



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 29th January 2015

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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

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, G. M. Collins

The Castel

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

The West

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

The South-East

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

Representatives of the Island of Alderney

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

The Clerk to the States of Deliberation

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

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Comptroller); Deputy M. J. Storey (*indisposé*);
Deputy E. G. Bebb (*relevé à 10h 49*); Deputy L. C. Queripel (*relevé à 09h 50*);
Deputy A. Spruce (*absent*); Deputy R. W. Sillars (*relevé à 09h 50*)

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States of Deliberation

The States met at 9.50 a.m.

[THE DEPUTY BAILIFF *in the Chair*]

PRAYERS

The Senior Deputy Greffier

EVOCATION

Billet d'État I

HOME DEPARTMENT

VI. Bailiwick Drug and Alcohol Strategy 2015-2020 – Proposition carried *nem. con.*

Article VI.

The States are asked to decide:

Whether, after consideration of the Report dated 27th October, 2014, of the Home Department, they are of the opinion:-

1. To approve the Bailiwick Drug and Alcohol Strategy 2015-2020 and affirm the States' commitment to minimising the harm caused by drug and alcohol misuse to Bailiwick residents of all ages.

The Senior Deputy Greffier: Billet d'État I, Article VI.

The Deputy Bailiff: Members of the States, before I call the Minister of the Home Department
5 to open the debate on this matter, can I just apologise on behalf of the gremlins in the system, that we were not able to get a clean start at half past nine. Has anyone arrived who was not here at roll call and wishes to be *relevé*?

Deputy Sillars and Deputy Lester Queripel, both *relevés*.

10 Deputy Gillson, the Minister of the Home Department to open the debate, then.

Deputy Gillson: Thank you, sir.

Members will be pleased to know that I am not going to make a long opening speech. I will not be repeating what is in the Report, but the brevity of this opening speech should not be misinterpreted as meaning that this is not an important social policy strategy. It is a very
15 important strategy.

The Strategy covers both alcohol and drugs and you should note from the outset that there is a significant difference between the two. Alcohol is a legal product which people can legally enjoy. Taking certain actions while intoxicated may be illegal, but drinking itself is not. Now, we are not suggesting changing the legality of alcohol, but we do acknowledge that, although legal, alcohol

20 can have harmful effects either directly on those who indulge or indirectly on others through the actions of those who indulge. These can range from irritating to the catastrophic in nature. Therefore, the alcohol part of the Strategy implicitly acknowledges alcohol is part of our society, part of our culture and aims to encourage responsible consumption, so we can enjoy partaking of it without the negative health or social effects.

25 The drug side is different in an important way, because drugs tend to be illegal. Either the drug itself is illegal or being available under prescription and used to excess or by persons other than the prescribed, which is, in effect, an illegal use.

Often, we, as a Government, are accused of not being joined up, of having silo mentality or not working together. Well, this Strategy disproves those suggestions. Although this Report is being presented by the Home Department, which has responsibility under the governance structure, the workstreams needed to fulfil the aims of the Strategy are far wider than the Home Department. It is indeed, and indeed it has to be a true multi-agency approach if it is to be successful and all of the organisations involved are detailed on page 100 of the Billet, so it is a true multi-agency approach.

35 Now, for many years, a number of Departments and the third sector were working in these areas, but it was back in 2007 that the States combined the then existing drug and alcohol strategies into the Bailiwick Drug and Alcohol Strategy, the primary aim being to minimise the harm caused by drug and alcohol misuse by Bailiwick residents of all ages. That original strategy was due to be operative from 2007 to 2011. A review was conducted in 2009 for the first two years, which resulted in the formulation of the 2010 to 2014 strategy.

40 Now, I hope Members will have read Appendix 1, which is a full review of that strategy and, indeed, its successes should be noted. I will just highlight two particular areas: one, where the current Strategy was very successful, is in relation to emerging drugs of concern or legal highs. The Island had a problem, but through a very creative, multi-agency approach, a solution was identified and quickly implemented. The ability of the Strategy to be flexible enough to allow services to react to changes in the community is a key to its success. Another area where the Strategy has been particularly successful is the reduction of substance use in young people.

45 Now, the multi-agency approach has not just been on the delivery of this current Strategy, but also the development of the new Strategy. The key priorities have been developed by the Drug and Alcohol Strategy Group in conjunction with partnership agencies and involving two public consultations. It is because the Strategy has been developed from the bottom up by those who deliver the service that it builds on the success of 2010 to 2014 Strategy. It is for those reasons that we believe it is a good strategy and it will be an effective strategy. It is an evolution to meet current needs and I expect the Strategy to continue to evolve to meet needs as society changes.

50 So, what is the 2015 to 2020 Strategy? The vision for the Strategy is for a safer and healthier Bailiwick, where the harms caused by drugs and alcohol are minimised. The Strategy aims to achieve this vision by co-ordinating and focusing the provision of services in a way which is appropriate to the Island. The 2015 Strategy is a delivery programme within the States' Strategic Plan and is structured to be outcome based, with workstreams designed to target priority areas in order to achieve the strategic outcomes.

55 Members may wish to turn to page 90 of the Billet. This page shows the Strategy framework and half way down there is a block headed, to the left, 'Outcomes'. These are the five strategic outcomes which are: reducing the availability of drugs and alcohol; a reduction in the numbers of adults and children using drugs at levels which can cause harm; a reduction in the instance of drug and alcohol related disorder; an increase in the number of people moving successfully through treatment; and a reduction in the drug and alcohol related economic loss to the Bailiwick. So, those are the five strategic aims.

60 Below that are the six areas in which the Strategy will focus to be able to deliver those strategic aims and they are: reducing supply and demand; supporting children, young people and families; working in partnership between Departments and the third sector; providing treatment through remodelling treatment programmes into a more integrated treatment network; encouraging

responsible choice and data collection; and monitoring workstreams to establish we are achieving our targets and achieving value for money.

75 Sir, drug and alcohol abuse can have a devastating effect on the lives of individuals and families. We believe that the co-ordinated multi-agency approach is fundamental to the vision of a safe and healthy Bailiwick, where harm from substance abuse is minimised. Without this co-ordinated approach to service delivery, it is likely that the work of both States' Departments and the third sector could become fragmented, disjointed, leading to the risk of gaps or duplication.

80 I am sure that some Members will look at the Strategy and consider there are initiatives they would like to see included. I accept that but, as a government, we have to live within our resource means. So, this is not a strategy that sounds great, promises everything, but will not have the resources to deliver them. This has been carefully developed to be challenging within our financial constraints, but realistic. Fundamentally, the Strategy enables a considered and proactive approach to be taken locally, ensuring that appropriate, preventative interventions are in place, to avoid people starting misuse or to help avoid the escalation of misuse. Such efforts will benefit individuals, their families and the Island as a whole.

85 I commend this Report and the Strategy to the States, not only as Minister of the Home Department, but on behalf of all the Departments and agencies who have worked tirelessly to make Guernsey a better and safer place to live, and are continuing to do so in the future.

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The Deputy Bailiff: Deputy St Pier.

95 **Deputy St Pier:** Sir, this is a great example of inter-departmental working and, indeed, working with the third sector and the Department are to be commended for their work over a number of years in this area. But, of course, we should not be complacent and rest on our laurels and, again, I know that the Department has no intention of doing so and that the Strategy is a living and developing document.

100 I do have two questions for the Minister, which I would be grateful if he could address in his summing up. Of course, across the States, we have a fairly well developed process of tendering for the delivery of services, to define what we think are requirements and ask organisations whether they will provide those services and we are really just at the beginning of a process now of being a little bit more sophisticated in our thinking and starting to tender or commission, I suppose, against outcomes and against seeking to have organisations deliver benefits in the services that they provide. Now, I do know that our Departments have been working together on the process for the next round of tendering for the services required under this Strategy, but I think it would be useful for the Assembly and for the public record for the Minister to confirm that the process is being much more driven by the need to tender or commission against clearly defined outcomes.

105 Sir, the second question I have, of course, is there are many examples around the world of all sorts of different drug strategies, including the role of decriminalisation and legalisation, with very mixed, from what I can see, very mixed evidence of the impacts of those different policies. I do not have, personally, particularly strong views. I do not have enough experience or evidence available, but I do think that we should be open to consider the relevance of those in developing our own future drug and alcohol strategy and whether they have any role in our own Strategy here.

110 So, again, I would be grateful if the Minister would confirm, in his summing up, that he and his Department are open minded to look particularly at those strategies of decriminalisation and legalisation and look at the evidence and advise the States in the next iteration of the Strategy, whether they have any role in the development of future drug and alcohol policy.

Thank you, sir.

120 **The Deputy Bailiff:** Deputy Green, to be followed by Deputy James, to be followed by Deputy Soulsby.

Deputy Green: Sir, thank you. I support this Strategy and I particularly welcome the recommendation to initiate legislation to enable the courts to impose so-called Drink Driving Education Orders for anyone disqualified for driving with excess alcohol in the Bailiwick. That is something we have long required and could well be highly beneficial in the long run.

First of all, I was particularly interested in some of the extrapolated figures that appear in the report, paragraph 2.5, in particular. Although the figures come with a slight health warning in the sense that some of the costs set out there in paragraph 2.5 are actually extrapolated from the cost in England, I could not help but take an interest in some of those figures and it says:

'Whilst Guernsey has not had resources available in recent years to calculate the local costs [of drug and alcohol misuse], adoption of the UK figures to Guernsey on a per capita basis (acknowledging the risks associated with such a crude calculation) identifies that the cost to the health as result of Drug and Alcohol misuse could be in the region of £3.5 million per annum, alcohol related crime in the region of £11 million and lost productivity due to alcohol at about £7.3 million.'

Now, those are significant figures in anybody's view. Of course, they come with a health warning, but nonetheless, that puts the scale and the nature of the potential problem into sharp focus, I think.

Now, I listened to the Minister speak before. I know there has been an awful lot of very good work that has been done under the Strategy to date, particularly with regard to awareness raising and the Minister talked about emerging drugs of concern, which is something that I have had a quite a lot of professional dealing with. In the last few years, the emerging drugs of concern that have infiltrated this Bailiwick, including Mephedrone and other similar substances, which, for a very long time, were actually called 'legal highs', has had a real impact on this Bailiwick. Indeed for a time, Mephedrone was very much the drug of choice for local opiate users and, indeed, Guernsey was, unfortunately, for some time the legal high capital of the world.

But, mainly because of the work that was done under this Strategy, some very effective education, some very effective enforcement work was done to tighten that up and to inform young people in a much better way about those emerging drugs of concern and I think the multi-agency approach and the co-ordination of that multi-agency approach has really been a success story in dealing with that particular issue with the so called legal highs and, indeed, the reduction of substance misuse for younger people is a great success story as well. So, I agree with the pillars that underpin this Strategy.

My primary concern, probably, and I would be grateful if the Minister could reply to this when he sums up is, can he guarantee that the funding for the Strategy will be safeguarded for the whole of the period of it? I really hope it can be protected fully, because this is a great success story and no doubt it will continue to be a success story if it is given the resources, if those are guaranteed and the multi-agency approach is allowed to work in a properly resourced way.

The other concern I have is to what extent will the strategic approach and the multi-agency approach look at the real causes of addiction to drugs and drink. I am not an expert on this by any means, but I read an article in the *Huffington Post* recently which suggested that addiction may be a form of adaption to one's difficult environment, rather than a medical problem or rather than a kind of moral failing. In the long term, I would have thought that the Strategy would need to look and to tackle effectively the causes of addiction and we, as policy makers, need to think perhaps rather more about what causes people to be addicted, rather than just cleaning up the mess afterwards, as it were.

Just two other points. In the Medical Officer of Health's letter of comment, he makes this point about the States giving consideration to showing a lead on things such as not funding alcoholic drinks at States' expense. I wonder whether the Minister has given any consideration to that and what his view would be on that, because the impression I get is that the Medical Officer of Health made this point and I do not detect that there has been any kind of reaction to it, either positively or negatively. I just wonder whether Ministers and others could perhaps consider that.

The final point, just to build on what Deputy St Pier mentioned a moment ago, I am not a supporter of the decriminalisation or legalisation of drugs at all, but I do note that amongst a

170 certain demographic of our society, the younger generation, there is a view that the time has
come to at least consider perhaps either the decriminalisation or legalisation of cannabis, for
example. There is that view in our society and I do not think we can simply ignore that. I do not
subscribe to it myself. I do not believe that is the right way forward, but would the Minister agree
with me that actually maybe the time is now to have that debate and to put the evidence on the
175 table and to make the arguments; and if the evidence is clear, let us dismiss it, but would it not
actually be beneficially to have that debate in public at this time?

But, I support this Strategy and I would urge Members to do likewise.

The Deputy Bailiff: Deputy James.

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Deputy James: Thank you, sir. Could I thank Deputy Gillson, his Board and Department for
having produced what, in my opinion, is an extremely good report.

Very briefly, sir, I was very proud, 20 years ago, to have set up Guernsey's very first Alcohol and
Drug Service. We have come an awfully long way since that time. On appointment, drug abuse,
185 drug usage, in Guernsey was very, very low key. Most of the problems that we saw, most of the
referrals were, indeed, purely for alcohol related problems. At the time of appointment, sir, I was
very fortunate, in addition, to have been awarded the first bursary from the Insurance Corporation
of the Channel Islands, so I took advantage of that bursary to identify some treatment centres,
190 both in the United States and in the UK to look at what they were doing. As you may imagine,
some of the alcohol and drug treatment centres in places like New York and Boston were
somewhat different to the situation that we had in Guernsey. However, the one significant thing
that I was able to discuss with American colleagues was the community detoxification programme
that had been set up in Guernsey and they were very, very impressed with how that worked. They
only wished that they could replicate that community detox programme, but, because their
195 insurance system is based on hospital bed nights, they never saw that as a possibility. So, I think it
is really important to think, despite Guernsey being a tiny place compared to many other places,
that we are a leader in many, many treatment respects.

The one thing, it is interesting that Deputy Green raised the issue of 'there are those in our
community who would like to see the potential legalisation of cannabis or the discussion should
200 be had.' The interesting thing, the issue, in terms of looking at statistics, if you look at alcohol
problems and drug problems separately, it is literally no different now to what it was 20 years ago.
Most of the alcohol related problems are in the older male. Most of the drug problems are within
the younger male. So, it is really quite interesting.

The table on page 13 highlights the deaths with alcohol related conditions and over 75% of
205 those alcohol related deaths are due to alcoholic liver disease, fibrosis and cirrhosis of the liver, all
of which are very, very long term, chronic alcohol conditions.

The only thing that I would like to add to this and it is certainly not the first time I have raised
this, is that, in parallel to setting up the States' funded service, we saw the emergence of Drug
Concern – I was involved in setting that up – and also the Guernsey Alcohol and Drug Council. So,
210 in Guernsey, despite having such a tiny, small population that we do, we do have three drug and
alcohol services, offering treatment and support services to the people of Guernsey and I have
called on a number of occasions to unite those three services. I think that they would serve
Guernsey far more effectively, certainly from a resource point of view, an economic point of view
and certainly from an efficiency perspective.

I would refer people to table 4 on page 54, where it gives the referral figures on individuals
215 accessing treatment services per agency within the Bailiwick and that gives you a breakdown of
where the referrals go. One of the problems out there, sir, is that I can understand, perhaps, GPs
and other agencies, being unsure of which is the appropriate service to refer to. If we had a single
point of referral that would cut down potential duplication, because those figures quoted in table
220 4 can be really quite confusing. They could, in fact, be duplicate numbers. They could be the same
people being referred wrongly to one agency and then being referred onto another. Often with

the condition of addictions, it is a very, very complex problem involving not just the person that is dependent on drugs, but, also, to family members. Should a person, at a certain stage in their life, determine that they wish to seek treatment, they usually need a fairly rapid and responsive reaction to them seeking help. So, I would ask that further consideration be given to bringing these services under one roof, maybe, or, certainly, to enable a single point of referral.

Thank you.

The Deputy Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, I will be brief, but I would just like to make a few comments on what, I agree with Deputy James, is an excellent report.

What did strike me, when reading this paper, just like Deputy James, was just how many organisations are involved in this area and it does appear to me that it is crying out for some rationalisation. I see there have been moves in this area but wonder whether it could go further and, perhaps, the realisation of the need for a single point of access to services would help address this issue. The service user should be at the centre of what we do and too often the States is service focused rather than user focused.

It is also refreshing to see the acknowledgement in paragraph 5.1.5 that the tools used to measure treatment outcomes vary within the service. In fact, in many areas there is no data on outcomes at all. In order to be evidence informed, we need to measure outcomes. I am pleased this is recognised in this Report and action will be taken to put this right. That is why the key enablers of governance and evidence set out on page 90 of the framework are so critical.

Perhaps, the one thing that did concern me was the interpretation of statistics. On page 18, it states that, despite the increase in the number of children on the Child Protection Register, the percentage of children identified as having parents who misuse drugs or alcohol has gone down. However, aside from the reasons for the almost doubling of children on the Register, there has been a real increase in those whose parents have an alcohol or drug problem. Those are real children, percentages can be misleading.

Finally, I do not understand why we have a separate Drug and Alcohol Strategy and a Tobacco Control Strategy. One is led by the Home Department and the other HSSD and there may well be some historic reason for this, but it would seem to make more sense and will probably require less resources to put together if we had one joined drug, alcohol and tobacco strategy. I do not mind which is the lead Department. It probably makes sense if it were a joint report, but I do believe it would make more sense than the current arrangement and I would be interested in the thoughts of the Minister on this matter.

So, a good Report that gives hope for a more cohesive, evidence-informed approach to managing drug and alcohol abuse and I am pleased to support it.

The Deputy Bailiff: Deputy David Jones, to be followed by Deputy Wilkie, to be followed by Deputy Trott.

Deputy David Jones: Thank you, Mr Deputy Bailiff.

I was interested in the Minister's opening remarks, because inter-departmental working is to be desired, of course, and we hope that any joined-up government would have departments working together. But, this is just, basically, a very blunt point, that for too many budgets, in my view, the abuse of alcohol, in particular, by a small minority has been used by T&R to justify raising taxes on products that contain alcohol that affect the entire population. When you read the budgets, you will see that the raising in alcohol levies is in conjunction with the Alcohol and Drug Strategy or whatever. But that does affect a lot of ordinary people in this Island who do not abuse alcohol, who just want to enjoy a drink and we have got to the stage now where the cost of alcohol in shops is significantly higher than most other places. The link is fine when you are dealing with binge drinking and abuse, but why do we always allow Treasury to slap more and

275 more increases on that affect the entire population, just to deal with the minorities? It happens in
lots of other areas too. So, it does affect lots of ordinary Islanders who just want to enjoy a drink
and who are pensioners.

And the very interesting point that my good friend, Deputy James, made in her speech, that
actually, the pattern of abuse or the type of abusers have not changed in 20 years. So, in actual
fact, it shows that increasing, in many ways, duty on alcohol has not changed that a single jot in
280 20 years. But it does have, as I say, an effect on thousands of ordinary other Islanders and I think
that has to be remembered. That is all I want to say.

Thank you.

The Deputy Bailiff: Deputy Wilkie.

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Deputy Wilkie: Thank you, sir. I am going to have to disagree with Deputy Jones on some of
his points.

Deputy David Jones: I don't mind.

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Deputy Wilkie: I think that there are a lot of issues about people drinking too much alcohol
who are not particularly alcoholics, but in their normal life and a large part of the Strategy is a
long-term piece of work. It is about changing culture, which is an evolutionary process.

I was away with a friend of mine a few years ago in the UK and someone said to me, 'What is
295 Guernsey like?' And, in jest, he turned around and said, 'Oh, it is 60,000 alcoholics clinging to a
rock.' Now, although that is in jest, if you have a member of your population thinking that way, it
sort of demonstrates you have an issue and it is very difficult, if not impossible to change the
attitude of the adult population.

In relation to drink driving, we have some success. Drink driving has been on a downward
300 spiral for many years, but it has taken a generation to change the culture around drink driving. We
may create laws during a debate in this Chamber. However, changing endemic habits and
practices in a population may take a little longer. And with this Strategy we are doing just that.
The effort and money spent on youngsters is paying dividends. We can see in the results in the
Young People's survey section relating to alcohol usage, years 8 to 10, which compares 2010 to
305 2013. These figures clearly demonstrate the huge progress made under this Strategy in starting to
change our drinking culture. This, I would say, bodes well for the goal of changing our drinking
culture in the future which is and always will be an integral part of this Strategy.

Imports in spirits have reduced in volume by 100,000 litres over the life of this Strategy. That is
100,000 litres per year less and that is a phenomenal success, but we are not just seeing a
310 reduction in alcohol usage in young people – drug usage has also been significantly reduced. We
often hear, in public and in this Chamber, words like 'We have got strategies coming out of our
ears, but what are we actually doing to effect real change and improvements for Islander's lives?'
Well, I believe the staff implementing this Drug and Alcohol Strategy should be commended by
this Assembly for doing just that. They have changed the culture and attitudes of the younger
315 generation, which will put us on a threshold of a new era of public health possibilities when it
comes to drug and alcohol issues. This Strategy is not motherhood and apple pie. It is detailed,
carefully crafted and has a proven track record.

