps a rather Guernsey view and less of an Alderney view in their letter – although, as I say, Deputy Luxon was supportive today.

With Treasury and Resources, they agree at the bottom of page 57:

‘The Board believes that a full strategic options appraisal should be carried out that looks at the costs and benefits of a range of different options for Alderney Airport.’

1285 But it is not clear from this who pays for it and who does the work.

‘The Board believes,’

– this is Treasury –

‘that it would be appropriate for the Public Services Department to carry out the options appraisal.’

1290 But then of course the Policy Council make the point that the wider socio-economic and ecological issues of Alderney are *not* part of the Public Services Department’s remit and nor should they be. This requires leadership from Treasury and Resources and particularly the Policy Council, and to a certain extent Commerce and Employment – although I appreciate Mr Harvey is, in a sense, Alderney’s Commerce and Employment Minister – if I can call him that – and it has a different relationship than the Department.

1295 Therefore, the Policy Council says the Requête provides clarity on the work PSD should be asked to undertake, but to move headlong into this carries risks and falls far short of good governance. There is no evidential basis, for example, on the implication in the Requête, that such works as envisaged may cost in the region of £8 million.

1300 Policy Council is critical but does not necessarily have an alternative. They imply in this letter that they will support may be an amendment, which they are doing today, so I am happy to support the amended Requête. And they too write:

‘A noticeable change in the past five years has been reduced numbers of flights to Alderney and higher prices. This implies that market forces have been the main determining factor in the falling passenger numbers and not airfield infrastructure.’

The two go together because the nature of running an airline means that you have to run, economically, your fleet of planes matching the technical capability of the airports that you serve, and we in Guernsey know that even affected us over the years, let alone Alderney.

1305 Much play is made about the Alderney Liaison Group and I think this Requête has already achieved a lot of positive things. It is ironic because some States Members before this meeting had an interesting talk which touched on Scottish independence and the argument was made that maybe the First Minister of Scotland has won the debate regardless of whether he wins the referendum or not. And I think in this case Mr Arditti and his colleagues have won a lot of good results for Alderney. They have raised the issue in the media, they have already encouraged a presentation to States Members on expertise of the actual link with Alderney and they have got from the Policy Council and Treasury and Resources a commitment that somebody should do reports and move all this up the agenda.

1310 I happen to believe that the runway in itself is not the only answer. There is a need for the States to look at a variety of forms in employment and investment initiatives in Alderney to maybe transfer some departmental work up there and I think look at the population movements in the context of the housing and population review. But I think too, Deputy St Pier mentioned that we as a States borrow and one of the areas we borrow in is Aurigny, by underwriting their planes – a very substantial area.

1320 It has recently been suggested in a go ahead way that the company intends to replace the Trislanders with Dornier 19-seat aircraft on the Alderney run. Sometimes the number two has been mentioned, sometimes the number three. I would argue that three planes, given the potential for growth in Alderney and the vagaries of weather and the logistics, is much better than two and in some ways that is as important an issue as the airfield debate today. You cannot separate the running of aircraft from the maintenance and support for infrastructure.

1325 I could speak for another hour on the pressures of Alderney (*Laughter*) but I think I have said enough to say: support this Requête and move the agenda on.

A Member: Hear, hear.

1330 **The Deputy Bailiff:** Deputy Conder had caught my attention first, then Deputy Perrot, Alderney Representative Harvey and then Deputy De Lisle.

Deputy Conder: Thank you, sir.

I speak on the amendment and the Requête and forgo my right to speak further in the debate.

Mr Deputy Bailiff, fellow States Members, when my friend Alderney Representative Arditti invited me to be a signatory to this Requête I was proud to agree, both because I wanted to support him in his fight to secure a better future for the people of Alderney but also because I respected his absolute integrity, and as such he was one of those few people for whom I would be prepared to say, 'If you believe in this then I will stand alongside you'.

Sir, since the death of my friend last week I am even more proud to be a signatory and I speak in support of this amended Requête both because it is the right thing to do but equally to honour the commitment, passion and integrity of my friend and our late colleague.

Sir, States Members are aware that the history of Guernsey and Alderney are inextricably linked and, as the information notes attached to the amendment indicate, there is in effect fiscal union between the two Islands. We all know that Alderney is facing significant challenges and has been said it is suffering economic decline and depopulation. In such circumstances the States of Guernsey should, whenever possible, contribute to stimulating Alderney's economy and find ways to reverse depopulation – as we would for any other part of our community. To use that hackneyed and overused phrase, 'We are all in this together'.

The issues in respect of Alderney are neither complex nor complicated. The options are not new and are well known. In the unlikely event that some other option is identified by the Policy Council or the Public Services Department during their review, consequent upon successful passage of this amended Requête... If such options are found, which have not been thought of, the amended Requête will accommodate those options. The Requête does not preclude more options. It simply directs that as a minimum the known options must be worked up and costed in time for the Assembly to make a decision during 2014.

Sir, why was Alderney Representative Arditti and why are, we his fellow requérants, so concerned as to the future of our partner Island? Let's just look at some statistics. Colleagues might well be familiar with these but they are stark and bear repeating.

The June 2013 Alderney census, when compared with 2001 – 12 years ago – reveals some very worrying trends. Here are just a few of those statistics. There are now 170 fewer children aged under 15 than there were in 2001: a drop of 50% – 50%! In 12 years there has been a drop of 232 in the number of young working age people, i.e. those between 20 and 39: a 47% drop in those 12 years!

Those aged between 60 and 69 have increased by 31%. This represents 21% of the overall population, compared with 11% in Guernsey and 10% in Jersey.

The number of employed or self-employed has fallen by 207 since 2001. And finally, and perhaps most significantly, the dependency and employment ratio which measures the proportion of those who are of working age against those of non-working age has dropped from 1.61 in 2001 to 1.42 in 2013. In 1951 the figure was 2.12. That is unsustainable in the long term. **(A Member: Hear, hear.)**

So why should we be so concerned about the trend in our sister Island and why is the Airport so important in addressing issues of economic decline and depopulation, both of which are effectively opposite sides of the same coin? Sir, the reason that we in this Assembly must help to address these issues is, firstly, because we have a moral responsibility to help a significant part of our community. But if that argument will not do, it is also in our own interests; for if we do not we will in the fullness of time have a bigger issue to confront when Alderney needs emergency support which will not wait on yet another report or another Requête.

Sir, now is the time to identify issues which will give Alderney some chance to address its own problems. So why is addressing the efficacy of Alderney's connectivity so important in assisting Alderney's journey back to some measure of economic self-sufficiency? Sir, Alderney's success or decline is entirely wrapped up with its connectivity to Guernsey and the United Kingdom.

Connectivity in this case means being able to get on and off the Island with some degree of certainty. Entrepreneurs, businesses, public services, incomers and the simple functioning of day-to-day life cannot be encouraged or sustained if there is a regular and increasing disruption at the only realistic point of arrival and departure.

Sir, by way of illustration let me briefly describe a case study which could be just one example of the potential for economic regeneration in Alderney – but one which is absolutely dependent upon and cannot succeed without reliable and expanded air links to and from Alderney. And it is one in which this Assembly recently engaged in debate. I speak, sir, of the proposed University of the Channel Islands which we debated and approved in November.

Colleagues might recall that I expressed support for the concept of the University of the Channel Islands but had strong reservations about the business model presented which, in my opinion, is bound to fail – I hope that it does not.

Putting aside, for the moment, my reservations and focusing upon this Assembly's strong support for the concept, I would remind the Assembly that part of the Policy Council's justification for the proposal of a University of the Channel Islands was, and I quote,

'The States is seeking to diversify the economy and develop new sustainable opportunities for business and employment, to increase revenue and enhance Guernsey's reputation globally.'

1395 By way of summary, the Policy Council's report stated that the potential for economic benefit of the project, identified by the proposers, include:

- Significant impact on the economy;
- Diversification, based on the knowledge economy;
- Economic Multiplier Benefits throughout the community;
- On-Island expenditure;
- Increased demand for air and travel links;
- Educational Tourism through the use of summer conferences etc;
- Enhancing Guernsey's international status...
- Education benefits – affordable Higher Education, more choice and technical excellence

And – *and* –

- 1400
- Potential to revitalise Alderney's economy.

The proposers, in making their case for the University of the Channel Islands, identified Guernsey as an ideal location for such a venture for a number of reasons, including our own geographic position in relation to Europe and the United Kingdom with good transport links enabling students from further afield to reach the Island. Furthermore, the proposers said,

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'Guernsey offers possibilities in terms of unique disciplines...'

– *unique disciplines* –

'which include marine biology and conservation studies.'

They said:

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'There is a strong fit between Guernsey's aspirations for this discipline and green environmentally-conscious economically-viable ocean-using technologies and surrounding marine environment. In this respect the potential for working with Alderney, given that Island's marine environment interest, provides a unique opportunity to benefit both the Alderney community and the university.'

That proposal was very strongly endorsed by this Assembly.

Sir, as a former Chief Executive as recently as November... Sir, as a former Chief Executive of the GTA University Centre I know the problems of facilitating the delivery of higher education in these Islands and the need to bring academics from the UK and elsewhere, students from Jersey, academics and students to Jersey and the United Kingdom, all depend upon good and reliable transport links.

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Whether we believe the current proposal for a University of the Channel Islands is viable or not does not matter, we all recognise the potential for economic growth and diversification inherent in the successful implementation of such a proposal. And the Policy Council and the proposers of the University have identified the absolute need for reliable transport links in underpinning such a venture *and* the potential for Alderney to be a key part of such a venture.

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Think for a moment, colleagues, of the difference to Alderney's economy of having a regular influx of residential and transient students and academics visiting the Island, filling spare hotel space, stimulating the rest of the Island's economy, promoting the hospitality and tourist industry and regenerating service industries; whilst at the same time, through the exploitation of Alderney's natural environment, establishing the Island as a unique centre for studies in tidal and renewable energies, marine biology and the tourism and hospitality industries – a campus of the University of the Channel Islands.

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As I said, sir, it is just one case study, one example of what might be done, but which indisputably cannot be done without addressing the connectivity of the Island's air routes to the United Kingdom and this Island.

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Sir, if colleagues agree that Alderney has the potential to be part of at least one of the new economic streams identified and endorsed by this Assembly, we must acknowledge that, as currently configured and served, there is *no chance* of Alderney playing a meaningful part in such a development.

With an almost total absence of regular sea ferries the Airport is Alderney's only gateway. The future of Alderney is totally dependent on a functional Airport. If Guernsey wants the Alderney economy to recover it must make this relatively small investment now.

So, colleagues, what are the issues with Alderney's Airport at this time? I am no expert and those more knowledgeable than me in these matters will be able to much better inform us than I can and will, I hope. Correct me if I am wrong but, as I understand the issues, they are: firstly, Guernsey manages with one airport because the larger aircraft serving it have higher cross-wind limits. Alderney used to have three runways for this very reason. Due to neglect and under-investment they now have only one.

Whereas it might take a southerly wind of 45 plus knots to prevent ATR's flying in Guernsey, it takes only 25 knots to stop the Trislander – 30 knots for the Dornier. 45 knots is a force 9 severe gale – which was my experience on Friday – (*Laughter*) 25 knots is a force 6 strong wind. It is not uncommon for the wind speed in Alderney to exceed that in Guernsey.

Private light aircraft of the sort that high wealth entrepreneurs might favour have much lower cross-wind limits – typically 15 to 20 knots. Even when still open, the two grass runways were often waterlogged or the surface too soft to be usable due to poor drainage.

Proper rehabilitation or upgrading of Alderney's grass cross-wind runways will improve reliability of commercial air links. Alderney has no regular ferry service. Unreliable links and regular periods of isolation serve as a disincentive for new residents or businesses to settle in the Island.

Widening and extending the main runway to 1,200 metres would allow larger aircraft to serve the Island. Whilst not necessary for Alderney's current day-to-day requirements, it would future proof the airfield and allow current operators to fly full ATR 42s, or part-loaded ATR 72s into the Island when required – which, of course, would be *absolutely essential* if part of Alderney's regeneration were to be built around people intensive initiatives – people intensive initiatives such as the University of the Channel Islands.

The Requête is for investment in the airfield for reliability and connectivity, not for comfort and a new terminal.

Finally, sir, the doomsday scenario – which is too awful to contemplate but of which we need at least to be aware – would be if, for any reason, Alderney Airport were to be closed as a consequence of official diktat for an indeterminate period. We know that the surface of the one remaining Alderney runway is deteriorating and that the CAA can turn up, inspect and instruct the immediate closure of a licensed runway at any time.

Sir, I list the issues in respect of Alderney's Airport *not* to persuade Members of this Assembly to commit to many millions of pounds to address them at this stage – that is for another debate. No, all my friend, Alderney Representative Arditti, and our fellow requérants are asking is for us to direct that a timely assessment be brought back to this Assembly for consideration of the various options available for addressing the connectivity of Alderney – and all for the relatively modest outlay of up to £100,000.

Can I remind colleagues that in our December debate we enthusiastically, unanimously and rightly, in my opinion, approved a spend of £900,000 over three years in support of the work of Guernsey Finance (**A Member:** Hear, hear.) for as yet unclear and uncertain outcomes. We did it because we believed it to be an appropriate and timely investment in the future economic welfare of this community.

Sir, approval of this amended Requête is an investment in the Bailiwick, an investment in our sister Island. It is the right thing to do. Let's do it for the people of Alderney and, in so doing, honour the memory of our former colleague and friend, Alderney Representative Paul Arditti.

Thank you. (*Applause*)

The Deputy Bailiff: Can I just remind people who are in the Public Gallery that they should not applaud.

Deputy Perrot.

Deputy Perrot: Could I start by saying how much I admired the speech of Mr Jean. (**Several Members:** Hear, hear.)

We have lost somebody whom we knew and liked well. He has lost a close friend. That must have been a very difficult speech for him to make but he made it very well indeed and the points which he made were all very clear, understandable – and the point is I think they all agree, frankly.

I do sense the feeling that the requérants in respect of this Requête, as amended, are rather pushing at an open door. (**Several Members:** Hear, hear.) But could I say that it worries me that those who live on Alderney might think that there is some sense of negativity in respect of people who live in Guernsey? I do not think that that is in the slightest degree the case. Everybody accepts that we – and I will not give way – are a common fiscal jurisdiction.

The point is in the last six years or so we have had a double whammy. We had the crash of 2008 and then we had Zero-10, and I think that that might have caused the States of Guernsey perhaps to look

1495 inwardly a bit and perhaps not to have looked beyond our shores to another territory which is still within our fiscal jurisdiction. And actually, in bringing this Requête – simply bringing it before our eyes – I think that Mr Arditti and Mr Jean and the other requérants have succeeded. So, I think that, in so far as I understood what he had to say, I agree with Deputy Gollop that the requérants simply in actually producing the Requête, but in its amended form, have succeeded in what they want to do.

1500 But could I say that in respect of any capital expenditure due process must be observed? I hate to say this in an atmosphere where we are all mourning the death of somebody whom we liked and admired, but we must not be carried along on a wave of sentimentality. So due process *must* be observed and I want to echo what the Treasury and Resources Minister has said – that we do now regard the contingency fund as being our core capital. I hesitate to do this with the Minister of Treasury and Resources because, of course, 1505 I am on that Board and I will no doubt get a sound ticking off at the meeting next Tuesday afternoon, but actually, for his information, I do recollect that the contingency fund did start off as a ‘rainy day fund’. (**Severall Members:** Hear, hear.) That was what it was called originally. I am looking back a long way now but I think I was in the States in those days – (*Laughter*) I think even I might have been involved in this.

1510 It was too long ago to remember with precision but I think that Deputy Ivan Rihoy was the one who originally gave it that name and it was there because in those days the States of Guernsey were so flush with money. But it has mutated since then and it is now, as the Treasury and Resources Minister says, our core capital and we trifle with that at our very great peril.

What, of course, Treasury and Resources said in its covering letter was that the States has – or have, I would have said – through the introduction of its capital investment portfolio, established a clear process for the allocation of funds for capital investments. We voted on that only a few months ago. It would be absurd 1515 for us having voted in the idea of a capital prioritisation process then to start departing from the strictures which that process contains.

Actually I did not stand up merely to congratulate Mr Jean, I wanted to disagree, as slightly as I dare, with Deputy Trott. I suppose I could have intervened or raised a point of order but when he is in full flow it is safer to hear him – one does not want to interrupt him. (*Laughter*) What he was saying was that there is 1520 no logical difference between taking money out of the contingency fund for something such as this than there is for the transfer which we make at the end of the year with the upturn of the States’ performance of that year.

Well, with great respect to Deputy Trott – who was both a Treasury and Resources Minister and Chief 1525 Minister – I would disagree with him on that. There is a fundamental difference at the moment and that fundamental difference is that we transfer money from the Contingency Reserve at the end of the year for general reserve purposes. We do not do it for a specific capital project. And the only reason, of course, we are doing all of that is because Zero-10 was imposed upon us – actually by Deputy Trott himself – (*Laughter*) (**Deputy Trott:** Sir, I have to...) No, I will not give way. (*Laughter*) Zero-10 was imposed upon 1530 us by Deputy Trott (*Laughter*) and we knew in advance that for a number of years actually we were going to have to make that transfer from the Contingency Reserves on an annual basis, in order to fund our capital projects programme. But that was *it*! It was for capital projects generally, not for a specific capital project.

Could I also say, in defence of Treasury and Resources, again to Deputy Gollop, that Treasury and Resources are most definitely *not* trying simply to manage the *status quo*? We do look very carefully at 1535 what is going on, for example, with Aurigny. We do not get involved operationally with Aurigny – that would be absolutely wrong as a shareholder – but we do give guidelines and our policy considerations – our policy constraints, as we would wish see them – to Aurigny and we are doing that for the economy generally.

1540 Thank you.

The Deputy Bailiff: Alderney Representative Harvey, to make his maiden speech.

