



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 9th July 2014

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Present:

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

Law Officers

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

People's Deputies

St. Peter Port South

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

St. Peter Port North

Deputies M. K. Le Clerc, J. A. B. Gollop, P. A. Sherbourne,
R. Conder, 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,
D. de G. De Lisle, Y. Burford, D. A. Inglis

The South-East

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

Representatives of the Island of Alderney

Alderney Representatives L. E. Jean and R. N. Harvey

The Clerk to the States of Deliberation

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

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Comptroller)
Deputy A. M. Wilkie (absent de l'île)

Business transacted

Evocation.....	1005
Billet d'État XIV	1005
I. States' Review Committee – The Organisation of States' Affairs – First Report – Debate continued	1005
<i>The Assembly adjourned at 12:28 p.m. and resumed its sitting at 2.30 p.m.</i>	<i>1031</i>
I. States' Review Committee – The Organisation of States' Affairs – First Report – Debate concluded – Propositions as amended carried	1032
<i>The Assembly adjourned at 4.25 p.m.</i>	<i>1051</i>

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States of Deliberation

*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 BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCATION

Billet d'État XIV

I. States' Review Committee – The Organisation of States' Affairs – First Report – Debate continued

The Greffier: States' Review Committee – the Organisation of States' Affairs. Continuation of debate.

The Bailiff: Well, Members, when we rose yesterday evening I was just about to call Deputy Paint. So if he is ready to speak, I will call Deputy Paint now. Then Deputy David Jones had caught my eye and then I will call Deputy Conder.

Deputy Paint: Sir, Members of the Assembly, I am concerned that these proposals will not actually achieve what they intended to do in the long run. So I have to ask: will these proposals make any difference in the way Government is managed? I personally doubt it, although I will not go against the proposal at the moment, simply because the system we have at present is not working very well either.

It appears to me that no allowance has been made for the different opinions of Deputies in all these particular subjects in this. Will these proposals manage to control the unnecessary spending we are experiencing now and incurrance before this?

I ask this because there is no doubt that Guernsey is living well beyond its means at the moment, having about a £24 million deficit for last year. The income from taxation is in decline, business is flat-lining at best, personal disposable income in real terms is reducing and the States' spending is increasing. There is something very clearly wrong.

There were a lot of points about introducing different forms of taxation, one of them being GST and most recently I read the Inheritance Tax; and no Government Department is prepared to just tread water for the time being in the hope that things will improve and get better in the future and just in case it does not.

We continue to keep blindly taking hard-earned income from the public for unnecessary increases in certain public services in these times of hardship and for everybody that is living here.

If five competent elected Members, who would make up the proposed Policy & Resources Committee, put in force strict monetary restrictions on all committees that the majority of the States' Members did not like, they would no doubt find themselves facing a vote of no confidence in the new system.

On the other hand, if the proposed Policy & Resources Committee Members were spendthrifts and a vote of no confidence against them failed, we may find ourselves in a worse situation than we are now.

Would Deputy Fallaize inform the Assembly how this situation could be handled and resolved if it came about?

We are elected to do the best we can for the people of the Bailiwick, which includes in my opinion the financial wellbeing of these people. If this is to the detriment of Government business, which we are honestly failing to do now and have done in the past, what would happen then?

Could the proposer of this inform the Assembly, if this is accepted by the Assembly, if they will take responsibility for the *[inaudible]* Report of it or will they expect the whole States to take collective responsibility for that decision?

I will listen to the rest of the debate and decide how to vote later.
Thank you, sir.

The Bailiff: Deputy Jones.

Deputy David Jones: Thank you, Mr Bailiff.

I have actually been very privileged to serve in both systems of Government pre-2004 and on the Policy Council ever since the changes in that year, and I can tell all of you that the 10 political Boards are a vast improvement on the 52-committee system we had before that time – except for one point: that the Members who served... We had a much bigger States then – I think it was 52 or 57 rather – and the Members who served on all those committees had a much broader oversight of the States' working. There is no doubt about that. But that went because it was unmanageable in many other ways.

We were told yesterday that the Policy Council is not working. Oh, really? Well, I am not sure what is meant by that comment. The Policy Council, to my mind, has worked very well considering what it was set up to be. And there has always been a misunderstanding, in my view, from the very beginning of what the role of the Policy Council was. It was never a Cabinet. It was not designed as a Cabinet. It was always a discussion forum for the heads of the Departments to discuss policy and to make sure individual Departmental policies did not cut across each other. That is what it was set up for.

Now, *The Press* always thought it should behave like a Cabinet and complained when it did not, which in turn misinformed the public who asked then why it did not. I repeat what I said because it was never set up as a Cabinet in the first place. We do not have Cabinet Government.

Many who have served in this Assembly also expected the same. It still shows leadership, in my view, but its problem has been, if it showed too much leadership, it was turned on for behaving like a Cabinet and this confusion has raged since 2004.

One of the former Chief Ministers who has always bantering on about this misunderstanding when he was accused of not having the power to put things right explained time and time again that it was a discussion forum and not a Cabinet.

But the problem I have now is because I do not see this new hybrid Policy and Resource Committee faring any better than the present PC. My prediction is that it will become very dictatorial – it will have to in many ways – and in a very short time it will cause real friction with other Members – whoever is left after this carnage when this Committee is finished. Whoever is left in this States – probably about 10 of you – (*Laughter*) will have no real power to do much about it and it is going to cause very real friction.

I go back to something actually that Deputy Paint touched on: how is that going to be resolved? Because one of the things in the Report that is very strong is that we want to get some cohesion; we want to stop these potential votes of no confidence. But what will happen if this five-man, five-person, Policy & Resources Committee does not measure up to expectation. The only way that that will be resolved will be by a severe amount of blood-letting on the floor of this Assembly. Is that really an improvement on what we have got now?

Now, on the other hand – because I do not agree that we should abolish Deputy Le Tocq's job; I think the Chief Minister is a vital role; I will come on to that after this, but – I do agree that the Chief Minister should have slightly more powers than he has got now. He ought to be able to call people like me into his office and sack me if he wants. (*Laughter and interjections*)

Deputy Brehaut: Recorded vote, please, sir. (*Laughter*)

Deputy David Jones: But of course he would have to have good reason to do so. But I believe that is right. I believe that he sits at the head of the table of the Policy Council with Ministers, who run the heads of Departments, and if clearly there is a problem with a particular Minister who is underperforming for whatever reason then the Chief Minister should have the powers, in my view, to do something about that. Now, it may be that he would instigate that and then have to bring that to the States to justify his actions. That would be actually quite a good check and balance on that. But at the same time I agree that there should be some changes in the Chief Minister's office.

That was a mistake also because I sat on this other wretched Committee, going way back, when I think there were 30 or 40 of us round a table it seemed at that time, with the original Review of the Machinery of Government before what has now commonly come to be known as 'the Harwood fudge' was brought in, (*Laughter*) and at that time a Chief Minister's Office was proposed and Deputy Trott is absolutely right a former assistant... Yes, I know. Patience, Deputy Fallaize. And I was one of the people who voted against setting up a Chief Minister's Office at that time. That was a wholly wrong decision. I have come to realise

that now, (A Member: Hear, hear.) as I have grown older and wiser. (Laughter) That was a wrong decision and, had we have gone for a proper Chief Minister's Office at that point, I think that would have been actually a big improvement on the Harwood proposals.

I do have real reservations about this new hybrid and the other thing I would say – and something I also agree with Deputy Trott – is that I believe this hybrid should have elections every two years too, because the people down in the bear pit here – which is what we used to call it and it pretty much was a bear pit, I can tell you, when people like Deputy Langlois and Berry and others were up here it felt like a bear pit – but – (Deputy Langlois: Deputy John Langlois.) Deputy John Langlois, sorry. (Laughter) But we would have benefited then from the old system that we had where people had to stand for re-election every two years. (A Member: Hear, hear.) So I will be trooping off to see the Review Committee on this and other matters.

I want to come on now – because there are just three or four points I have taken out of this Report – to the reduction of States' Members.

Now, this has systematically happened over the years with the loss of the Parish reps and others that have gone from the States, but I do not think that we should reduce the number of States' Members. Because I heard the Chief Minister on the television last night, in a way, saying that it would help make the Government more manageable. I am probably doing him a slight injustice, but that was what I picked up from that – that we should not reduce States' Members to make Government somehow more manageable.

I do not agree that having a fewer number in this Parliament will somehow give us more legitimacy to govern. It certainly will not. We are here to represent the people of the Island – as Deputy Green, I think, pointed out yesterday – not concentrate the decision-making process into the hands of some super committee or, by default, more civil servants. I can tell you now that is exactly what will happen. The Civil Service powers will grow because the number of States' Members will not be there to do the work. And our legitimacy to govern can only come through the ballot box in any event, not by some politically-engineered elected clique that would amount to little more than elected dictatorship, in my view.

Now, the States of Deliberation is answerable to the people. It is elected by the people – sorry? Did I say something funny? – to serve and protect their interest as a parliament for a maximum period of four years, after which time the power is returned back to the people. Every election time the power of this parliament is returned back to the people who may grant it to another States of Deliberation for a further four years and so *ad infinitum*. Thus the sovereignty of the Guernsey people is established over the States of Deliberation, which is as it should be.

One of the unique aspects of our system is that we also elect a built-in opposition and that is where the numbers are important. In any parliament that does not have party politics you have to have, in our system, the consensus system, a form of built-in opposition, otherwise you just get a bunch of nodding dogs and 'yes' people who will probably nod everything through that the super-duper new Committee will want to get through and hence my referral to an elected dictatorship, because that is what would happen.

So I urge people not to reduce the numbers of States' Members by too many because you will have unintended consequences if you do that, and that elected opposition, that in built opposition that serves in this States, is hugely important. You have to remember in a consensus system and the two people who are listening to this broadcast out there – (Laughter)

Deputy Fallaize: And in here, I think. (Laughter and applause)

Deputy David Jones: *Touché*, Deputy Fallaize. That is French. (Laughter)

The numbers of people and the way that the consensus system works is that we can find ourselves on the same side as each other in the morning in one debate and completely on opposite sides in the afternoon on another debate, and that is what makes this system unique. It is the purest democracy in the world. If you take the party system in Westminster or anywhere else, they even have party enforcers called Whips to beat them into line to follow party policy because they cannot allow individual thinking when it comes to that kind of system. So the vital opposition in this Assembly is exactly that and we should remember that when we are looking at the numbers of Deputies who are going to serve.

The other point I want to make is the point about titles. Now, I am on record as saying and it was on the front of *The Press*... I do not care what you call me. You can call me Brenda if you want. (Laughter) I just do not care. It is not about titles. But the point is... On the point about Ministers, I have to disagree that we should be changing that.

When the Island only had itself to worry about and we only grew a few tomatoes and just catered for the odd ship load of tourists, the local French vernacular for everything was sufficient and so were the parochial influences in our Government. That is a fact. In those days we were a very small insignificant community that most people could not even find on a map. We had no international profile and therefore what titles we used were of little importance to anybody except us.

Unfortunately, because of the huge financial international elephant in our room and the unprecedented attacks on us from envious neighbours, we found ourselves on the world stage whether we liked it or not and are therefore required, in my view, to use political titles that are commonly recognised by most governments and their officials around the globe.

The idea in the Report that we can go backwards or that we can return to the old title of 'President' on Island and the title of 'Minister' off Island is just plain daft in my view and I will not support it. If that is the case then we should never have changed it in the first place.

What would happen when you are round the table, then, at a meeting of the dependencies? You are going to have the Chief Minister of Gibraltar, the Chief Minister of the Isle of Man, the Chief Minister of Jersey and the President of the Policy & Resources Committee. I am sorry, it just does not work. It will make us look like some little Mickey Mouse, out of the cupboard jurisdiction, simply because people will not understand what has happened.

So I do not agree with Deputy Fallaize on that. I know he has never liked titles but I think that we are where we are and we should stick with them

Deputy Fallaize has made the point several times, both inside this Chamber and in the media outside, that because Ministers do not have so-called ministerial powers that we should not call them 'Ministers', as it is confusing; and the Report makes the same point.

Well, following that argument then, I would ask: if we call the heads of committees 'Presidents' will they have presidential powers? Now, that might be quite attractive in some quarters and I can already hear the rattle of rifle bolts in the courtyards for some of us, with these new presidential powers.

In any event, there are many countries that have government ministers – and the UK is one of them – where these ministers do not have supreme executive powers or anything like it. All decisions are, firstly, subject to Cabinet Office approval and many of those – I am sorry but they are, Deputy Fallaize, check – usually have to be agreed by the PM first and many are debated by parliament as whole and a numerous recent backbench revolt has shown that their system is little different to ours in that regard.

So I am afraid the title of 'Minister' and executive powers does not always go together. Their ministers sign letters without reference to others. Well, so do we. My Board, for instance, is content that once policy has been agreed by them then the nuts and bolts of that policy, including any relevant correspondence is handled by the Minister and senior staff. And, as I keep saying, the correct meaning of the word 'Minister' is head of a Government Department. Look it up in the Oxford Dictionary. That is exactly what it says. No more, no less.

On the other hand, I can give you several examples of where Presidents of countries do and did exercise them regularly with horrific results. President Mugabe. The list is endless. Idi Amin, Papa Doc Duvalier, George Bush – how did he get in there? – (*Laughter*) President Charles Taylor of Liberia and several others. I do not have time to list them all but the title of 'President', although historic in the French vernacular, is no more appropriate in Guernsey's modern political world than calling you the Emperor or Caesar or Chairman – I have heard that one. Chairman – that would be good. Chairman Fallaize. It has got a bit of a Chinese connotation to it! (*Laughter*) Chairman Mao – remember him and his power?

So I think whatever title you pick is not going to represent what I believe modern Guernsey should do. We have a system where, whether you like it or not, you have Ministers. To my mind, it has made it easier for people, certainly, off Island and other places and I will not support the scrapping of that.

Finally, I want to get back to the point I was talking about which was about external relations and the idea that this five-man, five-person, Committee should oversee external relations.

For those of you who have not been here very long, you will not remember that that is exactly what A&F did. A&F was a five-man Committee that handled all external relations and, although they had some very good people on it, they also made some glaring mistakes. One of them was the Edwards Report.

A&F, in my view – and I wrote to A&F at the time and to the head of A&F, complaining about the way that that was handled, so I have records of those letters – allowed a junior Treasury Minister to come and do an audit in Guernsey without any reference to this parliament at all. And that Edwards Report kick-started lots of other enquiries. There was the Primarolo. There was the code of conduct. It led to lots of other things coming out of Westminster. So is that what you want to go back to?

I come back again to having a proper dedicated... You see now we have a proper dedicated sub-group that deals with external relations. It is overseen, I agree, by the Policy Council, but the idea that this is all going to fall back into the hands of five people who...

Somebody made a very important point yesterday – I think it was Deputy Gollop, with his photographic memory – about the numbers of meetings that Treasury have; it is huge and their work load is massive. I have always given respect to the Treasury Ministers and the Treasury Department because I think they have the most difficult job in the States. They have got to balance this Island's books and with all the other committees and departments, and try to work with them but often pulling against them. So some of these things that need tweaking are actually to give Treasury more powers – to stop the wretched use of consultants, for one.

I remember in one four-year period when I was in this States we spent somewhere in the region of £15 million in different Departments on consultants. £15 million – that was almost a new school in those days, which is outrageous. And what did we get? We got the wretched fire main and the wretched jetty – none of which work. Did we get any money back? No. *(Interjection)* Sorry?

So I have a great deal of respect for Treasury. I know Deputy St Pier does not always think so because we do exchange the odd email, as you can imagine, *(Laughter)* but I certainly do and now I have found Twitter, which is a new one. *(Laughter)*

So that decision by A&F, in my view – and I want to go back because this is a serious point – was not only discourteous... and it was certainly discourteous of HM Government to try and use the gunboat diplomacy that they have used around the world for 250 years, in order to force their will upon the democratically elected States of this Island.

I always try and remind... and I believe I remember a very case when Deputy Trott, who was Chief Minister, had to remind the Minister of State, who sat around the Policy Council table and said that he had responsibility for the Channel Islands... and Deputy Trott reminded him that actually the elected governments of these islands had responsibility for them; he was responsible for liaison with the Islands, with which he was forced to agree.

But it was that kind of decision-making at that five-man Committee that set all kinds of hares running that this parliament should have had a say in and never did. That is the thing that worries me. So I will be going back to see the Review Committee about external relations and I am not really sure how much of these Propositions I am going to support, but I have made the speech I wanted to make and I thank you for listening.

The Bailiff: Next, Deputy Conder, followed by Deputy Lowe and Deputy Le Clerc.

Deputy Conder: Thank you, sir.

Mr Bailiff, colleagues, in many ways I come from exactly the opposite end of the experience spectrum to Deputy Dave Jones and I suppose in many ways I characterise many of the 22 colleagues who joined the States in 2012. But I guess our new eyes perhaps have some legitimacy, although they are not underpinned by the experience that Deputy Jones has.

What I would like to do is just share with you relatively, hopefully, briefly the experience I had on the States' Review Committee and why I am now, as a still relatively inexperienced Member of this States, passionately committed to the proposals in the States' Review Committee and would recommend them to this Assembly.

Sir, when I joined the States' Review Committee in the summer of 2012 I was certainly the most inexperienced amongst my colleagues and had the least knowledge of Guernsey's system of Government of any of those appointed by this Assembly to join the Committee. What I did have was a lifetime's interest and involvement in political and constitutional processes and some significant concerns about the democratic legitimacy of our form of Government, the way we create our Government and initiate policies. I had an awful lot to learn.

I remember Deputy Harwood, as Chairman of the Committee at the time of our first meeting, asking each of us in turn what the key principle or change we wanted to see as a result of the review process and I said the introduction of executive government and collective responsibility within committees. As I just said, I had an awful lot to learn.

My primary concern at the time was, in the absence of parties, the way we are elected by the public and the manner in which we appoint our senior politicians and members of committees. It seemed to me then, and perhaps still does now, that none of us has a mandate to instigate, develop or implement State-wide policies as a result of our canvassing of the electorate and receiving their endorsement for a slate of policies.

Instead, 47 individuals are elected who then come together in something that might look like a bizarre form of speed dating and within a matter of days we elect a Chief Minister, Ministers and committees, in many cases never having met the individuals prior to our election and having very little idea as to their political interests, their views or their ambitions.

These groupings of disparate individuals then proceed to develop policies which, as I said, in many cases had little reference to any perceived or explicit views expressed by the electorate. Thus I worried then and perhaps still do worry, about our democratic legitimacy.

It was those worries which at the time encouraged me down the road of Ministerial or executive government, strengthened, I suggested at the time, in terms of leadership, policy initiation and direction, by a form of collective responsibility and given legitimacy by creating a form of election, again in the absence of parties, at which those seeking high office should have to present themselves and declare themselves to the electorate and offer a range of policies which the electorate would be invited to endorse.

275 Those views – my views – were perhaps naive, but there is something to be said for the ‘Emperor’s got no clothes’ questions at the early stage of a review process. Indeed, to some greater or lesser extent, my views were shared by a number of my colleagues on the States’ Review Committee at that time who were also concerned about the ability to initiate policy in a timely and effective manner.

280 It was only through the continuous examination of the various possibilities and reviews of equivalent systems in other jurisdictions that we came to the unanimous conclusions that we have in our unique committee system something very special which, yes, is ripe for and needs significant improvement but which is, at its core, fundamentally right for this Island.

285 What we all agreed was that we did not want to offer this Assembly some sort of hybrid system in which an attempt is made to ram together executive government and a committee system. In some ways we suffer that now, if only in the form of titles and the illusory authority of the Policy Council.

290 But we would suggest there is even more evidence of the problems of creating such a hybrid not 20 or so miles from here, in which the tensions of attempting to create an executive form of government whilst operating from a base of a committee system suffers almost continuous tensions both within the executive branch and between the executive and the rest of the elected representatives, resulting in almost continuous tinkering and reviews of the political structure which we see on an almost weekly or monthly basis.

295 Sir, at the end of this two-year process and with still some way to go during phase two, subject of course to the will of this Assembly, the States’ Review Committee is now unanimously recommending an improved committee system, which we believe can offer enhanced leadership, improved policy initiation, monitoring and co-ordination and, most importantly, an enhanced, strengthened and properly resourced scrutiny function.

Why have we come to this conclusion and where does that leave democratic legitimacy?

Sir, as we all know, traditional democratic legitimacy in large and medium-sized western democracies invariably requires teams or individuals putting themselves before the electorate, offering both the well-known political philosophy and a specific number of policies congruent with that political philosophy.

300 In every case that I know of, those policies are offered by way of a party manifesto which is either endorsed or rejected by the electorate. The parties so rejected become the opposition and exercise direct scrutiny of the policies and legislation of the successful party who become the government.

305 Following the election the electorate have little say or direct contact with their government, often have little ability to influence policies and legislation other than sometimes through riot or insurrection. Thus at the core of such constitution and the source of a political legitimacy is the notion of two or more political philosophies embodied within a party structure which is accepted or rejected by the electorate every few years.

310 We, of course, do not have that system. We do not have political parties in Guernsey and no government can create or impose such a model and, even if they were to be created by popular acclaim, in such a small community they would likely be unstable and suffer constant fractures, in terms of personnel and philosophy.

In the absence of a party based system, what we do have – which is probably obvious to many, which I think is an occasion worth reminding ourselves of – is a form of government which is probably as close to the electorate as any model, short of continuous referenda.

315 We in this Assembly are, of course, the Government and collectively and individually we are responsible for the conduct and policies of our Government. The committees of our Government develop and seek endorsement for policies they initiate and implement on our behalf their Government. But I would suggest that under our system they seek and they gain some significant element of democratic legitimacy through the contact with the electorate at the policy development stage.