And what about the future? Well, if you vote for this Report today, we will have in place a co-
ordinated Drug and Alcohol Rehabilitation Service in Guernsey this year – and I know Deputy
320 James mentioned this earlier. The first meeting of this new group is happening next week.

This Strategy should be held up as an example of how the Government and the third sector
can work together in successful partnership. So, can this success story get any better, sir? Well, yes
it can, because we are not asking for any more money, just give us the same amount and we will
get on with the job.

325 I therefore implore Members to support this Report unanimously and give the Drug and Alcohol Strategy staff the opportunity to carry on improving Islanders' lives.
Thank you.

The Deputy Bailiff: Deputy Trott.

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Deputy Trott: Thank you, sir.

So, I start by saying I thought Deputy Green's thoughts about us considering moving the 'Vin' from States' funded *Vins d'Honneur* is an interesting one, but I would question the need for a Culture and Leisure Department, if we were to adopt that strategy. *(Laughter)*

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Sir, a drug strategy has been in place since 1999, recognising all component parts are important in order to prevent increased demand, leading to increased supply, resulting in increased need for treatment and as other speakers, particularly the previous one, has highlighted, it has been a success.

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Sir, an alcohol strategy was approved towards the end of the 2005, but to avoid duplication of service provision and be most cost effective, it was decided to combine the strategies and produce a Drug and Alcohol Strategy to run from 2007 to 2011.

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Now, back in 2008, sir, the Drug and Alcohol Strategy received £605,000 funding, held by the Policy Council to implement the recommendations and 70% of the budget back then covered salaries for key workers in post in both States' and non-government organisations. In 2009, an interim report was placed before the States with an amendment for an additional £50,000, to be allocated for further development over the next five years, taking the Strategy to the end of 2014 and, as a consequence, the budget now stands at £655,000 and salaries now take approximately 85% of the budget, so we have seen an increase of 15% over that period with a fairly static funding figure.

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So, I have three questions for the Minister, sir, which may help me and others understand the thinking behind that. Question number 1 is how much has liquor licensing raised, in revenue, over the last five years?

Secondly, to what extent has the funding for the Strategy increased by comparison?

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Finally, sir, are the Minister and his Department content that the level of funding is sufficient at current levels to ensure that this most important Strategy is properly and appropriately funded moving forward?

Thank you, sir.

The Deputy Bailiff: Deputy Brehaut, to be followed by Deputy Fallaize.

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Deputy Brehaut: Thank you, sir.

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Is it not wonderful what you can achieve when you approve a strategy and go on to fund it? Is it not absolutely fantastic? It is astonishing to think that at the age of 17 in the early 1980's, when I started to drive, that people around me at that time would be in a bar and make a judgment and say to themselves, 'Well I have had about four pints now, I do not think I probably should be driving.' Now, that may sound funny, but that is just how it was and there have been great moves, successful moves – and, in fact what usually followed that is, 'I have had four pints, I had better go onto shorts just to be on the safe side.'

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There have been moves against drink driving and that has meant that the Police have been adequately resourced to deal with that – and I do not, for one minute, by the way, approve of drink driving, it is completely irresponsible and dangerous. However, I believe, as a member of the public, I am more at risk being in St Peter Port when people around me... If you look at the number of serious assaults, the number of common assaults, the number of assaults on police officers, criminal damage, people found lying drunk – is the Home Minister of the view that the Police Service is adequately resourced to deal with the real issue of drink driving as well as deal

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with the fallout – and it is a point that Deputy Trott has touched on, probably – from licensed premises?

380 Is his Department content that the level of liquor licencing or the price people pay to be able to serve alcohol is set at the right level? If you look at the fallout, particularly for St Peter Port residents from the misuse of alcohol, whether it is brawls at the taxi rank, whether it is anti-social behaviour that goes on into the early hours, does he not feel that those who sell liquor should feel that the licence is of such a value that they actually have something to lose and is he content or is his Department content that it is set at the right level, if they have a view?

385 The other thing was and I noticed in the response from the Health Minister at the time, there is no direct reference to this, but clearly the Health and Social Services Department have a responsibility here with regarding the social service element of what they do. I have huge concerns, as we all do, about recruitment and retention within Social Services and Children's Services. So, when we are minded to approve a strategy like this, when our colleagues from HSSD come back to us later and make a case for perhaps more resource in that area, then we should be
390 sympathetic to that request.

Thank you, sir.

The Deputy Bailiff: Deputy Fallaize.

395 **Deputy Fallaize:** Thank you, sir.

I speak, to use one of Deputy Perrot's favourite words, as a neophyte to the Home Department. In fact, this Report was submitted before I was elected onto the Department.

400 I disagree with Deputy Dave Jones for the reasons that Deputy Wilkie has set out, related to there being a great deal of casual use of alcohol which is problematic or becomes problematic to the consumer – although some progress is being made in Deputy Jones' views, because I remember being sat in the public gallery reporting on a debate in 2002, 2003, 2004 or whenever it was, and Deputy Jones made an impassioned speech at the time in favour of the legalisation of all drugs. So, he appears to have moderated his views somewhat and that is another success story of the Drug and Alcohol Strategy. (*Laughter*)

405 Deputy St Pier said that this was a great example of inter-departmental working and I think that is right and it is notable that the model that is employed here is that there is cross-departmental working at staff level, in particular. There is multi-agency working, but it is led expressly by one States' Department. I think there are various strategies which purport to be cross-departmental in the States which are not led by any one particular Department. Some of
410 them succeed, but a great many of them do not and I think that the notion of having one lead Department which is politically responsible for a strategy, although the work of it sits across the States, is very sensible. I think Deputy Wilkie is right, that this is not motherhood and apple pie – there is clear evidenced success and progress being made as a result of the strategy put in place some years ago.

415 In future, just as an aside, the Report makes clear that there will be an annual update report in future, submitted as an appendix to a Billet.

420 Now, on this question that Deputy Green raised about decriminalisation and liberalisation and regulation of cannabis – and, clearly, he is right that there is a body of opinion in society which at least wants that issue reopened for debate, if not for some legislative movement – I have to say all my instincts, perhaps like his, are not in favour of liberalisation. Deputy St Pier said that it has been tried in other jurisdictions with very mixed results and I think that there would need to be demonstrable evidence of benefit to the community before we adopted a more liberal approach.

425 So, if that puts me out of step with some of my more liberal colleagues who I might normally agree with, then so be it, but that is my view as far as cannabis is concerned and, actually, Guernsey's experience with drug misuse is reasonably good, if that is the right term, or at least not as bad as it is in other comparable jurisdictions. One only needs to look at some of the

experiences in Jersey, I think, to demonstrate the problem with perhaps even slightly moving to a more liberal regime.

430 However, there is a debate to be had about the emphasis on healthcare and the emphasis on criminality, in the way in which we deal with drug abuse. Now, I do not think this has to be a binary choice, but at paragraph 2.6 – I think it is 2.6, I have the original copy in the Department – but it is in the Report in the Billet. It states that:

‘Studies from the UK have concluded that every £1 spent on drug treatment leads to £2.50 in savings for society as whole and that for every £1 spent on alcohol treatment, the public sector saves £5.’

435 That does speak to the need to ensure that as well as – in respect of drugs at least – the criminal element being addressed, there does need to be intervention on health grounds and social grounds and it needs, if possible, to be early intervention. I think those two things can be run in conjunction, but there may be scope for the thinking in that area to evolve further.

440 Just one final thing, I disagree with the point made by Deputy Soulsby and I was expecting Deputy Bebb to have made it, if he was here, about bringing together the Tobacco Control Strategy and the Drug and Alcohol Strategy. I have always disagreed with that because I think we are dealing here with two fundamentally different issues. Tobacco control is an issue of health and only an issue of health. Drug and alcohol is an issue of health, but also it is a social issue. It is also an issue of criminality in a way that tobacco is not. There is no question of the harmful effects to health of tobacco, but the social effects are of a totally different order to the social effects of drugs and alcohol and I think where there is commonality, if that is the right word, between the way we deal with drugs and the way we deal with alcohol, there is very little room for commonality in the way that we deal with tobacco.

445 I know there are Members of the Health and Social Services Department who disagree with that, but I have always felt that quite strongly and I remember saying that when we had a debate some months ago about some element of tobacco control. I actually think that bringing tobacco control into the Drug and Alcohol Strategy would weaken the emphasis of the Drug and Alcohol Strategy. Deputy Brehaut rather underlined this point when he spoke about some of the effects of alcohol – not necessarily even alcohol misuse, but just alcohol use – and the effect that has on some people: drink driving, drunkenness, criminal damage, etc. Those are not behaviours or actions caused by tobacco and therefore I think I think it is in the interests of this Strategy that they are kept separate.

455 Thank you, sir.

The Deputy Bailiff: Deputy Luxon, to be followed by Deputy Domaille, to be followed by Deputy Le Clerc.

460 **Deputy Luxon:** Thank you, sir.

465 HSSD, of course, welcomes this updated Strategy and thanks the Home Department for bringing it forward. Sir the last strategy was built around the six pillars, as can be seen on page 30: to reduce the demand for drugs and alcohol; to provide initiatives for young people and families; to provide a range of treatment services appropriate for drug and alcohol users; to reduce the supply; promote safe and sensible drinking and to ensure meaningful co-ordination and monitoring.

470 I echo some of the points made by previous speakers about the great success of the multi-agency working and, again, on page 103, Members can see the 25 different both States’ and third sector agencies that are working together to deliver this Strategy. Equally the work between the Home Department, HSSD and Education Department, that must continue.

475 Sir, also, with the Domestic Abuse, Drug and Alcohol Strategy that the Home Department leads and the Mental Health and Wellbeing Strategy led by HSSD, it is important, I think, to continue to see close working there. Over the last couple of months, the new Board have been profoundly understanding of the important need for prevention, intervention and a general wellbeing plan if

we are going to balance the needs of our community in terms of health and social services verses the demands of both the resources in terms of people and finances.

480 So, the Department welcomes this new Strategy. It needs to be sustainable and it has to have sustainable polices and implementation plans. It is a multi-decade approach and good progress has been made so far.

It is at the heart at what Government's public service delivery is about: looking after our community and trying to make sure that we intervene for the wellbeing. So, sir, the Department and myself, who made a detailed submission through this consultation process, fully supports the Bailiwick Drug and Alcohol Strategy for 2015 to 2020 and, of course, hopes that the funding does
485 remain in place for this very important piece of work.

Thank you, sir.

The Deputy Bailiff: Deputy Domaille.

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

I will be brief. I was not intending to speak, but I will be voting for this Strategy and I, like, I think, everyone else in this House recognise the problems that come from alcohol and drug abuse.

However, I rise to echo some of Deputy Jones' comments. I think we need to keep a degree of
495 proportionality on this and I draw the Minister's attention to the household expenditure survey. I agree you can go through and statistics can prove anything. However, if you look at the expenditure on alcohol for households – actually the average households, it is page 61 of the expenditure – actually, it is not a great amount. And I just draw your attention to it, because I think it is an important bit of information as the Strategy goes forward. If you take the very lowest
500 quintile, but it is households less than £26,000 a year, I think, the amount they spend on alcohol is £8.76 per week. Most of that is on wine. If you go to the households up to something like £60,000, £65,000, they spend, call it £15 a week. So, it is not a great expenditure across the population. I am not making light of the specific problems there are.

Interestingly, there is another portion that comes out of this. Again, if you take the lowest
505 quintile, they spend, call it £9 per week on alcohol. And on tobacco, where this States has continually raised the price, which I have always supported, they actually spend £13.80. So, I caution against the use of pricing mechanisms as a way of changing behaviours.

Thank you, sir.

510 **The Deputy Bailiff:** Deputy Le Clerc, to be followed by Deputy Adam, to be followed by Deputy Quin.

Deputy Le Clerc: Thank you, sir.

I was actually a member of the Home Department Board when this Report came to the Board
515 and actually my name is on the Report, so I will be supporting the paper.

One of the concerns I had, which has already been highlighted by Deputy James, was on page
520 54 and that was about the duplication of data and some of the figures, because we have got various agencies delivering the services and clients may be seen by more than one service in the year. So, I think we just have to be really careful about some of the figures that we see and, perhaps, listening to Deputy St Pier this morning, maybe there is some way, perhaps, we could rationalise the delivery of the service, because that, to me, is the concern that there is, perhaps, some duplication of some of the figures.

But, one of the other reasons that I rise today is that we had our Douzaine meeting on Monday
525 and one of the Douzeniers mentioned the concern that they have about prescription drugs and the misuse of prescription drugs and now that I see the world through different eyes on the HSSD Board, I was drawn to the letter on page 121 by Doctor Stephen Bridgman and I think we do need to do more work on the prescription drugs and the abuse of prescription drugs. The anecdotal

evidence provided by the Douzaines on Monday is that people are not returning unused prescriptions and that drugs that have been prescribed are not being taken back and then are, perhaps, sometimes being sold on in the market place and I think Doctor Bridgman refers to that.

530

I see in the Strategy on page 105 that there is a mention that we have got to do more work on that and that is something that really pleases me. As now being a member on HSSD and also a member on the Social Security Department that has an element of funding of prescription drugs, I am really pleased to see this, and I think that is more an area that we need to work on.

535

Thank you.

The Deputy Bailiff: Deputy Adam.

Deputy Adam: Thank you, sir.

540

I was interested by Deputy Fallaize's comments about liberalisation and legalisation of drugs. As he quite rightly stated, Deputy Jones was all for legalisation of drugs several years ago, when we were discussing at what level cannabis should be classed, whether it should be A, B or C and, again, more recently, we have had people –

545

Deputy David Jones: I thank the Deputy for giving way.

The point at the time of that debate and the fact I was trying to make, was the vast way that we treat dangerous drugs, including alcohol, tobacco and hard drugs differently. We treated the people who smoked and who had alcoholic problems in clinics, and we locked the others up. That was the point I was trying to make in the thrust of that speech.

550

Thank you.

The Deputy Bailiff: Deputy Adam.

Deputy Adam: Thank you – through you, Deputy Bailiff – Deputy Jones for your comments. As I say, it was an issue at the time in relation to the classification of cannabis.

555

The problem with drugs, as far as I am concerned, is that drugs have changed over the years. Cannabis that used to be smoked 20 or 30 years ago was a completely different constituent, compared with skunk which is used, or used to be used more recently. When you are talking about liberalisation, I think you have to make sure that you say, 'What are you going to make more liberal?' If you are talking about cannabis, yes, you can make a preparation that does not have the highly toxic aspects in them and the psychological aspects.

560

I became much more closely involved in this Strategy and drugs when I was Minister of HSSD four or five years ago, and we had meetings with DIC groups talking about the problems. These problems are not just Guernsey problems; they are across all islands, to a lesser or greater extent. The interesting thing, to a certain extent, is alcohol, we actually know what alcohol does to the individual. It has been around so long, used for so many years, we know the effects.

565

Deputy Brehaut mentioned the immediate effects on social behaviour and Deputy James highlighted the chronic effects: liver disease, etc. with continued abuse. The problem with drugs and especially what are called 'designer drugs' or 'legal highs' or 'emerging drugs of concern' is that we have not got a clue what effect is going to be on that individual. You might say they are acting like guinea pigs, so if we knew what drug they had taken, we could see what effect that drug had on their brain function or their other function and that, when the legal highs, especially – and I think it was highlighted four or five years ago, when the shops selling these things over the counter – because there was no law against them, it caused HSSD to have about 30 odd young people sent off Island for psychological problems, which often stay with them. This Drug and Alcohol Strategy helped to reduce that, acted swiftly, with Home Department, HSSD, etc, to highlight these problems, get the legislation in and bring it forth as quickly as possible.

575

Therefore, I am extremely supportive of this Strategy. It is well written, it is well thought out. The lead person that deals with this is excellent, in my opinion, at her job, having worked with her

580 concerning various issues and it shows how well, despite some people thinking it is slightly
dysfunctional to have so many different groups, but it shows how well the public sector can work
with the private sector, can work with the third sector and the voluntary sector. I commend this
report to the States, but, also, please remember, when you are talking about alcohol and drugs,
585 they have dangerous effect, if taken in significant amounts, and especially drugs. People are
taking things. They have not got a clue what the long-term side-effects are going to be and they
may affect them for the rest of their lives.

Thank you, sir.

The Deputy Bailiff: Deputy Bebb, do you wish to be *relevé*?

590

Deputy Bebb: Yes, please, sir.

The Deputy Bailiff: Thank you very much.

Deputy Quin, to be followed by Deputy Inglis.

595

Deputy Quin: Thank you, sir.

Most of what I was going to say, Deputy Adam has taken up, because he and I were both
involved with the legalisation question at the time. I helped along with a group called Mums and
Dads Against Drugs. Let me point out, these were people who lived on the coalface, whose
600 children were involved in this and we sat here being all pompous and righteous. I had several
arguments with my very, very good friend – and I would say old friend, but he does not look that
old – Deputy Jones, whose sea has now changed sails, thankfully. We had this terrible struggle
and I saw things – I thought I was a bit of a man of the world – and spoke to these parents that
are seeing things which really opened my eyes. This is a dangerous, dangerous question being put
605 around and the strength of these things have changed. Doctor Adam will know, we looked at this
closely when we were both on the Board of Health together and on Home Department. I think
enough has been said about that.

On a brighter note, this has been a multi-agency thing. Now, I would like to thank Andrea
Nightingale and her staff. (**A Member:** Hear, hear.) – she is with us today – for putting together
610 what has been a very difficult paper, to try and get all the different boards to agree is – I see
Deputy O'Hara smiling – getting everyone to agree is not the easiest thing in the world, but I think
she has done an excellent job, and her team have done an excellent job.

There might be one or two things that can be said: Deputy Green's question on funding. I
thought that would have been better aimed at T&R than at our Minister, although I am sure our
615 Minister has got a covering piece for this.

Deputy Brehaut mentioned about licensing and the cost of licensing. When I took over the
Vehicle Licensing Sub-Committee, the licence was £30 for the big ones and £10 for the small ones.
We switched that to £300 and different prices for the different things. That was met with a torrent
of abuse from users of the premises and the owners of the premises, but as we had not had a rise
620 in ten years, I think we were very lenient on them.

I have not got a lot more to say, but if you turn to the final page on this, on page 129, what we
were asking is:

'To approve the Bailiwick Drug and Alcohol Strategy 2015-2020 and affirm the States' commitment to minimising the
harm caused by drug and alcohol misuse to Bailiwick residents of all ages.'

I do not think anyone in this House can argue with that and, if they do, they are on a different
planet than I am.

625

Thank you.

The Deputy Bailiff: Deputy Inglis, followed by Deputy Hadley.

Deputy Inglis: Deputy Bailiff, thank you very much.

630 I, along with many others, commend this Report. I had discussions with officers and staff members who were very receptive to what clearly were my concerns. I have one initial concern that I would like the Minister to give some form of reassurance regarding it and it relates to the hardened drinker – the hardened drinker who needs to dry out. We do not have any facilities and the Report mentions the reasons, in loose terms, the reasons why.

635 But, my concern is that to have this facility, we are taking away hospital beds for a period of time when, in many respects, this should not be the case. So, I would like the Minister to give a form of reassurance that rehabilitation in the simplest of terms is something that his Department is considering. My discussions with staff clearly indicated there is a passion there to not just dry these people out. It is an unknown quantity of how many this affects and, as has been said by
640 many Members, it clearly damages families, it clearly damages the individual and it creates a financial burden on our very restricted resources.

So, in conclusion – and Deputy Quin mentioned funding – now, I feel, is the right time to start looking at a unit price for alcohol. The unit price will stop a lot of this cheap alcohol getting available through the supermarkets and, if anything, it could go a long way to supporting the
645 licenced victuallers who are definitely having difficult times, but we need that discussion. We need to talk as to unit price funding might be one way of supporting the Department's drive to provide the services right through to 2020.

But I do support what has been written. It has been well written and I urge other Members to do the same.

650 Thank you, sir.

The Deputy Bailiff: Deputy Hadley, to be followed by Deputy De Lisle, to be followed by Deputy Gollop.

655 **Deputy Hadley:** Mr Deputy Bailiff, I too commend this Report to the Assembly. Prevention is so much more cost-effective than cure, in many cases and I think one thing that probably has not been highlighted is the cost of treatment of drug abusers. They are frequently admitted onto the Intensive Care Unit of the hospital. There has certainly recently been a case of somebody suffering from drug over-dosage being on that unit for a couple of months and that probably costs us £500
660 a night. I know of one case which is having been referred to a specialist centre in the UK and the treatment for this particular patient will exceed £1 million over quite a limited number of years. The cost of not dealing with drug abuse and alcohol abuse in the long term can be enormous.

So, I do commend this Report to the Assembly.

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

Deputy De Lisle: Sir, can I ask the Minister, Deputy Gillson, to comment on the cost of the Strategy and the degree to which the cost is offset by confiscation of property and sales of such through drug trafficking and other misdemeanours with fines and so on?

670 Thank you.

The Deputy Bailiff: Deputy Gollop.