Alderney Representative Harvey: Mr Deputy Bailiff, Members.

1545 I am sure you will understand if I say I stand before you today with very mixed feelings. It is an honour to be amongst you and to be representing Alderney, but the circumstances are desperately sad.

Much has been said and will be said regarding Paul Arditti and no-one can begin to fill his shoes. I do not have his experience of this Assembly, his lawyer’s gift for an argument, his persuasive charms and it is true we had our differences in the past – as is the nature of politics – but one thing has united us and that is a passion for Alderney, its people and its community. So a sad day today for all of us.

1550 However, we must look to the future. The Requête sets out very clearly the economic and social problems facing Alderney and they have been rehearsed here today so I will not dwell on these, but I think, just to give the debate some real meaning, I need to give this Assembly some insight into what the words and figures mean, what life is like in Alderney today, what the States of Alderney is doing about the situation and how this Requête fits into that.

1555 The Chief Minister's amendment quite rightly proposes a serious high level look at Alderney's economy with a view to determining the best solutions, including possibly the upgrade of the airfield. What the amendment lacks though is a sense of urgency, so far as Alderney is concerned. The timescale of 14 months to even produce a report, let alone debate it, is far too leisurely.

Let me just tell you some of the things that happened in just a mere 14 months past in Alderney.

1560 We have lost another 4% of our workforce and, as my colleague Mr Jean referred to, we have lost our oldest hotel – closed and unsold after more than 40 years' trading – we now have two large hotels empty and unsold. We have lost one of our two schools – the private one – the only private one – and a reduction in teachers at the remaining one.

1565 We have lost one of our two freight carriers and, of course, we have lost two of our three runways at the airport, though I am encouraged on the last point that PSD have committed to getting our long grass runway open again as soon as ground conditions permit. We must hold them to that, whatever the outcome of this debate.

Deputy Gollop will, of course, be relieved to hear that although the Braye Chippy may be temporarily closed (*Laughter*) Nellie Gray's is still firmly open, so curries are available. (*Laughter*)

1570 Sir, this Assembly is, I guess, entitled to ask – what are we doing about this in Alderney? Are we just waiting for the cavalry to arrive? Are we waiting for Guernsey to sort out our problems? No, we are not. We are trying to seek our own solutions wherever possible.

We have a very different States in Alderney than some of you may have seen in the past. With professional, committed and disciplined States Members acting in a responsible manner. We have the first strategic plan in our history setting out our ambitions. We are investigating all manner of niche possibilities to turn around our economy. Some of these may worry observers. Yes, we are discussing with the Royal Mint and UK Treasury issuing commemorative bit coins. Yes, we are discussing with the UK Home Office and your own Home Department possible visa waivers and, yes, we are looking at bio-digesters to handle both our waste and energy needs. If the survey at the moment being carried out shows it is necessary, we may even ask Guernsey to send us some of your rubbish.

1580 But those of us with a financial background, fully understand reputational assets and the risks involved. We are not about to bring Alderney or the Bailiwick into disrepute. Reputation, however, is not just about avoiding the negatives, appearing on white lists, getting a tick in the box from FATCA or Moneyval. It is also about embracing and preferably *leading* change, using emerging technology and welcoming new ideas.

1585 We must all become proteans. Sir, these matters we will pursue. Our ultimate aim has to be re-population, including retired folk, as we have always attracted, but critically we also need young families and jobs to revive our high streets and replenish our school. The bottleneck to all our endeavour, the restraint on all we do, is of course transport links – in common with all small Islands – and our air services.

I believe the Requête is just the beginning of a process and by no means an end in itself. What Alderney needs is a reliable, regular, fairly-priced air service. My colleague, Mr Jean, has already referred to the cancellation of a major tourism event as the organisers were unable to obtain charters from Aurigny and we do have sympathy for Aurigny who are going through a massive change at the present time. But there are justifiably worse fears that even our iconic Alderney Week, without whose influx of visitors our diminishing retail and hospitality sectors would be further decimated, may be in some jeopardy.

1595 Prices too are an issue, as has been mentioned before by Deputy Gollop, with short notice flights on our lifeline Alderney-Southampton route now priced at over £250 – almost double those on Guernsey-Gatwick.

This Requête is, of course, about the airfield and must be supported but the jury is still out as regards the type and size of aircraft we need, not just for the next couple of years but the next 10 or 20 years. As has been mentioned, the States of Alderney have commissioned an expert report from Aviation Economics, who have a very long and credible track record, to look at the whole issue of our air links, including prices, frequency and traffic levels. We hope that will form a key part of the debate on what sort of Airport Alderney ends up with.

I do hope also that the proposals from the Chief Minister and others for some joint working between the two States on social and economic problems can be brought to fruition.

1605 I can tell you that following a debate with all the States Members in Alderney yesterday we are unanimous in backing this Requête.

With your forbearance now I would just ask you please to listen... Silence. That is what you would hear all too often in St Anne's Main Street of an afternoon during winter. Silence. And not a silence that is golden but one that speaks of decline and decay. No bustling town for us. No busy traffic and all too rarely children's voices heard. In 1960's America a seminal book was written, 'Silent Spring'. Please do not let Alderney become the 'Silent Island'.

1610 In conclusion, I would ask that you support this Requête – *possibly* because the 1948 Agreement says so, *certainly* because we meet in the shadow of a personal tragedy for a man who gave his all for this cause, but *mainly* because it is the right thing to do. Because it is the right thing for Alderney, where it will give hope of a better future. It is the right thing for Guernsey, as every extra pound of tax in Alderney comes

back here. But most of all it is the right thing for the Bailiwick because it will show the world that the Bailiwick of Guernsey is not just so many words on a coin but a real community where Island helps Island, neighbour helps neighbour, and friend helps friend.

Please help us and support this Requête. Thank you (*Applause*)

The Deputy Bailiff: Deputy De Lisle, are you still wishing to speak?

Deputy De Lisle: Yes, thank you, sir.

I was first alerted to the connectivity with Alderney as a boy when my family shipped cattle to Alderney following the disastrous foot and mouth epidemic in the 1950's. Since then on the Education Board I have served as a representative on the Alderney School Committee and witnessed the decline in children attending the school.

Sir, I view the economic decline and demographic contraction of Alderney with concern, with respect to the effect on opportunity, business and life of the population of the Island. Alderney is highly integrated with Guernsey as part of the Bailiwick with all that means and the services it provides, and it is part of the Bailiwick's regional economy. And regional economics, sir, work in peculiar ways.

The London press has been full recently of comment with respect to the power of London and how it continues to sap resources from the regions. Those regions are the north and the south-west but they include also the Channel Islands.

Alderney has been quite innovative in developing the e-gambling industry and spearheading interest in the Channel Islands through renewable resource developments. And Guernsey has benefitted from that. The fact is that this Guernsey effect *vis-à-vis* Alderney reflects that of the London market on the regions in a very minimalist way.

There has been leakage from Alderney into Guernsey from the Alderney gambling industry, for example, in terms of providing servers and other economic benefits, including people residing here through the growth of that industry. In fact, some in this Assembly have reacted to the investment that has come into this Island – Guernsey – as a result of the gambling industry in that Island, Alderney.

So I am fully supportive of an investment of £100,000 in a study which will look at the benefits, if you like, that can come from alleviating some of the current problems in Alderney.

Actually, the investment of £100 million is minimal in comparison – (*Interjections and laughter*) in comparison (A Member: £100,000.) to the benefits – Oh, £100,000! – is minimal to the benefits to the economy that Guernsey has received from Alderney in the past.

So I am fully supportive of an investment of £100,000 in a study (*Laughter*) to look at what can be done to improve the Airport on Alderney and thereby assist in stemming the current contraction in the economy and the demography of Alderney.

Thank you, sir.

The Deputy Bailiff: Deputy Harwood, followed by Deputy Kuttelwascher.

Deputy Harwood: Mr Deputy Bailiff, Members.

Before I say anything else I should like to place on record, on behalf of the Policy Council, its deep sadness on Alderney Representative Paul Arditti's recent passing. Anyone who worked with Paul will know of his passion and his commitment to help Alderney and its community face the challenges of modern times. While Paul's commitment to this cause may at times have caused some uncomfortable and difficult political quandaries, there is no doubting that the love he had for Alderney and its people and his determination to work through the complex issues and help make the Island as robust as possible will move forwards.

Only recently had I had the opportunity to meet Paul in a social context and I found his contribution, his personality, very companionable and it is sad that I will not have the opportunity to develop that social context. But above all I found in Paul a man of great courtesy and in this context a *true* parliamentarian. Our thoughts are with Paul's family at this very difficult and sad time.

Sir, it gives me great pleasure to second this amendment and I acknowledge and am grateful for the work that Deputy Fallaize and Deputy Luxon, in particular, have done in actually bringing together this amendment, with which Policy Council – I would urge all members of Policy Council to fully endorse it – are able to support.

Policy Council acknowledged and agrees with the Authorities in Alderney that the Island is currently facing a number of significant challenges relating to the reduction in population, as evidenced by the outcome of the census in 2013, increasing the ageing profile, along with a shrinking economy.

The history of the close relationship between Alderney and Guernsey was explained in more detail to States Members at a presentation at Beau Séjour on Thursday, 16th January 2014, at which both Alderney Representatives Louis Jean and Paul were present.

The 1948 Agreement is still paramount in the current relationship between our Islands and, as has been said already, in effect, that Agreement established a fiscal union between the two Islands and their Parliaments. It is almost described as a federal link. As a result the economic and fiscal fortunes of both Islands are inextricably linked.

Conscious of the growing challenges facing Alderney, the Policy Council, in co-operation with Paul particularly, established a new Alderney Liaison Group with that Island's Policy Committee early last year. Regular meetings have been taking place to gain a better understanding of the nature of the challenges and what may be done to best address them. This is very much a continuing work stream for both Islands and the most recent meeting of that Alderney Liaison Group took place in Alderney on 14th January.

Deputy Gollop, in his speech, identified that there are no doubt wider issues that need to be addressed beyond that of the mere runway, the airfield, and I full concur with that. And that was the purpose of establishing the Alderney Liaison Group because it was able to look at matters that transcended the pure shared services – which was a feature of the 1948 Agreement – recognising that the economic situation in Alderney rebounds on Guernsey, as we have said earlier. A one pound loss in Alderney is effectively a one pound loss for Guernsey as well.

So the amendment, as drafted and proposed by Deputy Fallaize and myself, directs the Policy Council to consult with key parties in Guernsey and Alderney in order to undertake the necessary socio-economic research so that this Assembly may make evidence-based decisions to help both Islands.

And to Alderney Representative Harvey, he referred to the original amendment that myself and Deputy Kevin Stewart were intending to propose. Clearly if this amendment is accepted – the one proposed by Deputy Fallaize and seconded by myself – that other amendment drops away. And I take note, Alderney Representative Harvey, of the concern that you had as regards the timing. You will notice in the amendment that is now before this Assembly, the obligation is to come back to this Assembly before the end of 2014. So we are very conscious of the urgency and we will work towards that.

At the Alderney Liaison Group earlier this month, the Policy Council again expressed its support for appropriate measures that may be taken to help reverse the decline in Alderney's economy and we welcome the opportunity to work with the States of Alderney.

Just in closing, sir, I would feel it appropriate to re-iterate the Policy Council's agreement with Treasury and Resources in their statement that whatever development is progressed at Alderney Airport it should not be financed through the Contingency Reserve.

Sir, I would ask all Members of this Assembly and all members of Policy Council to fully support and endorse the amendment to the Requête proposed by Deputy Fallaize and myself, and then to support the amended Requête.

Thank you, sir.

The Deputy Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

I must say I was very pleased, if not relieved, that the requérants decided to amend their own Requête because the issues I had, which led to me laying an amendment, and the issues Policy Council had in laying a possible amendment were ones of governance and I think that has now been addressed. So the amendment that I had proposed, and indeed the original amendment of the Policy Council, will now be withdrawn, assuming this is successful – which I expect it will be.

The other great benefit was I was aware that at the time Public Services Department were neither going to support mine nor indeed the Chief Minister's amendment, so now I believe they are also on board, so we can go forward as one.

I have got to go back to this Contingency Reserve argument because I want to support both what the T&R Minister and, indeed, Deputy Perot said and I think, just to add a little more clarity, the Contingency Reserve is in two bits and what the Minister was referring to was the Contingency Reserve, which is a fund which has been growing over a number of years – I think what Deputy Trott was referring to was the Contingency Reserve Tax Strategy which is a fund which is depleting and could be totally depleted. But that distinction was not made in the Requête and I think that is an issue.

I have got to mention something that John Gollop said about –

The Deputy Bailiff: 'Deputy Gollop', please.

Deputy Kuttelwascher: – subsidies for flights in and out of Alderney. We know it is a lifeline route and it is subsidised and it could be subsidised to an even greater extent. However, I would expect his unequivocal support when T&R come back to this Assembly later on in the year to refund and recapitalise Aurigny, because the taxpayer will have to put in some sums and most of these sums relate to supporting lifeline routes in the past.

Deputy Conder looked at me a couple of times when he was talking about cross-winds and things and runways and I thought, ‘Oh dear, I won’t jump up’. (*Laughter*) But he did make one interesting point. He said, ‘Ah, a 1,200-metre runway at Alderney’. That is interesting because if you look at Civil Aviation Publication No. 168 that is rather a critical figure because it puts you in the same league as Guernsey’s runway. It becomes a code 3 runway requiring 240-metre runoff – you do not want that. But the good news is you make it 1,199 metres (*Laughter*) you remain a code 2 runway and can get away with a 90-metre RESA.

It was information like that that led to me actually proposing my original amendment. Because all this could have been in front of us, but it was not – there was no preparation as regards some of that detail.

So I fully support the Requête as amended and, as I said, will be withdrawing my amendment if that happens to be the case.

Thank you.

The Deputy Bailiff: It is as near as may be to 12.30 p.m. now. Can I just ask those Members who wish to speak in debate after lunch to rise in their places, please, so we can see how many there are? Two, potentially.

Are either of you going to be 30 seconds? (*Laughter*)

Deputy Brehaut: If I start now, sir, yes. (*Laughter*)

Deputy Trott: Do not risk it, sir.

The Deputy Bailiff: We will adjourn now until 2.30 p.m. and it will be Deputy Brouard followed by Deputy Brehaut.

*The Assembly adjourned at 12.30 p.m.
and resumed at 2.30 p.m.*

IX. Requête – The Airfield in Alderney – Debate concluded and amended Propositions carried

The Deputy Bailiff: Requête on the Airfield in Alderney: continuation of debate.

Deputy Brouard: Thank you, Deputy Bailiff.

I too would like to add my condolences to Mr Arditti’s family.

I was concerned with the original Requête. The new Requête – which is basically what it is – is a completely new animal crafted from the bones of the original. It is still not an easy read and this is exposed by its crafting at the eleventh hour.

I am very pleased to have heard at the eleventh hour – just before the recess – from Alderney Representative Mr Harvey, where he filled in one of the major pieces of my concern, which was: in trying to be supportive of Alderney we were in danger of doing *to* them rather than *with* them. We have to do right by Guernsey and right by Alderney. So that confirmation confirms Proposition 2 and, hopefully, the view of the States of Alderney will be taken in as a big part of that Proposition.

Proposition 3 gave me some concern as the Alderney Airport is in the PSD mandate yet it will be Policy Council bringing forward the proposals. But as Deputy Luxon is supporting this I take comfort in that.

Finally, Proposition 5 gives a key to unlock the Budget Reserve. But from my reading of the Budget Report on Page 30 of last October it does not give a clean access to this fund. Could I ask T&R to give some thought to this? If it is convenient to open for this then there may be other circumstances or similar circumstances where I hope a consistent approach will be given.

Thank you very much, sir.

Deputy Brehaut: Thank you very much, Mr Deputy Bailiff, and I too fondly recall Alderney Representative Paul Arditti. I remember actually that both Deputy Fallaize and myself had a conversation with Paul and encouraged him to stand for Scrutiny and once he got the position he shook my hand in the way the lion of the man did and I think he left me with about seven superficial fractures! (*Laughter*) He was that type of character.

I have to say we did not always agree on issues regarding scrutiny. We disagreed across this floor but the minute we were that side of the door he was the first one to offer to take me for lunch and that was the measure of the man.

There has been a lot said regarding the economic benefits to Alderney and the economic benefits... and I appreciate this work involves trying to get an appreciation for what they are, but we should not ignore the other mental health and wellbeing issues related to getting to and from Alderney and if we had a flight able to land on a more frequent or less infrequent basis it could be beneficial.

1795 Perhaps if you could put yourself in the mindset of perhaps a young mother suffering from post-natal depression, anxious that her flight is delayed or that they cannot get to see the counsellor. I know that the Guernsey Bereavement Service who deal with loss – loss in every regard that is, whether it is a relative or whether it is marriage guidance, for example... All communities need that type of support, especially in small communities. Mental health and the wellbeing of the community is hugely important and it is crucial especially in small communities to have a non-judgemental individual who can speak to you in absolute confidence and that you can confide in.

1800 Just in closing, sir, I think Deputy Jones did say that we have refurbished Le Mignot Hospital – I think it is fair to say that we *rebuilt* Mignot Hospital. And just with regard to travel to Alderney, to save money HSSD decided to go up in a boat – which Deputy Hunter Adam will recall – and as Deputy Roffey was hanging off the back looking like Captain Ahab and the boat was dipping in and out of the swell and we were all being thrown off our seats, there was a sign swinging that said ‘Coffees and teas will be served’! (Laughter) But I will never forget that trip so I sympathise with those residents of Alderney wanting security of air links. It is that important.

1810 Thank you.

The Deputy Bailiff: Well nobody else is rising so I would turn to Deputy Fallaize to reply to the debate on... the... (Interjection and laughter) And if I speak slowly enough for long enough he will appear. (Laughter)

1815 **Deputy Brehaut:** If he is staying he could take his coat off, sir. (Laughter)

Deputy Fallaize: Don’t they have to have the Ministers replying on the amendment, sir?