320 The electorate has had multi-layered opportunities to interact and influence the authors of this Report. They have and are engaging with the authors of our Population Policy, as they will with our Tax and Benefits Review and did in respect of the Integrated Transport Strategy and Primary Rationalisation.

325 Sometimes that public engagement will change the proposed policy. Sometimes this Assembly, in its wisdom, will note the expressed public view but as elected representatives, not delegates, might take an alternative view. That is democracy and that is our very unique form of democracy, which I think is to be celebrated and protected.

Sir, there is no doubt that the existing committee system will benefit from a degree of incremental change, improvement and enhancement, particularly in terms of leadership, policy development and co-ordination and most importantly the functioning and resourcing of scrutiny.

330 Unlike my friend and colleague Deputy Bebb, I do think incremental change in a mature democracy should be the norm and usual. Revolutionary changes in the structure of government often signal a dysfunctional or fractured society and are often not stable. Although I would, of course, recognise that perhaps France and the United States in the 18th century might give a lie to that thesis.

335 Sir, this has been a quite demanding process for all those involved. A number of us have, as I have indicated, had to revise our thinking over these past two years. I am amongst those.

We have had tremendous support from our two lay colleagues, Mr Terry Le Sueur, former Chief Minister of Jersey, and Mrs Claire Smith, a UK solicitor who has had extensive experience of UK public law and governance arrangements of local government in the UK.

In her statement in support of these proposals, she said and I quote – this is Mrs Smith:

‘When I began my journey with my States’ Review Committee member colleagues I felt certain, based on my previous experience, that an executive model would be the best system for Guernsey or at the very least a hybrid executive... system if the States could not be persuaded to fully abandon its committee traditions. However, two years later I find I have developed an in depth understanding and respect for the Guernsey committee system which, on the whole, functions extremely well and is the best system of governance to meet the challenges facing the island now and in the future.’

Sir, I think that pretty well sums up the journey which I have been on, where I am today in so enthusiastically endorsing these proposals.

Sir, I think the States’ Review Committee is offering a machinery of government which is fit for the 21st century and, most importantly, is right for Guernsey and right for the people of Guernsey. The States’ Review Committee is unanimous in its support for all of these proposals and seeks the endorsement of this Assembly to move on to the more detailed work in stage two.

I ask my colleagues to support all of the Propositions. Thank you, sir. (*Applause*)

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

I will start with a question for the Chairman of the Review Committee, because when we are reading this one of the questions that I raise is: will we, or have they – the Review Committee – collected data on the number of sub-committees across the States? Because, instead of looking to reduce the 10 Departments down to a lower number, which has been recommended in here, there are regular sub-committees that take place right across the Departments. So we actually need to drill down and get that data before we turn around and say maybe we should be reducing them, because maybe we should be just being honest and make proper committees of those regular sub-committees that are required under the mandates of the existing Departments.

I do not know if that data exists. It may be in the Report and I may have missed it but if not I believe that that is something that we should have. That data we should have, because it makes a good sound bite – we will reduce the Departments – when in reality we have far more than 10 Departments. So when the public actually look at this and they think, ‘Well, they have only got 10 Departments. That is okay. They are not doing much,’ but there are so many sub-committees that are required and so we actually mislead the public and, indeed, we sort of mislead ourselves to a certain extent because we are not being honest with how many regular sub-groups that are required under the mandate.

Of course, that also fits in with the point that Deputy Green made yesterday when you go for a good sound bite about reducing States’ Members numbers, but if you have not actually got the full data of all the work that is carried out by States’ Members here, let alone the work that you do for your parishioners and all the other things that you have to do as a States’ Member. It gives a very false picture and, there is no doubt about it, since we changed the machinery of Government in 2004 that picture has been false because people think that we only have the 10 Departments and so therefore you can manage with a lot fewer States’ Members.

I know in the Home Department alone there are several sub-committees. Some of them are project work but I mean if you look at T&R, if you look at the Environment Department, there are regular ones that are needed all the time; they are not just for projects.

So I think we actually need that data to be able to make decisions, because some of the resolutions and recommendations they are asking to approve here will lock us in to agreeing that when, in actual fact, we might not agree with it because we have not got the full data. So I am just a bit uncomfortable with that. I think we need more information on that before the very prescriptive recommendations at the back on a couple of them will actually, or could, backfire on us.

I move on next to... Deputy Jones said that Policy Council has not failed. Well, it has not failed all of the time but I have to say it has failed some of the time, as indeed I guess some of the other Departments have as well. But then I would not be banging my chest saying, ‘Policy Council have been great and it has actually worked.’

You have only to look at the next Billet for July and just see the impossible amount of reports that are in there, and yet when it was dealt with by the Bailiff’s office we only met Wednesday and Thursday. We met at 10 o’clock in the morning until 5 o’clock and do not give me the nonsense that work is far more complex now, because that is not necessarily the case. And yet we have got two Billets coming through that must be not far off two or three inches in depth and you expect us to all read that within five weeks and have this meeting in between as well. I mean that is the ideal time. It is the old political trick: if you want to get

something through and not allow time for Members to actually look at it properly, chuck it in a Billet where you know you have got a mid-month debate coming up and you have got less chance for Members to look at it properly and raise all the questions. You can take that as a fact. That is the way it is operated.

Can you tell me – and the Member that was tutting behind me... I want you to put your hand on heart that you have read every page in those Billets when you come back in a fortnight's time because I doubt if you have.

You also go on about titles and Deputy Jones went on about titles. Well, it is interesting really because Deputy Jones as well – and I take my hat off to him – is always one that is banging the chest again about Guernsey's autonomy and we must keep it. In fact, it is one of our strategic plans: we have to have our autonomy.

If you want to have a look at the Billets for next month, you have got Policy Council, T&R, Environment Department, Commerce & Employment, PSD, HSSD, Housing and SACC, every one of those reports drops the name Deputy. Nobody has got 'Deputy' on it. So if we really want to say let's keep our custom and we must keep our titles, where is 'Deputies'?

That would have been rejected at one time if that had come through. Those reports would have been rejected and ... because there was one report that came through that did not even say it was a non-States' Member; it did not actually differentiate. You look at that and you think actually those are non-States Members because it does not actually say you are Deputies.

The Ministers put their grandiose titles of 'Minister' but they dropped the 'Deputy' because actually we do not want to send out the message that we are a Deputy because we are actually a Minister. No, you are a Deputy, who happens to be Minister of a Department and that is how reports should be written. 'Deputy so and so, Minister of a Department,' 'Deputy Minister of the Department.'

This is where the slack has come in and this is where everybody wants to say, 'Oh, we want to keep our autonomy, we want to make sure we keep our titles.' Well, actually the basic one of Guernsey's history, where Members have been called Deputy, have gone out the window.

So I would ask the Review Committee when they come back to look at removing it and I am sure there is near enough just slightly under 40 of you who have actually allowed reports to come through without your name, saying, 'You must keep our title'. Well, use it. Use it or bin it. Use it or lose it, because you are not using it, because it does not look too good, maybe. I do not know.

There is no doubt about it, that may come along... If we are going to change the review of Government maybe we should be MGPs, maybe we should be Members of the Guernsey Parliament. You have got Members of the Scottish Parliament. That might be recognised more. Call yourself MPs. Call yourself what you like, but use the title. If you have got it, you should use it.

We then go to the extreme where we have got the 'Chief Minister' title and I just think, again, it is a false title. There is no doubt about it, egos have changed since we have gone into this route of having a Chief Minister and, I am sorry, I am not going to get personal with anybody but there is no doubt about it, egos have changed having that title instead of a President. I mean our current Chief Minister actually has great delight in calling himself in the French term the Prime Minister of Guernsey. No, you are not the Prime Minister of Guernsey, you are the Chief Minister of the Policy Council of Guernsey. To have on all your paperwork that you are the Premier Minister de Guernsey is wrong.

We also have a previous Chief Minister who delights in putting on the website of the business that he is involved with that, as Chief Minister,

'With 5,500 employees, over 62,000 stakeholders and net assets in excess of £5 billion, the role of the Chief Minister of Guernsey is often described as being similar to that of a non-executive chairman of a FTSE 100 company.'

Sorry. Nothing like it at all. You are one of 47 who make a decision in this Assembly.

I am pleased to see in the Report, on page 1421, that the Review Committee have recognised that they are going to look at the titles of the civil servants because, again, that has caused confusion over the time and they are looking at that – which I welcome because we are seeing a growing trend now where it used to be that it was the senior manager of a Department and then it was a manager of a Department with a title underneath of the section. What we actually see now is a director of this, a director of that and a director of the other.

One particular letter that was sent out... and a parishioner rang me up and said that the boss of this particular Department had written a letter to them because... It was a director and I said 'no, no, that is not the boss'. They said, 'Well, how do you allow a letter to go out signed by a director, because a director is a director of a company. The States is not a company, so why are you using the title 'director'?

I know in the previous States that actually there was a request for them to look at that to see about addressing that, because there is no consistency across the States for States' employees and their titles.

Some feel more grandiose and must have a fancy title and others are more realistic and more honest and say they are actually a senior member of that Department. So I welcome that.

455 In fact, just as a side issue, one meeting that I was at – (*Laughter*) A side issue, yes. (**A Member:** After all that.) Yes, after all that. That is the joy of being around for a long time; been there, seen that and seeing how things have changed – and not necessarily for the better.

460 One of these directors was actually at a meeting that I was at, and the full board were there and the senior management were there, and that particular director felt aggrieved that they did not have a vote at a meeting because they are directors and therefore they are the senior members of that Committee and they should have a vote. I said, ‘You are welcome to have a vote. Stand for election and you can sit here and you can get a vote. In the meantime, you have no vote.’ But that is how, once you get a title of director given to some members of staff, they believe that because they are that senior they should have a vote around the board meeting.

465 Also I was wondering... and I know it was mentioned yesterday by Deputy Gollop and I know some of the others have actually spoken about it, but the more you reflect on this locking in again saying five Members on the P&R Committee, the more I think about it... I thought at first it would be a good idea but I have concerns about it because you have only got to look at the appalling record of the Policy Council attendance records, which were read out yesterday by Deputy Kuttelwascher... and they are actually in the
470 Report for you all to see and there was lots of sitting on hands, ‘Not me, guv,’ but it is there in the records to show how many alternative Members attended that; but at least you had the Members there.

If you have got a committee now who will be five on Policy & Resources Committee and knowing how attendance is not always that great and indeed, out of those five, the workload will have just about the full workload of T&R, they will have the external relations, they will have all the policy co-ordination and the
475 other things that are actually mentioned in here – how are five going to be able to manage that and cover holidays?

T&R meet weekly and have several sub-committees that need to keep going. They are one of the ones that I was saying about... the falseness of just having a T&R Department. I am sure some of those could be permanent committees if that was the case.

480 So I know Deputy Gollop spoke about putting in an amendment for seven and, on reflection, if somebody put in an amendment for seven, I think I would support that because when you reflect on the amount of work that needs to take place, as such a senior committee – everything is going to filter through there – are we really going to be happy that just three Members will actually be involved with that, because that is going to be the quorum – three people taking through all that work load and making those decisions?

485 So if someone wants to put it or if Deputy Gollop wants to think again about putting it, I would support that, because the Resolutions we have got at the end... you are saying it will be five, so we cannot come back on that; although we can amend it again, but do not send them off saying that we actually fully support five if we do not think five is the right amount.

490 There are lots of good things in here but there is an awful lot in here that tells you nothing. I accept that – it was said when it was presented as well – this was really just to establish whether you wanted an executive government or not. So I mean that has been accepted: we do not accept the executive government, but it does not give us much meat on the bone because they are coming back with another. Apart from these two or three at the back... that you are going to be locked in and that you have not got any of that information in this Report, and I err on the side of caution and I think some of those I will vote
495 against because otherwise we will be told when it comes back that, ‘You voted for five Members. You voted for a reduction of States’ Members and you voted for up to nine committees,’ when in actual fact if you have got that data in front of you, you might say this is not good news and we should have had that data beforehand.

So those are the three that I ask Members to give consideration to, likewise.

500 Thank you.

The Bailiff: Deputy Le Clerc and then Deputy Stewart and Deputy Harwood.

505 **Deputy Le Clerc:** Sir, I have waited two years to say this and I think it is my opportunity: ‘Tis I, Le Clerc, and I will say thees only wohnce. (*Laughter*) That is French, Deputy Jones. (*Laughter*)

Now to more serious things. I want to bring around the debate to accountability and responsibility, because I am not sure, over the last day or so, that I have heard anything about accountability and responsibility and that has been sort of high on my priority list for the last two years.

510 I would like to ask the States’ Review Committee to ensure that when they return with further detail that they refer back to the Bebb Requête which was debated almost a year ago and, in particular, Proposition 7 and I will just read that out for you:

‘To direct that when the States Review Committee reports to the States it shall make proposals designed to ensure that the structure of the civil service and titles of officers (such as “Chief Executive” or “States’ Supervisor”) are consistent with the organisation of States affairs which the Committee will recommend be adopted with effect from 2016.’

So I would just like to remind the Committee of that.

515 In addition, I will read another short extract – so, please, forgive me again – from a statement given to us by Deputy Harwood on 30th January 2013, regarding reporting lines and the process if there are conflicts:

‘Any Minister may also at any time request a meeting with the Chief Executive to raise any such concerns.’

520 – this is concerns about conflicts –

‘All Ministers are also able to raise such concerns with the Chief Minister *if* they are able to resolve such issues to the Minister’s satisfaction. Ultimately, any persisting issue will be resolved politically by the Policy Council. Mindful that, sometimes, the Chief Executive may be portrayed as someone from the centre intruding in the lives of Departments, the reality is that the Chief Executive has a close working relationship not just with myself...’

– and that was him as Minister –

‘...but with every Minister, not simply through their attendance at the regular Policy Meetings, but also through a series of frequent meetings between the Chief Executive and each Minister.’

525 So, I think, for me, the question asked is... In the absence of a Policy Council and the automatic attendance of regular meetings of the Ministers of all the Departments, I think it is important that the Review Committee’s proposals ensure that there is a process in place for conflict resolution and a specific platform for regular dialogue between Ministers and the Chief Executive and the Policy & Resources Committee, because I am just concerned that these proposals will alienate the Ministers from the Policy & Resources Committee and I would just like some feedback on that.

530 Thank you.

The Bailiff: Deputy Stewart.

Deputy Stewart: Mr Bailiff, fellow States’ Members, Deputy Le Clerc, good moaning! (*Laughter*)

535 I have to say this Report made extremely good reading to me and I would like to congratulate Deputy Fallaize and the rest of the States’ Review Committee, because ministerial government – and I think we have all come to realise – without political parties would be an extremely difficult thing to achieve. But I think what is being proposed is a way of strengthening our decision-making process, yet still retaining that consensus style of government. However, we as an Assembly need to have the faith to delegate that extra responsibility to Policy & Resources and, of course, the checks and balances are in the Report, which are enhanced scrutiny and, of course, the scrutiny of ourselves within this Assembly.

But one of things we talk about in Guernsey and externally is the fact that we can be nimble and we should be nimble, because it is not just about, as we have heard, threats; it is about opportunities that we can take as a jurisdiction by being more nimble, being able to make faster, quicker decisions.

545 The only way that has happened up to now is through force of personality. It is Deputy Trott, with his sharp elbows and pointy knees, barging through all the red tape. ‘Oh, I will have those ships or, no, I won’t, I will have two of them,’ and them coming back to... and it is only the force of personality. But had he not done that we would have been in a pickle. But he actually circumvented all the Rules, had to bring it back to the Assembly and he actually could have been in... Well, he stuck his neck on the line. But being able to make... well, we all did – I was not there. But at the moment we actually all kind of circumvent the Rules a little bit to make things happen and I think this tackles what we need at the core, which is a group of people that can be held to account, that can really bring Policy & Resources together to let us be a nimble jurisdiction and, yes, deal with those threats. But on the positive side, look at the opportunities we can take by being a little bit more fleet of foot, by playing to our advantage, by being – as we always have done in the past as a jurisdiction – innovative.

555 Just to touch on titles and Deputy Jones is absolutely right and as our ‘legacy optimisation facilitator’ – which would be a good title... (*Laughter*) titles are important.

560 I made this in my speech when I stood for Commerce & Employment Minister. You do not want silly titles. I mean a Foreign Minister could be ‘a global implementation accelerator’ or the Chief Minister, a ‘principle configuration architect’, but actually titles are important.

I tell you what, I am going back to China later this year and I am going to take ‘Deputy’ off my card because they all thought I was not the bloke in charge. They did not think I was the Minister, they thought I

was the Deputy, so they said, 'Where is the Minister?' 'No, no, I am the Minister,' 'No, no, it says Deputy,' 'No, no, I am the Minister'.

So Minister is going to be in really big letters and 'Deputy' is going off the card – not for an ego trip but that is what people see you as when you are abroad. They want to know they are speaking to someone that has some form of authority. And I think we should keep the title of 'Chief Minister' so rather than 'President' of whatever, Policy & Resources, should be the... You should be *ipso facto* the Chief Minister and, of all those committees, I think you should be the Minister.

Commerce & Employment needs to take the credit, I think, for coming up with the title 'Minister', because I think it was during the foot and mouth outbreak and the current President at Commerce & Employment, or whatever it was back in those days, wrote and signed it off as President, and the UK Government Minister wrote a very polite letter back because he thought he was President of some agricultural committee or some agricultural show in Guernsey. So then they just took the title 'Minister' and they got a better response next time. And it is important. So let's not get hung up on titles; let's just play them to our advantage.

Now, also Deputy Conder touched on... One of my most difficult moments of becoming a States' Member was... He said it was like speed dating; I call it speed boarding. Now, having set up numerous companies across the UK – companies that had huge influence in their communities – we would spend months making sure that board of directors was right; that we had the right balance, we had the people on that board that would challenge, the people that had the necessary skills to make that board work and it is so important.

To try and pull a board together in 24 hours was a very, very difficult task and I hope the Review Committee can address this, because actually I am very proud of my Board, I am very proud of what we have achieved at Commerce & Employment, but actually that Board came together through more luck than judgement; and the role of a Chairman should be able to make sure that he has got a balanced Board.

Now, just on the number of Deputies, I think we have to listen to our electorate on this. I think there are a lot of people that feel 35, or around that number, would be the right amount of Deputies. There would be savings, not only in money, though minor in places, but it would send an important message. It would also, I think, help speed up the decision-making process and, yes, maybe we might be a bit busier but I think we can easily manage with 35 Deputies and I will certainly support any Resolution that is brought forward.

So I do not really have an awful lot more to say other than I will be supporting this. I also do feel that the States' Review Board should take on what they say. I do hope we can retain the titles, because when it does come down to external relations in particular it is extremely useful.

So I look forward to supporting this and for these comments to be taken on Board.

Thank you, sir.

The Bailiff: Deputy Harwood.

Deputy Harwood: Mr Bailiff, thank you.

Just on the theme of titles, when during my short period as Chief Minister – and I acknowledge my predecessor has the longevity in the role, but – I would regularly be asked about the title of 'Chief Minister' and my bad paraphrasing of Shakespeare would say, 'a title full of sound and fury but signifying nothing' and I urge all States' Members perhaps just to reflect on that because we can get totally bogged down on the matter of titles.

So I thought it appropriate just to address the Assembly because quite clearly, as Deputy Duquemin alluded to yesterday, it was my sort of conversion from full exponent of executive government to fully endorsing the Report of the States' Review Committee.

Sir, it would be well known that in 1998 to 2000 I chaired a panel which was commissioned by the then States of Guernsey to review the Machinery of Government and, at that time, this was the first time there had been a root and branch review of Machinery of Government in Guernsey since 1947. And in that context, sir, that quite clearly – and also bearing in mind that the members of that panel were non-States' Members – from any external objective observation the logical consequence was that the Island should move towards executive government.

The States of Guernsey at that time resoundingly set its heart against that. I think the people of Guernsey also, in the views they expressed, made it clear that they were not in favour of executive government.

I think we need to move on and I acknowledge that that time would have been appropriate. If there had been a desire for change, that would have been the time to do it, but we have moved on. We have to develop what we have now.

I also acknowledge, sir, that the notion of consensus government is embedded in our DNA; it is embedded in the DNA of this Island. And it is interesting because during the process of the Review Committee, when we were interviewing people, I kept asking the question: what do the people understand

by the expression consensus? Most people said, 'Well, it is a freedom to vote as they chose,' i.e. without any sort of party influence or party whipping. Others said that actually it was the fact that Government was administered by committee; it was not down to the whim of any one individual, but a group of five of you had to, between you, come up with a majority in favour of a particular direction.

That is important and that is part of our culture and I acknowledge that that is part of our culture and it is part of our DNA. Certainly, when I think the States' Review Committee were coming back looking at the proposals it was going to bring to this Assembly, it was very conscious of the fact that we did not want to see another fudge.

My name has now been linked with a dairy milk confection, which is the Harwood fudge. (*Laughter*) I am above that. I was not responsible for the fudge last time. The fudge was a decision of the States and, again, Deputy Jones has already alluded to the fact that the States, at that time... The original proposals that came back, notwithstanding the desire not to have executive government... Those two committees, when they brought back proposals to the States, actually suggested there should be a Chief Minister's Department. That was rejected and a lot of difficulties we have had since then fall back on that decision. (**A Member:** Hear, hear.) But therefore I think we need to move forward with incremental change.

We do not want to come up with a hybrid system. It is either executive government or we try to reform and revise our current committee system and improve the committee system. That is the view... and I fully endorse the States' Review Committee that that is the way to go. We need to improve on what we have created. We need to evolve.