675 **Deputy Gollop:** Sir, a variety of points to raise. I note the points made by several Members of the Health and Social Services Department with experience in the field, who question whether we need three agencies: the Community and Youth Services, Drug Concern and GADAC. I would argue that they emerged and evolved over a period of time and we all know the individuals who work in them and commend their excellent services to the community. I suspect they actually cover different concepts, even if the client base is similar. The client base, at one level, would be
680 people within the social services who, to a degree, their destinies are shaped by the state. In other

cases, people might not wish to go to something that is part of the States of Guernsey and they may seek help because they have concerns over their use of drugs or that they need rehabilitation, along the lines Deputy Inglis has suggested.

685 I happen to believe that we lack facilities in Guernsey even compared to our sister island, Jersey. We lack a shelter charity that provides housing for those who are homeless and this is related, of course, to these concerns because the lifestyle situation occasionally even a lifestyle choice, perhaps, involuntarily, homelessness, drug addiction and alcohol addiction go together. There is, generally, a common thread there and a shelter-based facility whereby people get the dignity of a warm bed, clean linen and some independence but, also, perhaps, some discipline is
690 far better than what I perceive to be the sofa surfing or bunker huddling, under the pier or somewhere that we are seeing in Guernsey, and that is something that is linked to alcohol. It is a problem for the Police who handle the situation, usually very well and very delicately, but it is a gap in our third/voluntary sector, the sector that Deputy Le Tocq, as Chief Minister, has really wanted to engage with.

695 I would also argue that we need a proper, fit for purpose, 21st century alcohol rehabilitation centre, a wet house, on the Island. We see some near enough facilities but they are second best and they are not purpose built. It is something, again, where the state needs to perhaps combine with the third sector to provide.

Deputy Green referred to the demographic and I have got to say, he is right. Members here
700 seem most enthused about rising house prices, taxation and, of course, the everlasting twists and turns of the Transport Strategies. But, when I meet teenagers in the street – they know me, sometimes from Facebook or graffiti (*Laughter*) – the first issue they always come out with is, 'Let's legalise cannabis.' That might be unacceptable for people to hear, but it is a call from a certain... whether they are well informed or not is another debate, but that is their perception and, if it is to
705 compensate for other areas, perhaps, lacking in their lives, or family lives, that is again something we should look at in a society.

I actually participated in, perhaps, the less than wholly successful Walk for Weed last year, (*Laughter*) where, unlike Enough is Enough, which may have gathered 2,000 people, that gathered
710 less than 20, most of whom were police officers (*Laughter*) or journalists who were there for sound reasons. But, nevertheless, I think it made a point, I felt that it was successful at one level, because it raised publicly that there are ways for legitimate users of cannabis to gain medicinal support in very appropriate and highly regulated cases. But I think we will leave the liberalisation arguments live for the foreseeable future, because the United States of America, to our surprise, is beginning to go down that route and I think we have to watch with extreme caution as to the outcomes
715 there.

On other fronts, I partly agree with Deputy Brehaut about the need to toughen up with licensing industry. Generally speaking, the publicans and licensees I know are highly responsible individuals who have raised their game, and the Home Department and the Royal Court has contributed to this.

720 I think more of the issue is perhaps – what is the phrase? – 'front loading' – young people and others buying cheap alcohol from the off-licenses and enjoying it at home and then going into town, creating a slight nuisance, but it has not been due, necessarily to lacklustre licensees. I think it is a broader problem and the unit price issue, I am afraid, may be a part of that.

725 I think it would be a backward step, though, to significantly alter existing licensing laws, because we had all those debates 10 or 15 years ago and to start that process all over again would risk bringing the States into yo-yo type disrepute.

I do support the Strategy as a whole. I would draw Members' attention to the tables on page
730 124 and earlier which make it clear the percentage of students who are using cannabis, the percentage of younger students who are drinking alcohol or admitting it and the numbers of drunk drivers is decreasing. This is positive key performance indicators. There is a lot to proud of here.

735 I also draw Members' attention to page 73, which is a side issue, but it is in the Report. It comes back to our Transport Strategy. It makes reference to free bus routes, of which route 11 is a combination of the St Sampson's and St Marin's routes, which shows reasonable usage of those routes, especially in the summer months. I certainly think it is incumbent upon the States and the Environment Department to ensure those services continue, perhaps at a commercial fare, and not allow them to be reduced or withdrawn in the foreseeable future. After all, they are listed here as part of our Drugs and Alcohol Strategy, as well as a Transport Strategy issue.

740 I would also argue that we have to think carefully about mixing up tobacco, alcohol and drugs too much. Drugs are either medicinal or they are illegal. Alcohol is a legal product that can bring about criminality, but it is sufficiently sponsored by the States to be given at the *Vins d'Honneur*, as Deputy Trott referred to, and, of course, tobacco is disapproved of, even though it is a revenue raiser. I think the *Vins d'Honneur* point that was referred to is something to look at, but I think that you have to balance the needs of the community and the yachtsmen and the diplomats and other people who benefit from a facility from the absurdity of perhaps having a box in the middle of the room for donations or something like that. I cannot see that as being particularly successful.

745 My one final point –

Deputy Green: Will you give way?

750 I think the point that the Medical Officer of Health was making is that the States should take the lead and to set an example. Do you think that is worth considering?

The Deputy Bailiff: Deputy Green, before Deputy Gollop responds. You cannot speak when you are asking somebody to give way. You simply stand and wait and see if they give way.

755 Deputy Gollop.

Deputy Gollop: I think that an opportunity for donations at certain events such as the Sailing and Sports Commission *Vins d'Honneur* might be appropriate, but I would disagree that we should set an example by banning them. What we should do is focus on responsible choice and on the education and maybe have some notice or prior notification that the persons attending should be wary of the effects of alcohol on their health and other behaviours.

760 But Deputy Green also has reminded me that there are, of course, some other legal issues, perhaps, within this Report. Nobody has mentioned so far the issue about whether cannabis users who are apprehended by the Police should be given a caution or a spontaneous, instant fine. I do not know how they will work, those, and what the procedure will be, what the effect on their criminal record would be, how the process would be undertaken. I support it in principle, I think, but I think we need more information before we can be clear and I see there is no resolution in the Report on that respect.

770 I would also argue, more broadly, that I was slightly surprised to hear Deputy Fallaize come over more of a social conservative today, because I think there is a balance between liberalism and conservatism and we have to consider, as a society, whether we can afford every aspect of a very conservative anti-drugs strategy. I am not referring here to the excellent work that Mrs Nightingale and the team do. I am thinking more of the longer term costs of a very large Border Agency and, perhaps, the possibility, I am afraid, of the prison becoming more used again the future.

775 So, I think this whole Strategy is a much broader implication than just on health issues.

The Deputy Bailiff: Deputy Lester Queripel, to be followed by Deputy Bebb.

780 **Deputy Lester Queripel:** Thank you, sir. I will be brief.

I think it was Deputy Green who said that it is absolutely vital we recognise why some people become dependent on drugs and alcohol, but it seems to me, sir, that a lot of people turn to drugs and alcohol because they do not feel valued. Therefore, they become demoralised and

785 depressed and turn to drugs and alcohol for comfort. So, I think it is absolutely vital that we do value every member of our community. I have said this before and I would very much like to say it again.

I take great comfort from colleagues saying, such as Deputy Brehaut said in this Chamber some time ago, 'We need to value all of our children and not just the academics.' And other Members have said similar such things in this Chamber over the last two and three quarter years. 790 So, I would like to see a lot more focus put on the reasons why and more focus put on addressing those reasons why, because if we do prove to every member of our community that they are valued, then I think there is a very real possibility that they will not feel the need to turn to drugs or alcohol for comfort.

795 Having said that, I think this is an excellent report. It is another good news story that the States should be credited for. We do not get too many good news stories coming from the States and I hope the media give this a special mention in their news items and broadcasts, because it does seem, at times, that the media would prefer to criticise rather than praise the States.

Thank you, sir.

800 **The Deputy Bailiff:** Deputy Bebb.

Deputy Bebb: Thank you, sir.

I would like to start by raising the point made by Deputy Green in his interjection in Deputy Gollop's speech as to how we should lead by attitude. One of the things that the Strategy aims is 805 to actually place non-stigmatising as an essential part of the Strategy.

I was talking to one Deputy and the comment that he made was, 'When I hear someone saying that they had a glass of wine last night, I think, "Oh, how very good. How lovely. What was it and did you enjoy it?"' Then, if he hears someone say, 'Well, I had a cigarette last night', the attitude is, 'Oh, what a shame, you are an addict.' When he hears that someone had an illegal drug last night, 810 the response he had was, 'It is in a different league that I cannot comprehend, of illegality.' And that is frequently our behaviour. That is frequently how we think about it.

I would ask you to bear with me whilst I talk about last October. During the Mental Health Week that was organised, the Lieutenant Governor asked Beryl Dennett Stanard of the Royal Air Force to come and talk about post-traumatic stress disorder. It was talk arranged by Deputy 815 Wilkie. I was astonished to hear this woman, with a glowing RAF record, talk about alcoholism and drug abuse as the simple need to dull the pain of the past.

Too frequently, people partake in drug and alcohol misuse to dull the pain of their life and, if we honestly believe that people... and if we take that extreme example of people who have been exceptionally brave at the frontline of battle needing to dull the pain of their memories, I ask you 820 to seriously consider whether we are correct in making such assumptions about the drug and alcohol misuse being something of illegality that we do not understand. The attitude really should change here in this Assembly and we should lead by example, that drug and alcohol misuse really should not be stigmatised. Too frequently, we do not know the circumstances.

Of course, there is a cost associated with drug and alcohol and those points were made quite clearly by Deputy Hadley just now, but there is another thing that we are doing as a society that I 825 would also like to highlight. Our drug enforcement agencies are fairly effective at preventing illegal drugs from coming in to the Island. That does not, in itself, mean that drug misuse does not happen. Here in Guernsey we have a very high rate of prescription drug misuse.

I have a friend in the UK who is a pharmacist and I told him that Suboxone – I am advised, I 830 would not personally know – is a drug used frequently for those trying to come from heroin misuse and it is also used in the same way as Mephedrone. The high that it gives, apparently, is a very strange, unpleasant high and if you go to the streets of Manchester, Suboxone is sold at a princely sum of about £5, it is so unattractive. Here, in Guernsey, because we have so little illegal drugs available, Suboxone is usually sold for about £50 to £80 on the streets. Now, that gives an

835 example of how we are providing drugs through our services in order to feed some of this drug addiction.

Another one that is frequently misused is Fentanyl. I am advised that a Fentanyl patch is an opiate patch. It is given to people with severe pain. It is prescribed and it is appropriately prescribed by many, but when it does come into the market, apparently, it is £5 for a lick of the patch in our nightclubs and the patch then being handed out to numerous people. Not something... Licked, yes, Deputy Trott, licked. Something very unpleasant, but that patch, that has been paid for by our Social Security Fund.

We have a number of drug misuses that happen as a result of prescribed drugs being misused. What I would hope, as part of this Strategy, is that the Social Security Department in their coming deliberations with primary care and secondary care, give consideration as to an electronic means of prescribing that would link in with the electronic health and social care record system, because one of those things that can happen is that I would be able to visit all three different GP practices and ask for the same drug. It does not happen often, but it can happen. Evidently, if we make prescribing an electronic process, with a unique identifier, such misuse would be reduced. The possibility of misuse is greatly reduced and I would like to see Social Security undertake to look at that as a possibility, because I think that we really do need to control the drugs that we as a Government are funding, that are misused in our society.

I will give way to Deputy –

855 **Deputy Langlois:** Sir, just in case listeners get the wrong impression of the way Guernsey is, I think maybe we... The feeling in the Social Security Department, in conjunction with our work together with HSSD, is that the size of the problem as has just been described, is contained.

However, I am very happy to give this public undertaking that in addition to the constant monitoring of the prescription systems that we do – they have to be monitored for financial reasons as well as misuse reasons – in addition to that constant monitoring, we will explore further the possibility of the electronic system, rather than the paper system which makes the prescription more vulnerable to misuse.

Deputy Bebb: I thank Deputy Langlois for his interjection.

865 The final point that I would like to make is one that I understand has already been made by Deputy Soulsby and that is the combination of our strategies. I do believe that when it comes to public health, there is that great similarity in the way that we tackle the problem of tobacco misuse, along with how we tackle the problem of drug and alcohol misuse. It starts, fundamentally, with education, as so many things do, and so many ways that we tackle the issues are rooted in the same approach. I think that that would be a sensible move. I have frequently called for it and I would repeat those calls here.

870 One final thought that I had is, I lived for a year in Amsterdam and we all know very well that Amsterdam has a very liberal policy towards drug misuse, especially cannabis. I was staggered to read, whilst living there, that the number of adults who have tried cannabis in the Netherlands was estimated, back then, to be in the region of 5%, whereas the number of adults in the UK who had tried cannabis was estimated to be in the region of 25% to 30% and what was evident from discussing matters with those people living in the Netherlands is that they felt that cannabis being available just meant that it was not interesting.

880 I do not think that Guernsey could undertake to legalise the cannabis or any other drug without a move being made by the UK and France first of all, but I do believe that such a move is on its way, as Deputy Gollop said, as a result of actions that are taking place in the USA. I do believe that we are slowly, but surely moving to that. I would not say that it will happen tomorrow, but it is appropriate for us to start thinking as to how we might want to regulate, license and control these substances, because, if they are made available in our two neighbouring large jurisdictions, the money that we will need to use to fund our drug enforcement agencies could become greater than the benefit. I do believe that, as people have said, one of the biggest

problems with illegal drugs, especially here in Guernsey, is what it is mixed with, the strength of the drug and the impurities that go into it. That causes us a far greater health problem than the content of the drug itself and I think that we therefore should start thinking as to what regime we might want to introduce were the UK and France to embark on such a system.

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Thank you.

The Deputy Bailiff: Deputy Ogier.

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Deputy Ogier: Thank you, sir.

I have had a few people contacting me recently with chronic pain due to neurological issues and traditional pain medication is ineffective in dealing with this kind of pain. Sufferers have told me that cannabinoids or products derived from cannabinoids are able to relieve their pain and allow them to live a relatively pain-free life, whilst taking traditional medicine just does not reach the pain that they are suffering from. A lot of these people are out of work and suffering at home, silently, when there are products available that are able to help them.

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And they have tested these hypotheses off Island. They have managed to live a pain free life on the Continent. Yet, returning here, there is nothing available for sufferers of neurological, ever-present pain, that deals with the issue and I think this is a regrettable and avoidable position to put members of our population, suffering this daily pain, and, whilst I am not advocating liberalisation of cannabis *per se*, I do feel that certain products derived from this natural plant have the capability to relieve the pain of sufferers on this Island and this is an area of service provision I feel needs further contemplation.

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I also hear the approach of certain Members who wish to artificially raise the price of alcohol out of the regular reach of perhaps the low earners. Ironically, this has been from those berating other recent policies for social engineering and the nanny state, and that hypocrisy is not lost on me. But what I must draw the Assembly's attention to is the need for caution. When someone presents themselves to a professional for a psychological situation – that may be OCD cleaning or hand wringing, some other physical tick – what the therapist does not immediately do is to spend a huge amount of time stopping that activity, tick, or excessive behaviour, because they understand that these behaviours happen for a reason and if you do solve a physical tick or issue without solving the underlying problem, that underlying problem will find another outlet. It will be displaced and like residents of other jurisdictions, some members of this Island drink alcohol for a reason and attempting to price it out of their reach will mean the activity is merely displaced. Other products will be sought out, cheaper products, perhaps even more harmful products.

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So, I urge caution in attempting to deal with the symptoms of an underlying problem by taking it out of reach of its users. You do not solve the problem. You could make the problem worse. You only solve the symptom and you may actually see alcohol problems reduce, but you would see numerous other substance abuses go up.

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Thank you.

The Deputy Bailiff: Deputy O'Hara.

A Member: Eh up! (*Laughter*)

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Deputy O'Hara: I see my long-term friend and critic there says, 'Eh up!' One day you will be able to learn the Lancastrian accent properly!

This is an excellent, excellent strategy and my eyes look out to see the outreach section of the Strategy and what the multi-agency service has provided over the years and it continues to provide and expand in many areas. Interesting that this multi-agency which involved Sports Commission, Arts Commission, Youth Commission, the Hub and many other people, go out of their way, volunteering, many, many times, meeting people, youngsters in particular, 10 to 11 to

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18-year-olds, generally, but younger than that as well, in many programmes, reaching out to them in various estates and areas where sometimes facilities are not available.

940 What is interesting, when you read the Report, is the number of conversations that take place, just general informal conversations that take place in connection with alcohol and drugs as a whole. That is wonderful and, as I say, it has been increasing noticeably. In the last two years, probably double or even treble the number of contacts that have taken place. I know the Sports Commission and the other Commissions that were all involved want to try to expand and increase this. It is not easy at times, but it does an excellent job.

945 I think what I found surprising, a few years back was when Education had a survey of youngsters at school and how they had been involved with various drugs and alcohol issues. I found that quite a shock. There was more than I expected. And Education are working really hard, very hard, to eliminate that. Education is important. It is important for all the Island to try and decrease this kind of problem.

I do think, though, that the multi-agency, the outreach service that they do is a fundamentally important part of what we are trying to achieve here. We must get to these youngsters, early days, to try to see just what we can do. I would like to congratulate all those agencies and I hope that they continue to make the kind of progress that they are showing.

955 Thank you.

The Deputy Bailiff: The Minister of the Department, Deputy Gillson to reply to the debate then.

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

I did not want this debate about strategy to be turned into a cannabis debate. It has been mentioned by a number of people, so I will deal with the issues people raised globally, before I start responding individually.

965 As a general rule, where it has been decriminalised is where it has been out of control, where the law enforcement agencies have not been able to continue to control the use of cannabis. I think the position we have is in order to be able to come to the Assembly with anything relating to decriminalisation, we would need to research it and the research would need to be properly done, peer reviewed and scientific and the Department does not have a budget to be able to do that, so we have to rely on external research.

970 I can give the confirmation to Deputy St Pier that we will, of course, as part of the Strategy, continue to monitor the research and social changes elsewhere, but since we had a number of e-mails of people extolling to purported virtues of cannabis, I think I will outline a few health and economic issues. As I said, mostly where it has been decriminalised is because it was out of control. Now, we speak about a demographic time bomb generally, but there are some areas in the USA where they are facing a huge social cost of people in their 50s and 60s falling into care as a result of their habitual use of cannabis. It is a ticking timebomb in some states, which is not yet fully understood and yet to be felt, but it is quite a concern for them.

975 Now, I have, over the weekend, having seen these e-mails, read a fair bit about cannabis and read up on some reports and I think I just want to highlight some of the potential health issues relating to it. According to a study of 18,500 cannabis smokers published by the Government Agents' Statistics, Netherlands, cannabis users suffer mental health problems twice as often as non-users. The relative risk goes, in men, from 10% to 20% and 14% to 28% in females.

985 Many of the same carcinogens found in tobacco smoke are found in marijuana. It has been shown that smoking marijuana decreases pulmonary function. Interesting, in contrast to tobacco, the damage cannabis smoking does to your lungs is not reversible by abstinence. Cannabis can disrupt female reproductive health. Research shows woman who smoke marijuana during pregnancy are more likely to have low birth weight infants. The active ingredients in cannabis THC is soluble and will be transmitted or can be transmitted in breast milk, so that breast feeding mothers who smoke cannabis are likely to pass on the active ingredients to their babies. Cannabis

990 increases the instance of testicular germ cell tumours and that has been observed to be an
increased risk of some 70% and it was identified that those increased risks are independent of
other risks.

So, the weight of evidence really shows, currently, that the disadvantages of cannabis really
outweigh any purported benefits of it. So I would really caution before anybody thinks about
995 legalising it. It needs long-term studies.

I will now address the individual points that people have made. Deputy St Pier, I am glad that
you were generally supportive. Regarding the tendering process, yes, our Departments have been
working very closely together. The process going forward is: at the moment, service level
agreements are being discussed with the providers to establish service levels, key indicators.
1000 These will then, over a period of time, be put in place and then measured. Once we have got
some base data as to what services are currently being provided in a quantifiable form, we can
then go out to tender for services which are totally outcome based. So, we are moving to an
outcome process.

Deputy Green, glad you are, like everybody – I thank everybody for being supportive. Your
concern over guarantee of funding: I can guarantee the funding is secure this year. I can say that
1005 the Board will hope that we get the same funding next year. I obviously cannot guarantee
anything past the election, but I would hope that future Boards do not reduce the funding. You
make very good causes, as others have about the need to look at the causes of drug addiction
and alcohol abuse and that is something the Strategy will touch on, but it is also wider for the
1010 social policy generally.

Regarding the MOH's letter about not having alcohol at States' events, I think Deputy Gollop
gave a good reply that it is probably best for us to lead, not by prohibition but by responsible
choice. I think there are options that, if there is a sporting event, where there are particularly youth
and juniors, then maybe it makes sense for those to. So you could do it on a case-by-case basis to
1015 what makes sense or what not.

Deputy James, thank you again for your support, both inside and outside the Assembly. A
single point of referral: that is working, the bespoke monitoring systems and joint working. I think
it touches onto what Deputy Soulsby said about the need for single points. Well, that is starting to
be addressed, because of the way that groups are all working together and so it is working to be
1020 more efficient and part of our development KPIs over the next few weeks and months is to really
identify where there is any overlaps. So, that is all part of the need to be... Since we have got a
budget that has not increased really, we need to make it as efficient as possible and to get as
much benefit out of the limited amount of money that we can possibly have.