1820 **The Deputy Bailiff:** Not on the amendment, no. They are entitled – (Laughter) unless that is a new rule that your Committee has introduced over the lunchtime that I was not aware of. (Laughter and interjections)

So if you are in a position to reply to the debate on the *amendment* at this stage only...? If you feel the need to talk...?

1825 **Deputy Fallaize:** Oh, I see. Well, no. If the amendment is successful I will be able to reply.

The Deputy Bailiff: You will be able to reply to the full debate at the end.

1830 **Deputy Fallaize:** Yes, well I think I will not speak now then, sir. Thank you.

The Deputy Bailiff: Thank you very much.

Members of the States, we will go to the vote on the amendment proposed by Deputy Fallaize and seconded by Deputy Harwood.

1835 This is to delete the Proposition in the Billet and replace it with five Propositions. Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: I declare that duly carried, unanimously.

1840 So we return to general debate on the basis that the amendments that were circulated prior to the meeting are no longer to be placed as I understand it, Deputy Kuttelwascher and Deputy Harwood?

Deputy Kuttelwascher: That is correct, sir.

1845 **Deputy Harwood:** That is correct, sir.

The Deputy Bailiff: Does anyone wish to speak in general debate? No.

1850 Well because this is a Requête we now go back in reverse order for those Ministers of the Departments that were consulted. So I turn to the Minister of the Treasury and Resources Department, Deputy St Pier, and invite him... whether he wishes to speak.

Deputy St Pier: I will be brief, sir. Just to address some of the points that have come up during this morning's debate.

Sir, Deputy Fallaize and a number of others referred to Aurigny and the importance of the social links and the importance of the air link in addition to the Airport itself and the airfield itself. And Deputy Luxon quite rightly drew attention to the losses not only of the airport but also with Aurigny as well.

In essence, Aurigny's losses of course have been funded over many years by increasing the overdraft facility – the loan facility – which Aurigny has and has therefore largely been unseen, as it were, within the States' accounts themselves.

T&R's position is that we should bring greater transparency to Aurigny's finances and that we should have a better understanding of where the airline is commercially and, in particular, the contribution of particular routes – not least the ones that Deputy Luxon referred to and the role of Alderney in that.

One of the things which the Treasury and Resources Board has done – and I think Members are aware of this – is it has started the process of determining what objectives should be set for the entities that we control, including of course Aurigny. And we have quite clearly established that certainly the Alderney-Guernsey link is very much seen as a lifeline link and the next stage is understanding the financial consequences of that. I think it was Alderney Representative Jean who referred to that in his speech.

Sir, again, a number of Members drew attention to and referred to the comments which I made in relation to the Contingency Reserve and I think really I wish to just re-emphasise the point which I was seeking to make, which is that this project, if it were to proceed if the amendment is passed – as I suspect it will be –

The Deputy Bailiff: The amendment has been passed.

Deputy St Pier: Sorry, forgive me, sir. If the Requête is passed – which I suspect it will be – and the additional work on looking at the alternatives is undertaken and if a project were duly undertaken in relation to the airfield then it should not be seen as some kind of add-on which would justify a raid on the Contingency Reserve. It should be seen as being another capital project ranking alongside the other capital projects that we have. In other words, if you believe it is the right thing to do, having undertaken the work to stimulate the economy and so on, then something else must give within the capital programme and, in that sense, this is not a pain-free choice. And that, indeed, is right – that we should view it in that way. As many have said, if we are in fiscal union with Alderney – which of course we are – then I will be faced with those choices and that was the central point which I was seeking to make in drawing attention to the Contingency Reserve.

In relation to the budget reserve point, which Deputy Brouard raised when he spoke, certainly that is something which we shall perhaps have to give further consideration to. I think the amended Proposition is to authorise T&R, if required – it is not a direction to T&R to use the Budget Reserve.

So my initial reaction is that all the normal processes around access to the Budget Reserve would apply and there is not necessarily exception to this. But again it is something that I will probably need to take away and consider further with the Department.

Thank you, sir.

The Deputy Bailiff: Deputy Luxon.

Deputy Luxon: Sir, just very briefly, on page 56 of the Billet I would just remind Members that the PSD's position was purely from an operational point of view under our mandate, that the proposals that we were progressing through the capital prioritisation were to make good the long asphalt and the long grass runways to allow Alderney Airport to continue and function well. That was the position that we were taking.

We did recognise in our letter of comment the very real economic, social and fiscal issues leading to depopulation. So we are very well aware of them and we realise that case has been made.

The amended Requête is welcome because it gives clarity both to the Policy Council, the various stakeholder groups and, indeed, PSD in terms of trying to engage with the intent and spirit behind it. So, as I said, the Department and myself personally are happy to support the amended Requête.

Thank you, sir.

The Deputy Bailiff: The Minister for the Commerce and Employment Department, Deputy Stewart, do you wish to exercise your entitlement to speak?

Deputy Stewart: No, sir. I think everything has been said.

The Deputy Bailiff: Chief Minister, do you wish to speak?

1915 **The Chief Minister (Deputy Harwood):** Yes, sir, just to note that in light of the amended Requête the original statement by Policy Council, which recommended the States to follow good governance and to reject the Requête, no longer stands. And, as I said in my speech earlier, sir, I would encourage *all* Members of this Assembly to vote in favour of the amended Requête.

Thank you, sir.

1920 **The Deputy Bailiff:** Deputy Fallaize then to reply to the debate.

Deputy Fallaize: Thank you, sir, and I apologise to you and Members for my tardiness earlier.

1925 Well, I can see the direction of this debate but I am going to reply to some of the points that were made. I will try to be as brief as I can but I want to clarify one or two things, in particular, about the purpose of the Requête and the objectives of the requérant in the initial drafting – not so much prayer of the Requête, which I know has now been amended, but the preamble of the Requête.

Deputy St Pier said under no circumstances should the Contingency Reserve be used. Deputy Kuttelwascher, his Deputy Minister, and Deputy Perrot, a Member of T&R, also made comments about that.

1930 Deputy Perrot was right in his recollection of the purpose of the setting up of the Contingency Reserve, I think it was in 1986. I do not know why I can remember the year and he cannot, because he was in the States at the time and I was only four years old! (*Laughter*) But there it is!

1935 I am reluctant to correct the Minister – if indeed that is what I am doing – but I think if one looks at the initial report which accompanied the establishment of the Contingency Reserve, it was very much set up as a fall back position for the Island in the event of something like serious economic decline. And consistent with that was the policy that was adopted for some time of having six months or at least six months' worth of States' revenue expenditure in the Contingency Reserve and I think that indicates the kind of purpose for which the Contingency Reserve was intended.

1940 We are advised that the Treasury and Resources Department has perhaps redefined the purpose of the Contingency Reserve. That is perhaps not an issue so much for today. The States at some point might wish to take a view on whether it is happy that the Treasury and Resources Department, apparently of its own volition, has redefined the purpose of the States' Contingency Reserve. But, in any event, the reason that the Contingency Reserve was mentioned in this Requête – I think if my memory serves and I am thinking back now to the late summer, early autumn when this Requête was being drafted... a first version was being drafted – the initial draft was very much wider than the prayer that was published in the Billet.

1945 It was not exactly like the amendment that I have laid and Deputy Harwood has seconded but it was not that far off. The intention was very much to make the case for additional support for Alderney's economy, with particular attention to be afforded to the airfield in Alderney. It was at the suggestion of States Departments that Alderney Representative Arditti started to make changes to the Requête when the Departments made representations to him that it would be more helpful if the prayer of the Requête was more specific about the type of work at the airfield that he envisaged being carried out.

1950 I do not want to go over all the ground of those conversations that took place last year, but that is why the Contingency Reserve was incorporated in this Requête initially. Because if it was a much wider piece of work – the sort of socio-economic boost for Alderney which may result from the work the Policy Council is now going to carry out – it may be that the Contingency Reserve would be more suited to that, whereas in the event of a specific capital project, clearly, the Capital Reserve is the right place to fund that sort of project.

So I just wanted to clarify that I do not think the requérants were being reckless in including mention of the Contingency Reserve, because of the way the Requête was drawn initially.

1960 Deputy Luxon's advice is fully accepted – his Department's advice – about the present operational capacity and needs of Alderney. There is no conflict between the requérants and the Public Services Department in that regard, but it is entirely correct in the view of the signatories that if there is to be an assessment of the future of Alderney's economy, if there are to be recommendations laid before the States which will set out measures to assist Alderney's economy and to contribute towards addressing economic decline and addressing depopulation, it is entirely correct that the airfield should be considered as a central part of that socio-economic review.

1970 The key point here is that – and I do not want to sound patronising to our friends in the States of Alderney – that is not my intention, but – the airfield is a transferred service and when Paul Arditti used to say, 'the airfield is not a matter for the States of Alderney, it is a matter for the States of Guernsey,' he was correct in saying that. It is for the States of Guernsey to take a view. Clearly it would want to discuss matters with the States of Alderney but, ultimately, as a transferred service, the problem at the moment rests in Alderney but the responsibility rests very firmly with Guernsey.

I agree with the point Deputy Trott made about confidence in Alderney and confidence in Alderney's economy. That was key to what the signatories to the Requête were trying to achieve.

We heard a very moving speech from Alderney Representative Jean. When he was speaking I was thinking of what Paul Arditti – when he was sat next to me in this seat – used to say to me often when Alderney Representative Jean was speaking about Alderney. He used to say to me, 'Matt, I can do many things in the States but what Louis can do is to speak for the inner feelings of the people of Alderney, because only Louis understands how the people of Alderney feel deep down'. And I thought very much of that when he was making his speech this morning because he spoke very warmly of how the people of Alderney feel about this Requête and how the people of Alderney feel about the need for additional support or at the very least for us in Guernsey to recognise the significant challenges that they face.

I think, if my calculations are correct, the 30-odd visitors who came down from Alderney this morning are the equivalent of about 900 people from Guernsey turning up and trying to sit in the Public Gallery. And I do not believe that has happened too many times, so I think that speaks volumes for the interest of the people of Alderney in the matter that is before the States today.

Ultimately – and this was a point made by Deputies Gollop and Conder – our directing additional support to Alderney will not really be a choice for Guernsey because if Alderney becomes less viable there are inevitably financial consequences for the States of Guernsey because of our responsibility vis-à-vis transferred services. And, although one does not get into the constitutional niceties of it now, I think that the States of Guernsey, ultimately, would recognise some sort of moral responsibility to Alderney over and above the transferred services if that Island was, God forbid, to fall into something like terminal decline.

So it seems to me, as Deputy Gollop – I think it was Deputy Gollop – said, it makes sense for Guernsey to invest in Alderney while Alderney is in a position where it could still help itself, it could use that investment as a platform to help itself, rather than us having to pile in at a later date because Alderney has experienced terminal decline. And the viability of Alderney depends entirely – it may not be limited to but it does depend entirely – on connectivity by air. As the Requête makes clear:

'Alderney is closed for business more by reason of crosswinds than fog and the size and the type of aircraft which can be accommodated on the main runway are too limited... Other commercial aircraft, with lower limits, would be able to use the prevailing wind runway if it was tarmacked for use in wet weather and lit for use after dark.'

I agree with Deputy Gollop, in that the critics of the Requête – certainly in advance of this debate – have not really offered any sort of alternative and I can remember discussing with Paul Arditti in the early days of drafting this Requête... saying, 'Look, actually, let's not worry too much about the fine details of what is proposed because if this Requête were not before the States nothing would be before the States'.

It is okay now for Committees to say, 'Well, we can carry out the socio-economic study. We are very supportive of Alderney,' but actually I believe firmly that if it was not for Paul Arditti writing this Requête and for this Requête being laid before the States we would not today – or even in the near future – have recognised the significant challenges that face Alderney and we would not be sending the Policy Council away to do some work to try and help Alderney address those challenges in the very near future.

Deputy Perrot was keen to reassure the people of Alderney that there is no negativity from Guernsey towards Alderney. I entirely accept that and I also thought that his analysis of Guernsey's position post the economic crash and post Zero-10 was particularly appropriate and I agreed with him entirely. I had not thought about it in those ways before but I think he is right.

However, one or two of the letters of comment which were appended to the Requête were rather negative actually and I still maintain – though I now accept that in an effort to build consensus across the States we laid the amendment and the States have now accepted the amendment – that the original prayer was rather overly interpreted by some of the Committees of the States and there was criticism of it, almost as though the signatories were proposing here and now asking the States to sign a cheque to carry out precisely Project X at Alderney Airport. And that clearly was not the case. If one reads the prayer of the Requête it would have had to have been through review and study and it would have been subject to a future debate.

Alderney Representative Harvey... Is he an Alderney Representative yet, sir, or is he a gentleman representing Alderney?

The Deputy Bailiff: He has the status of an Alderney Representative under the law because he is an alternate appointed to come to this meeting.

Deputy Fallaize: Right, okay.

Well, in his maiden speech to this Assembly, sir, he reminded us of some of the challenges which Alderney faces and which Paul Arditti and Alderney Representative Jean have been emphasising to the States for so long.

I can reassure the Alderney Representatives that the Requête is not limited to the airfield only. Certainly, as amended, the Requête is not limited to the airfield only. The amendment requires the Policy Council to lay before the States recommendations which will contribute to stimulating Alderney's economy and reversing depopulation. And we wait with interest to know what those recommendations will be but they are certainly not limited only to Alderney airfield.

I am delighted to hear – and I am sure Alderney Representative Jean was delighted to hear from his colleague in Alderney – that the States of Alderney were able to say this morning that they were fully in support – I think Mr Harvey said 'unanimously in support' – of the objectives of the Requête and I think that is quite significant.

I thank Deputy Harwood for seconding this amendment and for working with me and with other signatories of the Requête over the last few days to persuade and encourage the Policy Council and others to get behind a united amendment and I am very grateful that the States have endorsed the amendment unanimously.

The strength of the union between Guernsey and Alderney, I think, has been demonstrated in the speeches that we have heard today and, indeed, in the vote on the amendment that we have just taken. But it was not always so. Although the transferred services agreement has always been respected there was always a very wide diversity of opinion in this States about the union between Guernsey and Alderney. Today, very clearly, emphatically, there is agreement in this Assembly that there is fiscal union between Alderney and Guernsey – that we are two islands with one economy.

I think that the shifting of the argument in large part is down to the efforts that were made by Paul Arditti. I think that the arguments that he made time and time again in Committee meetings and on the floor of the Assembly – that we are in fiscal union, we are two islands with one economy – have made a very significant contribution in persuading the States of Guernsey of that position.

In many respects, the Requête that he drafted here was the apex of his efforts to try to persuade the States of Guernsey of the case for fiscal union. In that respect he has succeeded completely. And, sir, I think if the vote on the amended Requête is as comprehensive and as emphatic as the results of the vote on the amendment that will be testament to the work that he did in this States – persuading the States of Guernsey of the case for fiscal union.

But today, as much as anything, sir, is about sending Alderney a signal. There are many people in Alderney listening to this debate who know that they need the support of the people of Guernsey and the support of the States of Guernsey and that by working together and working in partnership and respecting this fiscal union together we can help arrest Alderney's economic decline, we can do something about depopulation – and that is in the interests both of Alderney and of Guernsey.

I thank the States for listening to the Requête and listening to the amendment and I would ask the Members to vote in favour of the Requête and send a clear signal, emphatically, of support for Alderney.

Thank you, sir.

Several Members: Hear, hear.

The Deputy Bailiff: Deputy Perrot.

Deputy Perrot: May I at this stage raise a point of – I am not sure what it is called now, whether it is a point of order or a point of correction – on something arising from Deputy Fallaize's closing speech?

The Deputy Bailiff: Are you suggesting that he has breached the Rules of Procedure?

Deputy Perrot: I am sorry?

The Deputy Bailiff: Are you suggesting that Deputy Fallaize has breached the Rules of Procedure?

Deputy Perrot: If he has said something which is incorrect has it breached the Rule of Procedure?

The Deputy Bailiff: Well, I think it is a point of correction then.

Deputy Perrot: Right, so where... (*Laughter*)

The Deputy Bailiff: It does not matter. Please say what you want to say, Deputy Perrot.

Deputy Perrot: So how does that leave me, sir?

2095 **The Deputy Bailiff:** You are entitled to make either but you are supposed to announce what you are making first, but –

2100 **Deputy Perrot:** The point which I wish to make relates simply to the reference to the Contingency Fund, in that Deputy Fallaize – whilst delivering an absolute cracker of a speech – in referring to a decision by Treasury and Resources to re-characterise the Contingency Fund as core capital... I do not think that is a correct statement.

2105 I think that what happened was that, at the time when there was a division of the contingency fund into two parts – one part being what used to be called the ‘Rainy Day Fund’ and the other part being called the ‘Contingency Fund Tax Fund’ or whatever it is called – it was at that stage that the old Contingency Fund was, as it were, mutated into capital which could only be drawn on in the most extreme of circumstances, whereas the other part of the fund was going to fund capital projects during the time when we knew that there was going to be a shortfall as a result of the first part of the Zero-10 regime.

I think that is how it became re-characterised and it was not simply Treasury and Resources giving a decision de *haut en bas*.

2110 **Deputy Fallaize:** Sir, may I clarify –

The Deputy Bailiff: Deputy Fallaize. Yes, a final word.

Deputy Fallaize: Thank you.

2115 I think, as I understand it, I disagree with both of the things that Deputy Perrot has just said because I thought the Contingency Reserve (Tax Strategy) was not identified specifically to fund capital projects. It was simply to help Guernsey address the temporary deficit as a result of the Tax Strategy. And I see the gentleman who took the thing through the States nodding in agreement.

2120 I do not think the other part of the Contingency Reserve fund was ever re-designated. I think its original purpose remains entirely intact. However, if the Treasury and Resources Department has not re-designated the Contingency Fund – and Deputy Perrot would know much better than I because he is a Member of that Department – then, of course, I entirely accept that and if that is the case then I withdraw my comment on their having re-designated the fund in that way.