Before Deputy Bebb totally loses the will to live after his speech yesterday, can I refer to the fact that, yes, legislative scrutiny is critical and the Report identifies that the issue of legislative scrutiny has to be addressed in the second phase of this Report. I agree with him. As an Assembly we are responsible for legislation. We pay scant attention to it. We need to come back and I think I would urge the Review Committee, in phase two, to actually begin to address that.

To Deputy Lowe, who is critical of the fact that perhaps we mislead the public by the fact that we operate with lots and lots of sub-committees, yes, there are lots of sub-committees but the important feature is – and again Deputy David Jones alluded to this – previously there were 57-ish committees, each with their own individual mandates, often in conflict with each other. By drawing down the number of committees of the States to 10 – albeit, yes, you are operating with sub-committees, but those sub-committees are operating within a common mandate of the main committee – you have avoided that constant friction between competing mandates. And I would urge everybody to resist the idea of thinking that we should go back to a multiplicity of committees, because that would be, I believe, highly detrimental.

Sir, this are some reservations amongst Members of this Assembly that if we create this new Policy & Resources Committee there is going to be too great a concentration of power. This has been alluded to today and certainly was alluded to yesterday.

What I would say to the Assembly and give reassurance to this Assembly is the process of election for the Policy & Resources Committee, as suggested in the Report, would give every States' Member the opportunity to question, to challenge anybody whose name is put forward for nomination for that Committee.

So therefore – and again this comes back to the debate yesterday, in terms of having Deputy Duquemin's unsuccessful amendment – the States themselves will be able to choose people who they believe will fit the round pegs in the round holes. They will have that opportunity to question the candidates who are being put up for the Policy & Resources Committee, in a way that at the moment they do not have that to do so. Because at the moment what you do is you elect a Minister of a Department, and *ex officio* that person is a Member of the Policy Council whether they want them or not.

The other point I would make about concentration of power is that the supremacy of power will still rest firmly and squarely with this Assembly. That is the whole nature of a committee system. It is this Assembly that mandates committees, it is this Assembly to whom those committees report and that will still continue.

Yes, there may be occasions when the Policy & Resources Committee will have very strong views about the policy that is being put forward, that is being developed by an individual Department, but that Department has a perfect right – and will continue to do so – to develop its policy and to bring that policy back to this Assembly; and it will be the decision of this Assembly whether or not that policy should be pursued and Policy & Resources will comment on it.

I mean one of the problems we have at the moment is: yes, on any matter of importance brought to this Assembly, Treasury & Resources make a comment and the Policy Council makes a comment. Too often the comment from Policy Council is fairly anodyne and the real meat of the comment really comes from Treasury & Resources. By bringing Treasury & Resources and Policy together you will have a much more meaningful commentary that can inform the Members of this Assembly.

There will not be a concentration of power. Supreme power will still rest with this Assembly. The individual Departments will still have their policy development role and will be able to bring policy to this Assembly. So I do not share people's fear or concern about the concentration of power.

685 Finally, just to pick up on the point we debated yesterday... and again Deputy Jones alluded to it today when he compared the old Advisory & Finance Committee and its approach to external affairs with the external affairs role that has developed over the last few years through Policy Council, particularly through the External Relations Group.

690 Yes, of course, back in 1997 when the Edwards Report was foisted upon this Island – and, by the way, Mr Edwards was not a junior Secretary of State, he was actually an independent. It was a totally independent government at the time, although he was nominated by the Treasury. The point is that since then, inevitably, the Policy Council and the Policy & Resources Committee going forward will have to have external relations first and foremost in its mind.

695 As I said yesterday, the Chief Minister, or whatever we are going to call him, will have to wake up every morning and one of the first things he will do will consult with the team at Sir Charles Frossard House on any issues that have emerged over the last 24 hours, that impact upon foreign affairs. We cannot ignore foreign affairs. It is, again, imbued in our system. It has to be imbued in our system of government and it has to be discharged by Policy & Resources Committee.

700 So, sir, I hope and encourage all Members of this Assembly to support the Report of the States' Review Committee. There is clearly further work to be done. It is important I think that the States' Review Committee takes away from this debate some pointers as to the phase two of its Report.

Thank you, sir.

The Bailiff: Next Deputy Rob Jones and then Deputy Burford and Deputy Gollop.

Deputy Robert Jones: Thank you, sir.

I will be supporting the Propositions 1 – 6. I am not going to regurgitate or repeat any of the arguments for because they have been well put and I believe that Guernsey will be best served by the improved committee system.

710 I have also spoken on the scrutiny function earlier and because of the successful amendments I will be able to support Proposition 7 through to 9.

As to Proposition 10, well, I am not entirely convinced that the reduction of the number of States' Deputies is necessarily the way to go, but I do think that is a subject that really does need to be debated and I am glad that will be included in stage two of the review.

715 What I did not want to do is leave this debate without talking a little bit about the scrutiny of legislation. Of course, as Chair of the Legislation Select Committee I am well aware of the strengths of that Committee and also aware of some of the weaknesses that we have. And I think it is a Committee that probably does not have or deal with its work in the public domain. So a lot of the reasons why people do not understand what actually goes on at that stage is because we probably could be a little bit more proactive in giving the public a better idea of what we do. And I think that is one of the considerations that hopefully will be carried forward to stage two.

720 There are also a number of recommendations we have already put to the States' Review Committee which you will see in section 6.16.6, which talks about some of the Belinda Crowe recommendations.

725 So there is a lot of work to do on the Committee but I think if we solely focus on the two hours and 45 minutes that people talk about, in terms of the time spent by the States as an Assembly looking at legislation and scrutinising, it does a little bit of injustice to the amount of scrutinisation that goes on with a piece of legislation.

730 Of course, the framework for legislation starts with the debate on the policy and a lot of those debates... the quality of the debate and the quality of the report, yes, that varies and the quality of that, well, that is in the gift of the Deputies and the Departments to get right. It is not necessarily a flaw in the process but if we are seeing poor legislation... Do not get me wrong, in the past we have seen poorly-drafted legislation or legislation that probably did not entirely cover what it should have done in terms of following States' Resolutions and policy.

735 It is important to understand that there is some considerable debate and as the legislation moves through the process, the lead Department then works with Law Officers, so there is another element of scrutiny there. Legislation often goes out for public consultation. So there are opportunities for Deputies both to get more involved, if they wish to, through their Departments. I would imagine a lot of legislation – as it does on the Department I sit, with Public Services – comes to the Board; the report comes to the Board. So there are opportunities there for Deputies to get involved. I mean it is entirely in their gift to get involved in the level of scrutiny which is appropriate.

740 Moving on to legislation when it comes to the Legislation Select Committee, that Committee, as I said before, does not conduct its business in public, but there are opportunities for it to do that. It meets 11 times a year and some of those meetings can go for two, three, four, five hours – I do not think we have ever had a five-hour but we have been close to it; we have deferred items for other meetings. So that is another 30 or 745 40 hours of Deputies' time scrutinising legislation. So to solely say it that is has only had two hours of

consideration by the Assembly as a whole... I mean you have delegated a function to a committee – 30 or 40 hours a year, plus the time that we take to prepare for those meetings – so there is scrutiny out there. I think it does it an injustice just to focus on those two hours. We also have the benefit of –

I will give way to –

The Bailiff: Give way to Deputy Bebb.

Deputy Bebb: Thank you for giving way, Deputy Jones.

Would you not agree that the scrutiny that happens within the Legislation Select Committee is merely to ensure that the legislation is comparable to what has been passed as a Resolution of the States, and does not indeed scrutinise the legislation on its merits in its own right?

The Bailiff: Deputy Jones.

Deputy Robert Jones: We have had this discussion on many occasions in the Committee, but surely the mandate of the Scrutiny Committee, as it is at the moment, is ensuring that the legislation is in line with the policy of which we have already debated and which is already in place.

So we do not proofread. There is a perception that we simply proofread. We do not do that and Deputy Bebb, as a Member of the Committee, is well aware that we do not just proofread. It might be convenient for his argument today to suggest that we do, (*Laughter*) but we certainly do not and it is well within his gift as a Member of that Committee to take scrutiny to any level that he wishes to do so. If he simply wants to proofread then that is entirely up to him, but Members of that Committee do not simply sit and proofread legislation. That is a myth that is out there that I think we need to debunk.

Going back to what I was saying before I was interrupted, we do have the benefit of non-States' Members and both of those independent members are practising lawyers and they contribute a great deal to Committee – way and above simply picking out typographical errors, which we do pick up on, obviously, because we read it, but that is not the function of that Committee and I can assure you that does not go on.

We also have the opportunity to quiz the Law Officers, the draftsmen, so that is certainly a function that we take seriously. We bring in Chief Officers, we bring in staff and we bring in other Members of Departments to talk them through the process from the debate on the Report on how we get to the final piece of legislation.

For example, we had the director of Civil Aviation in and we spent four hours going through the quite immense – it was actually 300 or 400 pages – Aviation Law. So they are just examples of how we sit as a Committee, bearing in mind that Committee is doing it on behalf of the Assembly.

When we hear about different roles for scrutiny and elements like that where people are wanting us to scrutinise States' reports because they want to save States' time in debate, well, that is the function of the Legislation Select Committee. You have delegated to five individuals the role of scrutinising the legislation prior to it coming to the States and whilst that perception of nodding through... I mean it quite clearly is not true. Also you have got to bear in mind another form of scrutiny is when the primary legislation is sent off for Royal Sanction and that, to me, is another form of scrutiny as well.

We have made great strides in trying to get the ordinary members of legislation without any previous legal background. We have some comprehensive explanatory notes provided to us. Those notes now are used to aid Deputies in the legislation Billet.

As to whether a legislation Billet remains read or not, again that is the responsibility of individual Members. To blame the process for an individual not reading the legislation Billet... it is an as important Billet as the Policy Report Billets, the ordinary parliamentary business. So that is the responsibility of individual Deputies to get more involved.

So I could not let that go. I think I needed to give an indication as to the level of work. It is not seen through rose tinted glasses. There are ways we can improve it. There are ways that outsiders have recommended we can improve it. The Constitution Investigation Committee is looking at Royal Sanction and all those types of things.

So there are numerous ways we can work on this and the second stage of the review is where we will do it and there will be detailed modifications. We have to consider the resources of that particular Committee. We have no budget as such. We welcome the support we get from St James's Chamber and the Greffier. So rest assured legislation is on the radar. It needs to be looked at. It is not perfect but it is not as bad as some people would make it out to be.

Thank you.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, sir.

I rise to speak briefly on the two Propositions which I will not be supporting.

In my manifesto I stated that I would not support a reduction in the number of States' Members. The reason I gave, which remains my principle reason, is that of diversity.

810 This Assembly is already lacking in diversity. Two-thirds of this Assembly are men over the age of 50, whilst in the general population just one-fifth fall into that demographic. Already women and younger people are markedly unrepresented and with fewer States' Members they risk not being represented at all. (A Member: Hear, hear.)

815 Since being elected I have discovered a further reason not to support a reduction in the number of Deputies. There have been occasions in the last two years when a report has been published in the Billet which I would have liked to have investigated in much greater depth and detail, but there simply were not enough hours in the day to do so. In such situations one is left with the options of voting against the report but being unable to provide cogent arguments as to why one is uneasy, or supporting the report despite feeling a little uncomfortable about it. Neither option represents a happy state of affairs.

820 A reduction in the number of Deputies will inevitably reduce the scrutiny that comes from the diverse knowledge and life experience to be found in the Assembly.

Of course, a reduction in numbers is a popular move, but at what point will the reduction in States' Members need to be compensated for by researchers or similar staff, negating any saving.

825 I will also be voting against Proposition 5. I am not convinced of the benefit of confining ourselves at this stage to a maximum of nine committees, especially when we have not considered yet how mandates might be constructed.

830 It may well be that nine turns out to be the perfect number, but it could be 10 or 11. I would not support rationalisation to fewer than nine as, having served on two Departments concurrently, I see the significant value of knowing the mandate of more than one. Such cross-fertilisation is, in my view, very valuable and the larger Departments become the more likely it is that silo mentality will occur.

But my main reason not to support this Proposition is that I am not convinced of the need to constrain ourselves at this stage to a fixed upper limit that is lower than we currently have, or to make the presumption of a reduction.

835 Finally, I would like to say a few words about Proposition 1, which I will support, albeit with reservations. I am keenly aware that, given my very short tenure on the Policy Council, any vague attempt on my part to defend it would no doubt be met with howls of derision. So I will leave that job to Deputy Dave Jones. However, my argument about the need for sufficient voices that I made about the number of Deputies carries through and I have some concerns about how a senior committee of five will work in practice. In truth we will only know for certain if it was a good idea some years down the road.

840 On the whole I prefer evolution to revolution and I wonder whether Proposition 1 will turn out to be more of a revolution than most of us realise.

The Bailiff: Deputy Gollop and then Deputy Lester Queripel.

845 **Deputy Gollop:** Sir, on a few specific points.

On the question of the size of the Policy & Resources body, presuming the States supports it in principle today, I will doubtless prepare an amendment for the second stage of this process as to how big that Committee should be, because I have got misgivings about a body of that nature with only five Members on it.

850 I agree with many of the speakers who questioned the issue about the presumption towards a reduction of States' Members. I am open-minded about the number, but I think you cannot at this stage make such a judgement call without several points.

855 The first is the issue of continuity, the second is the type of electoral system we have and whether the Douzaine or the district will go into larger districts or return into parishes or going to Island-wide for some or all, which I think is being somewhat irresponsible – that we have taken this set of issues without the electoral system component today.

The other reason why is: when people say, as Deputy Stewart did, the public broadly want less States' Members, he is absolutely right. Public opinion certainly suggests that. But why do they want less States' Members? They do not seem to want less lawyers but we have gone from eight to 200 in 30 or 40 years.

860 The assumption there is that the States' Members are not doing any work for the public, that they are in some way wasting time, wasting resources. Now, we know that is not as true as the public think it is and in fact the more we are, the more safeguards there are and the more constituency work we do. But we have a public relations problem there and that needs to be addressed.

865 I quite liked Deputy Conder's speed dating idea, although perhaps that went slightly beyond the review of Government. But, although he made a masterful address on the reasons for why he and his team have come to this collection of views, I would point out one aspect that he implied that when he was first elected

to the Assembly he was broadly supportive of executive government – as I think have been many other Members over the years – and experience and information changed his perspective a bit.

Well, of course, that is one of our problems because candidates who stand for election put a view across and then they get selected, arguably, on that basis which then leads to a little bit of a democratic deficit.

I have to say that I have ended up probably more of an enthusiast for the Harwood Report than even Deputy Harwood is these days (*Laughter*) and I agreed, in some ways surprisingly, with virtually everything Deputy Dave Jones said.

I think that you can see today and yesterday a little bit of a gulf in this Assembly between Members who have been around as politicians for a while and those who perhaps have served for only one or on their first term; and this has definitely led to a different emphasis with many of the ideas. Maybe the real truth is that either we are stick-in-the-muds resistant to change or the newer Members have not seen, as we have seen, the many varieties of personality and situation you can get over the years. (**A Member:** hear, hear.)

I agree with a lot of what Deputy Paint said as well. I suspect that there is a flaw within the model that we are likely to adopt in terms of restraining public expenditure, because if the next States is as consistent as this one and the previous one has been, they will select for a renamed Treasury & Resources team – fiscally conservative people, generally speaking, who are regarded as competent in finance or business or law. But that team of five – and it will be only five at this stage – will be a fraction, a minority, in a States of maybe still 47 but probably at least 37, and everyone else will be disconnected from the central policy hub in a way they are not at the moment, through being part-time or full-time Members of the Policy Council.

There will therefore be a greater tendency to discuss on the floor of this Chamber public spending programmes – a bit like we saw of Education Department last month – and so we will in reality see, I suspect, less of a control over public finance and, more to the point, we will see this Chamber being used more as a boardroom than at present, which I am not sure about. It certainly is unlikely to enhance us in the eyes of the public.

Of course, where I do agree with Deputy Burford is that often many of the calls for a significant reduction in Members in departments and committees comes from a business agenda where perhaps people from the business sector do not fully understand that politics is different because we are representing people who are not just owners or shareholders or bosses but, effectively, employees and customers as well. So there is only so far we can take those models.

That said, the rejection of the Duquemin amendment yesterday effectively took out of this process what could have been a quasi-boardroom approach to, well, call it effective government, to use Deputy Duquemin's phrase.

Where I have real problems in supporting many of these Propositions, though, goes back to the history of the affair.

Deputy Domaille mentioned yesterday that Guernsey had benefited from pretty sound government for many years from the Second World War until 2004, which saw prosperity and an unparalleled growth in Social Services in some areas.

By the early 1960's the old... There was a States' Advisory Committee, I believe, then and a Finance Committee but they were merged into the classic Advisory & Finance which was chaired over the years by many people, including the late Bailiff, Sir Charles Frossard; and of course the first Chief Minister, Deputy Laurie Morgan, was the last Chairman of that Committee, for seven years.

Now, it was a successful body. We have already heard tales today – Deputy Trott, I am sure, could tell many more – of the champion politicians of the post-war era who dominated our affairs and maybe some of the decisions that were made in creating the new system, which was shaped both by them and in resistance to them to a degree.

But why did we set up a Harwood Committee in the first place? That is the key question. There were two reasons. The first, as Deputy Lowe will remember, was we had many different experiments of looking at the Conseillers – the people who used to sit on the top bench politically.

First of all, they were replaced by Island-wide, almost, senators, of which Deputy Lowe was one of them. But there was a general call from, we will call it the bear pit, the States' Members who perhaps were not lucky enough to become Conseillers – or successful enough or whatever the phrase should be – that we should get rid of that.

That occurred in 1998 and I believe it was Advocate Conseiller Ferbrache – who may of course one day return to our Assembly – who brought in an amendment saying, 'If you are getting rid of Conseillers just on the hoof, let's have a wider review of Government,' and it did reflect a variety of concerns at the time, especially from the business community, that the States was a bit overlarge and unwieldy; and the Harwood Commission took effect.

It had many distinguished people on it – a future Deputy Chief Minister, a leading broadcaster and, I believe, an Isle of Man Chief Minister – and they came up with very similar recommendations to a parallel committee that met in Jersey. And the focus of a change in our system was towards greater accountability,

transparency, responsibility, cohesion of Government and a separation of scrutiny from the business of decision-making. I do not believe that the new system that has come up answers any of those concerns.

930 Imagine if the Harwood Committee had come back with a response that said we will keep Advisory & Finance but we will chuck off two Members – reduce it to five. We will not allow any committee or board Presidents to sit on it and they will just exist as a policy planning committee combined with the budget-making capabilities. That would have been a slimmed down committee model. That is effectively what we have got before us.

935 We have abandoned the last 15 years as a grotesque experiment that clearly we do not seem to like. We are getting rid of the Chief Minister, we are getting rid of Ministers, we are getting rid of the concept of a group of spenders sitting round a table agreeing a collective response.

The reason why Advisory & Finance of the day were criticised was it was felt seven was too small a number – and that was out of 57. It was also felt that big spending chairmen – whatever we call them – of committees, whether it was Health or Education, were not necessarily represented around the table. Deputy Roffey was not a Member of Advisory and Finance, for example, and nor was Conseiller Tostevin when he was head of Education, politically.

940 So it was curious. Some people had an advantage and some people did not, and it meant more shrewd politicians would, of course, go to the States requesting items because they would see that they had a theatre to respond.

945 Meanwhile, of course, there were some committees and functions that were not really having their voices heard and from the public's point of view you could not identify who was to blame or to praise for a situation. With a Minister – although I accept we do not have a fully-fledged Ministerial system – you have got somebody in the frame. With a committee of five people, of whom four would have unspecified roles, that task becomes more difficult.

950 Also, of course, the Policy Council, if it worked effectively, could and should have provided a forum for representatives of each Department to put towards a collective voice. Under this system, of course, the nine – we will say there are nine – spending committees will have no voice on the strategic policy group. So it will either have to organise special meetings or workshops, or just wait to come to the States or communicate through the media.

955 So, far from refining the Policy Council – which I accept has flaws – I think the alternate Members was a mistake. Arguably, the size is not quite right. Arguably, the mixture of roles at Treasury & Resources is not right. We have decided effectively to abandon any type of a quasi-executive model and go toward a pre Advisory & Finance Committee model. We are turning back the clock 40 years at a time when, in theory, we should be having faster and speedier Government.

960 I think the risks involved in this enterprise are really rather great and so I remain to be convinced of their desirability.

The Bailiff: Deputy Lester Queripel.

965 **Deputy Lester Queripel:** Thank you, sir.

Sir, I cannot help but wonder what this is really all about. Is it actually about what it is supposed to be about or is there something else going on here?

970 We are told in this Report that the intention is to streamline Government and improve our ability to govern. Well, if we really wanted to do that we could do that now under the present system. We do not need to change the structure of Government to be able to do that. So why are we here debating this whole issue? Well, as we all know, sir, on 9th March 2012 the previous Assembly approved the Requête which proposed the creation of a States' Review Committee to undertake a comprehensive review of the organisation of States' affairs.

975 That review took 18 months and, with the greatest respect to the Committee for all the work they have done, they did not undertake a comprehensive review, in my opinion. There was so much more they could have done, and I will come to that in a moment, but before I do I want to repeat something I have said in this Chamber on more than one occasion and that is that I have no interest whatsoever in decisions made by previous Assemblies. (**A Member:** That's a shame.) My interest lies in what this Assembly can achieve in our term of office.

980 As we all know, sir, there are an abundance of major issues we really do need to resolve during the next 22 months; and I cannot see where changing the structure of Government will help this Assembly – or any other Assembly, for that matter – to resolve any of those major issues.

985 We are told that the detail will be presented to us to consider at the end of the second stage. Well, how comprehensive will that detail be? I have no faith whatsoever that it will be as comprehensive or as robust as it needs to be.