Deputy Soulsby, you mentioned why two strategies. I think Deputy Fallaize answered that quite
succinctly, so I will not repeat that.
1025

Deputy Jones, concerned about why T&R continue to slap taxes on alcohol. It is shown that
price does affect behaviour and so I think we know that alcohol causes damage and it is an area
where we can impact on people's behaviour. I think it is interesting to note that, as proved in the
last budget, T&R will be looking at duty on alcohol and beer in particular by strength rather than
1030 volume and so that is going to be interesting, because it will encourage people to drink alcohol
with a lower volume, so that we can target the duty on the more damaging levels of alcohol. But it
is a point, with every tax or duty the state brings in, we have got to be very mindful of the effect of
the population.

Deputy Wilkie, thank you for the support in your comments.

1035 Deputy Trott, the cost, the liquor licensing revenue. In the last five years it has hovered around
at a low of £256,000 to last year at £247,000.

He then asked, is the level of funding enough? The level of funding is enough for the Strategy
because it has been designed to work within our level of funding. Obviously, if we had a greater
level of funding – Deputy St Pier – we would, of course, be able to have a wider, broader strategy.
1040 So, yes, if we were to have a lot more money, we could build a bigger strategy, but this Strategy is
within the funding.

1045 You made a comment about a lot of the grants in the past have been related to salaries and the grant has not gone up. That is a feature of our budgeting process, because it is a grant, salaries for employees, the budget goes up each year in line with pay awards. Because this is a grant to an external body and not a direct salary, we have not been able to or have not had the funding to be able to increase that, but one of the advantages of the way that we are going out to tender and secure services in the future will be, because it will not be linked to an individual position or post, it will give the recipient agencies greater flexibility in how they use the money.

1050 Deputy Brehaut, are the Police adequately resourced? I think they are. Obviously, like all agencies, if we had more resources, we would be able to cover more things off. You mentioned level of licences, that is being reviewed this year. It may change. Personally, I think – and this is purely personal – I think some of the licences are low for the value to the recipient.

1055 I think one thing that is worth noting is that, as a Department, we do take breaches of licence very seriously and it is not uncommon for us to either seek the licensees to relinquish a licence for the licensee if they break the terms of a licence or to write to the court suggesting that the licence be withdrawn and, indeed, we have issued such a letter in the last few weeks.

Deputy Fallaize, thank you for the support. I notice Deputy Gollop described you as a social conservative, so clearly I am having an influence with you immediately, after two or three Board meetings.

1060 Deputy Luxon, thank you for your support.

Deputy Domaille, you echoed a number of the issues Deputy Jones mentioned and it was quite interesting, the point about the household expenditure survey showing the level of alcohol spending is actually relatively low.

1065 Deputy Le Clerc, once again, thank you for being so supportive and the author of this in many ways. Rationalising delivery is happening, as a part of, as I mentioned, the way that we are going out to tender services and getting the baseline data.

1070 Prescription drugs, yes, like Deputy Bebb mentioned. It is an issue in Guernsey. It is an issue. Workstreams are in process with the GPs and prescribers to make sure that we can minimise the amount of drugs which are prescribed and to encourage people to bring drugs back which they do not use, but I think, from when I went to the British-Irish Council last autumn, it is clear that prescribed drugs are a bigger issue here for us than a lot of the other drugs, whereas in a lot of other places, other illegal drugs are their main concern. Here we are lucky that we are keeping a control on those and prescription drugs are an issue.

1075 Deputy Adam is supportive. Thank you, you raised a lot of points, especially about the fact that nobody knows what is in illegal drugs and they could be cut and mixed, and often are, with anything at all and that is where the real dangers can happen.

1080 Deputy Inglis, supportive, thank you. Concerned about hardened drinkers and rehabilitation. The Strategy has not got funding for a rehabilitation centre and I think I am right in saying rehabilitation currently would be under the Mental Health Service, but, certainly, part of the Strategy is treatment through and effective treatment through, hopefully, to full recovery, but minimum to reducing the abuse of it, but the aim is to be able to treat people through to recovery, and therefore rehabilitation.

1085 Deputy Hadley made some very interesting and very valid comments about the significant cost to the health service and this should not be understated, that the cost of treating people who have suffered from drug abuse directly in their health is really significant.

1090 Deputy De Lisle: is the cost of the Strategy offset by fines? I actually do not know how much is brought in in fines, but I do know that we do get any of it and it would be nice to, but those go into General Revenue and we receive what we receive and these are times of financial constraints when, I think, we are happy to have a budget which is the same and not reduced. Obviously, we would like more but, as I said, to answer Deputy Trott, the Strategy is designed within our budget.

Deputy Trott, Deputy Gollop mentioned cannabis and I have addressed that.

Deputy Lester Queripel, you are absolutely right that people need to be valued and the reasons why people drink need to be addressed and that is where our social policies and when we did have a corporate anti-poverty programme, that is where we need to really understand those.

1095 Deputy Bebb followed on with a similar point and I believe Deputy Langlois has given him the confirmation that he needs about electronic prescribing.

Deputy Ogier, cannabis as a pain killer. It is a difficult one, because all the medical evidence that I have been seeing over the weekend is that the access to refined medicines, which have active ingredients taken from cannabis are as effective or more effective than smoking the herb.

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Deputy Ogier: Just for clarification, I was not suggesting that cannabis be used for that. It was cannabis-derived products, in the way that the Minister gave... There are a number of products which help with spasticity, for example, and have pain-killing properties.

1105 **The Deputy Bailiff:** Deputy Ogier, likewise with Deputy Green. If you have a point of correction, please stand, say, 'point of correction' and wait to be invited to speak.

Deputy Gillson to continue.

Deputy Ogier: I am sorry, sir, I thought the Minister had given way.

1110

Deputy Gillson: There are some drugs available for people to use. GPs can apply for HSSD for licences to use them. I know of something like 20 current products going through FTA for approval to come onto the market, but the importance of drugs going through the appropriate system is that then they are medically proven, then they are quality controlled and safe and I think we will see more pain killers and drugs based on cannabis' active ingredients, but certainly not the dry herb itself.

1115

Finally, Deputy O'Hara, thank you for your support.

I think I have addressed all the points. No, I did not – Deputy Trott.

1120 **Deputy Trott:** Well, you did. Thank you for giving way, Deputy Gillson.

You did. I just wanted to make one further point, following the answer you have given with regard to funding, and that is that I am aware that there are many within the non-government organisations that have not received a salary increase for many years as a result of the pressure on grants and the difficulty in raising finances elsewhere from the third sector and it just seemed to me that, under the circumstances, we owe these people an even greater vote of thanks than otherwise, because the mechanisms that are used means that their salaries have fallen in real terms, despite the fact that, in many cases, the burden on them has increased and I am sure that the Minister would agree with me.

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Thank you for giving way.

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Deputy Gillson: I totally agree with you. We had identified this and, when the budget was being set in the summer, we had approached T&R saying this money goes as salary so we should really treat it as we do our own salaries. Unfortunately, we did not get any additional money, but you are right – we do owe the third sector and the work they do in this area cannot be understated. It is absolutely essential and this Assembly and the Island generally owes those volunteers a very great vote of thanks.

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The Deputy Bailiff: Well, Members of the States, we move to the vote on the single Proposition. That Proposition is at page 129 in the Billet. Deputy Quin read it out earlier. Those in favour; those against.

1140

Members voted Pour.

The Deputy Bailiff: I declare the Proposition duly carried.

Billet d'État II

PUBLIC SERVICES DEPARTMENT

I. Belle Greve Phase IV – Proposed Outfalls Replacement – Debate commenced

Article I.

The States are asked to decide:

Whether, after consideration of the Report dated 29th December, 2014, of the Public Services Department, they are of the opinion to approve the award of a contract for the replacement of both the Long Sea Outfall and the Short Sea Outfall to discharge at the agreed locations (designated as Points A and B respectively in the diagram attached to the report as Appendix G) to be funded from a capital vote of £19.9 million (including risk and contingency allowance) charged to the Capital Reserve.

1145 **The Greffier:** Billet d'État II, Article I: Public Services Department – Belle Greve Phase IV – Proposed Outfalls Replacement.

The Deputy Bailiff: We turn to the Minister of the Department, Deputy Ogier to open the debate.

1150 Now that Members have taken their seats, Deputy Ogier to open the debate.

Deputy Ogier: Thank you, sir.

1155 In July 2014, the States resolved to approve the issue of tender documents for the Belle Greve Phase IV project for the design and build of the replacement of the long sea outfall and replacement or refurbishment of the short sea outfall. We also delegated authority to the Treasury & Resources Department to approve award of the contract to the preferred bidder, providing costs are returned within the estimated figure of £18.6 million.

1160 Due to further work which has been conducted, a better solution has been found, which is better value for money and is a more appropriate long-term solution and this improved solution will require £1.3 million extra in terms of funding. The purpose of this States' Report and this debate is to seek States' approval for the additional sum in order to progress this essential work. If the States do not agree to the additional capital sum – and I will explain the issue in some detail, which will help Members understand why it is believed they should – PSD would progress with the existing project, which results in a good solution albeit that after further work, this results in what we now view as a sub-optimal long-term solution.

1170 The design and build tender was issued in September of last year with an eight-week tender period and a return date for the end of October. In the tender documents, the bidders were also asked to price for two alternative solutions for the short sea outfall which was to provide a short sea outfall pipe to be laid parallel to the proposed long sea outfall and also a like-for-like replacement in its current location. During the pre-tender design, the like-for-like solution was deemed to be problematic due to the presence of rock that would likely be encountered and the additional costs, which were likely to be incurred. Therefore, if the short sea outfall had to be relocated, it was decided that it should be to an area that provided optimum effective performance.

1175 Environmental pollution laws are always being updated and it cannot always be guaranteed
that we will be able to continue with the short sea outfall in its current form; the use of which
requires signs to be placed on the beach warning of potential environmental pollution. The
1180 considerations around the time including meetings with the Director of Environmental Health and
involved discussions on how the future water ordinance legislation might impact on the licensing
or consent of the outfall. It became apparent that it is highly likely that future water legislation
would require the short sea outfall to be relocated into an area that would provide more effective
dispersion performance by extending into deeper, faster flowing waters, and replacing like for like
1185 now and having to extend at a further date would be a more expensive solution, especially given
the concerns around rock formations between the end of the short sea outfall and the optimum
dispersion zone. These issues led the engineers to believe that the cost to retrofit an extension to
the short sea outfall, if we replaced it like for like now, at some time in the future would be very
much greater than the cost of laying the short sea outfall adjacent to the long sea outfall, as being
requested in this States' Report.

1190 As a result, both the original proposal plus the additional alternative of laying the short sea
outfall along with the long sea outfall went through the SCIP process and as part of the rigorous
testing and analysis of that process, the independent engineers, our own in-house engineers and
Treasury & Resource representatives, agreed that the alternative of laying the short sea outfall
alongside the long sea outfall represented best value for money over the lifetime of the assets.

1195 Having both pipes sharing a common tranche went through a comprehensive risk analysis,
obviously, as you would have all pipes in one basket, so to speak. However, a realistic scenario
that would impact on both pipes was hard, if not impossible, to find and professional in-house
and independent external engineers considered that the advantages and cost benefits of the
recommended proposal far outweighed the incredibly small risk of losing both pipes.

1200 The pipes would be laid on a common route. Both pipes would be buried under rock armour,
1.5 metres under the sea bed from the sea wall to mean low water. They would not be visible and
at around 1,600 metres from the shore, the short sea outfall will terminate and will discharge in
that location while the long sea outfall will continue for a further 800 metres. The discharge point
of the proposed short sea outfall is not within the shipping lane and is also outside of the area
1205 where larger ships lay anchor. Therefore the risk of damage from anchor drag is seen as minimal
and the small vessels that do moor along the proposed channel are far too small to be of concern.

An additional advantage of undertaking the parallel pipe option now is that both pipes can be
buried to below mean low water and therefore will be out of sight of residents, public, visitors,
tourists, etc. and that the existing short sea outfall can be removed to below beach level. To
extend the short sea outfall retrospectively in the future will not allow this to be the case.

1210 Whenever the short sea outfall needs to be used, such as in times where the long sea outfall is
being maintained or during heavy water flows in storm conditions, signs are required to be posted
on the beach. The solution in this Billet does away with that requirement, because the short sea
outfall extends further out and into the optimum dispersion zone and so the risk of onshore
impact is minimised. It should be noted that the proposed short sea outfall discharge point will be
1215 within about 200 to 300 metres of the existing long sea outfall, that is the improvement.

The proposed solution is a much better solution than replacing like for like and we can future
proof ourselves now for an additional £1.3 million on the approved £18.6 million budget
compared with a possible £3 million to £5 million to retrofit in the future. The independent
engineers involved in the SCIP process, the political boards and our own staff all concur that this is
1220 best value for money. The Harbour Master is satisfied with the proposal being recommended.
From an operational shipping point of view, it is preferable to have the pipes together as a single
feature rather than having two separate hazards to content with. Both the long sea outfall and the
short sea outfall are nearing at, well, in fact, beyond the expected lifetime of the asset and require
replacement. We are within the 10-year timeframe where they are likely to fail, so it could be next
1225 month; it could be in autumn, winter next year or in three years. We cannot tell, but fail they will

and when such a failure occurs, the resulting pollution, publicity and reputational damage cannot reasonably be contemplated.

1230 Therefore, the Public Services Department Board is determined to terminate this risk at the earliest opportunity which is the weather window this summer affords. Any delays to this project, which involves a manufacturing and transportation timeframe of months jeopardises the ability of this programme of works to proceed this year. Delays, in fact, would mean this project is unable to be undertaken this year, thus extending the risk of catastrophic failure with no guarantee that the specialist ships or crew would be available in 2016 and I speak not as one wishing to scaremonger, but as one of five who have been tasked with the responsibility to shoulder this risk on behalf the States of Guernsey and this Island.

1235 Treasury & Resources however, have no ability to sanction the additional expenditure above the original agreed sum, an issue which will be given consideration as detailed in this Billet. This is the reason for our return, for this Assembly to sanction the additional £1.3 million required for this value for money solution.

1240 Sir, Members, in order for this project to proceed, PSD need the resolution of the States for this additional expenditure which, in our view, should be regarded as a spend to save initiative representing as it does so much better value for money than the original proposal.

I ask Members to support the proposals.

1245 **The Deputy Bailiff:** Deputy De Lisle, an amendment to this Article has been circulated in your name. Do you wish to move it?

Deputy De Lisle: Yes, sir.

1250 **The Deputy Bailiff:** I invite you to speak to the amendment, then.

Amendment:

1. To delete all of the proposition after 'opinion' and substitute:

'to direct the Public Services Department, in view of the cost difference of over 450% between the preliminary cost estimate of £4 million included in the Treasury and Resources Department's Capital Prioritisation report submitted in 2009 (for outfall refurbishment and upgrading), and the funding sought in that Report of £19.9 million (for replacement of both the long sea outfall and the short sea outfall), to re-examine the relative feasibility, desirability, cost and other implications of:

a) pursuing the outfalls replacement currently envisaged as Belle Greve Phase IV; or

b) adopting an alternative policy involving sewage treatment (namely primary secondary and sludge treatment);

and to report to the States thereon by no later than their meeting in May 2015, in sufficient detail to enable the States to reach an informed decision about whether to adopt such an alternative policy or pursue such outfalls replacement.'

2. To rescind their Resolution of 1st August 2014 on Proposition 2 of Article XIII of Billet d'État XVI of 2014.

Deputy De Lisle: Thank you, sir.

1255 The amendment calls for the re-examination of the relative feasibility, desirability and cost of other implications of pursuing the outfalls replacement currently envisaged as Belle Greve Phase IV or adopting an alternative policy involving sewage treatment, namely primary, secondary and sludge treatment and to report back to the States thereon no longer than their meeting in May 2015, in sufficient detail to enable the States to reach an informed decision about whether to adopt such an alternative policy or pursue the outfalls replacement.

1260 Secondly, to rescind the Resolution of 1st August 2014 on Proposition 2, to go ahead with the original £18.6 million.

1265 The key change is, of course, that this is a project that has gone from a £4 million repair of the outfalls to a £20 million, basically – £19.9 million – total replacement and extension, with the possible further escalation of cost with the undersea nature of the project, with no change to the daily effluent discharge of 16,000 tonnes of raw sewage and waste water directly into the sea at Belle Greve. This flouts the absolute minimum standards that the rest of Europe and the majority of the developed world adhere to.

1270 The States of Guernsey, in fact, has twice before committed to sewage treatment: in 1997 and that was reaffirmed in 2009. The cost of carrying out sewage treatment has not been indicated by the Department other than using old technology, but we have the fact that Guernsey Water is currently in receipt of a proposal and quotation for a fully fabricated sewage treatment plant, submitted 22nd September of last year and that alternative policy offers primary and secondary treatment and sludge dewatering, water filtration for treatment and reverse osmosis for treatment at a price of £13 million plus £5 million for concrete and pipework and operating costs of 1275 £800,000 to £1 million a year, which offers the people of Guernsey value for money and alternative to the discharge of sewage to the sea and a supply of high quality recycled water as well.

1280 The fact is that we could have full sewage treatment, in other words, for about the same price as going ahead with the outfalls project, and Members are being asked to put a huge lot of a faith in one engineering report, which you could argue is now no longer relevant, because of the changes that have been made subsequently and, of course, they have not been subject to an engineering report or any other report with regard to what further damage might be done by the extension that are being considered.

1285 It is not a scientific report either, that METOC report. The science, obviously, is in the area of biological and medical sciences which have confirmed in studies from around the world that contact with sewage contaminated water through swimming and other water sports and eating fish from contaminated waters can have an adverse effect on human health. The risk and danger has given rise to the Urban Waste Water Treatment, the Shellfish Waters and the Bathing Water Directives and we have a legal obligation not to pollute designated shellfish and bathing waters. 1290 The simple fact is that, if we follow the Public Service Department's proposals, Guernsey will have spent precious funds, £20 million, and will not comply with the UK and the EU water quality standards which Jersey complies with.

1295 Now, compliance with international regulation has been strongly endorsed by the States of Guernsey, particularly in the finance area, to protect the finance industry and our international reputation. The States has just completed, also, an £80 million spend on the airport runway in order to comply with UK, EU regulatory standards and that has been done by the Public Services Department. They have been complying. Yet, despite the same applying the area of environmental sewage pollution law, the States continue to allow the Public Services Department to flout compliance with the UK minimum secondary treatment waste water standards. Surely this is a 1300 total disgrace and it needs to be challenged.

1305 I have already said that the simulations and calibrations of the METOC report no longer apply. Today, in 2015, the EU Urban Waste Water Treatment Directive requires secondary treatment for all sewage discharges to coastal waters of 15,000 population equivalent, which in Belle Greve Bay is estimated to be 75,000 population equivalent. Simply replacing the long sea outfall will not comply with the requirements of the secondary treatment standard being offered by our neighbours in France, in the UK and in Jersey. Neither will extending the Belle Grave outfall and adding a diffuser reduce the bacterial load entering Guernsey waters and affecting the beaches and the shellfish waters.

1310 The METOC reports indicates a significant coastal area sewage plumb to the east of Guernsey where significant concentrations of faecal coliforms, pathogens and viruses may occur and at levels which exceed the revised Bathing Water Standards. Part of the proposal to replace the long sea outfall includes replacing and lengthening the short sea outfall. This will displace pollution

elsewhere. Actions to replace the existing long sea and short sea outfalls will provide limited environmental benefit on their own.

1315 The report is based on computer modelling and this is a real problem with it, the METOC report, which the Department is relying on and it does not take account of long term monitoring. In order words, the results are theoretical and this does not necessarily result in accurate forecasts. Just take the New York storm over the past few days, that was going to hit New York. That was on modelling, but it does not necessarily occur. The bacterial model outputs are only presented for calm waters, as well, in that study. The likely accuracy of the model is questionable also and the bacterial modelling does not include any information in relation to the shellfish waters.

1320 It is unclear what the maximum concentration of faecal coliform are at Houmet Paradis. Extending the Belle Greve outfall and adding diffusers will not reduce the bacterial load entering Guernsey waters or clear the waters for the advancement of our shellfish industry.

1325 In fact, the METOC report that the Department is relying on states that shellfish harvesting areas are not protected to significantly be impacted by the outfalls. Now, we know that is based on computer modelling again, and no science. The shellfish sites have been monitored though, monthly, for a good 20 years and the bacteria count at Houmet Paradis on the north east coast of Guernsey, over that period, is four times higher than the guideline standard of the Shellfish Waters Directive, which requires 300 faecal coliform per 100 grammes in the shellfish flesh.

1330 This contamination is suffocating a growth industry for Guernsey, as oysters cannot be grown for consumption in the waters on the east coast. The Shellfish Waters Directive guideline standard is not complied with and after spending £20 million, there will be no improvement in bacterial count for our shellfish waters.