2125 **The Deputy Bailiff:** Members of the States, we now go to the vote on this item of business. It is the amendment that was carried a short while ago with five Propositions.

Unless there is any request to take them separately, I was going to put all five to you together. Those in favour; those against.

2130 *Members voted Pour.*

Deputy Bailiff: Once again I declare that unanimously carried.

Billet d’État IV

HEALTH AND SOCIAL SERVICES DEPARTMENT

I. Health and Social Services Department – Motion of No Confidence in the Minister and Members – Debate commenced

Article I.

The States are asked to decide:

Whether, after consideration of the Motion of No Confidence in the Minister and Members of the Health and Social Services Department dated 8th January, 2014, signed by Deputy M.P.J. Hadley and six other Members of the States, they are of the opinion:

1. That pursuant to Rule 18 of the Rules of Procedure, the States of Deliberation have no confidence in the Minister and Members of the Health and Social Services Department.

2. To elect:

(1) a sitting Member of the States as Minister of the Health and Social Services Department to complete the unexpired portion of the term of office of Deputy M. H. Dorey;

(2) four sitting Members of the States as members of the Health and Social Services Department to complete the unexpired portions of the terms of office of Deputies M. J. Storey; E. G. Bebb; B. L. Brehaut and S. A. James MBE

to serve until May 2016 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.

The Greffier: Billet d'État IV, Article I: Motion of No Confidence in the Minister and Members of the Health and Social Services Department.

2135

Deputy Bailiff: Deputy Hadley to open the debate.

Before you speak, can I just say – I have had two requests now – that if people are finding that the temperature has risen sufficiently and wish to remove their jackets then they are free to do so.

2140

Deputy Hadley: Mr Deputy Bailiff, I believe that in accordance with the Rules I should declare a financial interest in this particular item. I think most Members would have realised that this is because my wife is a partner in the Medical Specialist Group (MSG). Just to flesh out what this means: it means that if the number of people screened against bowel cancer were to increase, the surgeon would be paid, part of his income would go into the central funds in the Medical Specialist Group – a small percentage, I believe, of his total income – and my wife would then get one-fortieth of that small percentage as a member of the Group. But, to reassure Members, I am more than happy... If we ever find out how much money this is – because I am not privy to their accounts – I will donate this to charity willingly.

2145

Mr Deputy Bailiff, I would like to apologise for, yet again, raising my concerns regarding health issues. I am told that passion sometimes obscures the message. Today I will try and avoid that so that Members of the Assembly can listen carefully to the arguments surrounding this Vote of No Confidence in the Minister and Members of the Board of the Health and Social Services Department.

2150

I am told that I am obsessive about health issues. Well, I have worked in the Health Service for most of my life and at the same time in health politics at local, regional and national level in the United Kingdom.

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I know that health services can always be improved and people can live longer and healthier lives. I do not believe that Guernsey people would want me to stand by and say nothing of problems in the Health Service. This Assembly needs Deputies who are obsessed about health issues, actually understand health issues and are prepared to speak out. Lives do depend on our decisions and so does a great deal of money.

2160

The Health and Social Services Department spends around £110 million of our money each year. Too much is wasted when it should be spent on 'promoting, protecting and improving personal, environmental and public health,' 'preventing, diagnosing and treating illness' and disability. That phrase is taken from the mandate of the Health and Social Services Department.

2165

All too often when I raise a valid criticism of the way in which HSSD is managed the criticism is deflected to make it look as though I am attacking front-line staff, which I am not. I know that there are many hard working nurses and other professionals working in this Island, who are as worried about some aspects of the service as I am, though are not allowed to speak out. I try to do so on their behalf. In the case of both the Accident and Emergency Department and the bowel cancer screening and earlier issues that I have raised in this Assembly, they were first raised with me by nurses.

2170

The grounds for this motion are not... It is not one simple issue. The grounds are set out in the Billet. There are seven key issues and they are: The Minister misled this Assembly when he said that all of the ring-fenced money allocated for bowel cancer screening had been spent. He misled the Assembly when he asserted that the MSG Consultant and HSSD Consultant wished to screen only one age group of patients and that the Board I was a member of endorsed this. Deputy Dorey promised strong leadership of the Department which he has failed to provide. He has failed to improve the retention and recruitment of nurses as he promised in his speech a year ago. He has not shown the openness and willingness to listen, also promised in his speech a year ago, but has tried to gag staff to a greater extent than ever before. He has failed to bring the HSSD budget under control or bring a report to the Assembly as promised. Instead, his actions have probably cost the Guernsey taxpayer several million pounds. He has failed to comply with Core Principle 1 of the Code of Good Governance.

2175

2180

I would like to discuss the Bowel Cancer Screening Programme. I was first alerted to the concerns by a nurse who said that staff were disappointed because they had been told they had to reduce the number of patients being screened to save money. The lead consultant for the Medical Specialist Group and the clinical cancer lead for the Health and Social Services Department met the Director of Public Health, who at that time led the programme, to request that more patients were screened as they had recommended to the Board in 2012. They were told that all of the money had been spent so they could not increase the programme as planned.

2185

Because the consultant lead for endoscopy was concerned that the money could not have been spent and had ideas for saving money in the Department, I gave the Minister his private mobile number. Despite being reminded on several occasions, the Minister never called the consultant to find out for himself the true situation. Because of a failure to get a response, I asked the Minister in October last year why the number of patients being screened had been reduced and if all the money had been spent. As you all know, he assured us that the original programme was being followed and that all of the money had been spent.

I told the Minister and his Chief Officer privately that some of the information being supplied was suspect. The Minister had the business plan which contained the financial accounts we have all now seen for the Bowel Cancer Screening Programme and which made it fairly obvious that the money could not have been spent.

It seems to me incredible that after all of this he failed to look closely at the financial case. One would have expected him to look at the business case the first time the issue was raised. Yet despite all of this he continued to claim in a Written Answer to Deputy Adam and again in December that all of the money had been spent. We now know that the programme had been underspent by a quarter of a million pounds.

In 2012, 26 people were found to have large polyps, which frequently develop into cancer, and three people were found to have cancer. The local clinicians believe this will save the Island a million pounds over the next five to 10 years. This is a way to save both money and lives and the money has been allocated by the Assembly for this to be done. Indeed, the business case does not just talk about saving lives; it talks about saving future money – although the figures in there do not quite correlate with these.

Now that the review has taken place he is suggesting that the Board make a decision in May and implement a new programme at the end of the year. That is not what the clinicians want. It is not what the people of Guernsey deserve.

So let me make it crystal clear that if I were the Minister then within weeks more people would be offered the chance of screening. He has failed to implement the recommendations of the Island's experts on bowel cancer screening regarding screening two cohorts.

Deputy Dorey stated on Channel Television on 24th January that his Department should be congratulated for carrying out the programme recommended by the Board, when I was a Member, for less than the budget and therefore saving money. This is totally untrue. The Board, of which I was a Member, never agreed to the screening of one age group. We wanted as many people screened as possible and, indeed, I remember asking how we could catch up by screening people who had been missed.

The recent report into the service which was released to Members of the Assembly on Saturday makes it clear that my version is correct – not his.

In this Assembly last December, Deputy Dorey said, in reference to the meeting of the HSSD Board on 20th January 2012, and I quote exactly,

'I was not a Member of the Board at that time but I have looked at the minutes and Deputy Hadley was one of the Members of the Board in 2012 who took the decision to put the business case for one single cohort to be screened and he was actually present at that meeting.'

Some weeks ago I asked to see the minutes of that meeting. The Acting Chief Officer readily agreed but they were not provided. On Monday morning of this week I asked the Acting Chief Officer *again* for a copy of the minutes. He said that he would have to take legal advice before releasing them, having spoken to the Minister.

Later that morning I contacted the Comptroller and complained to her that the minutes were not being released to me. She phoned me two hours later to say that the Acting Chief Officer had been to see her and she advised him that these minutes should be released to me. Now that I have the minutes it is immediately clear why they were being blocked.

On page 2 it says:

'Aims and Scope of the Proposal - to invite men and women of two cohorts to attend for screening at the Princess Elizabeth Hospital.'

This time Deputy Dorey has quite deliberately misled not just this Assembly but also this whole Island. Deputy Dorey does not understand the issues and he makes it clear time and time again.

On Monday he said on Radio Guernsey that people over 65 should not be screened because they are too frail. Well, as someone well over 65 I can tell him that I am not too frail and had a full colonoscopy last year. I would also like to tell him that the recommendation in both the United Kingdom and the USA is that people are regularly screened until they are 75.

On the issue of recruitment and retention of nurses, I have made a point of speaking to nurses – some of whom have left the Health and Social Services Department. One of the most admired and most senior nurses at the Princess Elizabeth Hospital resigned her post two years ago. She resigned because of the lack of support from senior management which also limited the support that she could give to the modern matrons and nurses on the wards.

2240 Nurses in charge of wards are now under almost intolerable pressure. There are too many nurses on the wards who are new to the job and lack experience of working in Guernsey. The difficulty of supervising other nurses has caused a number of experienced nurses to leave and it is *still* happening. They tell me that the single most important issue is the lack of leadership from the management and the political board.

2245 Far too many people do not appreciate that the nurses here play a much more important role than they do in the United Kingdom because there are no junior doctors. The nurses on Guernsey carry out many of the roles of junior doctors and that is why they should have more respect and more pay.

2250 When he rises to speak I would like the Minister to tell us which policy he has reviewed and what changes he has made to improve the recruitment and retention of staff. The Minister promised strong leadership. The report issued by his Department on Saturday makes it clear that a lack of leadership in the Department is a major issue in the failure of the Bowel Cancer Screening Programme to operate as envisaged.

The Minister promised to bring the HSSD budget under control. When he stood for election he said:

‘I will do my utmost to work with the staff and new board to maximise efficiency and to ensure that spending is kept under control without affecting front-line services. If this cannot be achieved, I will aim with the help of T&R staff and the board to bring a report to this Assembly with a budgetary model that works for Health and Social Services.’

2255 He has not brought the budget under control. The Department said it is heading for an overspend of £1.3 million. Actually though, it was given an extra £750,000 for off-Island placements and it has got a quarter of a million unspent money from the bowel cancer screening budget. So in fact the Department is really overspent by two and a quarter million – even more than the previous year. The Chairman of the Public Accounts Committee said earlier this month that HSSD was haemorrhaging money. This is not bringing the budget under control and this Assembly has not received any report.

2260 When the Minister stands to speak I would like him to tell this Assembly if this two and a quarter million is the end of the story or is there more bad news to come?

When Deputy Dorey made his bid for election as Minister he said:

‘I believe I will bring a fresh approach to the role, characterised by energy, openness and willingness to listen’.

2265 There has been no move towards openness or a willingness to listen. He has told you that I contacted him frequently after he was elected. I stopped calling him because he did not want to listen. The Minister chose to refer me to the Code of Conduct Panel after I published the report on the A&E Department. I only did that because he would not listen to my concerns before talking to staff in the Department. He also made a complaint to the Data Protection Registrar who dismissed his complaint. He did not want to listen to the consultants leading the Bowel Cancer Screening Programme.

2270 I have mentioned the success of the 2012 Screening Programme. Instead of applauding the success of the Programme, which is due to the excellent way that MSG staff and HSSD staff had worked together, he finally called the lead consultant to see him. He complained that I should not have been given the figures and that indeed the Department should not have released them.

2275 I challenge the Minister to explain his actions. Why could he never find time to consult the lead consultant to discuss ways to save money and expand the programme but *could* find time to summon him for a reprimand? Why did he complain that the consultant had given me the results of the bowel cancer screening? What was the point of trying to suppress a good news story?

2280 In preparing this speech I have spoken to nurses who care passionately about the Princess Elizabeth Hospital. One advised me to read the Francis Report. The Francis Report – many of you will remember – was on the Mid Staffordshire NHS Foundation Trust which clearly performed badly, leading to the death and suffering of many patients. Robert Francis QC made a number of recommendations, including ensuring openness, transparency and candour throughout the system about matters of concern.

2285 HSSD staff have recently had e-mails reminding them they should not talk to Deputies. One of HSSD’s staff recently sent me a copy of the Whistleblower Policy. It has a tortuous flowchart that whistleblowers must follow to raise any concerns. It also makes clear that it is advisable for any whistleblower to take legal advice before talking to a Deputy. The whistleblower is also warned that if they breach their duty of confidentiality they will face disciplinary action.

In no way has the Minister shown any willingness to either listen or be open. The Minister has failed dismally in this regard. He has gagged people to a much greater extent than was the case hitherto.

2290 The Chairman of the Medical Specialist Group has told all the consultant staff that they must not talk to me. That gives one of the partners some difficulty because she is married to me! (*Laughter and interjections*) Three other MSG consultants, an HSSD consultant and a nurse are going skiing with me in March. It may be a rather more silent holiday than I am used to! (*Laughter*) (**Deputy Brehaut:** Break a leg!)

The PAC has also said that there was no business case for the closure of the surgical ward. In a written reply last July Deputy Storey said that the Health and Social Services Department had lost £100,000 a month in private income after the surgical ward had been closed to save staffing costs.

It seems incredible to me that he and his Minister never asked how much they were saving in these staffing costs because, let me be clear, Deputy Dorey said in his bid for election that he understood accounts and finances and Deputy Storey has told us on more than one occasion that he has been secretary of a FTSE 100 Company.

I asked the question. The answer is that the annual staff bill for the surgical ward is around about £¾ million or £62,500 a month. Thus closing the ward does not save any money at all. It actually costs HSSD around about £37,500 a month to close it. However, it costs the States of Guernsey much more because some flights to the UK by private patients will have to be paid for by the Social Security Department and the States will have lost 20% of the private income of surgeons who could not use the private beds to operate.

Last year about 300 people had their operations cancelled or postponed and some of those will have needed to claim Sickness Benefit for longer and will not have paid contributions or taxes while they continue to wait.

So the political Board kept the surgical ward closed for about 10 months and instead of saving money it cost us around about £350,000. And the surgical wards are *still* not operating to capacity, surgeons are *still* being refused beds for their private patients, the Department is *still* losing income to the private practice. This has to be Deputy Dorey's double whammy. This is not bringing the budget under control and this Assembly has not received any report.

A year ago Deputy Dorey suggested a Vote of No Confidence as the only way to challenge closure of the surgical ward. He suggested that I lead it because I had a greater knowledge of health issues. I would like to ask Deputy Dorey, when he speaks, why he suggested a Vote of No Confidence in the previous Board? It was not to re-open the surgical ward as soon as possible, because he did not. It was not to replace the previous Board, because he immediately re-appointed Deputies Bebb and Brehaut. One can only assume that it was to replace the Minister so that he could do the job himself. And yet it is now me who stands accused of political opportunism! I am told that this motion will not succeed because I am only pursuing it to become the next Minister.

I am leading this Vote of No Confidence because the Minister and his Board have let the people of Guernsey down. If it succeeds there may be a number of candidates for the role. I prefer to be open and honest and state now that I would be one of those candidates, although until now I have never asked this Assembly to elect me to a ministerial role. Deputy Perrot, in signing the motion, said that he would only support the Vote of No Confidence if I agreed to stand should it succeed. He said he thought I could do the job and that I should put up or shut up.

In the grounds for this motion I refer to Core Principle 1 of the States' Principles of good governance. The overall function of Government is to ensure that the organisation fulfils its primary purpose, achieves its intended outcomes for citizens and operates in an effective, efficient and ethical manner. For the States of Guernsey this means that Government should work to secure high quality public services that meet the needs of Islanders but which also represent value for money.

When you read the mandate of the Department it states clearly that the role of the Department is, amongst other things, promoting, protecting and improving personal, environmental and public health, preventing or diagnosing and treating illness and disability. This is the Department's primary function which it is not fulfilling and which breaches Core Principle 1 of the code of good governance.

The ways in which the present Board are making decisions about our Health Service are damaging. The Minister has misled the Assembly on two occasions, possibly through ignorance. He has misled this Assembly on one occasion deliberately and he tried to stop me finding out about it. He is proud of a misuse of monies allocated by this Assembly for bowel cancer screening.

He has not got the confidence of front-line staff and he has not provided the leadership. He has failed miserably to improve nurse recruitment. He promised openness and willingness to listen and he offered neither.

He has failed miserably to bring the budget under control. He is cutting front-line services and yet those decisions are increasing the Department's spend – not saving money. Three hundred people have had their operations postponed or cancelled totally unnecessarily.

I have no confidence in the ability of this Minister or this Board to improve the service or stop it deteriorating and I do care deeply about the health of this Island.

I urge you to support this vote of no confidence.

The Deputy Bailiff: Deputy Fallaize, do you... ?

2355 **Deputy Fallaize:** No, I do not wish to speak, sir, I just wish to ask Deputy Hadley to bear in mind that the Minister is not a real Minister. Everything he has said has been about the Minister, but the Motion of No Confidence is in the Minister and the Members of HSSD and I just think it would be helpful if that could be borne in mind during the debate.

2360 **The Deputy Bailiff:** Thank you, Deputy Fallaize.

Deputy Hadley: On a personal point of clarification, Mr Deputy Bailiff, it was the Minister and not the Board who gave the election speech in which he made a number of promises and I am pointing out to the Assembly that those promises have not been kept. That is why it is more directed at the Minister than the Members of the Board.

2365 **The Deputy Bailiff:** Deputy Dorey, I would invite you, if you wish to speak, to speak next.

Deputy Dorey: Thank you, Mr Deputy Bailiff.
I have prepared a speech based on the grounds which were in the Motion of No Confidence. I thought that was the way that votes of no confidence... that you have to speak on the grounds. Obviously, Deputy Hadley has brought numerous things in which were not on the grounds of the Vote of No Confidence but I will reply to them at the end.