Why do I say that? Well, in order to be able to expand on that, I will have to spend a moment or two focussing on some of the issues that that detail will have to be robust enough to address. I think I am right in saying, sir, that it was Deputy De Lisle who focussed on the same thing in his speech yesterday.

Whilst I am focussing on speeches that were made yesterday, I thought Deputy Storey made a profound point in his speech when he told us he has concerns regarding the mandates of the committees that will result from our supporting these proposals.

Of course, amendments can be laid to address any concerns Members may have regarding future mandates but, as we all know, an amendment is a lottery – it can win, it can lose – and being forced to lay an amendment to address an issue is not a healthy position to be in. That is exactly the position I find myself in regarding my concerns.

Before I move on to my having to possibly lay an amendment, sir, I want to draw the attention of my colleagues to the last sentence on page 13 of the short guide to the Review Committee proposals, because the last sentence tells us what matters most is what works for the users of services and the taxpayers, and I resonate with that completely.

So a question I have to ask is: how do we know that supporting these proposals will produce a system of Government that is going to work for service users and taxpayers?

We hear a lot of talk in this Chamber of reports and amendments and proposals etc. needing to be evidence based. So where is the evidence, because it certainly is not in this Report? And if there actually was any evidence it would need to be in this Report.

Another question I have to ask is: will supporting these proposals result in Government costing less for the taxpayer via a reduction in civil servants as well as a reduction in Deputies? Because we are told in this Report that the improved committee system could operate effectively with ‘at least a measure of reduction’ in the number of States’ Members and also that, ‘when considering the number of States’ Members, there shall be a general presumption in favour of some reduction’.

But, sir, saying that ‘with at least a measure of reduction’ or that ‘there shall be a general presumption in favour of some reduction’ simply is not good enough. Neither is saying ‘possibly’ or ‘probably’. It is far too vague and non-committal, and if I am going to vote in favour of any proposal then I have to be sure of the result.

The electorate are demanding a reduction in the number of civil servants and Deputies, and I resonate with that demand. So the answer to that question, sir, has to be a simple ‘yes’ or ‘no’.

What exactly are my concerns and why do I not have faith that the detail will be robust and comprehensive? Well, for starters, will supporting these proposals result in improving accountability and, if so, how? If a civil servant or a Deputy is found to be responsible for a costly mistake that brings the Island into disrepute, how will they actually be held to account? Will they be dismissed from their post or will the same old phrase be paraded once again to gloss over the incident?

That phrase, of course, sir, being ‘lessons have been learnt’ and to say that over and over again every time the States makes a mistake is an insult to the people of Guernsey.

So will voting in favour of these proposals result in us dispensing with that age old insult under a new system of Government? Will voting in favour of these proposals result in a Government that is proactive or improve the levels of communication, both from and within the States? Will voting in favour of these proposals address poverty here in the Island or result in developers being allowed to convert hotels into care homes, or pensioners being given the respect they deserve instead of being made to feel as though they are a financial burden on the taxpayer? And, of course, sir, there could be one or two answers to all of these questions – Sorry, sir, I give way to Deputy Brehaut.

Deputy Brehaut: Sorry, sir, to give Deputy Lester Queripel the opportunity to correct that, this Assembly does not see pensioners as a burden on the community. (**Several Members:** Hear, hear.)

The Bailiff: Deputy Queripel.

Deputy Lester Queripel: Thank you, sir. I am glad to hear that and I am sure the pensioners of the Island will be glad to hear that as well.

Of course, sir, there could be one or two answers to all of my questions. The first being that we could do all of that now if we wanted to and the second being that if I am not satisfied with the level of detail then I will simply lay an amendment to address it. (**A Member:** Hear, hear.)

Well, if we can do all of those things now then why don’t we just do them? And if it is a case of laying amendments, well, so far I have focused on six of my concerns, so that is six amendments I would have to lay and I have not even started yet because I have a whole list of concerns.

The reality is that changing to a new system of Government will not help us identify the new avenues of income we desperately need or improve our child care services here in the Island or accelerate the implementation of SLAWS or the Disability Inclusion Strategy or any other strategy, for that matter. It will

not help us to address the chronic shortage of housing and it does not sound as if it is going to reduce the cost of Government to the taxpayer via a reduction of civil servants and Deputies. And it will not help us to address poverty or any other social policy issue. And if changing to a new system of Government is not going to help us address any of those issues then why change the system?

Sir, there is a ploy governments use all over the world and that is to create a problem then offer the solution, and I feel that is what is happening here, which is why I said at the beginning of my speech that I was wondering what this is really all about. Is it actually about what it is supposed to be about or is there something else going on here, because the need for change has been blown up out of all proportion? The problem has been created and now we are being sold the solution – and, sadly, sir, it would appear that some of my colleagues are falling for it – when all we really need to do is what the people of Guernsey elected us to do and that is address all the issues that need to be addressed. I have every faith that if we all work together we can do that.

The number one objective of the States' Strategic Plan, as we all know, is to improve the quality of life of Islanders. Well, we do not need to introduce a whole new system of Government to be able to do that. We can streamline and improve and strengthen our ability to govern now if we want to. All we need to do is broaden our mandates. Broadening the scrutiny mandate is not beyond the realms of the Members of the scrutiny committees, yet it is being made to sound as though it is in this Report. But all we really need to do is raise our game a little bit, rise to the challenges we face, work a little more corporately, efficiently and effectively, and that is not beyond any of us in this Assembly.

Sir, I have said on several occasions that I am proud to be a Member of this Assembly and I resonated with Deputy Conder when he said on the radio recently that he feels 10 feet tall every time he walks into this Chamber, because that is exactly how I feel. (*Interjections and laughter*) Yet what I find rather odd, sir, is that Deputy Conder wants to change a system of Government that already makes him feel 10 feet tall. That does not make any sense at all to me, sir.

Changing to another system of Government does not make any sense at all to me. We have got the FTP, we have got numerous plans, strategies, and visions already in place.

So my message to my colleagues, sir, through the Chair, is please let's not waste any more of our time, let's not waste any more civil servants' time and let's not waste any more taxpayers' money on this review. Let's reject these proposals and get on with the job we have been elected to do, which is to ensure the wellbeing of the people.

Thank you, sir.

The Bailiff: Thank you.

Deputy James next, then Deputy Dorey and Deputy Brehaut.

Deputy James: Sir, thank you.

Initially, I would like to thank the States' Review Committee for all the work that they have done. Listening to the speeches over the last couple of days has made me realise something about myself, sir: that I am certainly more of an optimist than Deputy Queripel, (*Laughter*) (**A Member:** Which one?) who seems to be somewhat of a pessimist. Deputy Lester Queripel.

I have also learnt, sir, that I am probably an evolutionist, as opposed to a revolutionist like Deputy Bebb, and I am certainly not a conspiracy theorist, as Deputy Lowe indicated this morning.

I think most has already been said during this debate, but there are two issues that I would like to flag up in my speech and co-incidentally they are two items that I had specifically mentioned in my manifesto.

I would just like to address the first one, in terms of what we have heard over the last two days is the proposal for five Members on the Policy & Resources Committee. We have heard some concern expressed that that will be far too much power vested in the hands of such a very small group. It has also been proposed by various people that maybe that should be increased potentially to seven.

Well, if we are talking about the numbers game... if we are talking about seven, in addition to some of the debate yesterday about standing Members of a Scrutiny Management Committee, which could potentially be two or three Members, that could take us up to maybe 10, if not eight.

Well, if we are talking about reducing the amount of Deputies what we have to be very mindful of is the fact that you could end up with eight, nine or 10 Members that will not be on States' committees. So the inevitability of that is that we will be compelled to have to reduce the amount of committees that we have.

The reason I raise this is because when I was putting my manifesto together – and I have no embarrassment in admitting that – there were elements of me of great naiveté and I thought it was populist and I thought maybe it was the right thing to do, to reduce the amount of current Deputies that we have. But I think that I was thinking that based on the current system remaining. Little did I think or realise that the potential review would be looking towards reducing the amount of Deputies.

I do think we have to be very mindful of the issues raised by Deputy Green and Deputy Jones – that we do need to have a viable opposition and that we do need to have numbers that will exercise robust scrutiny within our States. (**A Member:** Hear, hear.)

1110 Secondly, I have to reinforce the comments that Deputy Burford raised in terms of representation. In the very first opening paragraph on my manifesto I clearly stated that I believed that any government should be representative of the people that it serves. I have to confess maybe I was aligning myself to having a greater representation of women in our States, but generally I do think that the composition of this Assembly should be much more representative of the people that we serve.

1115 Just finally, sir, I would like to flag up... maybe if I had and I perhaps should apologise now that I did not meet with the representative of the States' Review Committee despite a gently reminder from Deputy Fallaize to attend. But looking back on my experience after being elected, the one thing that really I was greatly displeased about was the bun fight surrounding the elections, right from electing the Policy Council and then subsequently having to be rushed in to vote for members of committees.

1120 I do not think I am alone in saying this (**Several Members:** Hear, hear.) because I heard people say they felt pressured, pushed into voting for people, voting for Deputies, having no idea. And I think, likewise, it cannot be easy for people that have been elected as Ministers to off-the-hoof choose a committee perhaps based on manifestos and I guess much of that was what happened two years ago.

1125 So I would ask the States' Review Committee, in its phase two, to look potentially at how we can improve that voting system, because we all have a vested interest in getting those committees right. We need to have people on those committees. The committee make up has to contain people that have got complementary skills. So, basically, I would ask you to take that into consideration.

Thank you.

1130 **The Bailiff:** Deputy Dorey.

Deputy Lester Queripel: Sir, point of order or clarification, if I may?

I did not want to interrupt Deputy James, sir, but she considers me to be a pessimist, whereas I consider myself to be an optimistic realist.

1135 Thank you, sir.

The Bailiff: Thank you.
Deputy Dorey.

1140 **Deputy Dorey:** Thank you, Mr Bailiff:

As a Member of the States' Review Committee, I started in a different position to all the other Members as, if you recall, I voted against the Requête at the end of the last term and in fact I favoured the report which was from the three parliamentary committees which had a number of improvements to the existing system, because I thought the existing system worked at that time and that we could make some tweaks – and some were a bit larger than others – to improve the system. I did not think we needed to make a substantial change.

1145 Obviously, I sat down and I think the great thing that happened on the States' Review Committee is I think we all moved from our initial positions and that is because we listened, debated and thought about the topics in front of us, and the most amazing thing is, coming from all different positions, we reached a unanimous conclusion.

I think what influenced me was that we could improve leadership, we could improve policy co-ordination and they were the two things which made me realise there was something better than we have now.

1155 Just taking the points that Deputy Gollop made, we wanted to build on the changes that were made in 2004, because there were definitely strengths in those changes but, like any change that you do, not everything works and not everything was an improvement and there were some weaknesses in those changes. The reduction in the number of committees was one of the key strengths of setting up a scrutiny system but the policy co-ordination, the leadership, we did not feel was some of the strengths of those changes.

1160 I also think that one of the biggest problems we have as a parliament of independents is the lack of a manifesto, the lack of a programme of Government, which I think helps to give us democratic responsibility to govern. We do not have that programme which we can explain to the public that we are following and we do not have a co-ordinated programme, we do not allocate resources to achieve that programme. That was one of the things which I wanted to come out of this review and I think we have created a system which will be far better able to deliver that. Any system is going to be dependent on the people who are actually elected and whether they achieve it or not, but I think we are putting a system which will be able to deliver that better.

So I think that we have built on the changes in 2004, we have taken the strengths forward and we have tried to tackle the weaknesses in our current system.

1170 A lot of the points which have been made have been answered and no doubt will be answered in the summing up, but just to pick up a few things.

Concentration of power. I think Deputy Harwood covered a lot of that, but I would just like to go back to some ratios in relation to that. When you go back to A&F there were seven Members of 57 Members of the States. I know there is a presumption of reduction of Members. Let's just say that we do reduce it down
1175 to 40. If we go down to 40 the five Members of P&R will be the same ratio – an eighth of the parliament. Actually, now we have more concentration, effectively, of power because we have a Policy Council with 11 of 47.

Sir, I think Members' concerns about having concentration of power... actually the situation has improved because that Policy & Resources Committee is really going to have to make its case to the
1180 Assembly in order to win the day with its proposals. In some ways we see it now with T&R, where a number of amendments have been made to their Budget report over the years and because they are only five of 47.

As I understand, research has said that the optimum number of Members of a committee is five. I think that provides a diversity of Members, the ability to participate in the discussions and the length of time of
1185 those discussions. So I look forward to having a Policy & Resources Committee of five.

Some Members have spoken about workload. Well, in the 2004-08 term I was a Member of T&R. I was also Deputy Minister of Housing and, for that final year, on Social Security as well. The fact that in the Report we talk about how some of the functions of Policy Council and T&R will no longer be the responsibility of P&R, I think there will be a reduction in the... You cannot just take the T&R and Policy
1190 Council workload and put it together and say that is going to be the workload of the new P&R Committee. There are a number of functions of both those Departments which will not exist.

On Policy Council I think the most significant time we spend on any one topic is reviewing States' reports which are coming to this Assembly and that is the exact same thing that T&R do, so that work is doubled up between the Department and the Policy Council.

1195 On elections every two years, I think there are strong arguments for that. I think there are also strong arguments to give a group of politicians a four-year period to deliver. That is something that we should come back on and I have had views either side of those arguments over the years. But I think the previous way that Members... every year there was a third of the membership of a committee were elected, is not the best way forward because you get this constant change of membership. If anything, I would go for the two-
1200 year term of the four-year term. My mind is open on that.

Mention has been made about titles. The Report specifically talks about the flexibility off Island of titles and I think whoever is going off Island needs whatever title they need to get through the door, but ultimately, wherever you are, you will have to explain our system of Government. Being a parliament of independents, we are different to most parliaments in this world and Members who go off Island... When I
1205 have been off Island you have to explain our system of Government, otherwise people have an expectation in terms of decisions that you can make which you cannot deliver.

On the number of committees, I think Deputy Burford said that she did not want to vote for that Proposition. Well, we currently have vastly different – in terms of size, mandate, number of staff, service delivered, money spent, money collected, policy areas – Departments. There is such a broad variation that I
1210 think we have to look at those Departments and their mandates, and see if there is a better way to divide up the responsibilities of Government between committees.

I would like to think that we start with the fact that the number is the maximum and that we can look at reducing that. That is the pressure that we had from the various people who spoke to us and I think that is a good starting point, with the presumption of reducing it but that we will come back on that.

1215 I think what naturally comes from that is the number of Members in this Chamber. There are a large number of people who are directly elected on to the various scrutiny committees, partly, as we have had the amendments yesterday, to change some of the proposals. When we look into it in more detail and come back with proposals, when we come back with proposals on the number of committees, I think the number of Members will naturally be a conclusion from that process.

1220 But I agree we need a diversified number of Members in this parliament with different backgrounds, but we also have a very low number of people we represent, compared to other parliaments. So I think that we have to look at whether we can reduce the number of Members. But I think that will naturally come out of the process of the number of committees and the number of people directly involved in scrutiny.

That covers all the points I want to make and I would encourage the Assembly to vote for all the
1225 proposals, as amended.

Thank you.

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you very much, Mr Bailiff.

Sir, Deputy Lester Queripel posed the question... Well, I pose the question to him actually: how much longer will politicians come to this Assembly and sound like spectators of a process rather than individuals embedded in a process? **(Several Members:** Hear, hear.)

If any Deputy here does not like the direction these proposals were going in then an amendment to the process is a tool. It is an enabler; it is not the last act of a desperate politician. Although, on occasions...

Members, the winds of change are sweeping not across the African Continent but across the benches of this Chamber, this House, this Assembly. In the words of the Housing Minister, 'Carnage, it is a bear pit and we are bloodletting.' But I do not think we are bloodletting. We are letting politics – real politics – flourish.

Also listening to Deputy Dave Jones reminded me of the five stages of grief. *(Laughter)* Today, denial, but at some point in the future he will reach acceptance. I might suggest actually that – they may well probably both protest but I thought that – both Deputy Lowe and Deputy Gollop are in that category too.

I do not want this to be misunderstood because actually some of the longest serving Members of this Assembly are slowly coming to terms that a political age they have lived through is drawing to a close and that must be an unsettling experience. But, please, please, please, Deputy Lowe, whatever system we have in the future, please, at least make one positive speech, that is all I ask of you. *(Laughter)*

This Report, the review, has lifted the veil on a system that has not worked very well. For some who have enjoyed being Ministers, that will be painful. But who has lifted the veil? We have. Pretty much all of us in this Assembly took part in the review and it is our testament that has given rise to the changes before us. And because the change has its roots in this Assembly it enabled, yesterday, Deputy Kuttelwascher to say something that I have said before and been roundly castigated week after week, month after month. He was audacious enough to say that the Policy Council was dysfunctional.

Now, others have said that before today, but it is a serious observation on the process we have taken part in. Because so many people have contributed, we have held up a mirror to our self and actually arrived at a point where we clearly feel that there is a need for change and that the current system has not worked particularly well.

I will make an observation perhaps more in the past than of recent Policy Councils, but the Policy Council is probably a committee with too many Members, with actual agendas, supplemented, sadly, in the past by personal agendas and settling scores that had their origins with other Ministers in another place at another time.

But when the lights in the Policy Council are turned off, when the door or chapter is finally closed, we need not slam it but actually pull it to a close, acknowledging that we tried to make it work but ultimately it did not, because it could not.

Even elevating Chairs of committees to Ministers, to paste on a title that alluded to responsibilities and obligations they never had or will ever acquire, was just a white lie too far.

To Deputy Stewart and others on titles, we spend a great deal of time selling Guernsey as a different unique place and it is interesting that the Commerce and Employment Department... I think the little hashtag on the poster says, 'You do not get this in London'. Well, actually, you do get Ministers in London, which is something we might want to disassociate ourselves from.

But what is wrong with selling Guernsey as British but with strong French cultural links? So take every opportunity to stress those differences. Difference is good and, let's face it, that difference has left us in a much better place than so many other countries and islands. It is strange also that in China the People's Congress Members are referred to as Deputies, but that title is seen as a demotion for visiting politicians. And with regard to the titles of senior figures in both Jersey and the Isle of Man, they have an executive government or type, so their titles are accurate. Ours are not.

On a world cup theme, I think I need to point out that France has Deputies, Argentina has Deputies, Brazil has Deputies, as do Russia and Italy. So if larger countries are happy to have their political representatives as Deputies I cannot see what the issue is.

I support these proposals knowing that this is yet another attempt to deliver something that will improve, enhance, make better a process that is from time to time quirky, clunky, reactionary and sloth-like in pace. But let's not pretend. Any new system will present its own challenges and as the Report says, or at least a quote within that Report, it is not all about systems, it is about people, individuals, and the individuals' behaviour. So, whilst the SRC are giving us the framework, the burden is still very much on us all to deliver. For one I want to deliver. I want to be part of a system that, by design, wants to set its sights higher and aims to achieve for this Island community.

In closing, sir, sincere thanks to the SRC, but in particular to Deputies Fallaize and Conder who have, over the past few weeks, so clearly articulated the case for change. And thanks to all of the Review Committee Members for getting such a complex subject matter into a concise and well-written document.

Thank you, sir.

1290 **The Bailiff:** Deputy Sherbourne.

Deputy Sherbourne: Thank you, sir, fellow Deputies.

I have no prepared speech but there are one or two observations that I would like to make about the debate and contributions that have been made.

1295 I would like to start by applauding the speech of my fellow St Peter Port North, Welsh orator, Deputy Bebb, for his speech because although there was a certain depressive sort of element to it, (*Laughter*) what he said, for me, struck a chord and I suspect it did for quite a lot of people in this room, in that, in many respects, if we had a blank sheet of paper we probably would be operating in a different way.

1300 Guernsey does not do radical, it seems to me, and therefore most of what is brought and put before us is usually a pragmatic solution to the problems that we actually face.

Now, in many respects of course that should be applauded but I do find with the consensus system, which does not sit comfortably with my particular thinking, that there are many occasions mainly through the inclusion of last minute amendments, where our actual policies are watered down to such an extent that they lose quite a bit of substance and that does concern me.

1305 I would like to say that the process that the States' Review Committee have gone through has been exemplary. The number of people that have actually responded, that have played a part and in the recent couple of weeks I have actually witnessed the willingness of the Committee Members to listen, seriously and to accept modifications.

1310 As a Member of the two Scrutiny Committees, you are probably aware that we were quite concerned about the direction of scrutiny in these proposals. And as a result of a meeting which was facilitated by Deputy Conder and Deputy Fallaize, which I was privileged to attend, those concerns were debated, discussed and modified in a civilised and extremely professional way – an exemplary way – and we have seen the benefit of that.

1315 So in fact, in many respects, this process has reassured me a bit about the consensus process, because I know that this Report, with all its faults, has actually been seriously considered and a lot of views taken on board and modified accordingly. So I would like to add my voice to those of you that have actually complimented the Members of the Committee.

1320 Now, the main point for me rising really is to actually try and move the debate a little bit away from the focus that I think that we have all been on since the beginning of this debate, which is hierarchy – the obsession with the major committee. Yes, we need that. I accept that we need a Policy Group but what we need more than anything – and I do actually direct my comments to the Members of SRC for the next phase – is that for this Assembly to get the best out of every Member here, our roles need to be considered as well.

1325 I have had various experiences in committee work and the best experiences for me were where there has been structure in the committee, where every member is allocated a reasonable task and given a lead role. I was very attracted to Deputy Duquemin's amendment yesterday, because I thought that was an attempt to do that – to actually say, 'Look, this major committee needs to have lead members'. I think that will emerge but I would suggest that that is necessary for every single committee that we, as Members of the States, serve on. I want to maximise my contribution to the processes of this Assembly.