1335 Now, bathing waters are also monitored regularly, and the actual data from monitoring should have been presented to see if it fits the model predictions. But the frequent operation of the short sea fall in Belle Greve Bay has caused problems on the beach and that was not addressed. In fact, the short sea outfall was not addressed at all in the METOC study. So, adding a diffuser to the Belle Greve outfall would not solve the problem and the Little Russel and Belle Greve Bay itself are widely used for recreation by dinghy sailors, rowers, canoeists, divers and swimmers. Recreation in Belle Greve Bay has quite extensive use, by the Yacht Club, dinghy courses and even when we have the Island Games, that area is utilised.

1340 There is also a considerable body of opinion that compliance with the revised Bathing Waters Directive standard should be required where and in areas that are important for contact water sports. So, the replacement of the LSO would not future proof the Island against such changes. In fact, there should be warnings placed out to sailors and water sports enthusiasts that waters are not safe, to protect the Government, because there are suits in other areas ongoing, with regard to people that have had harmful experiences as a result of sporting in the waters.

1350 Neither does the report consider chemicals, other chemicals. The Belle Greve discharge has been sampled regularly by the Public Services Department for a range of chemicals. The monitoring shows consistently high zinc and copper levels and occasional very high spikes of red list chemicals, such as Trichlorobenzene and Dieldrin. Guernsey sea farms have a special concern over chemicals affecting sea water quality for hatchery production.

1355 To sum up on this, the Intertek (METOC) report conclusions are based on computer modelling and do not take into account long term monitoring of results and that is what you are always supposed to comply with, because it is one thing to put a model out, but it is another thing to also see the degree to which actual long term monitoring results fit the model.

1360 Now, all this could badly reflect on the Department and the States, in fact, spending money on outfalls with such scant and questionable evidence rather than putting that money into secondary treatment and complying with modern standards of sewage treatment like the UK, Jersey and the rest of Europe. It will seriously compromise our tourist industry and it will not benefit the fishing industry around our shores. Water standards have been found to be deficient. In fact, the standards for beaches have been revised and we are finding now, difficulty in complying. Only five beaches of 13 complied with the new Bathing Water Standards in 2013. Beach goers have

1365 been told to make conscious decisions about where and when they swim by the Environment Department responsible for monitoring water standards around our coasts. I would expect support for the amendment from everybody in the front bench here from the west, because Creux Mahie has been closed. The beaches at Portelet and L'Eree are now much cleaner and the sewage, of course, has been directed to Belle Greve Bay.

1370 Members, we should guard against making the same mistake as was made in Sydney, whereby Australian \$300 million was wasted on outfalls dubbed now white elephants, as government later put in secondary treatment. The money spent did not eliminate the need for secondary treatment and stricter toxic treatment. The money spend did not eliminate the need for secondary treatment and the collusion between the regulator and the water board is well brought out in the Sydney
1375 saga, with legislated requirements supplanted by a set of guidelines – guidelines that we are getting around here – which resulted from the negotiations between the regulator and the water board, resulting in standards designed so they could easily be met by the proposed deep water outfalls.

Members, the amendment calls for the Department to consider again the cost and benefits of
1380 full sewage treatment against outfall pipe renewal, given the latest technology and costs estimates and for the Department to return to this Assembly by May with an informed decision about whether to adopt such an alternative policy or peruse such outfalls replacement. I make the point again that, I think, most Members have now a proposal and quotation from EWS and Canadian Clear with 40 years' experience in the water treatment system area with plants all over
1385 the world, using the latest technology and the fact is that the new processes require less space. We are down now to about two football fields and they offer high performance, compared with conventionally treatment systems and the quotation is less money than that quoted for by the outfall works.

But the real question is why is the Department not being open and transparent with the
1390 information of the quotation from Environment Water Services and Canadian Clear? Why has that been hidden? It came in in September. There were negotiations before our last debate in August and the Department actually asked for that quotation. Why was the quotation, the technology and the lower costing not brought out to this Assembly at that time or even at this time? One would expect it now to be brought out and for the Department to be doing some rethinking with respect
1395 to that.

So, I ask for a more open and transparent Department, to bring out... And even yesterday the Minister, on the e-mail systems, was talking about £50 million cost. Now we have got new technology in place, new systems in place with companies that are putting in these systems all over the world, so that, at least, deserves some consideration by this Assembly and that is why the
1400 amendment is calling, for a few months, for that and other studies and other suppliers of sewage plant systems to be considered by the Department against their outfalls policy.

So, I ask that Members consider that and I ask for your support for the amendment and a recorded vote.

Thank you, sir.

1405

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

Deputy Gollop: I rise to formally second.

1410

The Deputy Bailiff: Thank you very much.
Deputy Paint.

1415

Deputy Paint: Sir, Members of the Assembly, first of all I have to say that, with my fishing trawler, I assisted in placing the existing sewage pipe more than 40 years ago. The pipeline had discharged many hundreds of thousands, if not millions, of tonnes of sewage and surface water over that period of time, so far. The Island surface water dilutes the sewage by a considerable

amount daily, particularly in the times of moderate or heavy rainfall. In all this time, I have not heard of any sewage-related illness caused by the discharge of effluent and surface water and evidence shows that this is the case.

1420 In walking the streets prior to the election of 2008, I discussed this matter with a medical
doctor and he informed me that any bacteria discharged into the sea through this outlet and
1425 other sewage outlets in the area would be immediately destroyed with the mix of cold salt water. I
believe an investigation of these facts will confirm this was done several years ago. It is just a
shame that we have some in our community that appear to have a phobia about these facts and
about all risk whatsoever in how we dispose of the sewage and surface water. Local divers have
informed me that the seabed in the region of the diffuser and the outlet at the end of the outfall
are in pristine condition and there is no sign of pollution anywhere.

1430 The sewage outfall water, when discharged into the sea, rises immediately to the surface and it
is dispersed by the very strong currents in the area. The reason for this is that fresh water is lighter
in weight than salt water and immediately floats to the surface of the salt water, leaving the sea
bed in a pristine condition. As all of you are aware, I have been a pilot for 21 years, mostly piloting
ships in and out of St Sampson's Harbour and this work enabled me to observe the outfall
discharge almost daily. I can honestly say that I have never seen anything of great concern to me
in all this time, regarding the outfall. If so, I would say so.

1435 I have also fished and eaten the fish from Belle Greve Bay on many occasions and I am still
here to confirm this. The Island Water Authorities have put filters within the last couple of years
which have reduced the size of solids being passed through the outfall to a size less than 6 mm. I
do not know the actually tonnage that has been taken out by this method, but I am sure the
authorities could tell us. The existing outfall is in a serious state of repair and needs to be
1440 replaced. It is just sad that it has not lasted any longer. There is, therefore, no doubt that a
considerable amount of money has to be spent in the near future, but I see no need to spend or
risk spending much more than necessary when this money can badly be needed somewhere else
on needs or other projects.

Thank you, sir.

1445

The Deputy Bailiff: Deputy Fallaize, to be followed by Deputy Hadley.

Deputy Fallaize: Thank you, sir.

1450 The environmental and regulatory case that Deputy De Lisle has made this morning is clearly
out of fashion and it is readily dismissed by many States' Members. I could see that looking at
colleagues faces when Deputy De Lisle was speaking. But, of course, exactly the same was true of
the many speeches that Deputy De Lisle made ten years ago with regard to Guernsey's handling
of solid waste. His views then were out of fashion and were heavily criticised and ridiculed, even,
1455 in the States at a time when the Island was on the verge of building the original 80,000 tonne
mass burn incinerator, and he was claiming that residual waste could be reduced considerably and
he faced heavy criticism for being idealistic.

Now, I do not mind being out of fashion and I have always supported full sewage treatment. I
do not agree with absolutely everything that Deputy De Lisle has said, particularly with regard to
the some of the, perhaps, more excitable claims in terms of bacterial activity and the effect that it
1460 may have, but we have found, sometimes to our cost, that we do have external obligations in the
areas of fiscal policy and social policy and so it is, perhaps, not quite so much at present, but so it
will come to be in the area of environmental policy and I have always felt sure that, in the end, our
environmental and regulatory obligations, in terms of sewage treatment will catch up with us and
that we ought not to put ourselves in the position where we are forced to act out of external
1465 pressure, but, instead, we ought to act of our own volition.

Now, when debating sewage treatment policy in the past, particularly in 2009, I have
supported Deputy De Lisle and others who have made the case for full sewage treatment. We lost
the argument and therefore during the period of this Assembly, up to this point, I have voted

1470 against Deputy De Lisle's attempts to bring full sewage treatment back onto the table, because I
rather too the view that I had lost the argument when we were at the policy stage and that,
therefore, rather than trying to revisit every decision and hold things up, that I ought to respect
those decisions of the States and continue to give the Public Services Department the authority
they had had originally to carry out the alternative form or works that they had won the argument
for.

1475 However, I am now rather mindful of what happened yesterday and, in particular, the advice of
the Deputy Chief Minister that Members ought not really to be too concerned with corporate
policies previously adopted by the States and ought, instead, always to vote with their conscience
and never to be afraid, even at the 11th hour and the 59th minute and the 59th second, to say,
1480 'No, actually, irrespective of what the States have voted for, irrespective of the fact that that may
be the corporate policy of the States, it is my personal preference that that ought to be hijacked
and that we ought to go back to the drawing board', and because that is my personal opinion,
that we ought to have full sewage treatment, I am now inclined – if we are moving back into the
environment of collective irresponsibility – to support this amendment.

Thank you, sir.

1485

The Deputy Bailiff: Deputy Hadley.

Deputy Hadley: Mr Deputy Bailiff, first of all I would like to thank Deputy Ogier for a very
sensible presentation of what to me is the obvious solution for our sewage problem and it gives
1490 me particularly pleasure to stand up and agree with my friend Deputy Paint, because I do that so
rarely.

The report makes it clear that the dilution in the new outfalls, well out to sea, will meet UK
standards, that is as I understood the report or, perhaps, I was reading a different report and one
of the things that always strikes me is that Deputy De Lisle refers to raw sewage, well we all know
1495 it is not raw sewage. It is well screened to take out the solid matter and what does go out to sea is
a soup at best. In fact, I do not know how often we have to keep saying that the sea does,
naturally, for nothing, once we have got the outfall installed, what we would have to do on the
land at great cost, and I am sure Deputy Ogier will make a much better job than I will of disputing
that you can get a full, huge treatment plant for such small figure when all the advice is that it was
1500 very much larger and it takes me back to the debate on solid waste treatment when looking
further into the small incinerators, we found that actually these were designed for small
communities and not for big Islands.

I think people tend to conjure up the sea as being a vast reservoir of pure water, well it is not.
The sea has to deal with the excrement of millions of sea creatures and their dead bodies and it a
1505 living ecosystem and what we add to the sea in proportion to what is already there is probably
not that significant.

Finally, I would say that I did accept Deputy De Lisle's invitation to go out to sea. Often, people
tell me to catch the next boat off the Island, but on this occasion, it was not for a long journey, it
was to look at the sea outfall and I must confess, I could not smell very much and I could not see
1510 much of discolouration in the sea. So, I think he does tend to exaggerate somewhat, what we are
putting out to sea and certainly if we accept the Department's report, we are putting it much
further out and not at the level we are now. I think, again, which has not been said this time, but
which is often said, is that these bacteria can cause infections, well, in fact, the dilution of these
bacteria in the Little Russel is so extreme that you are talking, if you go swimming, about getting
1515 two or three bacteria per cubic metre, probably. Levels of bacteria like that will not cause
infections.

So, I do hope that today, we will at last see the back of suggestions that we need full sewage
treatment on this Island.

1520 **The Deputy Bailiff:** Thank you. We will now adjourn until 2.30 pm, Members of the States.

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

**Belle Greve Phase IV – Proposed Outfalls Replacement –
Debate continued –
Proposition carried**

1525 **The Senior Deputy Greffier:** Billet d'État II, Article I, the continuation of the debate.

The Deputy Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

1530 It was not long ago, I went through all this. I am glad Deputy Domaille reminded us of everything, because we have not heard any of it before. *(Laughter)*

I first of all want to focus on this 16,000 tonnes of raw sewage and waste water, and I am glad of the correction of waste water, because I did point out that with our population, that would have been the equivalent of a quarter tonne of raw sewage per head, per day. *(Laughter)* And that is actually one of the first phases of our sewage treatment is, shall we say, the annual discharge of
1535 sewage of each body is diluted by a quarter of a tonne of water and I think that is significant, because dilution is a big issue here.

He did mention that the airport was rehabilitated to comply with regulations – quite wrong. The airport was rehabilitated because the pavements, including the apron and runway, were
1540 cracking up and needed to be repaired. The requirement to comply with regulations followed as a result of this major project and at the end of the day, we still do not comply with all the required regulations relating to the airport. All you did was comply with as much as you reasonably could. So, I think that was not a fair analogy.

I would like to say something about value for money, because it is a term that is often used and misunderstood, because a lot of people think that value for money means trimming costs to the bone – not true. If one had an equation, you could say, value for money is function over cost. Now, cost is something you can define. We can define the costs of these two pipes quite accurately, but the value for money on the top of that equation is something that cannot always be quantified. All sorts of reasons why it is value for money have been mentioned and here we
1545 have a case where the costs are going to go up, it has the support of Treasury and Resources, but we judge and PSD judge that the value for money aspect is such that is far greater than whatever the costs might be – and it is a judgment.

So, I think it is interesting to note that value for money does not always mean trimming everything to the bone and sometimes the costs will go up, because the value is far greater than
1555 whatever the cost is that you can judge it to be and you cannot always define it accurately.

Many Members have referred to a complete sewage treatment. This is exactly what we are going to have. The point is that the Little Russel is going to the work of many plants and the only reason it can do it is because of the tidal flow.

Now, Deputy De Lisle's arranged visits to see this single outflow just identifies the problem. That is not what is being replaced. It is going to be replaced by seven outflows, which will cause so much dispersion that it will result in an acceptable level of dilution of whatever comes out of this pipe, because it will be spread over seven outlets. As far as the bacteria are concerned, Deputy Hadley has already mentioned it, it is the sun, it is the ultraviolet rays which come through even when it is cloudy which will kill off all the bacteria.
1560

So, this is a complete sewage problem and the only reason we can do it is because of the tidal flow. It is no good comparing us with Sydney or Jersey or anywhere else, because they do not have it. The only risk to this project, the only mechanical risk, if you like, project risk, is if the moon
1565

1570 was to disappear, because the moon causes the tide. Now, that really is it. A couple of years ago, I made a comment, I said the only real risk is if the moon is made out of cheese and a cosmic mouse comes and devours it. It is absurd as that, and I think the chances of that happening are very remote. (*Laughter and interjections*)

1575 I was on PSD when this project was put forward. I went to the presentations at Beau Séjour and the cinema was full and, do you know, even for the people who were there, who were not too happy with this whole project – and it came as a surprise to everybody – there was really very little dissent. So, we are just coming back to this same old problem again: do we change what we want to do when we have actually got, I believe, the best value for money option to deal with it for decades? (**A Member:** Hear, hear.)

1580 The other thing is, when you look at this amendment, it says to come back by 15th May this year, with basically another procurement process and all the rest of it. I do not think that is possible. It would give PSD *weeks*. It is not possible.

So, I will not be supporting the amendment.

Thank you, sir.

1585 **Deputy Gollop:** Sir, arguably, in relation Deputy Kuttelwascher's –

The Deputy Bailiff: Deputy Gollop!

Deputy Gollop: Sorry, sir.

1590 **The Deputy Bailiff:** I am going to call Deputy Ogier, because you wish to speak now rather than later in this debate on the amendment then, Deputy Ogier?

Deputy Ogier: Yes, please, sir.

1595 **The Deputy Bailiff:** Deputy Ogier, then – and then Deputy Gollop.

Deputy Ogier: I think it is helpful that I deal with a number of issues earlier rather than later.

1600 Looking at the amendment, Deputy De Lisle is correct that the initial proposal to deal with the outfall was to repair the existing pipe at a cost of around £4 million. However, those costings were for a project that is far different from what is being proposed now.

1605 Unfortunately, the original proposal to replace the long sea outfall proved to be impossible, as it is laid within a flooded tunnel that would be impossible to drain down and access without excessive costs being incurred. The costs incurred are likely to meet the figures of the new outfall itself and, also, that project was only to replace the long sea outfall. The current proposal is to replace, not refurbish, the long sea outfall and now enclose the short sea outfall or storm outfall, which is actually, potentially, a greater current source of pollution than the long sea outfall, as well as to add a diffuser, as Deputy Kuttelwascher explains which is to aid the dispersion of the waste water and reduce surface visual effects in line with the recommendations of Intertek (METOC), who were well aware of our outfall situation. This greater cluster of projects is unfortunately going to cost more.

1610 I would like to deal with a few points in the explanatory notes at this stage. The costs Deputy De Lisle quotes as £6.1 million, £10.9 million and £3.4 million for primary, secondary and sludge treatment respectively make no account for the other contract costs required such as site set up, preliminary items, insurances, etc, which are all part of normal project and contract administration.

1615 The same paper quotes these costs, with a risk allowance at £7.4 million plus works at £2.5 million for site security, landscaping, odour control, instrumentation and control, all items necessary for a treatment works to operate.

Nor does he recognise the well-understood uplifts in costs that come from the Guernsey factor which is currently, in construction, running about 1.8 times the average UK costs. These two

1620 omissions alone raise the £20.4 million he quotes to almost £55 million, in line with our predicted costs. As recently as this morning, Members will have received details of a waste water treatment centre.

Now, if we could find a shred of evidence to suggest we require full treatment of our sewage – and we cannot, but, if we could find evidence for that change – the costings involved have already
1625 been put before this Assembly at circa £50 million. The new proposals we see before us are no different: when all the costs are considered, then the outfalls would still need to be done. For example, the cost of the alternative proposal mentioned by Deputy De Lisle, as presented, represents a solution for dry weather flows only. Such a size would not be permissible by the Environment Agency in the UK, who is naturally the arbiter for all matters relating to EU and UK
1630 legislation. The treatment works, if we are following the UK standards Deputy De Lisle exalts us to, must be sized to treat at least three times dry weather flow. This plant, as Deputy De Lisle informs us, is capable of a throughput of 16 million litres per day. Therefore, it needs to be three times the size to cope with Guernsey's requirements. It also has no Guernsey uplift factor to it.

The preliminary indicative costs for this are thus widely inappropriate and, if you do a bit of
1635 maths, one can quickly arrive at a similar quantum of costs, when all is included, as originally envisaged by PSD or circa £50 million, in other words.

It is patently misinformed of Deputy De Lisle to say a waste water treatment plant can be built on two acres of land, land we do not have available for less than the cost of the two outfalls.

Moving back to the aims of the amendment, Deputy De Lisle wishes this Assembly to agree to
1640 task PSD to look again at the desirability of pursuing the replacements of the long and the short sea outfalls. This project has only recently gone through the rigours of the SCIP process where every option was tested and found to be appropriate. Any delay, in fact, as I have already mentioned, would mean this project is unable to be undertaken this year, thus extending the risk of catastrophic failure with no guarantee that specialist ships or crew would be available in 2016.

The other task Deputy De Lisle wants this Assembly to task PSD with completing is to examine
1645 the feasibility and desirability and cost of adopting an alternative policy involving sewage treatment. PSD, in political terms, have only just done that, only just finished debating that, agreeing our current Strategy as recently as 2012 and again in 2014. This current States and the previous States have just reached such an informed decision as Deputy De Lisle is requesting.

Deputy De Lisle makes a number of allegations, some of which I can deal with here. Our
1650 bathing water quality is great. Of the nearest bathing beaches to Belle Greve, Havelet is classed as excellent and Bordeaux good. Environmental Health also sample at the Half Way and the Longstore. These results have been classed as good, which is under the current regime and is more likely to be impacted by overflows than the outfall.

The position will get even better once the outfalls are extended and, in Sydney, as has been
1655 mentioned, the main problem there was that of toxic wastes, such as heavy metals, mercury, cadmium, nickel and so on, which come from the heavy industry in that area, which we do not have on this Island. If these chemicals and metals were in the discharge in large quantities, and they are not, then PSD and Guernsey Water would not be proposing this solution.

When I think back, I arrived in PSD in 2005 and some of the old timers there told me that
1660 sewage treatment was redundant due to the nature of marine treatment and I have to tell you I scoffed at that. In my manifesto I said we needed to push for sewage treatment. However, when faced with the evidence we gathered, I had to change my mind. I have had to explain that to voters in my parish already and I have faced the test of the ballot box since then.

We asked the UK's leading adviser on sewage treatment requirements and marine and coastal
1665 testing and, after a rigorous scientific examination of the effects of the waste water in our environment, they told us and I quote:

'The initial dilution of the discharge is insufficient to satisfy UK standards. This can be resolved by installing a diffuser section for the outfall.'

1670 Some of you may or may not have seen any visual effects on the surface of a recent boat trip which was helpfully arranged by Deputy De Lisle and for which we have thanked him. We are installing the required diffuser. They go on:

'The concentration of solids, BOD [biological oxidant demand], ammonia and COD [chemical oxygen demand] after initial dilution fall within the UK standards...

The Benthic assessment has indicated a very small deposition around the outfall and therefore the present discharge has no significant impact on the benthos.

Bathing Waters and Shellfish Harvesting Areas are not predicted to be significantly impacted by the Belle Greve outfall...'

but they are subject to their own testing methods in addition.