2375 **Deputy Hadley:** Mr Deputy Bailiff.

The Deputy Bailiff: Deputy Hadley, on what basis are you seeking to rise?

Deputy Hadley: On a point of clarity, sir.

2380 **The Deputy Bailiff:** Okay.

Deputy Hadley: [*Inaudible*] ... everything that I have said is in the Motion of No Confidence. [*Inaudible*]

2385 **The Deputy Bailiff:** That will be a matter for others to judge in due course. Deputy Dorey.

Deputy Dorey: He cannot possibly believe that everything he said is in the Billet because... well, I will not make a comment but everybody can reach their own conclusion because they are not.

2390 I will, as I said, speak initially on the grounds which are in the Billet and then I will answer the points made – accusations which have no basis to most of them.

The Motion of No Confidence has four principal grounds: the genuine errors in answers to all five questions, the leadership of the HSSD Board, the closure of de Sausmarez Ward and the management of HSSD finances. I will respond to each of these grounds in turn.

2395 I do not need to repeat what I said in my statement on bowel cancer screening earlier today, or what I have said in previous e-mails to States Members. The financial information I gave in October was wrong. That was a genuine error and I have given my full apologies.

I hope States Members know that I would never deliberately mislead this Assembly and that I have done everything I can do to provide the correct information.

2400 My close involvement with the service as HSSD Minister started on 3rd October last year when I attended a meeting with the Medical Specialist Group (MSG). At that meeting MSG and HSSD agreed that a review of the service was needed and that it would be carried out before the end of the year. That was a good management decision which established a sensible process for agreeing the future of the service and ensuring a wide use of taxpayer's money.

2405 Three weeks later, on 23rd October, I received a Rule 5 question from Deputy Hadley relating to the Bowel Cancer Screening Service. I spoke to Deputy Hadley at that time. I explained that HSSD was carrying out a review and asked him if he would consider delaying his questions until it had been completed. Waiting for the comprehensive information would surely have displayed a genuine interest in the service and patients. However, the questions were not withdrawn so I answered them in good faith and a serious error was made. That error has been put right and the reasons why it happened have been closely scrutinised within HSSD.

2410 During the October debate Deputy Hadley asked if I would release the full costings of the service. I said we are doing a review of the service as part of the ongoing process and those costings will be included.

After the debate HSSD continued with the review as planned. There was no further comment until the first week of December when I received a series of Rule 6 questions from Deputy Adam and Rule 5 questions from Deputy Hadley, all on bowel cancer screening.

The December States Meeting is early so the Rule 5 questions were answered first. None of the questions were about finance but Deputy Fallaize asked one as a supplementary so I simply quoted the answer I had given in October as the most up-to-date information I had available.

In the meantime more detailed financial investigations were being done in response to Deputy Hadley's Rule 6 questions. A few days after the December debate there was growing uncertainty within HSSD about whether all the money had been spent. I was completely open about the uncertainty and notified all States Members in an e-mail on 18th December and we did not answer Deputy Adam's Rule 6 question because we just did not know the details at that time.

I gave an undertaking to provide the financial information in full and I have done so, although the lack of a single cost centre meant that the work took much longer than anyone anticipated. I continued to be open throughout the process. As soon as I had enough evidence to believe there would be a significant underspend I gave States Members another update, this time in an e-mail on Christmas Eve. I was not yet able to finalise the figures because they had not been fully finalised nor checked by T&R who had kindly offered to check them to give them more robustness. However, the very next thing that happened on 27th December was an e-mail from Deputy Hadley calling for the Board of HSSD to resign, followed swiftly by a formal letter and a draft Motion of No Confidence.

All this before anyone knew what the actual size of the underspend might be or what might have caused it. All this despite knowing that the service had delivered to a high standard and successfully reached the target group as it was set up to reach back in 2011.

I would at this point just go back to the business case. I did cover some of it this morning but perhaps Deputy Hadley did not understand or hear what I said.

The HSSD Board met on 20th January 2012. One of the items on the agenda was a Cancer Service bowel cancer screening highlight report and I will read from that paper. It was agreed after discussion that a limited screening service mirroring the pilot scheme was feasible and safe to begin in January 2012, dependent upon a new contract being agreed with MSG for the interim period of procurement for the main service. It was agreed subsequently that MSG's existing contract – which was for one cohort – would be rolled forward. As I mentioned this morning, the business case that was presented which went to T&R was amended from the States Strategic Plan bid that was in the Member's Room before the States Strategic Plan bid in October 2011.

As I mentioned, on the front page in the description of the proposal, the two cohorts had been removed from the description of the proposal. Also... had been added... was to detect pre-cancerous polyps and remove them at an early stage of 60. There were a number of other amendments and also within that business case it did talk about – and I will quote directly from the report... It said, 'This will enable development of expansion of the screening programme to a second cohort.' So the business case had been taken down to one cohort when it talked about development of the service into a second cohort. That is what was agreed by the HSSD Board in that meeting and that was what was given to T&R at that point.

So, going back to my speech, yes, we are now looking at expanding the scope of the service but the Board decision at the time that Deputy Hadley was a Member of the Board was to screen only 60-year-olds. That was done and it has been done well.

I made an error in reporting the finances back in October and I fully apologise. Mistakes are made and this one was deeply regrettable, but the situation has been distorted and misreported, especially by the media. It is every bit as important to look at what has been done to correct the error and it is every bit as important to look at the service at the heart of the debate and how it is being managed. I trust that, in doing so, States Members will find that I have acted with rigour, thoroughness and honesty in tackling the situation.

I was open with States Members about the mistake from the moment I knew about it. The financial information has been investigated in detail and a full breakdown published. I have ensured that HSSD perseveres with the review of the service and I continue to give it my close oversight to ensure that the Bowel Screening Programme is placed on a stable footing for the future. I have taken the management of the issue very seriously and have done everything in my power to get it right.

Deputy Hadley has said in the grounds that I was also incorrect and misled the States when I said the decision of a single cohort was on the recommendation of senior professionals from both HSSD and MSG. I have answered this in detail earlier today. The key points were that I was not a Member of the HSSD Board at that time so in giving that answer I could only rely on the Board papers and minutes at the time. That business case specifically listed on it the other HSSD professionals. I think if a business case lists those people on it you assume that they support it. Obviously we have now found out that it was not supported by all those listed. I said the minutes of the meeting of January 2012 did not indicate there is any

2475 difference of opinion on the proposed service and the business case and I have not just checked the minutes, I have checked the minute taker's detailed notes and there was nothing in those either.

My answer to the question was discussed at a management team meeting, at which a senior MSG partner was present, and the mistake was not challenged at that meeting. When I became aware of the concerns that the professionals held I engaged with them directly in order to get a better understanding of their concerns. The answer to Deputy Hadley's Rule 5 question was given in good faith, based on information and advice available to me within the short time frame allowed.

2480 The claim of gross mismanagement in the Billet of the Bowel Cancer Screening Service, on which the Motion of No Confidence is bound, is simply inaccurate and unfair.

Moving on to the second ground then, the Motion of No Confidence states that my leadership ability to get the Board to work together has been so ineffective that the most knowledgeable Member of the Board has resigned. This refers, of course, to the resignation of Deputy James. Deputy James has made it clear from the start that her resignation was for personal reasons and that she does not want to be drawn into this motion. I respect that and will pause very briefly to sincerely thank Deputy James for her valued contribution to the HSSD Board in the year that we have worked together and wish her well.

2490 I want, briefly, to make some general points on this issue. First, we are elected as politicians with diverse skills and qualifications and from a broad range of backgrounds and experiences. I respect and value the knowledge and attributes which every Member of HSSD brings to the table and I am grateful to all the Members of the Board for their hard work over a very challenging year.

Secondly, HSSD has a track record of instability at Board level. You need only to look at the recently published PAC report to see how the make-up of the Board changed four times in the previous Assembly. HSSD has been a volatile Board for some time now and I think this has every bit to do with the complex, highly charged and deeply personal nature of many of the issues that the Department deals with every day.

We all have different styles of leadership, mine is very much non-dictatorial. I strongly encourage every Member to fully express their opinions and concerns and that way we have a full and comprehensive discussion which I believe results in better decisions being made.

2500 I was Minister for SSD for four years. There were no resignations and we worked well together as a team.

Fourth and finally on this topic, I have to say that I think it would be rather ridiculous if there is a Vote of No Confidence every time somebody resigns from a Board. What HSSD needs at present is a period of stability and consistency. The loss of one Board Member is bad enough, to bring a whole new Board in at this point of time will be seriously damaging to the Department. It is a great shame to lose a committed and knowledgeable Member of the HSSD Board, but the right way to respond is to elect a successor with the time, the will and the experience needed to help tackle the complex challenges that HSSD faces for the rest of the political term and not to dismiss the rest of the Board too.

2510 The third ground in the Motion of No Confidence is to do with the closure of the de Sausmarez Ward. It states that the failure to recruit nurses has meant the ward remained closed with the loss of much private revenue until a few weeks ago. It is hard to know what to make of this. After all I agree that the loss of private revenue which was as a result of the closure of de Sausmarez Ward was very unfortunate. I agree the length of time it took to re-open the ward was disappointing, but it was the persistence and commitment of this HSSD Board which ensured that the ward was re-opened. It was this HSSD Board which re-opened the theatres that were closed by the previous Board. It was this Board that reinstated elective surgery at the start of January 2012 after being cancelled the month before.

2515 It has been alleged in the media in recent weeks that the HSSD Board kept the de Sausmarez Ward closed in order to keep costs down. This is simply untrue. The loss of private income was of no benefit to HSSD. The Board were well aware of this.

2520 More importantly, when I stood for election I said I wanted to avoid cuts of front-line services whenever possible and never to make such cuts without involving the States as a whole, which was the basis of the Vote of No Confidence issue which was never debated in 2012 – not what Deputy Hadley said.

2525 It was a vagrant breach of that commitment if the Board had decided it was convenient to keep the de Sausmarez Ward closed for a few more months. I hope that the States Members know better than to believe that the HSSD Board would behave in such an outrageous manner. On the contrary, the de Sausmarez Ward was discussed at most HSSD Board meetings, from our election until it was finally opened in November 2013. The obstacles to re-opening were examined in depth and various plans were explored for restoring the level of service that HSSD had before December 2012 and eventually the ward was re-opened at the beginning of November.

2530 Recruitment has indeed been the major challenge. We would not re-open the ward until staffing levels were sufficient to provide a safe service to patients. The nature of recruitment difficulties vary over the course of the year. As soon as one issue is resolved another opens up, but the Board supported and encouraged every effort to resolve them and the situation is gradually improving.

But recruitment as a whole is a big issue for HSSD, not only for nurses but for carers and social workers and many more. The Department has made recruitment retention and workforce planning a top priority. Again, it is on our agenda at most Board meetings. We are closely monitoring the steps that have been taken to improve recruitment to ensure retention, to reduce turnover and to minimise the use of agency staff. And, in fact, we have considerably reduced the cost of HSSD staff in 2013.

Of course we do not yet have all the answers but we recognise the importance of the issue and we are treating it with the significance it deserves. Retention is not just the recruitment, it is also things like accommodation. I think recently when the Housing Department visited us they said that they have never had such encouragement to work with HSSD on key worker accommodation since the change in the Board.

I note also that it was said on the phone-in on Sunday the decisions made at the end of November 2012 to send back a number of agency nurses damaged our reputation and has made it more difficult to recruit.

But just for a minute, cast your minds over the media coverage on HSSD over the past few weeks. Put yourselves in the shoes of a UK nurse who is thinking of moving to the Island. Do your research – Google, of course – Google HSSD Guernsey. Look at the comments on guernseypress.com. HSSD is constantly receiving criticism that is blown out of all proportion. The media seem to print destructive comments without verifying their accuracy. You would never know from recent coverage that Guernsey has excellent Health and Social Care Services and yet we do.

We have a Health and Social Care system that the Island should be proud of, that this entire Government can be proud of. But if you are looking in from the outside you would never know it. There has been something quite irresponsible in the lack of balance and perspective in which HSSD has been treated by some politicians in the media, particularly in recent weeks, and it has a profoundly damaging effect on the morale of the existing staff, on the attractiveness of our services to potential new staff and to the reputation of the States and the Island as a whole.

So, finally, what of the fourth ground on the Motion of No Confidence? It says, ‘Deputy Dorey has not got the budget under control and has not brought a report to the States.’ When I stood for election as HSSD Minister I said my first priority to the new Board would be to understand the current situation and ensure that the Department has the resources which might include outside resources and systems to be able to control, monitor and forecast its expenditure accurately and budget for significant one-off costs based on their risk. I said I would do my utmost to work with the staff and the new Board to maximise efficiency and to ensure that spending is kept under control without affecting vital front-line services. If this cannot be achieved I will aim, with the help of T&R staff and the Board, to bring a report to the Assembly with a budgetary model that works for Health and Social Services.

In drafting the Motion of No Confidence only the second part of the statement has been quoted. Deputy Hadley has previously challenged me in exactly the same way – focussing only on the second part of the statement – in the October 2013 States’ debate on the Budget and asking a similar question to Deputy St Pier after the T&R statement in September on the budgetary situation.

I have never promised that HSSD will not overspend. There are so many variables in the outside world and with the new system just bedding in this year there are many uncertainties about our internal financial information that would make that kind of promise utterly unrealistic. Due to the receipt of late invoices, mainly for off-Island acute medical treatment, only this week it is becoming apparent that the Department’s overspend will be more than the £1.3 million I said in the October Budget debate. The situation is too fluid to give you a more precise number at this stage.

Going back to my election speech I gave two very clear undertakings. The first is that we would improve the financial management of HSSD. The second was that we would establish the right level of budget and the right mechanisms for setting and flexing the Budget, with the help of T&R. In respect of financial management much has been done to improve matters over the past year, although there is further work to do.

In the second half of 2013 the Department has initially approved the way in which off-Island acute treatment is procured, which gives us more control and visibility of the costs. Due to the time lag between when operations are booked and when they take place, it has meant that the full benefit of these improvements will mainly be felt in 2014 so we will hopefully avoid a repeat of the events I have just outlined which happened this week.

In addition, we are implementing the recommendations of the Finnamore Report and our own Financial Management Improvement Plan. We are putting in place the recommendations of the Internal Audit Unit’s report on private patient billing and have significantly increased income from private diagnosis as a result. The quality and consistency of the financial information received by the Board has significantly improved and we are considering this alongside patient activity data and risk information.

We have established a much closer working relationship with T&R at officer level and political level. This has benefits for both Departments. But there is still much to be done before we can be comfortable with our financial management within HSSD.

2595 One of the major challenges that we face will be ensuring that accurate financial information is made available on SAP for the budget holders so that they have access to the information they need to manage their budgets responsibly and the Board can rely on the financial forecast it receives for the year ahead.

The second aspect of my election speech was about setting HSSD's budget right. HSSD has increasingly challenging budget targets to meet. We know we have achieved £3.25 million of FTP savings in 2013, but we will not have the full year effects of those savings until 2014.

2600 In 2014 we have another £4.6 million of FTP savings to achieve. It is a significant challenge for the Department to make these savings and to meet our £104 million budget, as we will not have the full year effect of those savings as some of them will start part of the way through the year.

Depending on our 2013 results and on the outlook to 2014, we may need to start a political conversation within the early months of this year about the level and scope of HSSD's budget from 2015 onwards.

2605 This might result in the need for the report I referred to in my election speech – the report Deputy Hadley has previously challenged me for not bringing within my first year as Minister. However, I believe it was entirely responsible and appropriate for the Board to spend time trying to maximise efficiency and control expenditure with the aim of meeting our existing target.

2610 Before we can decide we have taken this as far as possible, we are perfecting front-line services and could turn our attention to alternative budget models and mechanisms. After all the FTP is a corporate policy and every Department needs to play its part to try and ensure the States can deliver in full.

In summary, we are bringing the budget under control as much as is realistically possible without cutting front-line services. We have achieved our full 2013 FTP savings. Significant progress has been made but, as I said before, this is a long journey and it cannot be achieved all at once.

2615 I will just pick up some of the points that Deputy Hadley made in his speech which were not in the grounds. He started off talking about gagging staff. That is just *not* accurate. I have not done that and it is interesting that one of the most senior managers in the Department has e-mailed me to say – and I will not use the word he used – (*Laughter*) (**A Member:** Go on.) I do not think it is parliamentary... (**A Member:** Oh right.)

2620 He made an accusation about spending extra money. He just made it without any basis to it. He talked about the savings from bowel cancer screening. He has repeatedly made those numbers. If he looked in the business case it actually talked about £10,000 per person – the business case which he approved.

2625 He went on to talk about the copies of the minutes. I think States Members need to understand that – because it is important in my view – the minutes from 2012, when Deputy Hadley attended, discussed the business case which is the business case about working with MSG.

2630 Deputy Hadley made a financial declaration at the beginning of this meeting and I considered that was an interest. The rules say “When an interest has not been declared but the said officer has reason to believe that a Member may have an interest in the matter to be discussed he shall request the Minister or Chairman, as the case may be, to make enquiries of the person concerned” – well, we knew that he has an interest – “following which the Minister or Chairman shall direct whether agenda papers relating to the matter should be withheld from the Member.” Obviously that was not done at the time because he attended that meeting when a contract with MSG was being discussed.

2635 I looked at that and I thought there was a problem releasing those minutes even though he was at the meeting. That is why it was referred to the Law Officers and the Comptroller gave her judgement. Once she gave that judgement we released those minutes.

2640 He says that I referred it to the Code of Conduct. I believe it was the Policy Council that referred it to the Code of Conduct – about him giving out the A&E Report – but it is interesting that the business case which he then sent out to all States Members was a confidential document because it was sent to the Board. He never asked to have that released. The Whistleblower Policy, I believe, had been drawn up by the previous Board and it is a sensible policy which HSSD has.