1330 There is such a diverse experience, a knowledge base, in this Assembly that we owe it to the public to maximise the contribution of every single person in this room. So I would ask, in closing – and I should say that I will be supporting the majority of these proposals – the Review Committee to seriously consider how we can prepare for maximum contribution of every single Member once they are elected on a committee. At the moment I think it is left up to individual Ministers, individual Chairmen, to do that and to facilitate. I think they need guidance.

Thank you.

The Bailiff: Deputy Luxon.

1340 **Deputy Luxon:** Thank you, Mr Bailiff.

1345 First of all, may I congratulate the States' Review Committee Members – all eight of them – for an excellent easy-to-read Report, which has resulted from a lengthy and meaningful consultation and engagement process over the last 18 months? It has been a fine piece of work, in terms of making sure that all Members had an opportunity to contribute. I am sure some fierce deliberation took place resulting in this first 100-page Report.

In many ways, I was surprised when I first read the Report that I was largely in favour of the direction it recommends us to follow. I had imagined that a Minister of a quasi-executive alternative may have been more attractive in terms of improving the current system of Government we operate within. I was wrong.

1350 Over the last two years, I have recognised that there are three key issues for me which need addressing in any changed system; these being frustration, speed of decisions and quality of decisions. I will not map

out why these problems have arisen because I think the Report does a good job of setting out the history and current reality of our system.

Sir, paragraph 1.8 quotes that:

‘... the reforms proposed will provide conditions more conducive to effective leadership, sound co-ordination of policies and resources and proportionate checks and balances as well as ensuring that the structure is sufficiently flexible to adapt if and when circumstances change.’

1355

That is good. And later it acknowledges, at 4.1.10, that no system will or can be perfect.

Both of these sentiments are at the centre of the 12 Propositions that we are being asked to support, which give the States’ Review Committee clear direction to go away and work up more detailed proposals for this Assembly early in 2015.

1360

Sir, I agree that no system will be perfect and there are some areas of concern I have with the proposals as outlined. However, as the SRC Report has indicated, this debate is primarily to give direction – ‘the binary choice,’ as they phrased it.

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I, therefore, decided not to lay any amendments, but instead rely on the Review Committee to take all of our comments and concerns on board today, to understand where the strength of feelings are about certain specific issues and then inform and develop their refined proposals in their second report, not slavishly following absolutely where the recommendations sat at this first stage. I hope that we can rely on them to do that. If not, it may well be that they could face some amendments when we see the second report.

1370

Sir, I did make a written and oral submission to the Committee early on and have shared some of my feedback directly to SRC Members on certain points from the Report. Just very briefly, I will raise a few of the points, missing out those that other Members have articulated so far in the debate.

1375

I was comfortable about the concept of the five Members of Policy & Resources but when I tasked myself to try and work out how the mandates of the Policy Council and Treasury & Resources could be joined together and made into a workable mandate, I could not quite see that and I would hope that in the second report confidence and clarity about how the SRC believe that the workload will be something that can be sustainable and coped with in the new regime. I would like to see some more evidence and clarity on that point, otherwise, as Deputy Lowe and others have said, perhaps a seven-Member committee may be appropriate for that prime committee.

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The final bullet point, 6.6.7, talks about external relations and I would echo Deputy Trott’s comments yesterday that in actual fact the Lowe/Jones amendment served a very useful purpose of making sure that we all understood just how important we see this as going forward. This area of activity, not just external relations but constitutional affairs as well, needs to be taken very, very seriously. It can only get more important as we move forward.

1385

Equally so, the Deputy Duquemin amendment again, I think, shone a light on why we have to make sure that the appropriate Members, in terms of suitability for the mandate of the new Policy & Resources Committee if it is approved, are actually found and appointed to that body. So I welcomed both of those amendments, although they both failed, because I think they shone a spotlight on two very important issues.

1390

I am assuming, and I think it is reasonable to assume, that the Policy & Resources Committee can form sub-groups or steering groups to aid their work. Again the External Relations’ requirement to draw in Members from around the States made that point and I think that is important. A five-person committee cannot possibly be expected to fulfil the mandate in full on behalf of all 47 Members.

1395

Sir, 6.8.8 says that there will be no change to the role of non-States’ Members on committees but that it is not envisaged so far for the P&R Committee. I hope that will not be the case. If we want to retain flexibility it would make sense to me for all committees, including Policy & Resources, to have the ability to consider using non-States’ Members, if it was in the best interest of the best governance of this Government.

1400

Sir, 6.5.9 struggles with titles. I will not rehearse all of the issues. I am worried that by wanting to move back to a title of ‘President’, which Guernsey and this States has had some familiar comfort with in the past, may just be missing the point and simply making change for change’s sake.

1405

We recognise that we will not be operating a ministerial form of government but the title ‘Minister’ does have understanding, clarity outside of the Island. I am less worried about people within Guernsey understanding what the title means because they will know because they are here and intimate with how our Government works. But, for those people we engage with off Island, I think the importance of clarity is such that we should consider whether or not the ‘Minister’ title can still be incorporated in the new system without compromising the new system.

I recognise the flexibility that the States’ Review Committee has given in the Report to talk about Presidents being able to use flexibility, but it does seem a bit of a fudge that they can change their titles just to suit the environment they are going to. If we have to use that then I accept it is an expedience, but I would like some further thought to be given to the titles.

Sir, 7.7.14 describes the election process on to committee roles. I would just make a minor point that I believe that the scrutiny function, as we have in the Report at the moment, clearly amendments have been made and the whole scrutiny is going to be looked at again; but I would prefer to see election to the Scrutiny Management Committee happening before the elections for the Presidents of the principal committee because I think it is so important that, again, we get the right suitability of candidates on that very important body in the same way as I have mentioned for Policy & Resources. So I think the Report is silent on when the election for Scrutiny Management Committee Members would be and I would like to see that moved up the priority list.

Sir, although at 8.2.1 I agree in general with the comments on resource implications and, in principle, what the Report is saying – that there should be no new significant increases or costs with the new proposals. I am not sure I agree with that and I have shared with the Vice-Chairman of the SRC that I believe that one of the significant issues that leads to some of the frustration and slow decision making, although not probably so much on the quality, is that we do not have sufficient policy analysts, policy writers, policy developers at the centre of our Government and it may also apply in some of the major Departments as well. I just think we have ended up being slightly pennywise, pound foolish in this area.

It may well be to do with... as some of the more senior excellent policy developers have retired or whatever but, for me, over the last two years, I still challenge myself as to why things seem to take so long. There is a bottle neck and as such I absolutely support the concept of reducing the number of committees in our States and indeed a reduction of the numbers of Deputies, elected Members; 45 to 38, I think would be perfectly appropriate without risking some of the risks that some Members have articulated could be the case in terms of diversity and representation and the like.

So I would prefer to see any cost saving that comes out of the review of the system actually being invested in to being able to give us the resources of quality policy resources to add to the team of a very small team of people that work within the States that can help in this area. If we want to see speedier decisions, I cannot see how that cannot happen.

So I would like the SRC to think again about whether or not they truly believe that the implementation of the proposals as laid out in this Report could actually be done at no new net increased cost. I just think that that might be frustrating the ability to get best advantage out of this.

Sir, just finally, the second report – we will see the devil in the detail. I do hope that the States' Review Committee, in the way they have been commended for producing this first Report and its quality, will listen to all Members who have made contributions over the last two days and genuinely, genuinely, take those back to the Board to see if they can be incorporated to some degree, bearing in mind the strength of feeling that they have heard from us.

So, sir, let us see, going forward, reduced frustration, speedier decisions, better quality decisions and a more effective, efficient Government.

Thank you, sir.

The Bailiff: Next Deputy Perrot and then Deputy Le Tocq.

Deputy Perrot: Thank you, sir.

I am sorry about this – this is going to be disjointed. I have realised, I think, over the last few days that I have really got to write speeches in advance. So I will do that in future. So if you will just indulge an old man yet again today, (*Laughter*) it is going to be a bit disjointed.

I would like to pick up on a couple of points which have been made by people.

I think the first one, the one which really flew at me, was the comment by Mr Gollop that he wondered aloud what could be done to enhance us in the eyes of the public. (*Interjection and laughter*) Well, you know, I think if we were the assembled ranks of the Seraphim, (*Laughter*) presided over by the Archangel Gabriel, even that would not do – at least not according to the phone-in and to *The Guernsey Press*, which has its own agenda.

I have to say there is a tendency on occasions like this to beat ourselves up and I think that is bit unfair. I go along with these proposals, but I do not think it is right to say that the States have been working badly.

Over the last number of sessions – let's say the last two or three – we have had had all of the problems of the crash of 2008, we have had the European Savings Directive, we have had the problem with airlines pulling out, we have had the problem with perhaps being held to ransom by fuel suppliers and somehow all of that has been sorted out.

I have to congratulate, I have to say, the fact that Deputy Trott was involved in much of that, although I do not view it, much as he does, as his ability to walk on water, (*Laughter*) but I do think that the States overall have done a good job in really fierce, adverse circumstances. So I do not have about me the Mr Angry, exhibited by Mr Bebb yesterday. It has not all been bad.

But I do know that we will, of course, always be called the worst States ever, won't we, and, as I have said before, it is the only thing that I have ever won. (*Laughter*) I have never actually won a prize before.

1470 But if you take those letters which appear in *The Guernsey Press*, particularly the cowardly anonymous ones, we will always be the worst States ever and there will always be the usual culprits – the usual suspects, the conspiracy theorists – who will have no respect for what we do.

1475 But, that said, I have to say that in my own – admittedly only two – years of experience, I do not think that the Policy Council does work now. I think it does what it was meant to do when it was set up. So that was all fair enough, but things change, life changes and, in particular, expectations change.

So I do welcome the fact that we do have a review. I mean we do have to review what we do from time to time. We might not like it. It might be a bit uncomfortable but, provided that we understand that things change and provided that we are respectful of what has gone on in the past, that is life. So I congratulate the authors of this Report.

1480 Actually, this really is a terrific Report. It is logical; it is written in English; it has got a full complement of colons, semi-colons, commas (*Laughter*) and quotation marks. I have seen how some of these policy letters are put together, but I would love to know who was the principal author of this. I do not know who that was but I suspect that he was short in stature, fit as a butcher's dog and lives in the Vale somewhere. (*Laughter*)

1485 One of the problems at the moment (*Laughter*) which we have is that the Policy Council does give its own comment – as it is expected to do – on all of the important policy letters which go through and, of course, the natural thing which happens from that is that it implies that it is a cohesive body. And, of course, we now find it unattractive when we find some Members of the Policy Council, during the course of the debate when there has been a sort of cohesive comment, suddenly speaking against that report and
1490 against the findings of the Policy Council itself. So it seems to me that that circle has got to be squared somehow and I really do not quite know how to do it. I am most emphatically not in favour of executive government.

Deputy Gollop asked earlier on: how did the Harwood Report originally come about? I know exactly how it came about. During the 1990's a number of people thought that we ought to have executive
1495 government and they plotted in quiet rooms. I was one of them! (*Laughter*) Or at least I was brought in at the time and it was something which I did not find attractive, because I had always been in favour of consensual government and so I was pretty quickly chucked out of the Brownies. (*Laughter*)

1500 But that is how it came about and then some people from that group were elected and then came along this report which, unfortunately, bears the name of my old friend and partner the 'Harwood Report', now known as the 'Harwood fudge'. I accept that that is not his fault but he was in favour of executive government at one time.

1505 I am glad to hear that that is no longer the flavour of the day. Politics are quite faddish and I am glad that that trait which we experienced in the 1990's has now been overtaken and that we are back to some form of consensual government. But we do need to move to a situation where whatever the body is, whether it is the Policy Council or the Policy & Resources body or the States of Guernsey WI, whatever name we give it, it should not just be a number of individuals. We ought to be able to rely on whatever overall strategy they come up with as being some sort of unified view. It is most unattractive when suddenly you find that what you think is a unified view is broken up because there is then a squabble in the States.

1510 I do not know how, as I say, you square that circle but perhaps it is by having some sort of system of protocols whereby if you are on this thing, the Policy & Resources body, and you are in deep division with the majority of the Members you ought to stand down. I do not know but it seems to me that maybe that is the sort of system to have: an understood protocol; a convention.

1515 But I do not think it is a good idea to have the equivalent of what we have had in recent times, of a number of Members of Policy Council arguing against Policy Council. I know we are all individual people, we have all got our own views but, if we are going to have something which is not executive government but is a little bit beefier than entirely consensual government, we do need to have some protocols in place, it seems to me, so that people perhaps toe the line a little bit more.

1520 Two other things that I would like to say are that, as to the number of States' Members, I do think that we ought to have fewer States' Members, and I say that whilst at the same time thinking that we ought to beef up whatever these things are called – committees or departments. We ought to have non-States' members on those committees or departments. So my ideal committee or department would be of three voting States' Members and two non-voting non-States' members.

1525 The reason I say that is that over the years, whilst I have been in the States – both in the 80's and now – I have been much impressed by those people who willingly come forward, who are not States' Members, do not wish to be involved in the whole sort of circus of being in the States, but are very happy to serve the public through the departments or the committees.

And I can only say at the moment on Treasury & Resources we have the terrific benefit of having some non-States' members who populate both our Board and our sub-committees. They are non-voting members

1530 but the skills, the information, the knowledge which they bring to our deliberations is absolutely magnificent. (**A Member:** Hear, hear.)

That is one thing I want to say; the other one is this. And it falls outside, I am afraid... I understand, before you correct me sir, that this falls outside the complete purview of the review, but it is associated with it and I think that, at some stage, we are going to have to look at the issue of Island-wide voting. I think that
1535 that is a natural sequence or corollary of how many States' Members we have.

I would see there being a reduction in the number of States' Members to 35, of whom 25 would be elected by the parishes at the moment or by the constituencies as at the moment, and 10 of whom would be elected centrally because I think that one could handle that. And it is a pity that this review has not encompassed the idea of Island-wide voting.

1540 Now, I accept that it is too easy for us here, as we so often do, to get too hung up on detail. To use an expression so beloved of the Policy Council when it brings forward these endless strategic plans, what we really need is a direction of travel and that is what I think the Review Committee has given to us.

As to titles, (*Laughter*) I do not give a jot about titles. No-one gives a jot about titles, except when they are preposterous titles like 'Ministers'! (*Laughter*)

1545 The point is when you go to any international meeting, when you entertain somebody such as Lord Faulks, as we did a fortnight ago, when you are at a convention, all of the representatives of other governments have their minders and the minders have told those people what we are about anyway. So, if the Chief Minister or whatever he is or the President of the Policy & Resources Committee has to say something, you can bet your bottom dollar that the permanent secretary will have told the relevant
1550 representative, 'This, by the way, is our equivalent of a Minister'. So I do not think we need bother too much at the moment at all about titles.

One of the problems, though, will be – and this is something which I know that Deputy David Jones wants to pursue, I want to pursue it... One of the real problems is going to be how we deal with external relations.

1555 The real problem at the moment is that although, as I said yesterday, I am on the External Relations Group, what happens is that there are quite intensive debates on the External Relations Group about whatever the problem might be at the moment – let's say for example FATCA, but it could be anything at all; when that works its way through to representation to whichever government is concerned that is, at the moment, done through the senior ranks, politically and at officer level, of the Policy Council. But of course
1560 they have got to observe certain diplomatic politesse in the way in which they deal with other governments and other government departments; and I think that there is a nuance here. I think that either a sub-set of the leading committee – whether it is Policy & Resources or whatever it is, or a separate body altogether – can have that extra bodyweight somehow and does not quite have to observe all of the diplomatic niceties; some sort of political heft which the Chief Minister would not want to swing, if you like.

1565 So I think there is going to be problem there that has got to be looked at and we have got to speak about that before the second report comes back.

Lastly, may I just say this – no-one has spoken about this, but I lay my cards on the table... Go on let's have a couple of metaphors. I will haul my flag up the mast. I think we would do ourselves a huge disservice if we stop having the Presiding Officer as the Bailiff of this Island. (**Several Members:** Hear,
1570 hear.) It adds mightily to the... We do not add to the dignity of the Chamber, but the office of Bailiff does. We respect an ancient office. We respect the fact that the holder for the time being of that office has got no particular axe to grind and I do adjure you all not to go down that route. Jersey speaks about it from time to time. I think that we would – to use Deputy Le Clerc's phrase – rue the day. (**Several Members:** Hear, hear.) (*Applause*)

1575 **The Bailiff:** Thank you.

It is now 12.27 p.m. I was going to call the Chief Minister next.

1580 **The Chief Minister (Deputy Le Tocq):** I will be a bit longer –

The Bailiff: You will be a bit longer than three minutes.

Deputy Langlois... be a bit longer.

Does anybody wish to make a three minute intervention or would they all rather go to lunch? I think everybody would rather go to lunch.

1585 So thank you very much. We will resume at 2.30 p.m.

*The Assembly adjourned at 12:28 p.m.
and resumed its sitting at 2.30 p.m.*

**I. States' Review Committee –
The Organisation of States' Affairs –
First Report –
Debate concluded –
Propositions as amended carried**

The Greffier: The States Review Committee – Organisation of States' Affairs. Continuation of debate.

The Bailiff: I will call next the Chief Minister, Deputy Le Tocq.

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

I will not be very long, because much of what needs to be said has been said. And it is very clear that the next phase of the Committee's work is going to be the more important of the two phases.

And I particularly just want to thank Deputy Perrot for his comments, which he was a bit self-deprecating in terms of saying it was not a prepared speech, but I can assure him that his *bonnes pensées* have been thought and made note of and will be considered in the next phase of the Committee's work.

Can I also thank other constructive Members, particularly Deputy Luxon and Deputy Sherbourne, who I think also contributed things today that are of great importance.

And I want to just pick up on a couple of those things, particularly in section 7.2 of the Committee's Report. It has been touched on but I would like to make just a few more comments, because this will help, I think, demonstrate that the next section is going to be vitally important for all of us to be continually engaged with.

Paragraph 7.2.3 says:

Clearly, a most important component of the improved committee system proposed in this report would be the relationship between the Policy & Resources Committee and the Principal Committees. The Policy & Resources Committee would be able to fulfil its primary responsibilities domestically only by working co-operatively and cohesively with the Principal Committees. It would be incumbent upon the President of the Policy & Resources Committee in particular – the holder of the Island's senior political office – to take the initiative in this respect. Effective planning and co-ordination would doubtless require frequent dialogue between the Presidents of the Policy & Resources Committee and the Principal Committees.

There we have, if you like, a note of the fact that that is where the rub is. That is where the issue is going to take place, because at the moment, as many have maintained, the differentiation between Treasury and Resources and the Policy Council is such that we have a two-headed beast and very often Policy Council gets criticised for not saying very much, or saying things that we cannot particularly agree on, because what we concentrate on is only one side of the issue. Very often the work of policy co-ordination is not so much in making a comment when the issues come before this Assembly, but the work that goes on before and after those decisions are made – whereas with regard to Treasury and Resources, obviously their comments are likely to, and do, focus very particularly on the financial implications of any policy proposals.

I think it is important that in whatever changes we make, we do not create a Policy and Resources Committee that just becomes a Resources Committee and is distanced from the policy co-ordinating role which is vitally important. I think the Committee is really mindful of that.

So in framing and restricting the interface between P&R in the future and the Principal Committees, it will be absolutely essential that we have something that is robust and flexible. It needs to be both of those, and that is not going to be an easy situation to imagine. But we need to have something that is far more demonstrative of the type of efficient Government that I think we all want.

Further on in this section, it states in 7.2.5:

'The Committee envisages a States-wide policy and resource planning process which is reasonably straightforward, flexible and un-bureaucratic, which is focused on significant policy matters and which assists Principal Committees in the setting of their priorities within a framework of overall policy assumptions, including financial constraints. Of course, the States would remain preeminent in determining policy.'

This is absolutely key and actually falls to each one of us, because once the election takes place, we have to get together and there has to be a mechanism for this, and some Members, sir, have criticised the speed at which that process has happened in the past, when particularly newcomers to this Assembly have been put in place and had to make decisions about who should take up whatever particular positions.

But it is going to be really incumbent on us to have a structure in the future that will allow a proper formation of a States Strategic Plan that is effectively a guidance and can be properly budgeted for, so that the Principal Committees in conjunction with the Policy and Resources Committee can work together

1630 effectively and have something with which to measure themselves against. That is the problem at the moment, and this Assembly chose to throw out original proposals for a strategic plan. We are working on those at the moment, but we were criticised continually for it and of course the problem is that without that we have got very little to make a judgement against. That has to be resolved.

In 7.2.7, it states:

‘The Committee is most concerned that at present the Policy Council sometimes appears to have insufficient time carefully to reflect upon and discuss proposals submitted by other committees before having to write a letter of comment for publication in a Billet d’État. The Committee will consider how the States’ agenda could be reformed in order to provide for the Policy & Resources Committee carefully to reflect upon and discuss especially the more substantial proposals submitted by other committees.’

1635 I think this is also vital because I too, like Deputy Jones and Deputy Lowe and others, remember what it was like under the old Advisory and Finance Committee. Of course, there ended up being at least a perception of a degree of stand-off where committees then felt, ‘Well, we are not going to get it that way so we will bypass that system; we will come straight to the States.’ And in the end, the States very often sided with that and it was very difficult for A&F in those days to have much influence, except, of course, in those
1640 committees where the President happened to be on A&F as it was.

That is particularly why I think the strength in the recommendations before us is that Policy and Resources would not have those perceptions at least. But there is still some work to be done in working out the interface and what it would look like.