'Whereas the UWWTD suggests a minimum of primary treatment for wastewater discharges for a population the size of Guernsey, all of the studies conducted would suggest that there is no adverse affect from the Belle Greve discharge.'

This is from the UK's leading adviser on marine and coastal analysis – 'No adverse effect from the Belle Greve discharge.' And they continue:

'The results of the study would therefore suggest that the current level of treatment, whilst not strictly conforming with the UWWTD [Urban Waste Water Treatment Directive]:

- Protects the surrounding waters from the risks of eutrophication
- Protects the surrounding waters from deleterious local impacts of waste water discharges.'

This bears repeating:

'The current level of treatment protects the waters from the deleterious local impacts of waste water discharges.'

1675 They went on to say that our current treatment:

'...

- Protects Bathing and Shellfish Waters
- Does not pose a risk to the local benthic community due to deposition of suspended solids.'

Those recommendations are pretty unequivocal. There is no room for doubt here.

1680 Deputy De Lisle tells me and us in this Assembly, this is not scientific report. He tells me it is merely an engineering report. In short, to be honest, he really does not like using the word scientific when it comes to this report – a report which includes a hydrographic and oceanographic survey, benthic and nutrient surveys and a bathometric survey.

1685 Now, science is the intellectual and practical activity encompassing the systematic study of the structure and behaviour of the physical and natural world through observation and experiment. Science is the exact word to use when describing the work of the UK's leading adviser on marine coastal and environmental modelling and analysis. They took samples, they analysed, they did some modelling, as one would expect, and our bathing water quality samples are good. We clearly meet the aims of the Urban Waste Water Treatment Directive, despite literally taking a different route to do so, and I am at a loss to see what further work the Public Services Department could possibly undertake in four weeks which would be able to prepare us in any way to put a report before the States.

1690 I am also at a loss as to what other possible conclusions we would be able to reach based on the scientific evidence at our disposal. Perhaps we could employ the second best company in the UK to come and conduct a scientific survey and maybe they would come up with different results which Deputy De Lisle would trust more than the findings of the most appropriate company in the UK.

1695 The simple facts for our Island are that we have two critical outfalls that are in need of urgent attention before they fail catastrophically and cause pollution of the bay and other surrounding waters, with the resulting reputational issues this would entail, and they will be needed regardless of whether sewage treatment is provided in the future or not – albeit maybe of a slightly shorter

1700 length, but we cannot afford to wait to address the issue of the deteriorating condition of the pipes. The cost of these pipes is almost £20 million and is substantial, but the Public Services Department board are convinced that this is essential investment and it is not being implemented as a second best option. It will provide a long-term, cost-effective solution to a very difficult problem without any of the issues that would come with a land-based treatment facility for which no evidence exists.

1705 PDS believes that an appropriate solution for the long-term, sustainable and environmentally sympathetic method of dealing with sewage has to be achieved for many generations to come and that is what is now being proposed with the replacement of the long and the short sea outfalls. This has been proven by scientific assessment of the waste water we generate on the Island and the natural phenomena available off the east coast of Guernsey, namely a deep, fast flowing tidal stream that will deal with the flow and have minimal impact on the beaches, the land, the seabed, the coastal waters and all the flora and fauna which inhabit these precious areas.

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1715 Finally, on a technicality, there is absolutely no way this amendment could be successful, as the PSD board would already need to be looking at the draft report this week, tomorrow lunchtime, in fact, in order to get the report into the process for the May 2015 meeting, the process which begins at the beginning of March. If this amendment is passed, we will have overnight to conduct the investigation, the staff will have tomorrow morning to write the draft report, ready for the board's attention tomorrow lunchtime, giving us four weeks to go through the checking and changing and re-checking process which would make the board happy to proceed with a States' report.

1720 Now, of course, this matter of timing could be remedied by a further amendment which seeks to amend the date by which PSD have to return. During that time, this Island will live with the risk of a catastrophic failure of one or both of the outfalls, delay the project by at least a year with no guarantee of a replacement next year, delays that PSD board are unable to countenance supporting and delays the board recommends this Assembly does not tolerate.

1725 But this timing issue is just another indication of, if any indication further than the inaccurate, inexact, misleading explanatory note represents, that very little consideration has been given by the authors to the deliverability of this amendment. This tells me either they do not know what they are doing or that neither the proposer nor the seconder expects this amendment to succeed and this time we are spending is nothing more than posturing or a gesture at this stage at the political cycle. Either way, it is a waste of the Assembly's time, given the long history of this subject.

Several Members: Hear, hear – *aux voix!*

1735 **The Deputy Bailiff:** Deputy Gollop, to be followed by the Deputy Lester Queripel.

Deputy Gollop: Sir, first of all, we hear from Deputy Kuttelwascher about the likelihood or otherwise of a cosmic mouse eating the green cheese moon and I thought that political lunacy; and then Deputy Ogier accuses us of the same, as I am the seconder of this amendment.

1740 I think the important thing is to continue to raise what could broadly be called green ideas and also alternative emerging technology that has worked in other places. The costs, perhaps, in the amendment are slightly optimistic, given as we know the awkward history in Guernsey of expensive projects, but I would have to counter the figures given by the Minister for Public Services Department. We had already factored in, on top of the £13 million or so for the main plant, an additional £5 million for concrete and pipework and we would, of course, be aware that there would be other costs, but nevertheless, even on that basis, it would equate with what has already increased twice, the equivalent policy that the Public Services wish us to do.

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1750 We did discuss, at length, whether the May Billet was the right time, but we wanted to not be seen as delaying the project. Of course, it would fail the tests of being included in the normal Billet cycle, but should a report be organised along these lines by the Public Services Department,

it could, of course, be published as an additional Emergency Billet during April or early May and reach the Assembly in due course. So, we have considered that point. In any case, the timescale was to answer the comment made by various Members that the situation needs to be sorted out urgently and I would agree, but it has, perhaps, been indicative of the way things have gone, that the crisis seems to have accelerated because of the delays to this project.

1755

The main thrust of the amendment is clear. It is that a *bone fide* organisation is offering a moderately priced and futuristic alternative model, a model that has worked elsewhere and would have two spin-off products: firstly, fresh-to-drink water; and secondly a power source.

1760

The acreage of land required, we are informed, would be two football pitches. I am not for a moment suggesting that Track Lane and the go-kart track are used in that respect. But, nevertheless, there are areas that could be acquired or reclaimed from the sea at some point. We know that, in the past, there have been speculative bids, offering to part fund such projects and we also know that the EU/UK Urban Waste Water Treatment Directive standards require secondary treatment for all sewage discharges to coastal waters. I accept entirely what Deputy Fallaize said earlier that, indeed, we are swimming against the tide here and that we will, at some point, in the short term or longer term future, be obliged to reconsider and go back to basics and install what will be a 21st century fit-for-purpose plant.

1765

On the sea trips that some of us enjoyed, bobbing along with Deputy De Lisle and a well-known Island skipper, Deputy Hadley perhaps did not appreciate, to the extent that... it was obvious when we got out to the middle of the Russel that the sea was rather greyer in tone than elsewhere. A very experienced sailor could point out the differences in texture to the water when released and he said for nautical experts, it would not help our maritime tourism and, indeed, we saw vast quantities of seagulls all pitching in a certain place. Clearly they were there for a reason.

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Deputy Hadley: On a point of correction, Mr Deputy Bailiff.

The Deputy Bailiff: Point of correction, Deputy Hadley.

Deputy Hadley: I counted three, sir. *(Laughter)*

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The Deputy Bailiff: Deputy Gollop to continue.

Deputy Gollop: There were more than three seagulls. There were many more and Deputy Sherbourne will testify. *(Laughter and interjections)* But this is a side issue.

1785

I would also say that we are turning down the opportunity for a value-for-money project that may not be much more – may be cheaper even – than what we are being commissioned to approve. I think that is a mistake.

Moreover I would ask the Deputy Bailiff's permission, can the two Propositions in the amendment be taken separately, subject to the agreement of the proposer? *(Interjection)*

1790

The Deputy Bailiff: Yes, well... Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

1795

Sir, I applaud Deputy De Lisle for his continued focus on this whole issue and for his efforts to alert us all the hazards and problems involved with pumping raw sewage into the sea. I swim in the sea as much as I can during the summer, but not in Belle Greve, I hasten to add. I use a mask and snorkel and to enjoy all the benefits of snorkelling you need to be able to see as far as you possible can underwater, and I certainly would not want to swim in the brown slick you can see in the outfall area when you fly over in a plane.

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But, I would not consider myself to be an avid 'greeny' but I am extremely concerned about our environment and I believe we should be doing all we can to protect our environment. I once read a poem entitled 'Focus on the Cure' which can be found on the Sustainable Guernsey

website. I will not recite it, sir, but my colleagues can see it on the site should they wish. The poem focuses on the fact that not only are we taking far too much from the earth, at far too quick a pace, which means we are depleting the resources of the earth to our own detriment, but we continue with almost Stone Age processes, such as pumping raw sewage into the sea.

Yet, even though ultra-modern, state-of-the art procedures are available, PSD continue to ignore them and it does concern me greatly, sir, that even though technology is advancing at an extremely rapid pace, PSD do not seem to have an appetite to keep up with the technology, because they are advocating continuing with barbaric behaviour when ultra-modern, state-of-the art technology is available. So, we are really way behind the times in this respect.

And the irony is that we understand that we need and we strive to attain the very latest in technology in our homes, in our schools, in our hospitals, in our business and in every other way of life, yet we continue to pump raw sewage into the sea and it simply does not make any sense to me at all, sir.

When we are told, constantly, that we need to comply with every single piece of EU and UK legislation for our finance industry and also for every other industry, that we, as a Government, need to support, so surely we should listen to what Deputy De Lisle is saying when he talks about our need to comply with EU and UK legislation and directives.

Just to remind my colleagues what it is that Deputy De Lisle is requesting in his amendment: he is asking us to go through the motions, if you pardon the pun, of compiling a report which would be presented to us at our debate in May. He is not asking us to commit to the building of a fourth sewage treatment plant. He is asking for what we always say needs to be provided, which is an evidence-based report for our future consideration. And those who are in opposition to that are basing their opposition on the whole issue of timing, rather than what will be best for the Island in the long term. Deputy Ogier tells us that the work PSD are proposing needs to be done this summer, because the pipe could fail at any time. Well, I cannot see why we cannot just strengthen and repair those suspect areas now whilst, in tandem, doing what Deputy De Lisle is asking us to do, which is to look into ways in which we can resolve the problem in the long term. Surely we cannot expect to still be pumping raw sewage into the sea in 10 or 20 years' time?

Thank you, sir.

The Deputy Bailiff: Deputy David Jones.

Deputy David Jones: Thank you, Mr Bailiff.

I think the main point we seem to be missing here is whether we had an all-singing, bells and whistles, full-blown sewage treatment plant, we would still need these outfalls, because if that plant ever broke down, you would have no way then of getting rid of the Island's treated sewage – and it is not raw sewage. So, the idea that we do conform to international standards on water and all kinds of areas, the wretched EU standards are meaningless as far as we are concerned. We are not in the EU, we do not have to conform to everything that they tell us in Brussels and the fact that the finance industry choose to do so is because they want to carry on trading on the Eurobond market and other markets in the EU. That is a matter for them.

But as far as the airport and everything else goes, I heard Deputy De Lisle say about the airport. The airport needs its CAA standard, not the EU standards. That is the CAA, the Civil Aviation Authority that sets out criteria for regional airports and lots of other airports. So, the point is, Deputy Queripel, we would still need these outfall systems and I know a little bit about marine engineering because I did a little bit of it in Guernsey during my career and the idea that you can repair little bits of these pipes is a complete and utter nonsense. Sea water is the most corrosive substance next to battery acid, which is why marine engineering is so fraught with the problems that it is and you cannot repair something like this. When it reaches the end of its natural life, it has reached the end of its natural life across the whole length of that which is submerged. So, repairing it is not an option.

1855 I think we are extremely lucky in Guernsey to have a system where the environment naturally
treats the water that we send into it and the treated sewage that we send into it. We have got
some of the best shellfish in the western hemisphere off our shores. The people are not affected
by the so-called bacteria. There is a danger, I read a little while ago, about ear infection, but you
can get ear infection. I had an ear infection when I was in school and I never went anywhere the
sea. I didn't even know where the beach was. So, you can pick up bugs from almost anywhere and
1860 hundreds and hundreds of Guernsey people swim around these Island shores all year round,
winter and summer, without too many problems.

The other thing is, as well, we should be listening to the experience in this House. Deputy Paint
was involved with the laying of this original pipe 40 years ago. He is man of huge experience on
tidal flows. He is called as a professional witness in courts across the Channel Islands to give his
1865 evidence on these issues and I think he has given a very concise account this morning of the tidal
flows in that area. So, that is all I want to say.

The Deputy Bailiff: Deputy Sherbourne.

1870 **Deputy Sherbourne:** Thank you, sir.

I do apologise to the Assembly for wasting your time before I start, because if I had heard the
Minister accurately there is not a lot of point us talking about this. Well, I am a new Member of
this Assembly, I was not part of those debates and I would like just to say a few words as a new
Member. I am not an eco-warrior – never have been; do not intend to be one. I am just a member
1875 of this community. I might well have aspirations to be an education warrior, but that remains to
be seen.

What I would like to say is that I welcome the opportunity to reconsider the direction of travel
of PSD. It may well be the right direction. I am not 100% sure at the moment, but I think there are
factors that we should be considering very seriously. I accept, for example, the engineer's report
with the regard to the dispersal of solids and the process that is proposed in the outfall, but what
concerns me more than anything is not the human waste in that form that is actually dispersed
and actually bacteria killed within 10 hours. I would remind you we have six-hour movements of
1880 tide, so that does beg questions with regard to movement of water backwards and forwards.

With regard to the comment about local fisherman, I have spoken to one or two and the sort
of comments that I got are these – well, just two: first of all, 'I don't think it fair that you are
dumping your waste in my workplace'; fishermen describing the area immediately round the
outfall as being 'populated by scallops on steroids.' And no doubt they probably are. You may
mock, Deputy Jones, but there is another issue with regard to the sort of chemicals that are
1885 actually being dispersed as well.

We are not just talking about human waste, but as time goes by our pharmaceutical industry is
producing different drugs that have different effects and last for a long time. I know that, for
example, although the bacteria in our waste is dead in 10 hours generally, viruses can actually last
for months – can I have few moments, please? – they can last for months; that in fact, we are not
sure exactly what happens, what problems we are building up for the future, with regard to the
1895 hormones that are introduced into the sea, the sort of medications that many of us are actually
on, that find their way into the Little Russel. We have not got the scientific –

I will give way.

Deputy Robert Jones: I have been led to believe that full sewage treatment would not deal
1900 with that particular problem and that any full sewage treatment works, we would still need an
outfall and it would still discharge those particular pharmaceuticals into the sea anyway because
the sea actually deals with it better than any full sewage treatment works could ever do.

Deputy Sherbourne: Thank you, Deputy Jones. I am aware of that claim, but I believe these
1905 proposals, in fact, do not actually result in any dispersal of solids into the sea or waste water. That

is why my interest in this particularly proposal is there. I agree with you, if there is an eventual discharge into to the sea, there may be a problem, but I hope that Deputy De Lisle might have more technical answers to that.

1910 But those are the sorts of questions we should be asking and I think this is the reason why it is a good amendment and one that should be seriously considered.

The predictable Deputy Jones response to EU directives: he has a valid point, but I think that we really must wake up to the realities of the future. There is something inherently wrong, intuitively wrong about our sewage being thrown into the sea a mile offshore. There is something wrong that really troubles me as an individual. I am not an engineer; I am not a scientist; just a member of our community worried about our environment long term. We are okay now; what about our grandchildren and our grandchildren's grandchildren? Those are the issues that sooner or later will result in this Assembly going ahead with secondary treatment.

1920 Now, I will finish by saying that I believe those differentials in costs have led us to a situation now where it is well worth taking a step back to say, 'Are they close together now? Is it really £50 million, when we have had a quote for a complete plant for around £19 million?'

I accept, for example, there is the Guernsey uplift. For heaven's sake, in Education and our proposals, it is one of our problems with regard to the so-called £60 million proposals for La Mare de Carteret! Now, you cannot add a £1.8 million Guernsey uplift to a contract price that a company that has actually got a quote to you. Yes, you can for the concrete, the pipework, the infrastructure, I accept that, but I think that is a distortion, to actually upload the full £20 million by £1.8 million.

1925 So, I want to know the facts and think it is a reasonable request through this amendment to just take a step back and to review.

Thank you very much.

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Deputy Hadley: On a point of correction, sir.

The Deputy Bailiff: We will take the point of correction from Deputy Hadley there first.

1935 **Deputy Hadley:** To emphasise, again, we are getting the argument that full sewage treatment will remove pharmaceuticals and heavy metals. They do not.

I have spent some of my life on the River Severn and one of the problems with the River Severn is that sewage treatment plants are discharging into the Severn, the water is taken out further down and by the time you get to the end user at the bottom near Bristol, the concentration of female hormones in the water is significant. They are just not taken out by sewage treatment, so all of the really toxic things will still go out to sea.

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The Deputy Bailiff: Deputy Green, to be followed by Deputy Luxon.

1945 **Deputy Green:** Sir, thank you.

I will be very brief. I am not entirely unsympathetic to this amendment. I must say, I think the Minister Deputy Ogier gave a very strong response before, which certainly has changed my perspective to some extent. I think it was very good indeed, actually, but I do think it is worth reminding people that there are probably a number of people in this community, a number of Members in this Assembly, who probably would prefer Deputy De Lisle, that he did not keep on returning to the Assembly with this particular amendment, because as I understand it, this is very similar to the amendment he moved only last summer.

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1955 But I think he deserves credit for doing this. He is a campaigning Deputy on this issue and we might not agree with him, but he has the right to pursue this as vigorously as he wants and whether he gets two votes or more, nonetheless, he has a view and for that, I think we should hear him out.

1960 What I was going to say was, Deputy Fallaize before talked about the likely direction of environmental regulation in the future and I think it is probably inevitable that environmental regulation is only going to go one way and that is in the direction of being tighter and not in the direction of being more liberal. It may well be the case that one day the regulations will develop and we will be found wanting and we will be in a No Man's Land.

1965 I am very much a layperson on these matters, I look to the Department, I look to others to inform me on these issues – and this is the difficulty in being a Deputy, isn't it? There will be a number of issues where you might have some professional expertise and there will be many others where you do not really have that much information. You can do your research as best you can, you try to self-educate yourself as best you can, but at the end of the day, there is a certain degree of trust, or not, as the case may be, in terms of what your view is on the Department coming forward with the measures.

1970 I think I have come to this position which is that even if we accept little or no particular tangible benefit to derived from going down the road of a full sewage treatment with primary, secondary, tertiary and all the rest of it, it is still nonetheless a question of perception and a question of reputation for many people, both on the Island and outside of the Island, and is it not the case that there is a glaring inconsistency in all of this? If we were talking about a matter concerned with financial services or other and there was a reputational issue or a perception issue, we would be very conservative in the way that we proceeded and we would have a very different mind-set but, for some reason, in this area, almost regardless of the science, whatever you take of the METOC report, it was quite a compelling piece of work. Not everybody accepts it, but, nonetheless, you have still got reputational issues and a perception issue, which some people would prefer that we deal with more vigorously.

1980 I am not sure how I will vote on this. I am minded to support it, purely because of that perception, but I will listen to what remains of the debate.

The Deputy Bailiff: Deputy Luxon.

1985 **Deputy Luxon:** Thank you, sir. I will be brief.

1990 However well-intentioned Deputy De Lisle's intentions are in terms of this amendment, there are many flaws within the amendment. But it is fatally flawed in the sense that last July this Assembly debated and decided on the SCIP process and Members will remember that we have a £57 million shortfall on the programme on the capital that we agreed for 2014-17, and if this amendment was successful and we did look at this proposal in terms of full sewage treatment, first of all it is not in the SCIP process, so it would not be able to progress, but, even if it was, there is not the money to be able to progress it.

1995 So, sir, it is fatally flawed. I think Deputy Ogier's speech was very calm, pragmatic, based on fact, no exaggeration and in answer to Deputy Green, we have already done the evaluation. That happened with the METOC report. That led us to understand the £50 million cost of the full sewage treatment works and the proposal that Deputy De Lisle refers to, we have to remember, just quoting the piece of kit at £13 million, does not take into account the enabling work, the infrastructure works, the purchase costs of the land and more importantly £1 million a year of revenue expenditure forever, unlike the outfalls and we still need the outfalls.

2000 Sir, the amendment is fatally flawed.

The Deputy Bailiff: The Chief Minister, Deputy Le Tocq.

2005 **The Chief Minister (Deputy Le Tocq):** Sir, I just rise briefly to address a couple of points that have been made.

I think Deputy De Lisle actually made this comparison in his speech. He did not make it very strongly, but Deputy Green has recently reiterated it. So, let me be clear. This Island does not just cut and paste and bow down on international regulations and finance when they come along. We

2010 look at what is appropriate for us and in some circumstances that means we apply them. In other
circumstances, it means we compromise and we seek to negotiate on that and in other
circumstances, we find alternative methodologies that come up with the same outcome.