We did have a meeting with MSG and we asked that the MSG consultants should... as we have improved communication – and I think I have outlined it before – one of the MSG partners attends the senior management meeting of HSSD and so our senior staff also attend their senior management meetings. So there is very good communication with us.

2645 We said if any of their consultants have questions about the services they deliver they should speak through their management to us. I think that is a fair question to ask and obviously MSG then, as I understood, spoke to their employees and partners so that we have proper communication channels between the two organisations.

2650 He spoke about 300 operations being cancelled. I think we answered in Deputy Adams question that it was 176 last year, not 300.

He constantly mentions the word ‘promise’. I never used the word ‘promise’ in the speech I gave when I was elected as HSSD Minister. And just for the record, yes, I was one of the originators of the Vote of No Confidence in 2012. The proposal was – obviously I signed it, Deputy Hadley signed it so presumably he fully supported it... The Vote of No Confidence was based on the closure of the wards and the stopping of

2655 elective surgery because we had a contract with MSG and it said that before that happened it should have been referred to the States and not made as a Board decision, because they had the choice of either spending the money or stopping elective surgery and we believed the vote of no confidence... to make such a decision it should have been referred to the States because there was an outstanding resolution of the States which set up the contract with MSG that HSSD would provide the facilities.

2660 At that stage I had no intention of standing for this post. It was only very late on, when I was asked by a number of people, that I put my name forward. But I know I spoke to others at the time and I made it very clear that I wanted to stay on T&R because that was what my interest was at that time.

To finish my speech, I would like to say that the issues we face at HSSD are complex. There will be some really significant financial and politically sensitive challenges over the remainder of the political term.
2665 None of the problems will go away by giving the political Board a beating and installing a new one in its place. We need to work patiently and determinedly towards a solution that will enable us to deliver Health and Social Services that meet Islanders' needs while respecting the States' financial and economic policies.

We need to do this as a Government, not just as an HSSD Board. We need your support, involvement and faith. We need a period of peace and stability at HSSD so that we can focus single-mindedly on
2670 tackling the issues ahead.

The amount of senior staff time that has been redirected in the last few months and going back early in the year is criminal in terms of getting on with delivering the services. We are perfectly willing to have questions of scrutiny but the level has been unacceptable in my view.

2675 HSSD is one third of general revenue. All of us and our families and our parishioners will pass through the services from time to time. HSSD matters and with your help and confidence in us, my Board and I are committed to leading it through a time of significant challenges and continue to deliver Health and Social Services that we can all be proud of.

Thank you.

2680 **Deputy Bailiff:** Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

Since nobody else appears to want to speak in this debate, I will speak.

2685 Well, I am happy for Deputy James to address the States first, particularly given her membership of the Department if she wishes to, sir.

Deputy Bailiff: Do you wish to speak Deputy James?

2690 Alright, can I just remind Members because it is helpful to me and it is helpful to other Members that the new Rule – and this is the first time I have been here with the Rule in place – is that you are supposed to stand if you wish to speak and if I have not adhered to that this morning, I apologise. But when people give an indication that they want to speak, they are still obliged to stand up at the end of a Member's speech so that they then will be called in the order that I decide.

So Deputy James, to be followed by Deputy Fallaize, to be followed by Deputy Lester Queripel.

2695 **Deputy James:** Thank you, sir, for that explanation. I do apologise. I had wished to clearly indicate my wish to speak immediately after Deputy Dorey but there was a misunderstanding that occurred with Deputy Sillars. I thought he was calling me outside to speak to him but, incidentally, it happened to be Chris Green and then I could not get back in to my seat. So I apologise for that misunderstanding.

2700 What I would like to do, sir, is to give some explanation and clarity to this Assembly over my particular position. The last few weeks have been a bit like being between a rock and a hard place of whether I should actually contribute to this debate.

2705 To put it in some context, sir, I – like Deputy Dorey – 12 months ago last December signed the Vote of No Confidence against the then Board, for the reasons that Deputy Dorey so very clearly outlined. I thought the decisions that they took were absolutely wrong and the over-expenditure I had concern about. So I signed the Vote of No Confidence and I would do the same again under those circumstances.

It never for one moment crossed my mind that I would join any new Health and Social Services Board even though, as you all know, Health and Social Care is indeed my passion. I was enjoying working with Deputy Langlois as his Deputy on Social Security and working with Deputy Soulsby on the Public Accounts Committee.

2710 Some of you may know that at the time there were three hats in the ring so to speak for the post of Minister of Health and Social Services, and each one of those three made an approach to me saying that if they got elected as Minister would I serve on their Board? At that time perhaps I could still claim to be somewhat politically naive and maybe a combination of compliments and maybe seduction if you like, I did say yes I would.

2715 Little did I realise how much work that being on two large Committees entailed. I carried on and on and I gave it a shot of a year, if you like, but I did in all honesty get to a point where the workload was becoming utterly unmanageable. I also have responsibilities at home which I do not need to discuss. So I was getting to the point and I had discussed with various Members of the Assembly about resigning or a certain easing up on my workload.

2720 The last Board meeting I went to for Health and Social Services, which I think was in October or November, I think I would be disingenuous if I said to you that... well, in essence, we had a little bit of a healthy exchange, if you like, and I think it was at that time that I spoke to Deputy Dorey and said that for the reasons I have just explained to you I was planning to resign from Health and Social Services.

2725 That was way back, it seems to me – months and months ago – and it is all in the timing is it not? I was hoping that my resignation would be accepted by the Assembly and my replacement would, in fact – or the election of my replacement would in fact – take place last December. I expected that my resignation would probably warrant a couple of inches in the *Guernsey Press* and that would be it. But, of course, it seems to have run on and on and my resignation has indeed been inter-linked with this Vote of No Confidence and the bowel screening and, for that, I think it is extremely unfortunate.

2730 I am going to say no more on that issue other than.... The one thing that I would like to make a comment on, now that I have the opportunity, is the issue that has been raised about the recruitment and retention of nursing staff.

It will come as no surprise to you that that was a *major* area of concern for me for the whole 12 months. But it is *abundantly* clear to me that this problem *cannot* be solved by Health and Social Services alone. It is not within their remit.

2735 Recruiting nursing staff – and I make no apologies for focusing on nursing because at least £1.5 million, I think, of the over-expenditure last year was going to agency staff and locum staff – at the moment is dog eat dog out there. We are competing out there for nurses. We are competing with Jersey. We are competing with the Isle of Man. We are competing with the Isle of Wight. They seem to have much more flexibility to offer attractive employment packages. The hands of HSSD are tied.

2740 So I would make a plea with every one of you in this room today that can have some influence in making the package for all staff – not just nurses, but all staff – that Guernsey is an attractive place to come and work.

I will leave it at that. Thank you, sir.

2745 **Deputy Bailiff:** Thank you.
Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

2750 In other circumstances I might not have spoken on this – Deputy Hadley's now apparently annual Motion of No Confidence in the Health and Social Services Department – but I see that Deputy Hadley and his fellow signatories have been kind enough to make a reference to me by name in the first paragraph of their motion and, therefore, I thought it would be churlish for me not to make some comments upon their motion.

2755 The reference to me and the reference to Deputy Dorey in the same paragraph relates to things that were said by him and by me when he was a candidate for the Minister of HSSD in December 2012. We can all go back through Hansard these days and it is quite a fun game and those of us with a library of tapes can go back even further, Deputy Trott, (*Laughter*) so I would not... Anyway, moving on.

2760 Deputy Dorey, when he was proposing Deputy Hadley – this is a slight aside, sir, but I hope the States will bear with me – Deputy Dorey proposed Deputy Hadley for the Chairmanship of the Scrutiny Committee in May 2012 and he said of him:

'He is a man of integrity. He is knowledgeable, inquisitive, a man who will not be swayed by the crowd. He is not interested in a quick win. His desire to understand, to research and to evidence a decision is a key strength that ultimately leads to well informed, balanced decision making.'

This one, this is particularly interesting:

'He has a toughened mind that investigates and follows through until he has an answer. He is like a terrier. He will seek out the appropriate person until he gets his question fully answered.'

2765 I think Deputy Hadley has demonstrated some of those qualities in the way that he has rather doggedly – excuse the pun – pursued HSSD. Indeed, my friend Deputy Brehaut used to ask what was the difference between Deputy Hadley and a Rottweiler? The Rottweiler eventually lets go! (*Laughter*)

In many ways I commend Deputy Hadley for the way in which he has pursued HSSD. I was slightly disappointed to hear the Minister's criticism of Members who have been scrutinising HSSD and putting HSSD under pressure recently and the media, which obviously has been doing the same thing. I know it is

tempting to do that but I think – I know it is easy for me to say or for us lot down here to say that – when you are in the shoes of the Minister of HSSD I am sure it feels quite different – it is sometimes *too* easy to resort to criticising one's scrutineers for not allowing Departments and Committees to get on with their day jobs and actually by and large we in the States suffer from an absence of scrutiny or a lack of scrutiny, so I would not wish to discourage anybody from scrutinising.

Much of what Deputy Hadley has been doing over the last few months has actually been legitimate scrutiny. I do not agree with his Motion of No Confidence. I think he is taking it too far – I will come on to that in a moment – but a lot of what he did, certainly in the early days, was legitimate scrutiny. But Deputy Le Tocq, when he proposed Deputy Dorey for something in 2012, said of him that:

'It is only through the determination of politicians like Deputy Dorey that we can truly come to what we call consensus... There has always been widespread agreement... that Deputy Dorey has researched any given issue at least as thoroughly as any other Member, often far more so... working with him round the table, you will be certain that no stone will be left unturned, every legitimate ormer will have been eked out, and whatever conclusion is drawn, it will be certain that thorough investigation has taken place. That is the kind of team dynamic we need now.'

That does describe the Deputy Dorey that I know and I still feel that way about Deputy Dorey. I think I used that quote actually when I proposed him for his present position of HSSD and I still feel that way about him today. And I have to say I am content – I do not agree with him all the time – but I am content, though, with the job that he is doing at HSSD.

I am not generally squeamish about supporting motions of no confidence. I have supported some in the past. I look forward to supporting some in the future, (*Laughter*) probably – though we do not know who they will be yet. (*Interjection*) But I will be opposing this one because not only do I have confidence in the Minister and Members of HSSD but I also cannot see how substituting this particular Committee with another Committee is actually going to help solve any of the problems that Deputy Hadley has been trying to scrutinise.

We were in this position more or less one year ago. Deputy Hadley, on that occasion, led a successful campaign to unseat the previous Health Committee in December 2012. I was opposed to it. I remember speaking against that Motion of No Confidence but Deputy Hadley got his way and in the end that –

Deputy Dorey: Point of correction.

The Deputy Bailiff: A point of correction from Deputy Dorey.

Deputy Dorey: That Motion of No Confidence was never debated by the States because the Board stood down before it was proposed.

The Deputy Bailiff: Deputy Fallaize to resume.

Deputy Fallaize: I know that, sir, but I did not say that the Motion of No Confidence was successful. I said Deputy Hadley had led a successful campaign to unseat the previous Committee in December 2012. He laid a Motion of No Confidence. There was a long debate – not in the Motion of No Confidence, there was a long debate in a report which the Department had brought about a budget overspend – and at the end of that debate, before Deputy Hadley had a chance to lay his motion the Minister and Members indicated that they were going to resign in any event and Deputy Hadley withdrew the motion etc. Yes, we all know what happened.

But the point that I was trying to make was that on that occasion Deputy Hadley and Deputy Dorey were signatories to a Motion of No Confidence and at the same meeting Deputy Adam and the other Members of HSSD resigned. Now, those who led last year's Motion of No Confidence appear to have fallen out. Some of them have reacquainted themselves with the former Minister who they managed to unseat and now this new coalition has joined forces and the former Minister and a former Member of HSSD are trying to unseat the present Minister and present Members of HSSD. Sir, that to me sounds like an episode of *Home and Away* without the sun! (*Laughter*) It really is a farce.

I do support Deputy Hadley's campaign for expanding the Bowel Cancer Screening Programme. I have always supported bowel cancer screening. When Deputy Hadley was sitting on the Board of the Health and Social Services Department I was laying amendments in the States trying to get HSSD to introduce a comprehensive bowel cancer screening programme. Twice I laid those amendments. The first time I think I got eight votes. The second time I lost by about two votes. The following year HSSD introduced the scheme themselves.

There are many Members of the States who are fully supportive not only of the present Bowel Cancer Screening Programme but who desperately wish to see it improved and expanded and I am one of them. I

want HSSD, after their review of the service, to announce that they are to expand the programme. I think that it makes financial sense. I think it makes good health sense.

2825 I have told Deputy Hadley that if I can do anything to support him in his campaign to get the Screening Programme extended I will. I said to him if he turns his Motion of No Confidence into a Requête about bowel cancer screening I will sign it and that offer still exists. But this Motion of No Confidence will not advance the cause of bowel cancer screening. There is nothing in this Motion of No Confidence which provides the States with an opportunity to expand the Bowel Cancer Screening Service.

2830 The grounds that do exist in this Motion of No Confidence are not strong, in my view. There are four of them really.

The first is the incorrect information which Deputy Dorey conveyed to the States. Well, I think that has been dealt with. As I say, I do not always agree with Deputy Dorey politically, but I think most Members of the States would vouch for his integrity and I cannot imagine a Member of the States who would be less likely to stand in their place and deliberately mislead the States.

2835 He has explained very adequately, I think, exactly what happened. He was misled or he was provided with inaccurate information by a member or members of staff. I have had discussions with Deputy Dorey about how he has dealt with that. I am satisfied that he has dealt with it appropriately. I really do not believe that Deputy Dorey... not all the blame, at least, can be laid at his door.

2840 The second grounds concern the resignation of Deputy James but Deputy James has just spoken to the States and she has hardly made a rousing speech against the Minister and against her current colleagues – soon to be former colleagues – and in support of this motion.

Then the third ground is that the budget is not under control. Well, actually, I think the evidence suggests that the budget is under control more now than it was when the present Committee was elected. Certainly relations with the Treasury and Resources Department seem to have improved.

2845 That is not me trying to compare the present Committee and the previous Committee or criticise the previous Committee because I remember standing in this place defending Deputy Adam and his Committee when they were accused of recklessly overspending. I thought they were given an impossible task of trying to remain within their budget and I do not think they should have faced a Motion of No Confidence for the management of their budget in 2012. But I do think that to claim that this Committee does not have the budget under control, given the way in which they have managed the budget over the last 12 months, is in itself rather misleading.

2850 The fourth ground is that the bowel cancer screening budget has been underspent. I just want to pick up on this before I conclude, sir, because I think that there is misapprehension here – or a misunderstanding, rather, here.

2855 I know that the bowel cancer screening money was allocated to the States by States Resolution, but so are all of the other Committee budgets. If one goes through the most recent States' accounts of 2012 and compares them to the budget of 2012 it is quite evident that line after line after line after line every single States Committee has... There is a variance in the budget that was agreed by the States and what they actually spent. Because it is not reasonable to say to a Department, 'Your budget for next year is £106 million and it is divided into all these different pots of £200,000 or £300,000 or £400,000, but if you deviate from any of those pots of £200,000 or £300,000 or £400,000 you might face a Motion of No Confidence. I mean that is absurd but that is what we are presented with here. We are talking here about a quarter or a third of 1% of HSSD's budget.

2865 One point I would make is this is exactly what I warned the States against when we were debating the proposals from the Policy Council about the Government Service Plan, because the Policy Council suggested that they would apply the same sort of criteria and the same process through which the States had allocated new service development money – and bowel cancer screening was one of those – they would roll that out to the revenue budget of all Committees – their total budgets – and we would have been faced with a ridiculous situation where the States were making resolutions that within a budget of £100 million a Department could spend £200,000 on that, £250,000 on that, £450,000 on that. It would have been ridiculous and, judging on the events of today and this motion, we would have faced an endless succession of motions of no confidence in Committees who had re-allocated some of their expenditure within their overall budget.

2875 I do not believe that we can proceed on that basis. We have to work on the basis that we allocate total budgets to Committees. Clearly if they exceed their total budgets then they need to be hauled before the States and they need to be scrutinised. But we cannot proceed on the basis of expecting the States to micromanage a quarter of 1% of every Committee's budget. That is absurd.

2880 I am not very enamoured that the States is not investing any new money in services but I am actually quite relieved that for the last year or two we have avoided having to go through that ridiculous process of allocating £1 million to new service developments and creating States Resolutions out of them and trying to compare, I think it was, bowel cancer screening against museum storage. It was ridiculous to put the States

in the position of having to have those debates. I hope we will not have that again and this today is the consequence of putting the last States through that sort of debate.

2885 I will happily give way to the former Minister of HSSD.

The Deputy Bailiff: Deputy Adam.

2890 **Deputy Adam:** [*Inaudible*] What Deputy Fallaize has been saying is not quite accurate because earlier on in 2012 the Public Accounts Committee came along to HSSD and asked for reassurance in relation to the spending of five bids that had been received from SSD to show evidence that the money had been spent appropriately in areas that were meant to be appropriate to spend.

2895 Therefore, I suggest that some Departments often see – and Public Accounts is the correct Department that scrutinises expenditure... expect Departments to... If the money was given for a specific purpose, they have to have evidence to show it was spent on that purpose.

Deputy Bailiff: Deputy Fallaize to resume.

2900 **Deputy Fallaize:** Yes and I accept what Deputy Adam is saying. Clearly, the money that was allocated for new service development has accumulated some kind of status as if it is sacrosanct and it cannot be used for anything else. But it was only the subject of a States Resolution in exactly the same way that all the other lines of all the other committees' budgets were also subject to States Resolution.

2905 In 2012, the authorised expenditure... If one goes through the Health and Social Services Department... I will pick a couple at random. Specialist Services: authorised budget, £14.5 million – actual expenditure, £14.8 million. Community Health and Wellbeing: budget, £1.2 million – expenditure, £1.1 million. Human Resources: authorised budget, £5.4 million – expenditure, £5.1 million.