The worst scenario, I think, personally, would be for us to have another Policy Council, in form if not in name, with Presidents of the Principal Committees along with the President of P&R sitting with perhaps its
1645 members there, in which case you would have another 11 or 12, perhaps, Members in the room seeking to work that sort of thing out. It is going to be an important part of the next phase to work out how that can effectively be put into place.

In 7.3.2, it states:

‘Clearly there are occasions, albeit probably quite infrequent, when the Island needs to be able to act or react rapidly and decisively, most especially perhaps in response to pressures which originate outside the Island.’

1650 I think this is a real key point, because my experience, both as Deputy Chief Minister and as Chief Minister, is that these situations are increasing; they are not decreasing. The need for us to respond appropriately and swiftly to events that are happening world-wide, because we are doing business world-wide, compared to the way things used to be 20, 30, 40 years ago. Things have massively increased in that area, and the scrutiny and attention that we get from world international institutions is only going to
1655 increase, and so our ability to be able to speedily respond is absolutely essential. I do not think we should be ignorant of that fact. At the moment, it may seem to be infrequent, but actually I do not believe that that will be the case in the future. We will need to have the ability to respond swiftly for the sake of the good of Guernsey.

That is why we must be here. Why I am happy to support these proposals is for the good of Guernsey.
1660 We must find a system that will work for where we are today. That may well change and I hope it will change and develop in review and there will be reviews in the future. But we must effectively find something that suits us today.

Now, just a few comments on titles and names, because there has been much said on that and it is a bit of detail. I am a bit annoyed about it, because in a sense it does not matter, but in another sense it does
1665 matter – certainly again when referring to the outside world and how we are viewed. Sometimes the amount of time that we get is dependent upon how we are viewed at face value, so it is true to say that names matter. But I think the Committee has recognised that, in giving a degree of flexibility to the senior politicians, including whoever holds the seat that I hold at the moment, in being able to use a title outside of the Island. My feeling is it probably will end up being the title used here as well – never mind what we call
1670 ourselves – because unfortunately that has been my experience in the past.

I remember when I was voted to the heady office of President of Overseas Aid, in I think the early part of the previous decade when I was first into the States. I attended a meeting in Washington DC with some similar members from the British Isles, from some of the Government Departments, there and I was always introduced as the Secretary of State for Guernsey for International Development. I kept on trying to correct
1675 them and say, ‘No, I am just a President of...’ and they kept on saying, ‘Don’t say that. We don’t understand what that is, it is meaningless.’ And we have to realise that there is a shorthand that we will need to work with. After which, as Deputy Perrot has mentioned we can explain, ‘Well no, I cannot decide that now. I need to work with the system we have got back at home.’ But really what happens outside the Island is important.

1680 When it comes to the title ‘Chief Minister’, when I was Deputy Chief Minister I tried using the title, when I met with French colleagues – and right from that time as Deputy Chief Minister, the previous Chief

Minister asked me to be responsible for much of the European facing things – so I tried describing myself as *Vice-Ministre en Chef*. *Vice-Ministre en Chef* actually does sound a bit strange in French but I was soon told that the *en Chef* thing in French has completely the wrong connotations. At best it means I was a civil servant. That is the connotation given by that phrase, or worst that it had something to with in the kitchen – (Laughter)

So we have to realise that sometimes... Well, the translation that they provided for me was *Vice-Premier Ministre* and that is still the way it is looked at today. So it is much easier to work with that, particularly if the translators are insisting that that is the case. I do not think we should be too fussy about it. I think it is good that we have a variety of different ways in which we can explain ourselves.

So again, last year when I was in South Africa I was introduced to some South African politicians at the time when I was Deputy Chief Minister as the Vice-President of Guernsey, because that is what they understood.

In terms of *Premier Ministre* in France, for example, it does not have the grandeur that some people in this Assembly seem to think it does have. Who knows who the *Premier Ministre* of France is at the moment, by the way? Manuel Valls, but I do not think that many of us would know. In fact not many French people know, because in France *President* has a greater degree of visibility and influence than the phrase *Premier Ministre*. They seem to come and go fairly quickly – as they probably do in Guernsey as well. (Laughter)

But let's not get bogged down by this. Even the term 'Minister' I know from some of the conversation outside, people seem to prefer it to 'President'. Now, actually I quite like the term 'President' because of the historical connection with Guernsey. Certainly if we were to call them Chairman, in France they would be translated as *President* anyway, because that is the word they use for Chairman.

So when we talk about different jurisdictions, the Irish, the Brazilians have all been mentioned, and the Russians use deputies but actually when dealing with the British Isles, when those people are in the media, they are described as Members of Parliament in those countries. So we should not be too bogged down with these issues. We will have to work on what is effective, both within Guernsey but more importantly, and increasingly importantly, how we are viewed outside. So I think that is going to be part of the next recommendations.

But, sir, I believe what we have been asked to do today and the perhaps speed at which, surprisingly, we have got through the amendments and had discussions and debate and deliberation over the proposals of the Committee, demonstrate that the Committee has got things just about right at this stage. The next stage will definitely be trickier. And at the next stage we need to make sure we all pull together to deal with the detail of how it will look, so that when it comes to the election, people know who they are voting for, what they are voting for, and what they can expect, and in return that we can produce an Assembly that is accountable – more accountable and more open and understandable to members of our electorate in Guernsey than it has been in the past.

The Bailiff: Deputy Langlois, and then Deputy Gillson and Deputy Laurie Queripel.

Deputy Langlois: Thank you, sir.

Sir, when I was appointed to this semi-exalted position that I now hold with the funny title a few weeks ago, I promised to walk tall. (Laughter) I think Deputy Queripel's 10 feet is a bit too aspirational for me, but I will still do my best.

In terms of this Report I think we are getting the gist of what people round and about think, that overall most of us feel that we have got the bare bones for something going forward and that the additional work is justified and let's speed up the process, getting these guys working on it again and coming back with the full detail.

However, like Deputy Perrot, I would say what comes out of the other end with the detail, we must still reserve the right to say, 'No, sorry, it ain't broke; don't fix it.' Nothing is perfect but maybe, sir, something slightly more... something slightly less radical would be appropriate. So there is a process still going through.

I sympathise. The reason I say that, as much as anything, is because of what Deputy Jones said this morning in, for him I think, a very moderate way. That was his moderate style this morning, (Laughter) he gave reason to say, 'If it ain't broke, don't fix it.'

The other thing I am very conscious of is that given this is a system of government, I do find it somewhat odd that we would only have allowed this to run for three terms before we make some quite major changes. In many places, you would do a lot more incremental change over the time that something major again. But that is by and by.

The Chief Minister has made some comments about the Policy Council comments. I am going to make an interim suggestion... I was going to say at the next Policy Council meeting – not the next Policy Council meeting because that is very soon indeed, but the next but one. I think the way we handle the Policy

Council comments currently does cause confusion: the appearance of unanimity over something, followed by people offering reservations after they have heard certain debate in the Assembly, and apparent discord where it was said unanimously and the comment is not helpful. It simply stirs up suspicion and concern about the way the Policy Council operates.

I think that the comments which we make in there should focus far more that if we choose to make no comment, that should not be read as something subversive or shady or conspiracy, but if we choose to make a comment, the comment should solely be on the implications of what is being suggested for overall co-ordinated strategy, and nothing else. I think too often we stray into areas of appearing to give unanimity, collective responsibility and so on, where we do not actually mean it.

So I am going to raise that in Policy Council because there are two years 'ish' to go before this comes in, if we do make the changes, and I think we can make some very simple changes now without contravening the Rules.

A few just very discrete points. The whole business of the titles and the semantics and so on. I understand it all so much clearer after the Chief Minister's clear-as-mud explanation of his experiences. I do take the point that the Chief Minister was trying to make, sir, because it does vary. The trick which the Committee had mentioned here about 'call yourself what you like', I think is the shorthand for it, in 6.5.9 is already in use. That has also been explained by Deputy Stewart this morning. I look forward to his exposé to the Chinese of what he is all about. Perhaps we can go back to the Chinese and ask them what he is all about. (*Laughter*) But the titles used and the particular nuances put on by people outside of the Island on certain things...

The only thing I would worry about is if that becomes too common as a practice then the world is a small place these days: you go somewhere, you call yourself something, it is one click away from somebody locally saying, 'No he is not that; he is something else'. And the confusion factor will increase. But again my own view of where we stand at the moment is again, 'if it ain't broke, don't fix it.' The Minister title for me has worked. It does not cause the problems that are being alleged and so on.

I do offer concern, I do express concern about the central workload and the danger of a void coming. We have got people working remarkably different levels of volume around the place and I think with the numbers that are being proposed for the senior committee, the dangers and worries that have been expressed about overload and then if that overload becomes too much, where else can it be passed is considerable. So there is danger of a sort of, what I would call, second level political management void, which would leave us high and dry in certain situations.

I would also like to say to the Committee, I would like them to give reassurance in the summing up that they will take into account all the comments today and revisit where appropriate some of these resolutions. I am going to make a suggestion about one specific one. But some of these resolutions are couched in a way which is very specific. They contain numbers and I would like to think that the Committee, for example on resolution 5, where it says, 'no more than nine Principal Committees', I do not really want to make that decision today. I would rather, when the Review Committee has come back and said that in reality this is how Government stacks up and this is how it should be divided, if that number does still come out at 10 or whatever, then so be it and I would want them to come back, rescind that resolution and say in reality 10 or 11 is right. So if I can have that reassurance that is no problem.

But then I would finally, sir, encourage people for that reason rather more firmly to reject Proposition 2, about the restriction to five people on the major committee. I do not think that is right. I think there are too many dangers in there in terms of five people's spread of workload, absences – all the issues of the arithmetic that goes around five people. Let's suppose we get somebody renegade. Heaven help us! Could it happen in Guernsey? You get some maverick, some person, on that group who is particularly persuasive. It is a heck of a difference between that person having to persuade just two others to get a majority on that group or to persuade three others, and the way that arithmetic works it is very subtle, but therefore I would like the five decision not made today and I would like to throw it back at the Committee and say, 'Are you absolutely sure about this on numbers?'

But overall... I cannot remember who I am apologising to, but it is the right direction – I do now, it is Deputy Perrot – it is the right direction of travel. Well done to the Review Committee for taking us through this part of the journey and good luck with the next bit.

The Bailiff: Deputy Gillson.

Deputy Gillson: Sir, thank you.

Like everybody I congratulate the Committee on what is a good report. I think the conclusions are right. The executive government cannot work in Guernsey without party politics, so consensus is the way to go.

But I think we should be mindful that whatever comes back is not going to be perfect. There are going to be imperfections with it and we are going to have to then, or whoever is the Government afterwards will have to work within those imperfections.

1805 Having said it is a good report, I am tempted to vote against two Propositions, 2 and 5, for exactly as Deputy Allister Langlois said. I think it is too early to limit the numbers in the Policy and Resource Committee or be expected to say that we are only going to have nine Principal Committees, because as I said, I think it is too early to do that. But otherwise I agree with the recommendations.

1810 I have some concerns: the Policy and Resources Committee – a lot of people have mentioned about the workload question, which comes down to why limit it to five, and I agree with that. But I am more concerned about, not the creation of the committee itself, because that is great, but what policies and procedures are then brought in to overlay the committee. Because we could have situations where the committee structure seems very right, great idea, then you have policies on top and procedures regarding capital processes, new services processes, which again on a political level seem fine, but on an operational level prove particularly arduous for Departments and you then almost create, from a practical point of view, 1815 a cabinet situation with that committee having a power of veto over what the States say. So I think that is where we have got to be careful not so much in the creation of the committee but in the creation of policies around the committee.

1820 Touching on the number of Deputies, my gut feeling is they need to be reduced but it needs to be a bottom-down approach. We need to have the structure of Government, see how many Deputies we need from that and work up. But in essence, I agree with people there.

Restructuring of Departments is talked about a lot, and I think this is far more and should be a far more complicated than just chopping Culture and Leisure, as the media would have us do. We really need another bottom up approach of looking as to how it is best to provide services and the mix of which tasks are done by which Departments to provide services and which becomes manageable.

1825 My gut feeling is possibly HSSD is too big, having served on it, or maybe HSSD should have a committee of seven people. This is why I do not like the idea of saying committees should have five. I like the idea of flexibility that maybe the size of that committee needs more.

1830 But we should not be afraid of being quite brave in how we restructure Government. I have advocated for a long time that there are innate conflicts in Commerce and Employment having Health and Safety there, Employed Protection there, perhaps there should be a regulatory committee where we take Environmental Health out of Health and put it into a separate body which does not have (A Member: Hear, hear.) operational functions as well, so you do not have that committee.

1835 This may seem a little radical but given the volume of work that the new Policy and Resources Committee could have, perhaps the tax collection element of T&R should go to Social Security, and then Policy and Resources can deal with the more macro-economic and strategic financial functions of the States, not a tax-collecting function. It may be right, it may be wrong, but I think it is worth considering.

And that is it. So as I said, I commend the Committee on what is a very good report.

The Bailiff: Deputy Laurie Queripel.

1840 **Deputy Laurie Queripel:** Thank you, sir.

I was just thinking, sir, about Chinese titles. I think Mandarin is a highly regarded one in China so that might be a good one for Deputy Stewart to use when he goes to Hong Kong. (*Laughter*)

1845 I am really glad that the States' Review Committee is recommending a form or a system of consensus Government. Sir, I have been a political watcher for many, many years, sir. I sat in the Public Gallery for a number of years on many, many occasions. I have looked at other systems around the world and other governments, sir, and I think it is a superior system.

So you do not change a proven formula. You refine it, sir. You evolve it, and I am really glad that that is something that it seems to be that we are going to do.

1850 I have been rather perplexed, sir, to hear that some Members seem to be extolling the virtues of an executive system as a cure for most political ills as a way of arriving at decisive and clear leadership and as a way of – somebody I think mentioned – speeding up progressive social policy.

1855 But, sir, when I look at the obvious examples of executive government – perhaps the UK and the US, sir – what I see is massive sovereign debt. I see governments heavily influenced by powerful industry lobby groups. I see numerous quangos run at great expense to the taxpayer and to the public, sir. I see welfare reforms that result in disabled people, for example, losing access to services and to benefits and, whichever party is in power, the same issues year after year seem to arise and not be addressed, and yet nobody seems to be taken to task or to be really accountable. One party just blames the other party year after year and term after term, and so that is the fudge, sir. I think a properly formed consensus system is a far superior approach to take.

1860 So, sir, it is consensus for me every time. It has served the Bailiwick community well over the years and I think it will continue to do so.

But I spoke of refining the existing system and I think the Policy and Resources Committee is a good case in point, sir. I think that is a good example. When Deputy Fallaize, and I think it was Deputy Green,

1865 were speaking yesterday, I craned my neck back, sir, and I happened to glance up at the Policy Council and a number of Ministers, it seemed to me, were distracted. They were not really listening. They were busy on their electronic communicators, sir, and I do not mean that in a derogatory manner. I am fairly sure that they were busy with Department work, attending to Department matters. I will give them the benefit of the doubt – I am hoping they were not posting comments on ‘twitcher’ or whatever it is. (*Laughter*)

1870 But the point is, sir, as *ex officio* members of the Policy Council, they have to multitask. They have to give their attention to a variety of tasks. They are very busy people – very busy people. I think, with a new senior committee, a Policy and Resources Committee with a very defined and very focused mandate, I think the Members of that Committee, their time, their energy, their efforts will not be so thinly spread, sir. They will be able to concentrate those things – their energy and their time – on the particular tasks, the particular functions of that Committee, and I think that will result in a far more cohesive and effective senior committee, sir. (**A Member:** Hear, hear.)

1875 And, sir, I am thinking back to a speech that was made by yesterday by Deputy Kuttelwascher, sir, and I was with him all the way until a certain point, sir. He mentioned the idea of a fairly drastic reduction in the number of States Departments. I think he mentioned the number six, sir. And his justification for that I think was we could realise substantial savings. I think that is correct.

1880 But we have heard calls now for a long time over a number of years from the public, from the business community, from the media, that politicians need to get a grip, that they need to provide proper and better oversight.

1885 My concern is if we create these behemoth entities, these super-departments or they will be super committees, allied perhaps to a significant cut in the number of Deputies, it will make the task of being hands-on as politicians far harder. If departments and committees take on too many responsibilities, if their mandates are too diverse, if they are too multi-layered or too large, I believe some functions and services will be lost amongst those layers. Indeed, I think they are now, and Deputy Gillson mentioned HSSD, and I think that is a good case in point, sir.

1890 So, I do not think creating these massive or these super-departments will best serve accountability. I do not think it will best serve transparency and I certainly do not think it will best serve political oversight and political scrutiny. I caution against that, and I would ask the States’ Review Committee to consider that very seriously before they think about creating too few committees.

1895 We have to be very careful about how these committees are formed and what their functions and services are how they are apportioned and how well they fit. And so I would ask the States’ Review Committee to look very carefully at that, sir.

1900 I am really glad that Deputy Le Clerc mentioned something this morning that I had made some notes on myself. She mentioned about the Civil Service structure, and I was a bit concerned when I read in *The Press* a while ago that the Chief Executive Officer of the States was moving ahead with his changes with his reforms of the Civil Service structure. Now, sir, in principle that is not a problem but there was a comment in that article attributed to the CEO in effect saying that this would continue despite the reform of the political structure. I got the impression that what was being said was that the two did not really have to be compatible, that they did not really have to be any interlocking. But I do not agree with that, sir.

1905 As Deputy Le Clerc said we had a debate some time ago – it was the Bebb Requête, sir – about mismatches, about dual lines of reporting, about conflict, about blurring of responsibilities and accountability. I think it is really important, it is fundamental that the two structures, the Civil Service structure and the political structure are compatible and complementary or those problems will surface again and I really think there needs to be some dialogue instigated by the States’ Review Committee with the Chief Executive Officer, just to ensure that the two systems are compatible and will work well together.

1910 The other thing I am a touch concerned about, sir, is what you might term the transitional process between the two systems of government, even though in reality they will be both consensus systems, because there are a lot of new policy ideas being developed. There are lots of reviews taking place at the moment. There are various workstreams that are ongoing. Not all of these may be completed by the time we have the change over from one system to another, and I am a little bit worried that some of those workstreams, some of those policy ideas, some of those reviews will get lost in transition.

1915 So I think that is something else that needs to be managed, so I think the States’ Review Committee needs to be mindful of that to ensure that a lot of that good work that is taking place does not get lost, sir. The ownership of that work does not get lost and that needs to be managed, sir. So I think that is important as well.

1920 I am very pleased that the scrutiny proposals were amended. I was very grateful to Deputy Rob Jones and Deputy Soulsby for bringing those forward.

As we so rightly heard, this is stage one. There is a lot of development to be done yet, to come.

So I think, sir, I am going to support all the recommendations and so I very much look forward to further reports in the future.

1925 Thank you, sir.

The Bailiff: Deputy Inglis.

Deputy Inglis: Thank you, sir.

I, like Deputy Perrot, came into this Assembly not with a speech. I get a lot of inspiration from what I hear going on within the Assembly, because when I came into politics, I came in from what could loosely be described as an executive role. I was used to people making decisions and then dictating the orders, and I thought that maybe this is something that Guernsey needs. Like Deputy Conder has highlighted, it does not. We have a system here that is not perfect, but it does work. I was pleasantly surprised by what the Review Committee came forward with, in terms of I was expecting a monumental approach to significant changes.

It has been, in many cases, obvious as to how we approach certain elements of the way we conduct ourselves. So I give praise to the authors of the Report – a very strong cross section of views. But I did not give any direct input into the process, simply because I am a strong believer in understanding exactly how things work before you start firing the bullets. (**A Member:** Hear, hear.) So I worked hard at getting my feet under the table and certainly I clearly understand how our committee system works. It has a lot of benefits and as I have said, I have gained inspiration to want to stand up and talk because of what I hear colleagues talking about.

I do have reservations about members of committees and as Deputy Perrot and Deputy Langlois have indicated, the numbers within various committees I think need to be analysed a little closer. I do not really believe that we should have five Deputies on an independent committee. What can then come out of it, which is what the Report is naturally doing, is ticking a lot of boxes that the electorate want to hear. So they are talking about we should be reducing the size of the States, we should be reducing the financial commitment on the taxpayer. And I think it will happen. It is important that as a group we are seen to be giving value for money because that is what everyone wants in this day and age.

I suppose setting up this super-committee, we are giving it funny names at the moment, but as Deputy Duquemin highlighted yesterday, they will be what could be perceived to be high flyers, people who really want to take us forward in a manner that suits the Assembly. But actually I think it would be fair to say that those five Members, seven Members – however many Members we agree to populate that committee with – they would probably be Ministers, again whatever we want to call them, of independent committees. So what we are creating is a better succession of new people coming forward. I think that is good, and that is a natural progression by what we hope will take place.

So I support the framework that has been put before us, and that it will become an evolution rather than a revolution. I know some people would probably like to see that, but I say again, this is Guernsey. Guernsey does not take to revolution in a manner that upsets, but certainly listens to evolution of how we could move forward.

And dare I say, as Deputy Brehaut pointed out and has become a headline on the radio, that we need to change. We are asking the voters out there to change in how we live our lives, and so therefore it is very important that we adopt the same principle. So, I would urge Members to support the Report.

One thing I would like to say, we have a 100-page Billet here which turns into a 20-page clear decisive viewpoint on what we are actually talking about. For those that want the minutiae, it is there – there is no doubt about that, you can get it on-line as we all know. But that really is clear and precise, and with the amount of reading that we have to do nowadays, it is very refreshing to see something like that come forward.

Thank you, sir.

The Bailiff: Deputy Duquemin.

Deputy Duquemin: Thank you, sir.

I probably said enough yesterday, so I will be brief. But hopefully I will make three points that have not really been discussed in any detail thus far today.

I would like Members to turn, if they may, to section 7.12 and two points, 7.12.2 and 7.12.3 that I will concentrate on.