2015 We are a small jurisdiction and we cannot just automatically, whether it is in the area of finance
or in this particular arena that we are discussing this afternoon, copy what others do. One, we
have not got the means to do so in an effective way, but, secondly it is not always appropriate for
small jurisdictions like ourselves to do that. We are unique in many ways and one of those ways is
that we are a small island with very fast tidal currents around us – as Deputy Ogier has pointed
out in what I think was an excellent speech where he explained his own position and how that has
changed. I think I find myself in a very similar position as well and we have to do what is
appropriate.

2020 What Deputy De Lisle is suggesting, in my mind does not come up with anything new. When
there is new evidence, then I am willing to look at the new evidence and if international standards
change and if we have to look at that, obviously, and if we look at the means in which we could
achieve those outcomes and there are better ways of doing it, we will look at that in the future,
but that is not what is before us today.

2025 I know, for the lay person, there are sometimes some difficulties in understanding the
processes that is going on and I do not pretend to be an expert. But, sir, my family were growers
and farmers and I very well remember in my early teens some friends from London coming and
staying with us and having realised that the vegetables on their plate were grown in a field in
which animal muck was spread over the field and they could see it at the time, I remember them
2030 using or the father using a very similar phrase to Deputy Sherbourne. There seems to be
something intrinsically wrong with eating stuff that has been prepared in this way. But we know
that science and, indeed, nature, work in very intriguing ways to achieve results and so I would
encourage Members here to listen to what Deputy Ogier and his board have said and to reject
this amendment and to vote for the Propositions.

2035 Thank you.

The Deputy Bailiff: Deputy Harwood, then Deputy Le Lièvre.

Deputy Harwood: Thank you very much, sir.

2040 The amendment, as others have said, is fundamentally flawed and I think I can do no more,
really, than reiterate the comments made by Deputy Luxon.

2045 If we went ahead with the amendment and if we were to come back in May, even if that were
physically possible, more likely June or July, we would certainly have missed the opportunity of
completing the outfall pipes during this season and we would therefore be out of tender and
therefore we would have to go back for retendering, resubmitting, re-quotation for all the work to
be carried out earliest next year.

2050 As Deputy Luxon has already said, potentially we are outside the SCIP process anyway.
Certainly, if we were to seriously consider a full sewage process, then we are going to have to go
through the full procurement process; we are going to have to produce the various business plans
that are needed through that process. We will be looking not to this SCIP programme, but to the
next SCIP programme which will begin, I think, from memory, 2017-18. In the meantime, we have
the real risk that the existing discharge pipes will fail. Is this a risk we are prepared to take?

2055 The Public Services Department has come up with a proposal which is in accordance with the
existing States' Resolution. I accept, as a result of discussions yesterday and the anarchist
proposals from the Deputy Chief Minister, we can ignore previous States' Resolutions and States'
Proposals and go off on a frolic on our own. Are we seriously going to go down that route?

Sir, the reason why this amendment is perhaps superficially seductive and of interest, is the fact
that Deputy De Lisle has somehow got Mr Pink to come forward with some quotations. Now, this,
as far as I know, is not in response to any formal tendering process.

2060 Can I draw a couple of points to your attention? Firstly, on the technical specification or the scope of works: the Scope of Works, on page 7 of the first of the documents that have been sent to us sets out scope of supply. Now, that is the scope of supply to be produced by, in this case, it is Canadian Clear or whatever they are called and that scope is quite specific. It is:

'Design, engineering, fabrication, insulation, testing, submitting and forming drawings, providing one-off operation and maintenance instructions manual in English.'

That is good. But the current scope and this is where the cost falls onto the States of Guernsey:

'All civil works, including foundations, bits, drains, operating platforms, etc, all electrical works outside our scope of work – you will have to provide suitable power provision location, all piping works outside our scope including inlet and out piping for distribution and let and reuse, unloading, shifting, safe storage of equipment, materials and machinery, consumables, etc, being sent by us to site, any other system item which is specifically not mentioned in our proposals.'

2065 Sir, that begs a question, even if the basic kit may be reasonably priced, by the time you add everything else that the States of Guernsey is meant to provide you are going, I suggest, way beyond the figures that have been suggested in the amendment, way beyond the figures that I suggest even the PSD has suggested so you are back in the region of probably £50 million. So, I ask Members to note that point.

2070 Secondly, if I can also refer to the other part of the presentation which, again, was sent to all States' Members and this is the history of this particular company, they say, 'there is one slide where it will be of use to you' and the examples they have quoted, 'residential apartments, commercial complexes, resorts, clubs, hospitals, refugee camps, army camps, industry.' Is there anywhere a suggestion at what they are proposing will be used to the whole infrastructure of this Island? No, I suggest.

2075 I also question and, perhaps, Deputy De Lisle might reflect on this in his summing up. There is nothing, as far as I can see in any of the presentations that have been sent to us that suggest this particular type of kit is actually capable of satisfying any EU standards. It is has been used in Australia, it has been used in the Far East, presumably it has been used in Canada and one or two other places like that. Nowhere in here can I see any suggestion, even if we were to go down a particular route and be seduced into this particular type of equipment, that we would actually be capable of satisfying EU standards, so I put a serious question mark there.

2080 Can I, sir, finally pick up one particular point which I think Deputy De Lisle may inadvertently have suggested in his opening speech, he referred to an e-mail and the example of the problems they had in Sydney and he mentioned there in passing – and I think it was included in the text of one of the e-mails that we circulated – that there was a suggestion that the regulatory authority and the operating bodies have somehow colluded in arriving at a suitable tender specification. I hope he was not suggesting that that has happened in Guernsey, because I can assure you that the Environmental Health Officer, if nothing, is extremely independent and if there was a problem, she would have told us.

2090 Thank you, sir.

The Deputy Bailiff: Deputy Le Lièvre, to be following by Deputy Robert Jones.

2095 **Deputy Le Lièvre:** Mr Deputy Bailiff, Members of the Assembly, I know it is commonly said, I was not going to speak and I really was not. I was going to vote for the amendment, but I was not going to speak, until I heard that we are going to discharge raw, untreated sewage – it is *not* treated, do not let anybody in this Assembly think it is treated; it is not – into the sea as a result of the SCIP process. Because when I explain to my grandson why we still do what the Victorians do, and he wants to explain to his grandson why we do what the Victorians do, I will tell him it was the SCIP process. He will understand that. *(Laughter)*

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2105 It annoys me intensely to hear people say that the Russel and the water treats all the sewage. *It does not*. It might kill the bacteria. I do not think I have seen anybody else spear fishing in Belle Greve whilst I have been out there, but I can assure you that when you cannot see the end of your spear gun because the water clarity is so poor, and I do not put that down to storms, I put it down to stuff in the water and quite often you get algae blooms in Belle Greve and such like, because the water is full of nutrients.

2110 So, I will vote for the amendment. I realise it will probably fail. I admire Deputy De Lisle for his tenacity. He will, eventually, be proved to be right. It will not be by this Assembly or even in 10 Assemblies' time, but he will eventually be proved right. It is *not good* to discharge raw, untreated sewage into the sea. It is not soup, it is more *consommé*, (*Laughter*) but nevertheless, it is not good. It can never be good. It will never be good and I will support the amendment.

2115 **The Deputy Bailiff:** Deputy Robert Jones.

Deputy Robert Jones: Thank you, sir.

I am not going to add to what my colleagues on PSD have already added, with Deputy Ogier and Deputy Harwood having spoken.

2120 What I would like to share is an exchange I had with Richard Lord of Sustainable Guernsey who, in response to PeoplePower or Enough is Enough's proposal for their next target, which was obviously our £18 million spend, when they had seen Deputy De Lisle's proposal for more like £13 million. What Richard Lord acknowledged was that the fact that sewage treatment, basically, does what the sea is doing. He has acknowledged that. He also said that estimates of £30 million plus – well Deputy Ogier has mentioned more like £50 million – for a full sewage work, in his words, 'will accomplish little or no more than the current plan'.

2125 The other point I would like to make is that Deputy Fallaize encourages us to take heed of the words of our Deputy Chief Minister, but what I would like to point out is that the Minister for PSD, the former Minister for PSD, my full colleagues on PSD were part of the 21 that stuck to our guns and supported the Transport Strategy, so we certainly see no hypocrisy from the board or the former Minister of PSD.

2130 **The Deputy Bailiff:** Deputy Le Pelley.

2135 **Deputy Le Pelley:** Thank you, sir. I will be very, very brief. I was not intending to talk on this at all. I think it is something of a forlorn hope. I am pretty sure that the actual money is not there to spend on this and I think it is going to go that way.

I would, however, like to express my support for the points of view made by Deputy Sherbourne and Deputy Le Lièvre. I will be voting in favour of the amendment and I hope everyone else will as well.

2140 Thank you.

The Deputy Bailiff: Deputy Domaille.

2145 **Deputy Domaille:** Thank you, sir. Just one very quick question. We have talked about full sewage treatment. I will not be supporting the amendment, but would Deputy De Lisle, in his response to the debate, explain how he envisages the sludge to be treated?

Thank you, sir.

A Member: I think it is called cake.

2150

The Deputy Bailiff: Deputy Duquemin.

Deputy Duquemin: Thank you, Mr Deputy Bailiff.

2155 I have decided to use my trusty electronic communicator today. Yesterday I used my laptop as
an autocue, but the disapproving reaction from Deputy Fallaize stopped me. For one minute
yesterday, I thought he was pointing – he was raising eyebrows and I thought I was even flying
low, but thankfully not.

2160 As Deputy Kuttelwascher says, today is Groundhog Day. To answer and agree with Deputy
Sherbourne, today is not a waste of time. I am happy to be using States' time debating a much
better solution for the LSO and the SSO, for a small premium, all within the original timeframe,
but I am disappointed, concerned to be using States' time that risks taking us back dangerously to
the drawing board and being forced to shoulder, as the PSD Minister outlined in both his speeches,
the risk of failure of either outcome for much longer than necessary. We have a natural solution. It
was given the green light early in 2012 and *de facto* reaffirmed by this Assembly only last summer.

2165 As a final word from PSD – with Deputy Ogier already having spoken and I hope his words are
still resonating in this room – I will be very brief, and simply direct Members to three pages in the
Billet which I believe are most salient to today's debate. Firstly, paragraph 2.1 on page 147 clearly
states that this project is one part, now the final part of a five-phase programme. Let us finish the
job we started.

2170 Secondly, paragraph 3.5 on page 150 in the Billet provides a list of five bullet points that detail
the advantage of the extra £1.3 million. In very plain English, the words in the Billet explain the
magnitude of the numerous benefits of this extra spend. They are clear and they also include
answering Deputy Green's concern, because one of them is future-proofing against the
impending regulation. They should provide ample reassurance to a cost-conscious States that
2175 justifiably demands value for money from its capital projects.

Thirdly, I think it also worthwhile directing Members to Treasury and Resources' comment on
page 163 in the Billet which details their intention to look at ways, a revision of their delegated
authority, to avoid a Department having to come back to the States in a situation like the one PSD
found itself in, by doing the right thing for the people of Guernsey, arises again.

2180 Mr Deputy Bailiff, I am confident that Members will vote against this amendment and vote for
PSD's proposition in the Billet. The very fact that collective irresponsibility – I repeat, *collective
irresponsibility* – has been highlighted, in jest, I trust, by Deputy Fallaize, as a reason to support
this amendment, says it all. Today, let us do the responsible thing.

2185 **The Deputy Bailiff:** Nobody else is rising, so Deputy De Lisle, are you in a position to respond
on the debate now?

Deputy De Lisle: Yes, sir.

2190 **The Deputy Bailiff:** Thank you.

2195 **Deputy De Lisle:** Sir, in terms of some of the comments that have been passed through the
debate, I would like to start with Deputy Paint and his points about bacteria, which certainly do
find themselves dissipated within, perhaps, a day, but it is the viruses, I must express, that are
there for a month or more and can cause very serious illness. The medical science is very clear on
this, that untreated sewage contains a wide array of pathogens, chemicals and nutrients, many of
which pose a serious threat to human health. The most common pathogens in sewage are
bacteria, parasites and viruses, and they cause a wide variety of acute illnesses, including
diarrhoea and infections.

2200 Certain groups such as children and elderly and those with a weakened immune system are
particularly vulnerable. The dangers of swimming in polluted water range from ear, throat, skin
and eye infections to gastroenteritis, hepatitis, E-coli and even acute febrile respiratory illness and
our professionals, the Director of Public Health, confirm that there are numerous studies that
indicate that contact with sewage-contaminated bathing water, through swimming or otherwise,
2205 through water sports, can have an adverse effect on human health. Concern is expressed over and

over again with respect to these health effects by the World Health Organisation who states that the combination of secondary treatment and disinfection is the lowest risk.

2210 I thank Deputy Fallaize for his support. There are obligations, as he says, in fiscal and social policy and it will come that the obligations will continue in through environmental policy, particularly pollution and sewage treatment and this will be taken up in the future, if not now.

2215 If I take Deputy Hadley's point, just to make it very clear with regard to the sea not being clean – so what we add to the sea is not significant, that is what he told us. Well, the European Marine Strategy Directive is looking to restore European Marine Waters to their natural biological condition by 2020 and this will have to be applied in our waters by international pressure for implementation. We cannot continue to be a hole in the doughnut and expect us to be looked on as an international Island and respected. The fact is that everybody around: the French, the English and Jersey are treating their sewage to the secondary level and we have to do the same, otherwise we will not be able to meet the directives that we have to maintain as being participators in the European and global community.

2220 Deputy Kuttelwascher, he talks about dilution –

The Deputy Bailiff: Point of order, Deputy Ogier.

2225 **Deputy De Lisle:** I did not interrupt, sir.

The Deputy Bailiff: Deputy De Lisle, it is a point of order, so please resume your seat while Deputy Ogier raises his point of order.

2230 **Deputy Ogier:** Deputy De Lisle is introducing new arguments into the debate which it is not able for Members to rebut or discuss. The point of summing up is not to introduce new arguments. Members are at a complete disadvantage as they are not able to say anything about the new issues he is introducing.

2235 **The Deputy Bailiff:** Yes, Deputy De Lisle, this is your opportunity to address the arguments that have been raised.

Deputy De Lisle: Yes, thank you, sir. I really feel for Deputy Ogier. *(Laughter and interjections)*

2240 What I am going to say now in terms of dilution and return to my comments, the Water Board's answer to everything is 'blend it'. This is their answer to the reservoir in St Saviour's. 'The water is polluted with PFOS – blend it with the water from the Longue Hougue.' That does not get rid of the chemical. And here, again, we are talking about dilution.

The Deputy Bailiff: Just a moment, Deputy De Lisle. Deputy Ogier, another point of order.

2245 **Deputy Ogier:** Sir, I am sorry. I am brought to my feet once again by Deputy De Lisle talking about the reservoir and levels of PFOS and the actions of Guernsey Water which have nothing to do with this debate and which we are not able to rebut. I would respectfully ask the Deputy to contain himself to the matters concerning this amendment and the issue of summing up the debate.

2250 **The Deputy Bailiff:** Deputy De Lisle, before you continue, I remind you that this is an opportunity to reply to the arguments that have been raised against supporting the amendment by other Members, by other Deputies. It is not an opportunity to introduce new material now in support of your debate. If you continue do so, I will regard it as a breach of the Rules and draw your attention to it.

2255

Deputy De Lisle: Sir, I am a very contained person and also the subject of dilution came up in this debate. I did not bring it up; Deputy Kuttelwascher brought it up and I will reply to it.

2260 All I said was that the answer of our Water Board, Guernsey Water, is to blend it. That is all I said and that is not on, because people are drinking that water and people are bathing in that water. Deputy Ogier admits that the water is polluted and sees that something has to be done to the short sea outfall in order to deal with the problem, but all his answer is to extend it and put it somewhere else, but it is going into the same water and it is affecting the same beaches and it will be affecting the same marine life.

2265 He says that, in the long term, it is cost effective, for many generations to come. Well that is the problem that a number of people, including Deputy Le Lièvre has mentioned: it is our grandchildren, it is their children and once this £20 million is spent, there is not going to be another £20 million to spend, particularly given the current economic circumstances and that means that for several generations, they are going to be left with this thing, unless, of course, the
2270 Europeans come in and force this Island to change, as Deputy Le Tocq said they may well do in the future.

I thank Deputy Gollop for his remarks, particularly on emerging technology, because it is absolute true that these new systems do provide new ways of dealing with old problems and, as he says, we want to see our Island enter the 21st century in all aspects of life including sewage
2275 disposal and fit for purpose in future years.

I thank Deputy Queripel too for his support and clarification on what the amendment is asking for. Actually a relook at this at this time before money is spent on a proposal that will not actually deal with the problem that Guernsey has.

2280 Deputy Jones says that we still need outfalls. Well, these new technologies do not need the outfalls, because they use the effluent then, through the recycling process, for different uses and I will deal with that with an answer to another question somewhere else.

Deputy Sherbourne, I thank you for your support. I think you did ask me with respect to the ways in which the effluent is treated. Well, much of the effluent now, which is sludge if you like, is pelletised for fuel burning and some is used also for garden waste, but the water is recycled.

2285 Deputy Green brings up the point of the question of reputation which is extremely important to an Island with such a strong financial industry and a key player in the international community and reputational issues are very large, particularly when we are trying to promote, currently, the tourist industry. It is very important that we can show, as Jersey has demonstrated, that they are clean in terms of bathing waters and, of course, they have got a very strong shellfish industry
2290 there, as a result of that.

Deputy Luxon says we have got no money to progress it. Well, we do, we have this £20 million that is on the table and what I am suggesting, that it should be used in a more environmental way for the future generations that will live on this Island.

2295 Deputy Le Tocq: 'We will look at it in the future.' Well, money is scarce, Deputy Le Tocq and we have to make sure that we are getting value for money and that we are doing the right thing and it does not hurt to reconsider what we are doing and I would expect more of the leader of the Policy Council than to say that we will just slough it off to another day. I think it is very important that we look at these issues at the time that they are debated.

2300 Deputy Harwood: I think he was doing what other people are doing, scaremongering with the £50 million, when, in fact, we have a proposal in front of us that has not come from myself, it has come as a result of some talks between the water board, Guernsey Water and Mr Pink and his company. Canadian Clear, of course, is a very large company and I think he is asking about the projects that they carry out. Well, EWS and Canadian Clear project teams work closely together and collaboration. They would collaborate on this particular project to satisfy the statutory
2305 requirements and deliver a friendly and cost effective treatment plant. They operate, predominantly, in Asia, the Middle East and Africa, although the Canadian Clear, of course, has a number of plants in Canada also, but their plants are several times, in other words, 100 million litres a day, they are putting in plants of that size, whereas we are about 16 million litres a day. So,

2310 their capability of working to the highest regulations should not be underestimated and they build ultra-pure systems for nuclear power stations as well.

I thank Deputy Le Lièvre for his comments, which I have already referred to, and I thank Deputy Le Pelley for his support.

2315 Deputy Domaille, I think you asked about the way the sludge was treated: pelletised, which could be sold then, for fuel, for burning in the incinerator in Jersey or overseas, but some is used for gardens and agricultural purposes.

Deputy Duquemin, in terms of taking dangerously back to the drawing board, well this is the time when I did not bring this back. The Public Services Department brought it back to the States and this is the time to debate it, is it not? If not, what are we all doing here?

2320 Public Services Department are requesting the States to spend near £20 million, an increase of £1.3 million since August, to renew and extend the outfalls at a time when money is extremely tight. For the same money, we could have secondary treatment of sewage and comply with the UK, EU and Jersey regulatory standards. The Department is in receipt of a quotation for a fully fabricated sewage treatment plant for a similar amount of money, which offers the people of Guernsey a value for money alternative, just as one example. We need to consider value for money. For £20 million, we can do better. We should have at least secondary sewage to rid our waters of harmful pathogens and viruses. The States should re-examine the whole issue to get the most cost effective and compliant solution for Guernsey. Renewing our old pipes does nothing to treat sewage or clean up our coastal waters. It is a replacement of old 18th century technology at great cost. There is no future-proofing for new or existing international regulations within that model.

2330 We, as the States, need to spend money wisely more than ever before. Full sewage treatment will benefit our international image and it will enhance our tourist industry and it is a matter of time before Guernsey is brought to task. Our reputation is at stake, just as the finance industry and other aspects of business much comply with international regulations, if we want to trade and have a successful economy, Guernsey cannot afford either to flout pollution laws.

2335 I thank those Members who took the time and kind offer of Buz White M.B.E. to see the outfall first hand. Deputies Gollop, Hadley, Green, Collins, Sherbourne, Dorey and myself took up the offer, but his message, as a mariner, to us all and PSD, in particular, is 'How dare they use my place of work as a dustbin?' It is not satisfactory to relegate sewage treatment to the end of a pipe, because of the presence of disease-causing organisms in the sewage which pose a threat to people who use the sea. Sewage must be adequately treated. Dumping toxic waste is wrong from a public health and social, economic and environmental point of view.

2340 Please, ladies and gentlemen, support the amendment and I would like to ask for a recorded vote, sir, and a vote on both parts of the amendment separately.