2910 So there are huge variances and Deputy Hadley is a Member of the Housing Department and is taking up against HSSD for not spending all the money allocated to it for bowel cancer screening, but if one looks through the States' accounts one finds under the Housing Department, for example, that there was allocated £121,000 for utilities and more than that was spent on utilities and less was spent than was budgeted for on services and materials, and less was spent on public service employees than was budgeted for, and quite a bit less was spent – £100,000 less was spent – on residential homes than was budgeted for. But Housing are not facing a Motion of No Confidence – quite rightly – because Committees have got to have the power to have some flexibility to reallocate different parts of their budget, otherwise the whole system will completely grind to a halt.

2915 So I think, sir, that Deputy Hadley's objective I accept. I am in agreement with his objective. I think HSSD should have screened two cohorts. I still think they should and I will go on supporting his campaign for them to screen two cohorts as soon as possible.

2920 But I do not believe the grounds of his motion are legitimate. I do not believe we should unseat the Health and Social Services Department. I do not believe we will improve the Health Service by substituting one Committee with another. HSSD has a hugely challenging task of matching their budget against the expectations of the community and when you include the effects of health inflation the task is even more challenging and I do not believe that they are going to be assisted in that task by replacing one Committee with another Committee and I would ask the States to reject the motion.

2925 Thank you, sir.

The Deputy Bailiff: Deputy Lester Queripel, followed by Deputy Storey, followed by Deputy Le Pelley.

2930 **Deputy Lester Queripel:** Thank you, sir.

It is with regret that I find myself having to make this speech because, like the rest of my colleagues, I had every faith that Deputy Dorey and his Board were going to address the major issues that their Health Department need to address.

2935 Before I go any further, sir, I want to emphasise that everything I am about to say is on a professional basis and it is not personal and if Members of the Board decide to take what I am about to say personally then they will have a problem understanding it.

The reason I signed the Motion of No Confidence is because I can honestly say I have lost all the confidence I once had in the Minister and his Board. There are a number of reasons why I have lost confidence and I will be focusing on those reasons in this speech.

2940 The grounds for this Motion of No Confidence, as we all know, on page 364 of the Billet, cite several issues in addition to the bowel cancer screening issue. Number 1 – the weak and ineffective leadership of the Minister, number 2 – the failure to recruit nurses, which meant a ward remained closed and revenue was lost, and number 3 – the failure of the Board to get the Department's budget under control.

On page 16 of the report on the Bowel Cancer Screening Programme, recently published by HSSD, it tells us that no single cost centre was set up at the start of 2012 so overall costs have not been monitored throughout the Programme. What is that telling us? Well, it is telling us that a sum of money was allocated to a particular area but no record was kept of where that money was being spent. The question that surely has to be asked about that, sir, is: would a business allocate a sum of money to a particular area and not keep a record of it being spent? I very much doubt it. So that is the first example of unprofessional business practice that I am going to highlight in this speech. Unfortunately, sir, there are several others.

The report goes on to tell us that because more money was allocated to the Programme than was actually needed the rest of the money was then spent in other areas of the Health Service, but no record of where that was spent was kept. That is my second example of unprofessional business practice. Could that not be considered to be misappropriation of funds or at least misapplication of funds, sir?

Deputy Bebb: I am sorry, a point of correction. Deputy Lester Queripel is misleading... Of course there is a record of where the expenditure of HSSD is. It is called the accounts (**A Member:** Hear, hear.) and it will be published next year and, if he is interested, of course it will be available. I do believe that it is misleading.

The Deputy Bailiff: Deputy Lester Queripel to resume.

Deputy Lester Queripel: Thank you, sir.

Also in the report it was identified the lack of leadership and poor level of communication and frustration and, as we all know, one of the grounds for this Motion of No Confidence focuses on the lack of leadership displayed by the Minister.

Regarding the poor level of communication, I have had major concerns about levels of communication within the States and from the States since the day we were all elected. I am sure there are moves going on behind the scenes to improve the levels of communication but this report tells us that the poor communication within the Department has caused frustration and I have been frustrated myself on several occasions, asking the Minister questions in this Chamber in relation to his Department.

Just to clarify, I think it is important, sir, to relay to my colleagues the reason I ask so many questions is because in order to resolve problems you have to first of all establish the facts and you establish the facts by asking questions. If you do not receive satisfactory answers to those questions you cannot have a beneficial influence in resolving the problems, which means you cannot do your job properly.

I just want to cite two examples of possible ineffective leadership from the Minister. Last year in this Chamber I did not receive a satisfactory answer to the question I asked the Minister regarding checks made on people applying to work in our Health Service. I followed that up with a question in this Chamber four months later and I still did not receive a satisfactory answer to the question, so he gave me no choice but to submit Rule 6 questions. But surely the best thing to do, sir, would be to answer the questions in this Chamber in the first place.

A second example of the poor levels of communication and leadership displayed with the Minister occurred during debate last year when I asked him nine questions in relation to his Department requesting a three-year extension for the Children's Plan. But when he responded he said he was not going to answer any of my questions because he felt Deputy Fallaize had answered most of my questions.

Three things spring to my mind in relation to the leadership qualities in that respect. I did not ask Deputy Fallaize to answer my questions, sir. I asked Deputy Dorey. Secondly, I was not looking for replies to *most* of my questions, I was looking for replies to *all* of my questions. Because receiving replies to most questions means that some questions remain unanswered and Deputy Dorey seemed perfectly willing to leave those questions unanswered.

Then we had the situation whereby the report itself that accompanied the Children's Plan request was devoid of detail to the point I had to submit seven questions to the Minister by e-mail the weekend prior to the debate, and I received more information from those seven replies than was actually in the report. If the Minister had that information to hand already why was that information not in the report? Why didn't the Department and the Board themselves insist that as much information as possible was put in?

There seems to be a reluctance to communicate and when you have got to work so hard to try and find information you find yourself suspecting that the Department were maybe trying to hide something but... It is another example, sir, to me of unprofessional business practice.

I would like to focus now on the issue of the Board not bringing the budget under control. The areas where I know major savings can be made are the areas of off-Island placements and off-Island treatments. Dealing with off-Island placements first, off-Island placements cost the Guernsey taxpayer just over £8 million a year. £8 million is a lot of money and I believe some of that money could be saved and I wonder if the Department have spent much time in looking at these areas that I am going to focus on. Because some of our fellow islanders who are placed off-Island do not need to be off-Island. Family members have

3005 offered to train as carers in order that they can come back to the Island. Sorry, sir, I will give way to Deputy Le Clerc.

3010 **Deputy Le Clerc:** I am just worried the way this is going. I think it is going beyond the debate – some of the questions that we have had and some of the debate we are having.

The Deputy Bailiff: Yes, Deputy Queripel, I can take the opportunity to remind you and others that the grounds are what the Minister and the Members of the Department are here to address.

3015 There was a little bit of latitude given to Deputy Hadley and Deputy Dorey at the outset but let us try and keep it focused on the grounds and relate it to the particular grounds each time, please. That applies to everyone.

Deputy Lester Queripel: Sir, I abide by your ruling. It is just that I was focusing on the budget not being more under control issue, sir. I feel that is relevant.

3020 May I continue on that?

The Deputy Bailiff: Yes, on that particular one because it is mentioned.

Deputy Lester Queripel: Thank you, sir.

3025 So complex off-Island placements can cost up to £300,000 a year for one person. But I am not talking about those cases, sir. I am talking about saving money with the off-Island placements that cost between £100,000 and £150,000 a year because if family members were allowed to train as carers I believe we could halve those costs to around £70,000 per year per person.

3030 Also the off-Island treatment issue, where I believe money could be saved – bringing the budget under control. Off-Island treatments cost the taxpayer almost £7 million a year and I know several people who were sent off-Island once a month to have injections in their eyes. I would like the Minister to, please – when he responds – if he could, tell us are there any plans to share maybe a specialist with Jersey who could come over here once a week to save all the expense and all the stress and trauma of sending islanders off-Island?

3035 Also I believe I am right in saying – Sorry, sir I will give way to –

The Deputy Bailiff: Deputy Brehaut.

Deputy Brehaut: Yes, I appreciate Deputy Lester Queripel giving way.

3040 The retina macular degeneration – the ARMD – which means that people go off-Island, will be on-Island from April this year.

Thank you.

The Deputy Bailiff: Deputy Queripel to continue.

3045 **Deputy Lester Queripel:** Thank you, sir.

I believe I am right in saying that we currently send an islander a week to the UK for a cardiac scan and I believe that costs a minimum of £750 a time and £750 times 52 is £39,000. Yet I have been told that it would only cost £30,000 to upgrade our own scanner. Well, £30,000 from a budget of over £100 million would surely be money well spent. Plus the Department could recoup that money in less than a year.

3050 These are two areas alone where I think the Department could save a lot of money, sir. So I would like to know what the latest developments are in these areas, if possible?

Deputy Conder: Sir, a point of order.

3055 Again this sounds like questions to the Minister rather than a debate on the motion.

The Deputy Bailiff: No, I think it is permissible to ask questions for the Minister to reply, if they are relevant to the grounds that have been put, because the responses given by the Minister might dictate how people vote on the motion.

Deputy Queripel.

3060 **Deputy Lester Queripel:** Thank you, sir.

3065 To conclude my focus on the Board hopefully bringing their budget under control, our very own Public Accounts Committee - which in my view is chaired superbly by Deputy Soulsby – recently undertook a review of our Health Service and it came to the conclusion that, sadly, they are haemorrhaging money. And just in case any of my colleagues missed the article in the *Press*, sir.

Deputy Brehaut: I am sorry, sir, the report did not say that HSSD were haemorrhaging money.

The Deputy Bailiff: Deputy Brehaut, is that a point of correction?

3070 **Deputy Brehaut:** I do beg your pardon, sir. Yes, I believe it was. I beg your pardon.

The Deputy Bailiff: Thank you.
Deputy Queripel.

3075 **Deputy Queripel:** Thank you, sir.

But it is reported in the *Press*, sir, that... (*Laughter*) It is reported in the *Press*, sir, that Deputy Soulsby goes on to say, 'Speed is of the essence. If it is left any longer the problems will persist because of the flaws in the system'.

3080 So the message from PAC is one of great urgency – that this review needs to be undertaken by an independent body and it really needs to happen immediately. But Deputy Dorey's response to that is – reported to have said in the *Press* – that the Department would prefer to undertake an internal review in manageable stages. That sounds to me like in their own time and at their own pace. So, unfortunately, the Minister does not seem to be grasping the need for urgency. I think that is a potential example of ineffective leadership.

3085 I really wish the Minister and his Board had responded to Deputy Hadley's request that they resign and if they had done the honourable thing – held their hands up and said, 'We're really sorry. We made a mess of this. We will step aside and let a new Board take over,' then I would have respected them for that, sir. But they did not and it is because they did not that I now not only have lost all confidence in them but am rapidly losing respect as well.

3090 Deputy Dorey is reported to have said that due to his heavy workload he was not able to give the bowel cancer screening issue the attention that it needed.

Sorry, sir, I will give way to Deputy Dorey.

3095 **Deputy Dorey:** I thought that you had said that this debate is about what we say in this Chamber. He is just saying 'reportedly said' and bringing up things which have not been said in this debate – things which have got no relevance to what is in the Billet. (**A Member:** Hear, hear.)

3100 If this debate is just going to wind over every part of HSSD we are going to be here for weeks. I have always understood that votes of no confidence have to stick very strictly to the grounds which are in the Billet. (**A Member:** Hear, hear.) They cannot just invent them as they go along. Most of these things have got nothing to do with the grounds which are in the Billet.

The Deputy Bailiff: Deputy Queripel, I did remind you just earlier that you have to focus on the grounds – as does every other Member who speaks in the debate going forward.

3105 Link it to one of the grounds each time and then give an example to persuade fellow Members why they should support the motion.

Deputy Queripel: Sir, if I just might explain my reasoning? One of the grounds is Deputy Dorey has not got the budget under control and has not brought a report to the States. So that was the reasoning why I am focusing on what I am focusing on in my speech.

3110 I was about to say, sir, before I gave way to Deputy Dorey, that he said that because of his heavy workload he was not able to give the bowel cancer screening issue the attention that it needed. This also relates to leadership in my view, sir – possible ineffective leadership.

3115 **Deputy Dorey:** A point of correction. I explained that I spent a considerable amount of time and I have done everything I can in my power – I think I used the words – to get all the information on bowel cancer screening. To say I have not spent any time on it is not true.

The Deputy Bailiff: Thank you, Deputy Dorey.
Deputy Queripel.

3120 **Deputy Queripel:** Sir, I did not say Deputy Dorey had said that he did not spend any time on it but Deputy Dorey did say at one stage that it was because of his heavy workload he was not able to give as much attention as he needed to.

3125 I do not doubt for a second, sir, that Deputy Dorey has got a heavy workload but I just wonder did he delegate any responsibility to his fellow Board Members to check out the information he was given? Because the way I see it a Minister is very much a captain of a ship, keeping the ship on course where it

needs to go. But a captain of a ship cannot do that on his own, he delegates certain duties to his crew members.

3130 Did the Minister do that in this case? And did he tell his Board at any stage that he was too busy to give the issue the attention it needed? Those are the things I think we need to know because that would allay my concerns about ineffective leadership.

3135 Sir, the Minister and some of my fellow States Members have said that, in their view, the bowel cancer screening issue is not a sackable or resignation issue. They might also be of the view that signing up to a Motion of No Confidence is being somewhat OTT and dramatic, whilst in my view there is nothing more dramatic than someone possibly losing their life.

I do not believe that Deputy Dorey purposely misled the Assembly when he gave us the wrong information on two separate occasions but it is the responsibility and the duty of Ministers and their Board Members to ensure that policy and Resolutions have been implemented correctly and also that the Department is operating as effectively and efficiently as possible.

3140 It seems to me, sir, that is where the Health Minister and his Board have failed. Plus I have just cited several reasons why I signed this Vote of No Confidence and I ask Members to bear that in mind when they come to vote.

Thank you, sir.

3145 **The Deputy Bailiff:** Deputy Storey.

Deputy Storey: Thank you, sir.

3150 ‘This is my demand for your resignation,’ thus spoke Deputy Hadley on my doorstep at ten to nine on 2nd January, as I was waving my daughter off to work. Whilst recovering over the last few months, I had anticipated working myself in slowly so to speak and having a relatively quiet one or two Assembly meetings on my return. (*Laughter*) This delivery, unfortunately, has put paid to that.

When I look, sir, at those presenting this Requête some of the names were to be expected but I have to say I was genuinely surprised and disappointed at some of the other signatures, because this to me is just another episode in Deputy Hadley’s continuing vendetta against HSSD. (**Several Members:** Hear, hear.)

3155 Sir, in my opinion it is most unfortunate that he puts more emphasis on self-publicity and undermining the efforts of others than achieving anything positive to benefit the people of Guernsey.

I have to say that it is very difficult to fight fires – and that is to a large extent what we have been having to do in HSSD – when there are those lighting fires behind you – or in this case, perhaps, underneath you.

3160 Sir, this sort of action and the continued asking of questions has meant that senior staff and the Board have spent an inordinate amount of time on these matters rather than on planning and managing essential change in the Department.

Furthermore, sir, I believe that continued unwarranted criticism has a most corrosive effect on staff morale. Who wants to work for a firm or Government Department which is under such public negative publicity? We in the Department – and throughout the States, come to that – need to retain the goodwill and enthusiasm of our existing staff and we need to be able to recruit new staff to enable the Department to continue to provide the excellent service it currently achieves.

3170 This charge sheet which we have been presented with here includes several allegations and I intend to deal with some of these charges listed but not necessarily in the same order. Sir, throughout this we need to remember that Deputy Adam was HSSD Minister throughout 2011 and 2012 and Deputy Hadley was a Member of HSSD for a large proportion of that period as well – from July 2011 until April 2012.

Perhaps I could first talk about misleading statements. Sir, I am charged, as a Member of the HSSD Board, with misleading statements made to Members of this Assembly and breaking my promises made to this Assembly. Deputy Hadley’s parting shot on my doorstep that day was, ‘It is just politics. If you do not like it, get out.’ Well, sir, I think this matter is much more serious than being ‘just politics’.

3175 As far as I am concerned, I have personally made no promises and I do not think that... neither did the Minister. I know I did not make any promises because I did not speak but I did make, along with the rest of the Board, a commitment to get de Sausmarez Ward opened as soon as possible and this we achieved by the end of October, as I promised in August.

3180 The difficulties in meeting this commitment, I have to say... well, the efforts involved did not do me any good at all. Somewhere in the media reporting of this latest attack on HSSD I am charged, along with my Board colleagues, of mispending States’ and HSSD monies, which I consider a personal attack on my integrity and professional reputation.

3185 So against this charge of financial illiteracy and ineptitude, I would like to say that I have spent my working life managing large sums of corporate funds and some public funds upon which large numbers of worker’s jobs and pensions have relied – including my own.

However, setting budgets for HSSD is another ball game because it is to a large extent demand driven. There is no way of forecasting how many people will need HSSD's services in the coming year. After all, my wife and I had not planned to darken the doors of the PEH in 2013.

3190 Going back to the problem with de Sausmarez Ward, I think it ought to be pointed out again that the previous Board had closed de Sausmarez Ward and the staff, who had been largely agency, had disappeared into the ether and this current Board effectively had to pick up the sticky end of the stick to try to recruit a sufficient number and sufficient skill mix of nurses to enable that ward to be opened. That was not an easy task and recruitment in the future now is being made much more difficult by the current circumstances.

3195 The Minister and this Board are accused of making misleading statements. I think the Minister has made a fulsome apology in respect of the misleading statement that he made late last year. But, sir, I think Deputy Hadley has *chosen* to make misleading statements all through this episode and I have not heard of any apology in respect of those misleading statements.

The first area I would like to talk about in detail is the underspending. Let's look at the charge of underspending budgets.