Paragraph 7.12.2 reads:

‘While it may not be possible to draw up a conventional job description, States’ Members, and just as importantly potential candidates for election to the States, would benefit from greater clarity about broadly what is expected in the various and very different aforementioned roles.’

I think it was a point that Deputy Lowe made yesterday and it is a very valid point that often when we are discussing the States and reforms to the States, we will look around the Assembly and think of these individuals. What I am concerned with, sir, is the potential thousands, literally thousands of people, potential candidates that are out in Guernsey that could hopefully do an equal if not better job than we are currently doing. I want those people to be enticed into Government. (**A Member:** Hear, hear.)

What I did mention at one of the States' Review Committee's drop-ins was that for me the success, and this is a point that I would like the States' Review Committee to really – that hopefully will really resonate with them – realise that in many ways for me the success of this process and the success of the new system of Government post-2016 – we will know the success on roughly 18th March 2016 or thereabouts – and that is when the nominations will come in for the next general election, because I have faith in the Guernsey electorate to elect the best of what is on offer. But really I hope that better candidates do come forward.

I made the point at the Castel Douzaine meeting on Saturday morning, when I said that I would be delighted if I was the 8th, 9th or maybe even 10th best person in the Castel Parish, because I want better Government and if that means that there are people far better than I that will be fantastic, because for me it is as much about people as about the process.

Similarly I move briefly on to the next bullet point, which was 7.12.3, which reads:

'As well as considering how greater clarity might be provided about members' various roles, the Committee is minded to recommend a more structured approach to developing members' skills.'

It was *developing* Members' skills. But I would say, sir, I think it is all about *exploiting* Members' skills. And I think it was a point that Deputy Peter Sherbourne made, but I will hopefully just add further to the comment, and this was... I will be very brief, but I will read briefly from my submission to the States' Review Committee, where I spoke about how the roles were filled after the general election, when we said:

'When the 47 Members met for the first time after April's election there were more than 80 roles to be filled. Everything from Chief Minister, Policy Council Members, Ministers, Board Members, Committee Chairs, to Committee members and so on. We chose hopefully the best Chief Minister, who with our support chose his Ministers and Chairs. After that'

– I wrote in my submission –

'it appears to be a free-for-all. The Ministers and Chairs *selfishly* tried to pick their best team of Members according to the perceived strengths, weaknesses, interests of Members or the fact that they liked them or not liked them and so on.'

I ask the question: 'would it not be better for the Ministers and Chairs to *selflessly* pick the best teams possible on aggregate according to their actual strengths, weaknesses and skills of Members?' It may go something like: 'Well, I would like A in my team but I have already got B, so if you have A that frees up C to move over there.' I virtually said, as part of the induction process, albeit on an informal level, would it not have been great if the Ministers had literally put all of our names on a whiteboard and scrubbed them out to try and find the best teams possible, because as I said in my speech yesterday, I am very interested in effective Government and that is really the important thing.

The third and final point, sir, was a point raised briefly by Deputy Gillson just now where he spoke about my Department, Culture and Leisure, when he mentioned about the media maybe having the knives out for the Department. What I would say is that I am not overly concerned. I look forward to what comes back about the prospects of Education, Sport and Culture perhaps. But I would take issue with what Deputy Mark Dorey said in his contribution to debate early this morning when he referred in part to there being a measurement with reference to the Department's size by being measured on budget. What I would say, sir, is that you can sometimes know the price of everything or the budget of everything and the value of nothing. And I would maintain that a Department such as Culture and Leisure has an incredible contribution to make to the value of our Island and often probably outpunches the budget that we are able to do it with.

So, just thank you for indulging me again for three small points, but hopefully that has added to the debate.

Thank you, sir.

The Bailiff: Does anyone else wish to speak? Yes, Deputy St Pier.

Deputy St Pier: Sir, thank you.

I was going to rise first of all to join the chorus of praise for the authors of the Report and then of course remembered that I was one of them, and it would (*Laughter*) perhaps give me away as a member of the Deputy Trott school of self-effacement (*Laughter*).

Deputy Trott: Sir, practice makes perfect.

Deputy St Pier: Indeed, but there are a couple of points I wanted to make. Most of the points have been made by other members of the States' Review Committee, so I will not seek to repeat those.

But first of all in relation to the Policy Council, there has been a number who have said that Policy Council is dysfunctional and a number of challenges to that. I do not wish to enter into the debate on

whether it is dysfunctional or not, but what I would say is that it is largely a pointless framework in our current system of Government.

If you look at the mandate for Policy Council, it runs to two sides of A4 and a single point on the mandate is 'to review and comment if appropriate', it says, 'on departmental and committee reports'. In fact that takes up a disproportionate amount of Policy Council's time. In fact the whole timetable for Policy Council meetings is driven by the timetable for States' reports.

Actually, of course, the comments themselves range from 'no comment', and no comment may arise because actually Ministers cannot agree on a collective comment, or it may be that it is an uncontroversial measure. Alternatively they may say that the comment may read something along the lines of 'individual Ministers will express their own views in the Assembly', which is definitely a clue that they cannot agree on a collective view. Or the third option is they come down emphatically with an opinion and then of course in the Assembly do something entirely different, (*Laughter*) and of course, we have seen a couple of occasions of those which have been referred to by other Members speaking.

However, whichever comment is submitted I would suggest it actually adds very little to the process, but it is the whole machine which is producing the round of meetings, paperwork, review of the reports and the enormous amount of time that goes into that is actually adding, I would suggest, sir, very, very little to the process.

I do wish to comment on Proposition 2, and in particular challenge Deputy Langlois' expressed wish that Members should reject that. It is an important Proposition and I say so for a couple of reasons.

First of all it is counterintuitive, the suggestion that actually the Policy and Resources Committee should be larger, perhaps seven is a number which a number of people have mentioned. But actually counter-intuitively if you want to avoid Policy and Resources becoming a political elite, or in some way a quasi-cabinet is another expression that has been used, then you put more people into it because then they are more likely to vote as a block and to become separate from the rest of this Assembly. So, for that reason I think five is an appropriate number.

But the other reason why it is an important decision that we take today is it does actually drive the size of Government overall. So the States' Review Committee does need to know what this Assembly's view is on that issue in order to go on and decide a recommendation to bring back in stage 2 on the overall size of Government and the number of Deputies.

In relation to Deputy Gillson's point on the size of other committees, of course, in Proposition 6 there is a presumption that the Principal Committees shall contain five Members, but it has been recognised so far in the States' Review Committee's deliberations that that presumption could be rebutted and it could be a smaller number or it could be a larger number which I think was the point that Deputy Gillson was speaking to. And therefore certainly Proposition 6 does not preclude that the recommendation would come back with a larger number.

I give way.

The Bailiff: Give way to Deputy Langlois.

Deputy Langlois: Sir, just to comment, is this a very good example of having a comment in here saying that we are unanimous about things and it not being quite as unanimous as you think?

Deputy St Pier: Also in relation to – (*Laughter*) I do not need to comment. The point has been made.

Also in relation to Deputy Laurie Queripel's expressed wish that the committee should work very closely with the Chief Executive and the Civil Service at the next stage. Again, just to reassure Deputy Laurie Queripel and other Members that that has been recognised by the States' Review Committee as being absolutely critical to the next stage in terms of bringing something back that is coherent in its ability to deliver.

Sir, I mainly rise though, I guess, as the Minister, as currently titled, for Treasury and Resources to comment on the resource implications of this Report. There is a Treasury and Resources letter of comment appended at page 1438 and I just wish to speak to a number of issues there.

First of all there is a budget allocation to the States' Review Committee for 2014, but there has been nothing allocated for 2015. It is, of course, anticipated that work will go on through the rest of this year on stage 2 but I think that it is likely that it will be necessary that there is some budget allocation to the States' Committee for its work in 2015, and the Treasury and Resources Department will need to bring a recommendation in relation to that, I suspect, in the Budget Report in October.

In relation to Deputy Lester Queripel's question about whether any of this change will bring any resource savings to the States, which I think was one of his objectives, again the observation is made that the States' Review Committee certainly see it as being no worse than revenue neutral but it does present some opportunities for savings to be made. And that hence is why it is very important that the

organisational phase is done in close conjunction with the Civil Service and the Chief Executive in order to try and leverage the opportunities to obtain some savings from the next stage of the process.

2095 It is also noted in our letter of comment that, of course, they may be, or there will be I would suggest, some transitional costs of moving us from (a) to (b) and those are not anticipated to be significant at this stage, but it is merely an observation at this stage, and no doubt, as Treasury and Resources, we will comment further on that at the next stage if indeed it is appropriate to do so.

2100 And then the final point I wish to address is the one which Deputy Luxon spoke to earlier, and again which we do comment on in our letter of comment, that there is need for sufficient resources in the policy development area. But I think the central point there is that irrespective of the system of government and whether these changes are voted through this afternoon or not, that issue indeed remains in any event.

But it leaves me only to encourage Members to support all the Propositions as set out, sir.

The Bailiff: Deputy Sillars.

2105

Deputy Sillars: Thank you, sir.

2110 Just a couple of very brief points. I have noted a couple of T&R Members commenting on Policy Council changing their minds. Well, that is actually democracy and what happens, just to go through the process, we get 300, 400 or 500 pages on maybe Wednesday or Thursday before the Monday meeting – that does include a weekend of course. It is almost impossible to go through all those papers, read them all, digest them, investigate, and then actually add very sensibly to that debate on the Monday. So when it comes up the Departments have had months formulating that and everything else, so when we see them we have had a day or two if we are lucky to actually just read it and think, ‘Yes, that sounds about right.’ The two everyone keeps quoting, I suspect, are Education but actually I am pleased because what there happens is you go away you investigate afterwards you look into it and we have the courage of our convictions to change our mind if it is appropriate. That is right and that is democracy. I was not going to say that, but I have said it. (*Laughter*)

2120 The second point I wanted to just touch on, because I will join everybody else in saying well done everybody and I would like to thank Deputies Conder and Fallaize because you have spent an inordinate amount of time with me personally to get me through to where I have got to and I am very supportive and I have got almost everything in mind to vote we do.

One small thing, it is really the number 10 which I absolutely endorse the first part of:

‘... the number of States’ Members shall be determined with reference only to the need to fulfil the full range of States’ functions in a way which will probably balance democracy and efficiency...’

Yes, well, no-one can disagree with that. But where I get concerned is the second part:

‘... when considering the precise number of States’ Members’,

which of course it should do –

‘there should be a general presumption favour of some reduction.’

2125 That is what I am unhappy with. Now, when I was on C&E last time round – looking at Deputy Storey – we were on... I have forgotten, 10 or 15 sub-committees that do not get mentioned at all in any attendance records or anything. Well, I thought that was difficult to surpass, but I have to say, being on Education I just lose count of how many things that I and my fellow Deputies attend, have to be there, that just are not mentioned. So what I really want to do is when you are doing the review, please ensure that everything that we as Deputies are expected to, want to, learn more about the Departments we are in, and actually the population expect us to attend, for goodness’ sake include that as well, please.

2130 Thank you.

The Bailiff: I see no-one else rising. Deputy Fallaize, I invite you to reply to the debate.

2135

Deputy Fallaize: Thank you, sir.

2140 Allegedly this is a subject which does not particularly captivate or enthrall Members of the States. But we have just heard the 93rd speech of the last two days of debate. And so I want to thank States’ Members for engaging with these proposals. This has been a thorough debate. Many of the issues raised have been related to issues which the States’ Review Committee has stated in its Report it will have to consider in stage 2. We will review this debate and there are many important points that have been made that we want to take into account when formulating the proposals after this debate.

I hope my speech is not going to be too long, but (*Laughter*) because there were 93 speeches, I do want to try to respond to the main points that were made by Members. I think that the practice I will adopt,

2145 because I am old fashioned and I like tradition, if Members think I have gone on too long, if they just shout ‘aux voix’, if enough of them do that then I will go straight to the conclusion, and just sit down. (**Members: Aux voix!**) (*Laughter and interjections*) They are all still awake, which is quite an achievement!

Now to begin with, on this issue of the size of the Policy and Resources Committee – and I might come back to this later on – I would say to Members, echoing what Deputy St Pier said, be careful what you wish for, because my instinct when we started looking at this was to suggest seven Members for exactly the reason that I was concerned about the possibility of having, I think the Policy Council is using hyperbole in calling it a political elite, but that kind of concern. *But* if you expand the size of that Committee what will happen is that the Members of that Committee will want to poke their nose into everything. They will want to get themselves involved in matters which rest properly with the Principal Committees, and so it is counterintuitive. Far from ensuring that you have a spread of opinion and far from ensuring that you do not allow the Policy and Resources Committee to become too powerful, you will give them additional tools in their box to get involved in more things than they should not be getting involved with.

Five is the standard size for States’ Committees. Actually HSSD has a very large mandate, the Education Department has a large mandate, but they have five Members, so five is the conventional number.

Deputy Le Clerc raised issues about the structure of the Civil Service, and paragraph 7.13.3 of the Report deals with that. There is a resolution binding on the Committee as Deputy Le Clerc stated. And we will carry out some further work in that regard in stage 2. So that has certainly not fallen off our radar. The structure and the accountability of the Civil Service is a crucial part of the reform of Government.

We also agree, another point which she raised, about the need for regular dialogue between the Principal Committees and the Policy and Resources Committee, and I think that the Chief Minister, the Chairman of the States’ Review Committee dealt with that and it is included in 7.2 of our Report.

Deputy Stewart made a very good point about the need for flexibility. Our system at the moment, our structure is too rigid. An example of that is that in the 10 years since this structure was determined in 2004 we have not had a single change in the number or the range of functions of States’ Departments. Now if one goes back over time, over the last several decades in 10-year segments, you will not find another 10-year period where the major Committees of the States have been as rigid as they have been over the last 10 years.

One of the reasons that our system is so inflexible is because it conflates two issues which is the membership of the senior committee and the number of other committees. Those two things ought to be separate issues. But in our current structure they are conflated and they have become one and the same issue. So I think that what is being proposed here for that reason, and for other reasons, as Deputy Stewart has said, is more flexible.

Deputy James reminded Members about the difficulties of the internal election process and that was raised by many Members who came to see the Committee. The Committee is very mindful of that and paragraph 7.7 or section 7.7 refers to that, and suggests a couple of ways in which it might be alleviated, and we will explore that in stage 2.

Deputy Dorey pointed out, and I think this is an important point, that the Members of the Committee are unanimous. Now, I do not think there has been a previous occasion when a Committee of the States has carried out a review of this nature when the Committee has been unanimous in putting its proposals to the States.

Deputy Dave Jones reminded us of the chaos of the 2002 reforms when the Joint Committees came to the States with a set of proposals attached to which were three separate minority reports. And that was quite typical when committees were set up to review the structure of the States. This Committee, although we all started at a different place we are unanimous in putting these proposals.

Contrary to what Deputy Gollop says – and I will return to this in a moment because he referred to some of the history incorrectly – these proposals do build on the changes of 2004. We recognise the positives in those changes of the rationalisation of committees, the rationalisation of Members, the strengthening of scrutiny, the amalgamation of common functions into single committees, and all of those benefits which were delivered in 2004 we are proposing taking further, not undoing them, but taking them further.

Deputy Brehaut said that the proposals arise out of the submissions made in the main by States’ Members, and that is very true. We met – I cannot remember what paragraph it is in the Report – 2.2.1. We met with 39 of the 41 States’ Members who have not sat on the Committee, either through individual submissions or through meeting them at Department and Committee meetings. And it is the evidence that was presented to the Committee which persuaded all the members of the Committee to change from their different original positions and come together to put these proposals. And Deputy Sherbourne also referred to the level of consultation that the Committee has undertaken.

Referring back to Deputy Duquemin’s amendment of yesterday and Deputy Sherbourne referred to it again in general debate. We do understand the case for members of committees taking sort of ‘lead member’ status for particular parts of mandates. That is recognised in the report.

We felt that the amendment that Deputy Duquemin laid was unnecessary and potentially caused complications in respect of the Policy and Resources Committee. But the principle of committees delegating leadership to particular members for parts of their mandate, I think it happens in some committees now to some extent, is a valuable point which does need further consideration.

2210 Deputy Luxon asked about sub-committees and of, course, it is true that the Policy and Resources Committee will be free to set up sub-committees in the same way that all States' Committees are free now to set up sub-committees.

2215 He also suggested that consideration be given to the members of the Scrutiny Committees or Committee, Management Committee, being elected higher up the order. Now there is some merit in that, but there is also a risk, because *if* – and I say *if* because it is not certain that this will form part of the detailed proposals – *if* we move towards precluding Members of the Scrutiny Management Committee from sitting on other States' Committees and then we move the election of that Committee up the order, probably the effect will be counterproductive because many Members when they first come in the States – not all I accept that, but most Members, I think – primarily want to get their teeth into policy making, and what is
2220 now departmental work, and if we say to them before the elections for the departmental Committees, 'You have to decide to exclude yourself from that for four years and stand for the Scrutiny Management Committee instead,' we may not get the best people on to the Scrutiny Management Committee. So there is a balance between the case for precluding dual membership between departmental Committees and Scrutiny and the order of election of members of Scrutiny and we will return to that in stage 2.

2225 The Committee agrees with Deputy Perrot: there is a lot that is good in the Island's political system. I had hoped that the policy letter articulated well the balance between respecting what is good and healthy in our system and wanting to maintain that, and recognising where there are shortcomings and proposing incremental or evolutionary change. I hope that Members can see that theme running through the Report. That was certainly the attempt the Committee made.

2230 Deputy Perrot also makes an important point about cohesion inside committees and we make this point in the policy letter. Clearly committees are stronger if they are united. Now in our system we cannot, the president of a committee, or Minister of a Department now, does not have the tools to force Members to vote for the committee's majority position, but clearly a committee which is united is in a much stronger position.

2235 The Policy Council's lack of cohesion which Deputy Perrot identified is an inevitability of our present structure, because it contains 11 Members, twice the size of most other States' Committees and secondly the structure of the Policy Council is that the Members are there to represent their Departmental interest. Therefore, it is hardly surprising that it is very difficult for the Policy Council to act as a cohesive senior committee.

2240 Treasury and Resources does it much more frequently than the Policy Council does. And I think that we should be informed by that when we vote on these proposals. The Policy Council is not set up – it is not its fault; I do not blame the Members of the Policy Council – to be a cohesive senior committee and that is because it was not set up to do the job which we are now expecting of it. And I will come back to that in just a moment.

2245 Deputy Perrot made a point about Island-wide voting, which is a good point. Of course, there is a Requête on Island-wide voting which is being reconsidered by the States at the end of this month.

The Committee agrees fully with Deputy Perrot about the Bailiff remaining as the Presiding Officer of the States.

2250 The States of Jersey, which in my view have got themselves into an awful mess over reform of the States generally, do not debate the role of the Presiding Officer 'now and again' – they debate it almost every week. I really hope that we do not get involved in that. There is no case on human rights grounds, or legal grounds, or constitutional grounds and certainly not on practical grounds for us to replace the Bailiff as the Presiding Officer.

2255 The reforms which were made at the turn of the century have satisfied the concerns which were raised a few years ago. So the Committee wholeheartedly agrees with Deputy Perrot in that respect.

2260 Deputy Gillson raised Proposition 6, and Deputy St Pier has really dealt with this. But it does say that there is a presumption in favour of five Members unless there is a wide variance in the breadth of mandates among the Principal Committees. Now one might assume that there is now today a wide variance in the breadth of mandates, and therefore if the present structure was to remain exactly as is in terms of the Departments it is quite possible we would come back not proposing that every single Department or Committee would have five Members. So I think the concern that Deputy Gillson raised is covered in the words in Proposition 6.

2265 And we agree with Deputy Gillson our intention in stage 2 is not just to take existing Departments and ram them together or collapse them. The task that needs to be carried out is breaking down all the functions and then reassembling them in the most sensible way.

To answer Deputy Laurie Queripel, yes the Committee has worked with the former Chief Executive very closely in stage one, and that has been extremely valuable to the Committee, and clearly we will have to work with senior officers including the Chief Executive very closely in stage 2.

He also made an important point about transition arrangements, and the Committee are mindful of that.

2270 Deputy Inglis made an important point. He was the only Member to make this point, but I agree with him. He said many of the reforms being proposed are actually quite obvious, and I think they are.

I strongly reject the claim made by Deputy Lester Queripel that there is no evidence for the proposals that are before the States. I understand that Members may not agree with the conclusions, but almost universally Members have acknowledged that the report does set out the evidence, does argue the points
2275 reasonable well for the proposals that it makes.

In fact even the Policy Council – which is very generous of it, because the Committee is effectively proposing disbanding it – even the Policy Council in its letter of comment does say that it believes that this is a clearly written and well-argued report.

2280 Actually, I am going to praise the Policy Council and the Treasury and Resources Department at this point because as I understand it, a majority of the Members of both of those Committees are in favour of these proposals. Now that clearly is putting self-interest to one side, because (*Interjection*) for example – but you certainly will vote for it now will you not. (*Laughter*) For example, the Chief Minister and the Treasury Minister cannot both be the President of the Policy and Resources Committee, (*Laughter*) so they are clearly putting aside self-interest.

2285 At the moment, the Policy Council and the Treasury and Resources Committee consist of 15 Members. They cannot all sit on the Policy and Resources Committee, even if it is seven Members. So I applaud the Policy Council and I applaud the Treasury and Resources Department for putting aside self-interest and accepting by majority that those two functions should be merged and I think if we maintain that wish to put self-interest to one side into stage 2 of the process, then that augurs well.

2290 There has been a degree of anxiety about Proposition 10, which is the number of States' Members. Deputy Domaille and Deputy Green raised this yesterday and Deputy Sillars has raised it in the 93rd speech that we heard a few moments ago.

2295 Now the States' Review Committee does not have a gung-ho approach to cutting the number of Members of the States. The whole origin of that Proposition is that our initial analysis of the structure that we are proposing is that it could be delivered with fewer than 47 Members of the States, while we retain the appropriate balance between democracy and efficiency and therefore we should enter stage 2 with a presumption in favour of some reduction.

2300 Of course, the decision on the precise number of Members of the States will be for the States in stage 2, but it would very much help the Committee, to use the phrase that was used by Deputy Perrot and by Deputy Langlois I think, it would help the Committee to have a direction of travel. It is not to set it in stone but it helps to have a direction of travel.

2305 So I would encourage the States not to vote against Proposition 10. I think to do so basically says we do not have any interest at all in reducing the number of Members of the States. It would be odd, I think, if all the Propositions got through except Proposition 10. Certainly in terms of perception I think that would be unfortunate (**A Member:** Hear, hear.) So we agree, the Committee agrees, with Deputy Sillars that the key is the balance between democracy and efficiency. That is what is absolutely key and when we analyse, before making a proposal for the exact number of Members, yes we will take into account all of the functions that are undertaken by States' Members but with that qualification I do ask Members to support Proposition 10.

2310 Clearly, there is reasonably broad support for the scrutiny proposals following the successful amendments that were laid, and supported by the Review Committee yesterday. Several Members have spoken in favour of these scrutiny proposals.

2315 Now Deputy Bebb, who I think may have one or two small misgivings about these proposals (*Laughter*) was particularly exercised about legislative scrutiny. We on the Committee want to strengthen the scrutiny of legislation. Our report makes that very clear.

It is true to say that we are not putting before the States detailed proposals to strengthen the scrutiny of legislation at this stage. But we want to work with, for example, the Legislation Select Committee to put before the States in due course ways of strengthening the scrutiny of legislation.

2320 One suggestion which we are making is that we could bring a broader range of people with expertise in from outside the States. Now I now that Deputy Bebb hangs his head in despair at that suggestion, but he has to face the fact that this States under the system of Government is the executive as well as the legislature and most Members of the States when they stand for election do not stand simply to be scrutineers and legislators. They stand to be policy makers and decision makers and we cannot just turn ourselves off from that. If a solution to strengthening the scrutiny of legislation in our system is to bring
2325 more people in from outside, if that means that legislation is scrutinised more rigorously, then I think it is worth it.

So the Committee would welcome engaging with Deputy Bebb and the Chairman of the Legislation Committee, Deputy Jones, and others in stage 2.

2330 Deputy Gollop is opposed to these proposals and I am reassured that Deputy Gollop is opposed. (*Laughter*) I say that because Deputy Gollop has always been an out and out supporter of executive government. And so it reassures me no end to know that he is not prepared to support these proposals.

2335 But others, Deputy Green, and Deputy Luxon, and Deputy Harwood in particular have spoken about the way that they have moved their positions at least slightly to become realistic supporters at least of the Island's committee system. And I say to them this is a broad tent, welcome inside, but we do have ways of dealing with you if you ever try to leave again. (*Laughter*)

2340 Propositions 5 and 6 deal with the proposed Principal Committees. Now Deputy Burford said that she was going to vote against Proposition 5 because she was not convinced that we needed no more than nine Principal Committees. I would urge her and others not to do that, because it is Proposition 5 which brings into effect the concept of Principal Committees sitting alongside the Policy and Resources Committee. Now actually if Members are not convinced that we need no more than nine Principal Committees they really ought to have laid amendments. Because if you simply reject Proposition 5, you are rejecting the concept of Principal Committees. So I ask Members please not to do that.

2345 Deputy Lowe made the point about taking into account the number of sub-committees and the Committee's Report does that. At paragraph 6.8.4 there is reference to the number of sub-committees. That is clearly something that will need to be taken into account when determining the number of States' Committees.

2350 The only reason that we are offering this presumption of no more than nine is because our proposal to merge T&R and the Policy Council creates 9 out of 10. And we do not believe there is a case for going around and creating new departments or committees. And I think that is where the balance of opinion is in the States.

2355 But obviously in stage 2, and this answers the point Deputy Storey made, we will have to come back with the precise mandate of each Committee. And if Members believe that we have tried to shove too much inside one Committee then no doubt we will face amendments to try and separate things out again. But let's not embark on stage 2 with the view that we should increase the number of committees as if that is a sort of objective in itself.

But the key point I think to make in respect of Propositions 5 and 6 with Principal Committees is that under our proposals the number of Principal Committees can be determined on its own merits.

2360 At the moment either the size of the senior committee is determined as an accident of the number of Departments we have, or we determine the appropriate size of the senior committee and then we have to fit all of our functions into that number of Departments. Because that is how the system works. The number of Departments has to equal the size of the senior committee, the Policy Council. Our proposals get away from that and in future if they are approved the number of Committees can be determined on its own merits without reference to the size of the senior committee because they are two separate issues. At the moment, though, they are inseparable, but we want to separate them.

2365 Deputy Dave Jones made an interesting speech. He opposes ministerial government, he tells us, but he wants to maintain a ministerial council and he wants the Chief Minister to have the power to hire and fire Ministers. He also wants a non-ministerial system with Ministers, and he accuses the States' Review Committee of being confused and wanting to create a hybrid.

2370 Deputy Jones railed against the idea of a Policy and Resources Committee. He said that he was wrong in 2002 not to vote for a Chief Minister's Department, but as Deputy Trott pointed out the functions of the Policy and Resources Committee which we are proposing are exactly the functions that were proposed for the Chief Minister's Department in 2002.

2375 Furthermore what Deputy Jones did not tell us was the following year in 2003 when an amendment was laid to amalgamate the Policy Council and the Treasury and Resources Department, he voted in favour it. That is exactly the proposal that we are putting before the States today. (*Interjection*) Does Deputy Jones want me to give way? (**Deputy David Jones:** No.) No, okay.

Now we understand that in respect of work that goes on off Island, titles do matter. We do not dispute that, and I think the Chief Minister has made that very clear in what he has said.

2380 But I think Deputy Jones did make a rather ropey defence of the title 'Minister'. If we are going to have a Policy and Resources Committee, it would be very odd to maintain the title 'Chief Minister', because he or she will not even be chairing or presiding over a committee of Ministers. So I do not know how he could be a Chief, because he is not going to have any Ministers. So I think that that would be an example – what we are trying to do is ask the States to agree to a committee system and then organise all the details of that in a way that is consistent with a committee system. I think that to have a committee system and then superimpose Chief Ministers and Ministers on top of it would be to recreate some of the problems of 2004. In a committee system, the title Minister can only be misleading, but clearly there does need to be flexibility off Island.

2385

Deputy Jones wants the Policy Council and the Treasury and Resources Department to have more tools in their boxes. That is exactly what we are proposing. We inhibit those two Committees from carrying out a leadership and co-ordination function because we keep the two key functions of policy co-ordination and the allocation of resources in separate committees. We prevent them from offering leadership and co-ordination.

Deputy Jones and Deputy Perrot return to the issue of external relations. The States' Review Committee believes that the structure it is proposing provides a sound basis for undertaking external relations but, of course, we will be happy to work with them and other Members who have a particular interest in external relations in ensuring that the detail, when it comes back in stage 2, provides proper focus for the important task of external relations.

Now, the first three or four Propositions deal with the proposed establishment of the Policy and Resources Committee. Deputy De Lisle spoke against that yesterday; he was in favour of the *status quo*. A Policy Council of 11 Members and a Treasury and Resources Department of five Members and I want to respond to that.

Separating resource allocation and policy co-ordination works in a cabinet system, because of collective responsibility. The two Ministers, Secretaries of State, Prime Minister and Chancellor are bound together by collective responsibility. In a committee system where the committees report to the States independently, it makes absolutely no sense at all to have those two functions in separate committees. (A **Member:** Hear, hear.) That is a major, major weakness.

Now Deputy Trott – the handsome but no longer self-indulgent Deputy Trott – (*Laughter*) accurately reminded the States of how we got into this mess in the first place in 2002 and it was entirely by accident of history.

The proposal of the Joint Committee on which Deputy Jones sat was for a Chief Minister's Department. That proposal was lost but the States voted in favour of a Policy Council. The original concept of the Policy Council was to be a consultative forum, meeting perhaps quarterly. But once the Chief Minister's Department, which is effectively our Policy and Resources Committee, had been lost the Joint Committees has nowhere else to go. They had to take the functions which were meant to sit with the Chief Minister's Department and give them to the Policy Council, and when that was laid before the States 8 of the 10 Members of the joint Committees who had been behind those proposals voted against that proposal, and they said it would not work. But the States forced them in to it.

I think it is significant that Deputy Trott supports all of these proposals. He is the only Member of this Assembly to have held the offices of Chief Minister and Treasury and Resources Minister, and he can see the merit of bringing together those two functions. In fact all the Members of the States who have held the offices of Chief Minister or Treasury and Resources Minister fully support these proposals.

Deputy Trott when he was Chief Minister consistently urged upon the States the need for reform, and I thought it was telling that he did so when he spoke that he felt that the proposals before the States did successfully address the major shortcomings. Not all of the shortcomings admittedly, but the major shortcomings which are evident in the system today.

Deputy Gollop misrepresented history in two respects. He said that we were trying to go back in time and that the Policy Council with the *ex-officio* membership had been a move forward, and we ought not to undo that. Actually Deputy Gollop is wrong, between 1945 and 1957 the senior committee of the States was made up exactly as the Policy Council has been made up since 2004, on an *ex-officio* basis with the Presidents as they were then of the major committees of the day. That was recognised not to work and a proposal was put before the States by then Conseiller E D Collas, or Uncle Edward to you, sir, (*Laughter*) to undo the *ex-officio* membership of the senior committee. And it was successful. What happened in 2004 is that the States reintroduced this major weakness which had had to be removed in the 1950's.

Deputy Gollop said it would have been ludicrous if in 2002 this sort of slimmed down committee system had been proposed. But it is exactly what was proposed. Our proposals are not that far away from what the Joint Committees proposed in 2002.

Deputy Perrot made a very important point about the Policy Council. The Policy Council does work exactly as was intended, because it was meant to be a consultative forum only. The States suddenly, out of nowhere, expected it to act as a cohesive senior committee when it was not designed for that purpose. That is a major weakness and it is compounded by the large number of Members involved. You cannot have a cohesive senior committee made up of 11 Members. (A **Member:** Hear, hear.)

In addition, the attendance at the Policy Council is changing constantly. In the six months up to end of October last year, 23 different Members of the States attended meetings of the Policy Council. Half the entire States. We might just as well have a senior committee and then have rotating membership on it. Every few weeks a new few Members join and a few fall off the other end.

How on earth do we expect to have properly co-ordinated policy if that is the sort of arrangement? These are not conditions conducive to leadership and co-ordination. Our proposal is to correct the accident of history which happened in 2002.

Deputy Gollop fears five members of the Policy and Resources Committee who do not sit on other departmental Committees but what about Treasury and Resources today? Because all of the five Members of Treasury and Resources today are effectively independent because they do not sit on other departmental Committees and I would put it to the States that in terms of letters of comment, and advice to the States that the position of the Treasury and Resources Department when proposals come to the States is of far greater consequence than the position of the Policy Council. (**Several Members:** Hear, hear.)

If I am bringing something to the States, frankly I do not care what the Policy Council says because half of them will probably vote against what they are recommending (*Laughter*) in any event. And I do not blame them – it is because of the difficulties which Deputy St Pier and other members of the Policy Council have raised.

But if you have the Treasury and Resources Department against you, it is much more difficult because they are almost always unanimous. Their letters of comment are always, almost always coherent – often they are wrong (*Laughter*) but they are always coherent – and that is what we will get if you have a smaller – (**A Member:** *Aux voix!*) (*Laughter*) almost, almost. If you get a smaller committee made up of five members, you get the conditions for proper leadership and co-ordination.

Deputy Hadley and Deputy Green quite correctly identified one benefit of our proposals in that it will strengthen accountability in the senior committee. At the moment the Assembly cannot hold the Policy Council to account without disrupting every States' Department. If we believe that the senior committee is not carrying out its task well, ultimately a motion of no confidence could be laid. If it was successful every single Department loses its political head. That is totally unsatisfactory in a committee system. It works well in a cabinet system but it is unsatisfactory in a committee system. So accountability certainly is strengthened in the senior committee under our proposals.

Deputy Langlois and Deputy Domaille fear the growth in the power of the Civil Service. I would suggest that the present system poses a much greater risk perhaps – sorry, perhaps it was not Deputy Langlois who suggested that. Deputy Domaille certainly did, I apologise to Deputy Langlois. I think the present structure poses that risk much more than what we are proposing because the senior committee today is made up of effectively in the main the busiest Members of the States – the Ministers. And the people who we expect to have maximum oversight of our Departments lead our Departments, the Ministers, are also having to carry out the functions of the Policy Council. So I think that provides the recipe for the absence sometimes of political oversight of both the Policy Council and Departments.

What we are suggesting is that the Presidents of the Principal Committees will be able to focus on that task and the members of the senior committee will be able to focus on that quite distinct task. So I think that provides for more political ownership and oversight and stronger accountability.

Deputy Paint seems to fear the Policy and Resources Committee becoming a sort of left-wing politburo. On the other hand Deputy Storey suggested that they could become a Junta. We feel that it might be somewhere in between those two. (*Laughter*) Actually there is every chance that this committee might just become a fairly measured and balanced and responsible committee that is able to use the tools in its box to advise the States properly.

We completely reject ministerial government. Deputy Perrot is telling me to get on with it, so I am not going to read out the paragraphs I was going to read out, (*Interjection*) but section 5 of this Report makes it very clear how a ministerial system would work and why the States' Review Committee has expressly rejected it.

The Policy and Resources Committee will not be a cabinet. It is not the executive. Under these proposals if there is an executive, if there is a government and that is perhaps a debate for another day, it is in here. The power rests with the States. This is not an executive system. I am not in favour of an executive system at all. This is emphatically a committee system. But it has been accepted for very many years, since the end of the Second World War, that the States does need a senior committee to advise it on policy co-ordination and the allocation of resources. These are old concepts we are simply trying to restructure them and give the relevant committee the tools necessary to carry out the task that we expect of them.

Paragraph 7.5 and I need to make this point because Deputy Storey and others were particularly anxious about this yesterday. Paragraph 7.5 makes it very, very clear that policy development will rest with the Principal Committees. The task of the Policy and Resources Committee is policy co-ordination. Particularly advising the States on policy co-ordination. The ownership of policy will rest with Principal Committees in the same way that it rests with departmental Committees today.

I would ask Members please do vote for Proposition 2. Not so much because of the number of Members on P&R but because Proposition 2 is the Proposition where we asking the States to agree to the principle that the Members of the Policy and Resources Committee will not be members of the Principal Committees. If that is undone, then we are risking going back to the sort of *ex-officio* arrangement which we have in the senior committee today.

So in answer to Deputy Langlois's point, yes – the Committee will remain flexible and will remain open minded. If the Committee believes on the basis of further evidence it considers, and further submissions it

2510 receives, that it needs to come back to the States and rescind any part of these proposals yes, of course, it will. It is free to do that but please do not vote against Proposition 2, because we really do need to establish the principle. We need to understand that the States supports the principle of a senior committee with a membership that is independent or impartial of the principal spending Committees.

2515 And finally, sir, (*Interjection and laughter*) I thank Members for their generous comments in respect of this Report. Our proposals are not a panacea. We are also fully realistic about the limitations of structural reform alone, but it was the States that set up the States' Review Committee to carry out a structural review of the States. So it is not a surprise that we have come back with proposals relating to the structure of the States.

2520 And we do believe that our proposals have or our Report identifies the major shortcomings of the present arrangements and puts in place ways of improving leadership, improving co-ordination strengthening scrutiny and very importantly affording the States more flexibility.

2525 The basic proposition of the Committee is that we should emphatically retain the Island's traditional political system, the committee system, that we should be proud of it, that we should celebrate it but that we should also identify from time to time where the structure has shortcomings and weaknesses and we should work together to put those things right.

That is what the Review Committee has done and we want to continue working with States' Members in stage 2. And do not wait for the States' Review Committee to come to you as Members. Members should come to the States' Review Committee with their representations, building on these Propositions if they are approved.

2530 Deputy Kuttelwascher yesterday said these proposals are an opportunity to optimise the committee system. That is exactly the basis upon which the Review Committee lays these Propositions before the States. And the Committee asks Members to vote for all 12 Propositions.

Thank you, sir. (*Applause*)

2535 **The Bailiff:** Deputy Dave Jones.

Deputy David Jones: Mr Bailiff, on a point of information, because I think my good friend Chairman Fallaize misrepresented something I said. It is perfectly feasible, sir, for more powers to be given to the Chief Minister and to Treasury without going for full blown ministerial government. That is the point I was trying to get over.

The Bailiff: Well, Members, the Propositions are to be found starting at page 1439 of the Billet. I suggest that perhaps we take them individually, one by one because there are some Propositions that are going to be more controversial than others. So I put to you first Proposition –

2545 **Deputy Fallaize:** May we have a recorded vote, please?

The Bailiff: On all –

2550 **Deputy Fallaize:** Yes, yes I think so, sir.

The Bailiff: On every single Proposition? (*Interjections*) Some of them may go through without opposition.

2555 **Deputy Fallaize:** Well okay, if that happens, then that is fine. (*Interjections*)

The Bailiff: There are some that are more controversial and are more important to the Committee than others. But I –

2560 **Deputy Fallaize:** Well, number 1 is quite, sir, so if we could have a recorded vote on number 1 please.

The Bailiff: You would like a recorded vote on number 1 then. Recorded vote on Proposition 1.

The Procureur: Sir, a recorded vote can be asked for after you have called *aux voix* –

2565 **The Bailiff:** It can be but –

The Procureur: Perhaps you want to call *aux voix* first and see if there is any opposition and request then in case of each Proposition.

2570

Several Members: Hear, hear.

Deputy Fallaize: It is almost bullying, is it not, by the Procureur – ?

2575 **The Procureur:** It is not bullying at all. *(Laughter)*

Deputy Fallaize: I was joking. Please do not get too excited. *(Laughter)* Yes, I fully support the Procureur's proposal, let's do that.

2580 **The Bailiff:** Right. In that case, we will go *aux voix* on Proposition 1. Those in favour; those against.

Some Members voted Pour, others voted Contre.

2585 **Deputy Fallaize:** Recorded vote please, sir. *(Laughter and interjection)*

The Bailiff: Deputy Lowe is asking for a recorded vote. Greffier.

There was a recorded vote.

2590 **Proposition 1:**
Carried – Pour 40, Contre 6, Ne vote pas 0, Absent 1

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

2595 **The Bailiff:** Members, the result of the vote on Proposition 1 was 40 votes in favour, 6 against. I declare Proposition 1 carried.

Proposition 2. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare Proposition 2 carried.
Proposition 3. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.
Proposition 4. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.
Proposition 5. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.
Proposition 6. Those in favour; those against.

Members voted Pour.

The Bailiff: Actually, perhaps we could take together all the scrutiny Propositions. Take those as a single block. That is Proposition 7. Proposition 8, which I remind you, has been amended and it has been substituted by a new Proposition as a result of the successful Deputy Rob Jones/Deputy Soulsby amendment. Proposition 9 has been amended as a result of the successful Deputy Soulsby/Deputy Rob Jones amendment A and there is a new Proposition 9(a) inserted by Deputy Soulsby/Deputy Rob Jones amendment B. So I will put to you together Propositions 7, 8, 9, and 9(a). Those in favour; those against.

Members voted Pour.

The Bailiff: I declare them carried.
Proposition 10. Those in favour; those against.

Some Members voted Pour, others voted Contre.

The Bailiff: I declare that carried, but is there a request for a recorded vote?

A Member: Could I ask for a recorded vote on that one, please?

Deputy Fallaize: Well, I thought it was close, sir, from down here.

The Bailiff: There is a request for a recorded vote.

There was a recorded vote.

Proposition 10:

Carried – Pour 33, Contre 13, Ne vote pas 0, Absent 1

POUR

Deputy St Pier
Deputy Stewart
Deputy Gillson
Deputy Le Pelley
Deputy Trott
Deputy Fallaize
Deputy Laurie Queripel
Deputy Lowe
Deputy Le Lièvre
Deputy Spruce
Deputy Collins
Deputy Duquemin
Deputy Dorey
Deputy Le Tocq
Deputy James
Deputy Adam

CONTRE

Deputy Ogier
Deputy David Jones
Deputy Green
Deputy Paint
Deputy Brouard
Deputy De Lisle
Deputy Burford
Deputy O'Hara
Deputy Domaille
Deputy Robert Jones
Deputy Gollop
Deputy Storey
Deputy Bebb

NE VOTE PAS
None

ABSENT

Deputy Wilkie

Deputy Perrot
Deputy Inglis
Deputy Soulsby
Deputy Sillars
Deputy Luxon
Deputy Quin
Deputy Hadley
Alderney Rep. Jean
Alderney Rep. Harvey
Deputy Harwood
Deputy Kuttelwascher
Deputy Brehaut
Deputy Langlois
Deputy Le Clerc
Deputy Sherbourne
Deputy Conder
Deputy Lester Queripel

The Bailiff: Well Members, on Proposition 10 there were 33 votes in favour, 13 against, I declare it carried.

Proposition 11. Those in favour; those against.

2650

Members voted Pour.

The Bailiff: I declare it carried.

Proposition 12. Those in favour; those against.

2655

Members voted Pour.

The Bailiff: I declare it carried.

That concludes this meeting. Thank you very much, Members. (*Applause*)

The Assembly adjourned at 4.25 p.m.

2660