3200 First of all, sir, I must say that spending within a budget is normally considered to be worthy of congratulation and a pat on the back, not condemnation. It is normal, as has been said previously, to see in any complex budget certain areas of expenditure that are over budget and others that are under budget. The hope is that the overspends and the underspends cancel each other out. Unfortunately, in most instances this is never the case. However, Deputy Hadley has criticised this Board with underspending the 2013 budget
3205 for bowel cancer screening.

If we look to page 10 of the report, we can see in the table towards the bottom of the page that HSSD also underspent during 2012 when Deputies Adam and Hadley were in charge. There is no mention of that on the charge sheet.

3210 In fact, the amount of money spent in 2013 was, according to these numbers, £36,000 less than was spent in 2012. If one takes into account the apportion costs of people mainly employed in this area then, in fact, the comparison is that in 2013 we spent £20,000 less than in 2012. There is no mention of that in the charge sheet. I also need to emphasise, because we did underspend, that all those persons who responded to the invitation to attend for screening were seen during 2013. No-one was turned away and everybody who was referred by GPs were seen.

3215 However, it should be noted that in December 2012, when the previous Board were looking for cost savings, the Screening Programme was halted to save money during that month. There is no mention of that on the charge sheet. But the current Board started the screening once again in January.

3220 Finally, I have to say that the underspend in 2013 has not been spirited away – it has been spent on other vital health services. It has not been spirited away like the £2.6 million the States were recently conned out of – it has been spent on looking after people with other ailments.

Then perhaps I could address the matter of one or two cohorts. Let's look at the charge that this Board failed to introduce two cohorts to the Screening Programme. Sir, this is yet another misleading statement from Deputy Hadley.

3225 The pilot scheme in 2011 dealt with only one cohort. The business case presented to the T&R for approval for implementation only considered one cohort at age 60. The Screening Programme introduced by the previous Board in 2012 dealt with only one cohort at age 60. The previous Board I believe should have commissioned a review following the first year to identify how successful the Programme had been. No review was commissioned. There is nothing about that in the charge sheet.

3230 The screening programme in 2013 was an extended version of the 2012 programme but this Board *did* commission a review in October, as planned, and this is the report that was issued last weekend to everybody

I would now like, if I may, to talk about financial control. This Board is further *alleged* to be guilty of lack of financial control. I beg to say that is yet another misleading statement.

3235 At this Board's first meeting in January 2013 financial competence was the main area of concern. What the current Board had inherited from the previous Board was a finance department which was grossly under resourced. This Board resolved at that first meeting in January 2013 to increase the resources of the finance department and authorise the recruitment of additional staff.

3240 Sir, the previous Board must have been aware of this problem but they did nothing. There is nothing about this on the charge sheet. We also inherited a financial structure. We did not set up bowel cancer screening as a separate cost centre. There is nothing about that in the charge sheet.

3245 We are now receiving much better financial reports but this has been delayed by disruptions due to repeated reviews – they have had an internal review, they have had a T&R review and they have had a PAC review – and particularly by the introduction of SAP. This led to delays in paying suppliers, with some threatening to stop supplies. That is something that just cannot be permitted. It might be an inconvenience if your printer ink is not delivered on time because your supplier has not been paid, but our staff depend on timely delivery of medical and surgical supplies to ensure that proper care is provided to patients. That is a

completely different matter and a lot of our finance department's time had to be allocated to identifying those problems and to sorting them out with the hub, because if they did not then that could have led to emergency situations on the wards.

3250 With all these problems, I have to say that this Board did not receive reliable accounts from our hard working finance staff until period five of this year. That is a terrible situation but it is not the fault of our finance staff. As a Board you need to be able to rely on the financial information you are being given and I am afraid because of all these disruptions we were not in a position to have absolute reliance on those figures.

3255 Another accusation from Deputy Hadley... He said publicly that as a result of not screening two cohorts during 2013 an extra three or four people will die each month. Well, sir, that equates to 36 to 48 extra deaths a year from bowel cancer. Figures for the last 10 years show that, unfortunately, an average of 14 people died from bowel cancer each year. That is, for the main part, before bowel cancer screening was introduced. So Deputy Hadley's allegation just does not add up. Me thinks he must have borrowed Deputy Lester Queripel's calculator (*Laughter*) to arrive at this answer. I understand from Deputy Queripel that he has had a new calculator as a gift this Christmas so maybe we will not have those problems again.

So here we are once again wasting staff time, the Board's time, the States' time and taxpayers' money, because there is always a cost to answering any enquiry and to rebutting a motion such as this today.

3265 These attacks started this time last year with unjustified comments on A&E. A decision, sir, has to be made as to what we can expect from our Island Hospital. We are trying to provide a general hospital service for a population which currently would not justify even a cottage hospital in the United Kingdom. The damaging publicity that has resulted from this activity has resulted in lower staff morale that has undermined the trust and confidence of people who require hospital treatment, and the confidence they have in PEH. All this has made staff retention, re-recruitment and recruitment from overseas and locally so much more difficult.

Sir, the word gets around. The phrase is 'give a dog a bad name'. And here we are again publicly trashing all those involved with HSSD in all its many departments. Sir, I firmly believe that the only person who has chosen to mislead this Assembly and some of the requérants, the media and the general public, is the proposer of this Requête in pursuit of his objective of becoming Minister of HSSD himself.

3275 Sir, he has consistently fed information which was economical with the truth and, in my book, misleading – some of which has come from papers the Board has not seen or approved, nor, more importantly, has he consulted at any time senior staff on any of these matters that he has raised publicly over the last month or so.

3280 Sir, I believe Guernsey's consensus Government, where you do not have to like everybody but where you can put your trust in and respect your colleagues and get the job done, is what is important. The current Board, sir, is determined to get the job done and so I ask all of you here today to reject this Requête which is, to my mind, a tissue of misleading statements and let the current Board get on with the job.

Thank you, sir.

3285 **The Deputy Bailiff:** May I remind Members about the standing. Deputy Brehaut and then Deputy Ogier then. Deputy Brehaut.

Deputy Brehaut: Thank you very much, Mr Deputy Bailiff.

3290 It has been an interesting day in the States. It has been an emotionally charged day with the events regarding our good friend Mr Arditti and it reminds us that while we might be politicians, we also just happen to be human. And I am tired. I am tired, I am sick and I am fed up to the back teeth of being hounded and harassed constantly.

3295 How many of you were approached to sign this Motion of No Confidence and you responded by saying, 'Please do not pester me. Leave me alone.'? I know a number of you have told me that, that people felt pestered, harassed and under real pressure to sign a Motion of No Confidence against this Board.

3300 I did not face a Vote of No Confidence the last time. I made a very bad decision. I decided with other States Members to close a ward. It caused great upset within the community. My wife is a nurse so you can appreciate how these things play out. I regretted the decision. I took the responsibility. I stood down. I was pleased then that Members of this Assembly had the courage to then re-elect me. I never thought for one moment – or did I? – that I would be here just months later facing a Motion of No Confidence – because it is sort of what you do when you have got an issue with a political Board.

3305 I will come in where the Requête itself or the motion itself... Deputy Hadley says, with regard to Deputy Dorey, 'His leadership and ability to get the Board to work together has been so ineffective that the most knowledgeable Member of the Board has resigned.' Absolute nonsense! No grounds. Misinformation. But here in black and white.

I am not pretentious. I am not protective about the role I have. I think I am the most knowledgeable Member of HSSD on the Board. I have not stood down. I think what Deputy Hadley meant was the most knowledgeable Member with relative nursing experience stood down.

3310 Time and time again, we are a Health and Social Services Department. The idea that you have Members of a Board with an interest in one given area makes them... I have to say Deputy Sandra James' experience in nursing is relevant but we do more than nursing and we do more than hospitals in the job that we have.

3315 Both Richard Evans and I – the long standing civil servant – are referred to as the hard drives of HSSD because when somebody cannot remember, we usually can. And that is a serious point because a Department spending £110 million a year... what do you do when the collective memory has gone? What did we do last time we were in this situation? These questions come up constantly and you need people there with the experience.

3320 'The failure to recruit nurses has meant that a ward remained close with the loss of much private revenue until a few weeks ago' and, of course, the accusation contained within is one of nurse recruitment and retention. Well, Tim Langlois, who is employed by the Policy Council for HR who has been seconded to HSSD for some time, gave us an example recently of the last seven people who left the organisation – the last *seven*, five of which were for housing reasons. 'Cost of living and housing is too expensive. I cannot bring my family.' These were the concerns people had. So this is about Policy Council HR and it is about the Housing Department assisting HSSD when it needs to. We do not have control of all the levers that people believe we have.

3325 There is a world that I occupy and I hope a world that a lot of us occupy and – I am sorry to sound disparaging but – there is also a world that Deputy Hadley occupies. This is a world where people are gagged, where people cannot speak, where people are liars. That has all been said – 'The Minister was lying,' 'They gagged their staff,' 'They are not allowed to speak to the media.' This has been said. That is absolute, absolute nonsense.

3330 The reality is that our staff are cautioned against speaking to Deputy Hadley – although they may still want to – because he does not speak to them in confidence, he goes straight to the *Press*. This is the point. Deputy Matthew Fallaize made a point and I agree with him. There is a time and place for thorough scrutiny. There is a time to pursue people. There is a time to chase people. But do it with the mechanisms you have. You have PAC. You have Scrutiny. You have Rule 5 and Rule 6.

3335 Do not ask a question and then copy it into the *Press*. I was reading a few faces earlier and I could see when Deputy Martin Storey said, 'Do you realise how much of our staff time it takes up?' and people groan a bit because what are they paid to do. But with bowel cancer screening you have the Medical Officer of Health, Stephen Bridgman, Catherine Chinyama, the States Pathologist, the Chief Officer, the assistant to the Chief Officer, the Chief Pharmacist, at times the States Treasurer advising, all in a room to answer accurately, Rule 5 and Rule 6 questions. Valid questions maybe, but the question is: is there another way to do this?

3345 I will just come in where Deputy Hadley came in. Deputy Hadley is a very shrewd, astute politician and in the *Press* today is paying dividends for, he says, 'I know the public are on my side'. There was a letter in the *Press* yesterday that said how very brave Deputy Hadley is and was to challenge this beast of HSSD that is secretive and covets information and never releases it.

3350 Deputy Arrun Wilkie asked a question of Deputy Hadley at the last States Meeting. He said, 'Do you not have an interest here?' and Deputy Hadley very astutely said, 'Oh, my wife is on the MSG but, of course, the MSG won't even tell me what they pay my wife.' Even at the beginning of his speech today it was a self-deprecating reference to his very clear interest in the MSG. It is not the financial interest that concerns me, it is the fact that Deputy Hadley's personal diary probably contains the number of every staff and employee member in MSG. Why were we not surprised to find that Deputy Hadley had information that the Minister, Deputy Mark Dorey, did not have? Why was that not a surprise to us? Because we sort of assume that someone who has a loose affiliation to the MSG would be given such information.

3355 If – and I look randomly around the room – Deputy Richard Conder, if Deputy Christopher Green (*Laughter*) or even Deputy Duquemin – whose name I remembered in the nick of time – had information regarding bowel cancer screening I would be thinking, 'How on earth?', 'Why on earth are members of MSG staff speaking to random, respectfully, Members of the States? But we take it as read that Deputy Hadley is the conduit for the MSG when there are concerns and when there are issues to be raised. The conduit to the Board table is through Steve Evans at the MSG to report to the MSG Board. Not a disgruntled former Board member who has issues with the existing Board and has scores to settle as they see it.

3360 I may refer to this as, perhaps, iceberg politics: what the media see and what we see in this Assembly is what is visible of Deputy Hadley and, I am sorry to say – and I am sorry to say this – it is what is below the water line and what you do not see that causes people the maximum distress.

3365 If we take what Deputy Hadley describes as, yesterday – if I can find it in my notes – 'They are trying to gag me. The Minister wouldn't release the notes. I went through to the Comptroller. Oh, by the way, the

Chief Officer wanted to release the notes. Deputy Dorey did not but I got them.’ Can we just see that through the lens of reality? Deputy Hadley wanted the Board minutes. Deputy Dorey takes advice from the Chief Officer. The Chief Officer says, ‘I will run it past the Comptroller’. The minutes are released.

3370 Why do we have to have this, ‘They tried to gag me. They did not want to give me the information.’? There is a protocol. There is a process. If you respect them and it shows, they end up actually working for you.

3375 Again, I get to this issue of our staff not being allowed to speak out. I give you three examples and they are relevant to the Requête. Deputy Hadley appeared outside of the A&E a couple of years ago saying that he had concerns that children who were born who needed resuscitation were at risk. Bearing in mind that at any one time on Guernsey there are anxious pregnant women about to go into the Hospital, what was the reassuring message from Deputy Hadley? ‘Children will die,’ he said. I am looking at Deputy Hunter Adam because I remember it well because he was not happy either. ‘Children will die.’ That was the first one.

3380 Incidentally, Deputy Hadley created a to-do about equipment lining corridors that could save children’s lives that was not fixed. It turned out to be baby change units – *baby change units* – for changing nappies – nothing else.

3385 Then, of course, we have had from Deputy Hadley the absence of cover within A&E, which we all knew was the receiving room, and that when people come to Guernsey – and I mean that by consultants and staff – they praise the work of the A&E Department for how quickly people can get treatment. Deputy Hadley raised issues. What was his cry to the media? For anyone who had an ill relative, anyone who needed to go to A&E at short notice, the message was clear – that reassuring message – ‘People will die’. Deputy Hadley has got a new message for you, with bowel cancer treatment – if they do not get it – ‘People will die’.

3390 In public health – and this is where I am surprised at Deputy Hadley. He is a pharmacist. He is a health professional – there is a golden rule of that balance between informing the public and unsettling the public. And at every opportunity Deputy Hadley seeks to *unsettle* the public through the media first. (**A Member:** Hear, hear.) That is his first port of call: ‘How can I create a furore? How can I create a to-do? How can I get a ball rolling? I go to the media, I create concern, I create anxiety and leave a Board...’ I have to say under siege and almost functionless when you have such criticism day in and day out.

3395 Deputy Hadley says their staff are not allowed to speak. I disappoint Deputy Hadley now. The pet name for Deputy Hadley throughout the Hospital is ‘five-a-day’ and by that they are referring to headlines and his nickname is ‘Headline Hadley’. When he says staff are free to speak out what they have learned is they can speak out but it ends up on the front pages of the *Press* or in the media and the radio, so they do not want to do it again. There is no such thing as a gagging order against any member of our staff.

3400 Deputy Hadley referred to cancer rates in his speech before and, in fact, in his manifesto he says,

‘I campaigned for bowel cancer screening which has now been introduced and which has already saved lives.’

3405 That was published in 2012 and 1,196 people were screened – three people had cancer, the first 1,000 people had no cancer. Deputy Hadley is finding cancers before the clinicians have even found them and feeling self-assured enough to put it in a manifesto to claim that he is saving lives and I do not like that, I think it is despicable.

The Deputy Bailiff: Deputy Brehaut, what I am not particularly keen on at the moment is that this sounds like a personal attack on Deputy Hadley. This is a Motion of No Confidence brought or signed by seven Members of the States, not just by one.

Please can you broaden the debate into the grounds rather than attacking Deputy Hadley.

3410 **Deputy Brehaut:** I do take your point, sir, and I did say at the beginning of my speech that the distress caused to our staff and the distress caused to us as politicians has one root source. But I will take your point, sir, and I will back off from using the name Deputy Hadley too frequently.

3415 If I can just find my place in my notes put together here... Earlier Deputy Mark Dorey was ridiculed – laughter went around the room – when he said that when you start screening people over the age of 65 to 71, then it gets dangerous. That was the most recent advice given to us at the Board table by the States Pathologist and the Medical Officer of Health.

3420 Again, with cancer mortality rates, the screening will get to people at the right age. Like prostate cancer, sadly, a lot of men will die *with* prostate cancer but not from it. Bowel cancer – people will have bowel cancer at the age of 70 or 80 simply because there has been no screening and they will have that in the later years of their life and it will, for some, prove fatal.

Incidentally on a recent trip to Scotland I looked up what they do with bowel cancer screening and they do faecal occult blood and they still stick by that method as opposed to the intrusive method and would rather still go with faecal occult blood specimens.

3425 The language we use at times like this is people are seen as being whistleblowers, people are being seen
as champions, people are being seen as representing the community against the Department. I will refer to
Deputy Hadley in this area, specifically, because he is often referred to as a backbencher. Well, he is not a
backbencher – if that term exists anyway within Guernsey politics – he is the Deputy Minister of the
3430 Housing Department and I personally think that being a Deputy Minister and having a seat round the Policy
Council, at times you just have to be a little more guarded and a little more responsible.

I will close there, sir, because I had laced my speech with the words ‘Deputy Hadley’ because it must
have been on my mind, I suppose. *(Laughter)* But I get back to where I came in, sir, in that it is tough being
a political Member of HSSD. We do not want medals for it. It is not easy, there are numerous challenges
but you let me know today when I should resign. If the budget – our anticipated budget – is out, tell me now
3435 do I have to resign? Give me some feedback as to when you think... As a political Member of HSSD, give
me the criteria you think which means that I have to go and I have to resign. Then I know where I am.

Because with HSSD there are constantly events. We have services dealing with young people, old
people, ill people. There will be episodes and there will be events. They should be managed appropriately
through the structures we have rather than through the media.

3440 I look to my colleagues at Education who were under siege not so long ago and just remind you all that
when a Department is under SIP scrutiny day in and day out, it really stops functioning in the way that a
good, effective States Department should run.

So, needless to say, sir, I am asking States Members not to support this Motion of No Confidence in the
Board.

3445 **The Deputy Bailiff:** I have an indication from two Members that they wish to speak. Are there more
than two who wish to speak? Well, in that case, we will adjourn until 9.30 a.m. tomorrow morning.

The Assembly adjourned at 5.30 p.m.