2345 **The Deputy Bailiff:** Deputy De Lisle, what I was minded to do, subject to anything that the Procureur says, is to put the amendment to you collectively rather than in two parts, because, effectively this is to substitute two Propositions for the existing Proposition. If it is carried, there could then be separate votes on the two Propositions if it were to be carried.

2350 Mr Procureur, is that sensible?

The Procureur: I am sure it is, sir, if you say so.

2355 **The Deputy Bailiff:** Deputy Ogier.

Deputy Ogier: Point of order, sir.

2360 Just to clarify the Deputy may have made a misleading statement when he said, 'We should not be pumping toxic waste out of the end of our outfall.' Of course, there is not toxic waste that goes through the outfall. It is preliminary screened waste water and there is nothing toxic about it.

The Deputy Bailiff: We are going to go to a recorded vote, Members of the States, on the amendment, which is, effectively, to replace the existing Proposition on page 163 of the Billet with two Propositions. It is the amendment proposed by Deputy De Lisle and seconded by Deputy Gollop.

2365 Deputy Greffier, a recorded vote please.

There was a recorded vote.

The Deputy Bailiff: Well, Members of the States, I will declare the result officially when I get the voting slip, but on my reckoning it was lost.

2370 So, we will move into any general debate on the reports and the Proposition at page 163.

Deputy Brouard,

Deputy Brouard: Thank you, sir.

2375 I think, just to refresh, I think, Members, the last vote says it quite a lot, but a sewage plant basically speeds up a natural process by putting more energy into it and human sewage is a natural product. We do spread animal waste on our land and we do not have any heavy industry, so we do have a very lucky natural method of disposing of it, which is about as green as you could possibly get.

2380 I did spend some time on PSD many years ago with Deputy Bell and Deputy Ogier and that is where the instigation of the changes at Belle Greve first started, but I do have one concern. I am not going to change your minds today. I am not going to ask you to vote against the proposals, but I just want PSD to be aware of one concern. I appreciate that a lot of the work has been around the funding and although that is very important, the issues of being in a marine environment, we have got fractured rock out there in Belle Greve. That is why the original tunnelling, when they put the original pipe in, it fractured and leaked so they had to flood the tunnel, then when the actually pipe was being laid, it took longer than they thought in the tide and if you look at the aerial photograph of it, it has got a kink in it. That kink is thanks to the tide flowing.

2390 So, although, with the best laid plans, lots of things can go wrong in a marine environment and we just have to reflect, just for a moment, of what happened with the St Sampson's fire main, where we are trying to squeeze two pipes through a single big pipe but they forgot to allow for the fact that there will be joints, so they could not have the joints next to each other which is what they wanted to, and it just got one problem after another.

2395 Although a lot of it has been about cost, it does not really matter at the end of the day, if it does not work – no amount of money will make it good value over the life of the plant or whatever, if it does not work. My main concern is that we are putting two pipes, one is the emergency pipe and the other one is the main pipe, in the same trench, in the same direction, going to the same place and the only way I can describe it to you is, if you have got your emergency front door key, you do not put it on the same ring as your main front door key. You have it in a separate place.

2400 So, no matter how much we spend on it, I just cannot get my head around it. It makes no sense, no matter how cost effective it is, to have literally both your pipes in the same place and I just hope it does not come back to bite us. I understand there has been every single risk register done and the chance of a boat hitting it on the third Tuesday of the month, but having two separate pipes, to me, is a much, much safer option and I do agree it may cost more, but I would prefer that than having a cost-effective solution that, in the long run, may let us down.

2405 I will not change your minds, as I say, but I just would ask PSD, through the Minister, to just give me one assurance: can someone please read through the original problems, when they were laying the pipe in the first place, when they were digging the tunnel, and just someone dust off the shelf the issues of the St Sampson's fire main and just make sure, if there are any lessons in

those, that we just do not repeat them when we are putting this pipe down. If the Minister could give me that assurance, that will at least help.

Thank you, sir.

*Amendment by Deputies De Lisle and Gollop
Lost – Pour 11, Contre 33, Ne vote pas 1, Absent 2*

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

2415 **The Deputy Bailiff:** The formal result on the amendment moved by Deputy De Lisle and seconded by Deputy Gollop is: there voted in favour, 11; against, 33. There was one abstention, two absentees and therefore I declare the amendment lost.

Deputy David Jones.

2420 **Deputy David Jones:** Thank you, Mr Deputy Bailiff.

I think the States is going to support this and I hope they do. Just a point on the St Sampson's fire main. It failed because it was a job given to an incompetent contractor who seemed to be surprised by the fact that the tide had come and left St Sampson's Harbour for a million years, and they were the only people who did not seem to know that at the time.

2425 Also, one of the original plans was to lay it from a jack-up barge, which was a local company with the name Marine in its title, and they did not get the job and the company that did get the job had not laid a pipe in the marine environment at all. That is where the problem started and as far as I know, it still leaks like a sieve, but there we are.

Thank you.

2430

The Deputy Bailiff: I turn to the Minister, then, Deputy Ogier, to reply to the debate on this matter.

Deputy Ogier: Thank you, sir.

2435 Deputy Brouard is quite correct when he mentions the risk concerned with marine projects, they are a different quantum from on-Island and from land-based projects. You never know what you are going to meet when you are digging down there and working through some of the soil. Testing has been taken and we believe, as far as we are able to gauge, that the trench that we are envisaging will be along the path of least resistance, but there are contingencies in there, allotted
2440 in case we do not meet what we meet.

I will give assurance here that we will look at the original laying of the pipe to see if there are any vestigial lessons that we need to be mindful of. Deputy Brouard, along with everybody in this Chamber, will recognise by how much the States' procedures and capital procurement has changed and, certainly over the last 10 years, probably more in the last 20, we do things very
2445 differently now, but I will give that assurance that we will revisit this project.

I have nothing further to add other than to thank Members for the debate that we have had today and urge you all to support the proposals so that we can get with this essential and vital piece of infrastructure.

Many thanks.

2450

The Deputy Bailiff: Well, Members of the States, we move to the vote on the single Proposition on this Article, which is on page 163 in the Billet. Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: I declare the Proposition duly carried.

**II. Requête –
Liberation Day, 2015 (and Future Years) –
Proposal for a Public Holiday on a Weekday –
Propositions lost**

Article II.

The States are asked to decide:

Whether, after consideration of the Requête dated 5th December 2014, signed by Deputy M.J. Fallaize and six other Members of the States, they are of the opinion:

- 1. To approve that Friday, 8th May, 2015 shall be a public holiday.*
- 2. To approve that Monday, 4th May, 2015 shall not be a public holiday.*
- 3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.*
- 4. That when in any year after 2015, 9th May falls on a Saturday or Sunday there shall be a public holiday on the nearest practicable weekday; and to direct the Culture & Leisure Department, in accordance with that part of its mandate which makes it responsible for the 'planning and implementing of appropriate arrangements to mark the Island's celebrations of Liberation Day', to lay before the States the necessary recommendations for this policy to be carried into effect in 2020, 2021, 2026, 2027 and in all subsequent relevant years.*

2455 **The Senior Deputy Greffier:** Article II – Liberation Day 2015 and future years – proposal for a public holiday on a weekday.

The Deputy Bailiff: I invite Deputy Fallaize, as the lead requérant, to open the debate on this matter.

2460 **Deputy Fallaize:** Thank you, sir.

If I could start by thanking the Policy Council for expediting the publication of this Requête in order that it could be debated at this meeting.

I like to travel in hope, but I would not advise anybody to put a great amount of money or, indeed, any more at all on the States voting in favour of at least Propositions 1, 2 and 3 in this Requête. I entirely accept, at least as far as Propositions 1, 2, 3 are concerned, that this Requête has been submitted rather late in the day. In my defence, the timing of the Requête was not occasioned by any sloppiness on behalf of the signatories to the Requête, but rather by the failure of the relevant States' Departments to advise early enough of their plans or lack of plans in respect of this matter. They did not advise publicly until late in 2014 and it has been noted, in the response to the Requête received from the Castel Douzaine, that it is disappointing that proposals were not brought sooner or at least an announcement made sooner by the relevant Department.

Also, in defence of the signatories, on the last occasion, when the States amended public holidays in order to provide one on the nearest weekday when 9th May fell on a weekend, the Resolution of the States was made only in the September and the Ordinance was not approved until the January immediately before the May, which was in 2010. So, sir, it may be that the States were a little less agile today than they were in 2010, but nonetheless, I do understand the reasons for the misgivings about this Requête, because of the time when it was submitted, but I do remain committed to the Propositions, most especially Proposition 4, and I am also mindful that there are two Members who have circulated amendments which they wish to lay to the Requête.

2480 Sir, one or two of the more dismissive and graceless representations submitted by the business associations, with which we have been furnished by their political representatives on earth at the Commerce Department rather impugn the motives of this Requête. They also, incidentally, not untypically, contain more than one misapprehension, including that the importance of marking the Liberation is somehow undermined if it is done on any day instead of or in addition to 9th May. The author of such nonsense clearly did not bother to inform himself of those Liberation anniversaries which were indeed celebrated on days and holidays other than 9th May.

2485 Sir, this Requête was drafted and is being laid with the single objective of doing as much as possible to recognise the significance of the events of the Evacuation, Occupation and Liberation of these Islands between 1940 and 1945, in this the 70th anniversary of the Liberation and in subsequent years. Sir, I trust that you will allow me to set out just a little of the background.

The Requête seeks to convey, necessarily briefly and probably inadequately, some of the significance and scale of what must surely be the most momentous and traumatic events in at least the modern history of the Bailiwick. Between 20th and 22nd June 1940, very nearly 15,000 men, women and children, which represented nearly one third of Guernsey's population at the time, were evacuated from the Island at only a few hours' notice. When we are in committees or in here, agonising over controversy caused by such weighty matters as cruise passenger disembarkation procedures or width and emissions duties, we might, on occasion, reflect on the almost intolerable burden, as it must have been, upon some of our predecessors who were faced at four o'clock on 19th June 1940 with having to issue a notice to parents of all school children, advising them that they had three hours to decide whether to have their children evacuated to the UK, without their parents, at 9.00 a.m. the following the morning, and within 10 days Guernsey had been occupied by German forces until, as we know, May 1945.

2500 Sir, today the States appears to need several months' notice to convene a day earlier than the normal schedule, but in the days before e-mail and the internet, on 8th May 1945, the States managed to convene at two hours' notice and at 12 noon on 8th May the Bailiff addressed the States saying:

'On this memorable occasion in the history of this Island, I have summoned you to inform you officially and, through you, the people of this Island that the war is over and the occupation that we have endured for nearly five long and tiring years is ended.'

As I say, sir, that was actually on 8th May. If I may quote directly from the Requête:

'Your Petitioners believe that under no circumstances should there be any dilution of the significance to Guernsey of "*the long and tiring years*" of occupation or of the hours between 10.00 am on the 8th of May and 07.15 am on the 9th of May when it became apparent that the occupation was over.

A public holiday on a weekday is now one of the recognised ways of celebrating anniversaries – and significant anniversaries in particular – of these momentous events in Guernsey's history. Indeed, so far as your Petitioners can establish, for at least the past 45 years each quinquennial anniversary of Guernsey's liberation has been celebrated by a dedicated public holiday on a weekday, usually of course on the 9th of May, but not always.'

2510 And 2015 is such an anniversary. Why, I think, that in these circumstances, an additional or replacement public holiday should be observed on a weekday is not only because it has been become a sort of tradition to have a public holiday on a weekday, but also because, first, a great many people these days are not normally at work on Saturdays and Sundays and, therefore, for them, a weekend is weekend, whether or not it contains a public holiday. It is not, in practical terms, felt to be a public holiday in the sense of something different, specifically to celebrate the liberation and associated events.

2515 Second, and more importantly, in my view, I think that that this effect applies even more to school children. I have two young children and a weekend is a weekend, whether it has a public holiday or not. A weekday public holiday, however, is a weekday, unusually off school, which annually encourages the sense that there is something different and something special about our marking and celebrating the anniversaries of the liberation and associated events.

2520 Sir, I wanted to set out that background, perhaps a little more than I would have otherwise, principally because of the impugning of the motives of this Requête in some of the text submitted by the Commerce Department. Four of the Douzaines commented upon the Requête, including the Castel, about which I said something earlier, and they also stated that they were not against the 8th being declared a public holiday and also including St Saviour, which sent the most
2525 extensive reply and which made the useful point that there will have been no call to cancel a public holiday on Liberation Day, had it fallen on a weekday in 2015 and which concluded their submission with the words:

'Liberation Day should be recognised by the granting of a public holiday on that day or the nearest week day to it every year, in addition to the nationally recognised public holidays.'

In respect of the comments from States' Departments, there are no material concerns raised about the effects, at least in future years, if not necessarily for this year, of ensuring that each
2530 anniversary of the Liberation is marked by a weekday public holiday.

Sir, even if Members cannot vote for Propositions 1, 2 and 3, I do encourage Members to vote for Proposition 4. Proposition 4 does not ask the States to commit to the exact arrangements for the years in the future, when these circumstances arise again, as they will quite often. Exactly how to do it would be left to the Culture & Leisure Department to report in due course. But,
2535 Proposition 4 does propose that when in any year after 2015, the 9th May falls on a Saturday or Sunday, there should be a public holiday on the nearest practical weekday which is justified and desirable for the reasons set out in the Requête, some of which I have just referred to and with regard to recognising the significance of the Evacuation, Occupation and Liberation and, in particular, in order to ensure that school children have the maximum possible opportunity,
2540 annually, to understand the enormous significance to the Island and indeed to the wider world of the events of 70 and 75 years ago.

Thank you, sir.

The Deputy Bailiff: Chief Minister, the Rule 17(3) requires me to turn to each of the
2545 consultees in turn. So, do you have anything you wish to say at this stage?

2550 **The Chief Minister (Deputy Le Tocq):** Sir, I think Policy Council, as Deputy Fallaize has alluded to, did its best to consult in the timeframes. It was not easy to do so, because on that basis that some of the Douzaines, for example, had already met before Christmas by the time we got round to it, but, quite clearly, we felt the time constraints were such that, had it not been possible to come to this Assembly, it would have been definitely far too long.

2555 The overriding feeling around Policy Council is one that cannot be supportive of this, largely because of where this has come. I think there is a big difference between what Deputy Fallaize has talked about in the past, of having a debate in September and then having the legislation come afterwards. I was going to say, normally, legislation is just a nod through, but, obviously, over the last few days, we know that perhaps is not the case, but I think, in this instance, when that has happened in the past, preparation could be done earlier.

2560 We know and are well aware that with regard to the situation of an alternative day or removing the existing bank holiday at the beginning of the week, on the Monday, that much has been planned throughout, not just by the parishes, but by other organisations as well and that would cause some degree of havoc at this stage to cancel that, so I urge Members, certainly not to mess around with those particular plans, which will cause difficulties in the celebrations.

Other than that, sir, I am not going to elaborate upon the comments that have been made by Policy Council in the Report.

2565 **The Deputy Bailiff:** The Minister of the Treasury & Resources Department, Deputy St Pier, do you wish to exercise your entitlement to speak?

2570 **Deputy St Pier:** Briefly, sir. The comments of the Treasury & Resources Department are set out on page 170 of the Billet. I think there is perhaps, one point of clarification. The comment notes that there would be no additional costs if the public holiday was simply moved. I think it has been drawn to our attention since that comment was submitted that, in fact, there may be some additional cost incurred by some Departments in paying overtime in preparation for Liberation Day and I think that will particularly affect, perhaps, the Culture & Leisure Department and, no doubt, the Minister may wish to comment on that in due course.

2575 I would say that the additional costs estimated at £250,000 for an additional day's public holiday, which I will refer to in the comments, that is simply a best estimate, sir, and, again, the comment does make clear that that would need to be funded from the Budget Reserve. The Budget Reserve, as Members will recall from the Budget debate, in October last year, is much smaller this year and, for that reason, sir, I personally could not support the Proposition to create an additional holiday and the additional expenditure that would result from that.

2580 Whilst on my feet, sir, personally, my view is that 9th May is 9th May. That is when Liberation Day is celebrated and I am not convinced by the need to create a public holiday during a week day in order that the Island can commemorate the momentous events of 1945.

2585 **The Deputy Bailiff:** Minister of the Culture & Leisure Department, Deputy O'Hara, comes next.

Deputy O'Hara: Thank you, sir.

2590 I have not really got much more to add than is actually stated in the Billet. I will say that we have left it to Members to decide on how they feel about it individually. I will be speaking on this subject and I will answer the T&R Minister, in that, there will be some costs implications with having Liberation Day, this year, 2015. If Liberation Day did take place, I think the costs were something like another £40,000 to actually stage.

2595 But, that aside, I have left it to my Members to decide on how they would wish to comment. I think finance came into it, obviously, and my speech later on will probably expand a bit more on that.

The Deputy Bailiff: Minister of the Education Department, Deputy Sillars.

Deputy Sillars: Thank you, sir. I think it is fairly self-explanatory.

2600 **The Deputy Bailiff:** Minister of the Environment Department, Deputy Burford.

Deputy Burford: Thank you, sir. I have nothing to add to that in the Billet.

2605 **The Deputy Bailiff:** Thank you, very much. The Minister of the Home Department, Deputy Gillson.

Deputy Gillson: Sir, I have got nothing to add from our letter.

2610 **The Deputy Bailiff:** The Minister of the Housing Department, Deputy David Jones.

Deputy David Jones: I have nothing to add, sir, too.

The Deputy Bailiff: The Minister of the Public Services Department, Deputy Ogier.

2615 **Deputy Ogier:** Thank you, sir.

Public Services Department run a seven days a week operation, so if one were to exchange one holiday for another, that would have no real effect on the Public Services Department. However, an extra day's holiday would incur extra costs and could run into tens of thousands of pounds, but there are no operational issues with that unless, of course, you consider that staff now already have taken their holidays based on the availability of bank holidays in that time.

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The Deputy Bailiff: The Minister of the Social Security Department, Deputy Langlois.

Deputy Langlois: I have nothing to add, sir.

2625

The Deputy Bailiff: The Minister of the Commerce & Employment Department, Deputy Stewart.

2630 **Deputy Stewart:** Yes, sir. I do not know why he has taken umbrage at the Commerce & Employment's comments, but I think we have made some very full comments which are appended to the Billet, and I think really what should be noted are the comments of the G4, Chamber of Commerce, GIBA and the Confederation of Guernsey Industry and also further comments one or two main people within industry and I hope the Assembly do take note of those comments.

2635 **The Deputy Bailiff:** Deputy Kuttelwascher, do you wish to move the amendment that has been circulated?

Amendment:

To replace the Propositions as follows:

'1. That with effect from 2016 the first Monday in May shall not be a public holiday.

2. That when in any year 9th May falls on a Saturday or Sunday there shall be a public holiday on the nearest practicable weekday.

3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.'

Deputy Kuttelwascher: Yes, please, sir.

2640 In the interests of clarity, this is the second draft of an amendment. The first one was circulated electronically in good time and that is one that I am not laying. The one in front of you, which was provided by the Greffier, the written one, is the one that is being laid.

When I read this Requête, I was very much in favour for its objectives. I could understand that. When I read the Propositions, they posed me some difficulty.

2645 What I am proposing is a compromise which could keep everybody happy – replacing the four Propositions with three. The first thing you will notice, I am not proposing any change in the public holidays for this year. Now, one thing that I found interesting, when I discussed the public holiday on 4th May, I referred to it as the May Day holiday, but, in law, there is no celebration attached to that holiday. It is purely custom and usage that we have decided to celebrate what is often regarded as a military parade in Red Square. But, we do not have to call it that. So, my compromise for this year is change nothing. Nothing is disrupted as far as existing plans and we
2650 can call this holiday for this year, on 4th May, what we like. We could call it the ‘Public Holiday Associated with Liberation Day’ and Liberation Day, throughout this, will always be celebrated on the 9th.

2655 The second Proposition, basically says that when Liberation Day falls on a Saturday or Sunday, there will always be a public holiday on a weekday, which is what people like. So, I think, somehow, that has got to be acceptable, but I absolutely accept that I am disposing of a particularly public holiday in doing this on 4th May. However, it is really changing one for another and then you have got the benefit. There should be no cost to this exercise.

And the third Proposition is to direct the legislation to put effect to it.

2660 So, here we have no change this year. We can call the 4th May what we like, so let us regard this as a transition. We will call it the public holiday associated with Liberation Day. Next year, we will have the public holiday on the appropriate first Monday or Friday, but Liberation Day will always be celebrated on 9th and if it happens to fall on a weekday, fine. Nobody is changing the day when you celebrate Liberation Day and it is as simple as that.

2665 Now, will that suffice? I would hate to lose the objectives of this Requête and I think they can be satisfied at no cost; at no disruption and with some compromise.

Thank you, sir.

The Deputy Bailiff: Deputy Perrot, do you formally second the amendment and reserve your right to speak? (**Deputy Perrot:** Yes.)

2670 Deputy Lester Queripel.

Deputy Lester Queripel: Sir, can I invoke Rule 13(4), please.

2675 **The Deputy Bailiff:** Okay. I remind Members that under Rule 13(4), if you wish there to be a debate on this amendment, then you stand in your place and, if fewer than seven Members stand when invited, then it will not be debated and no vote will be taken on the amendment. So, Members wishing to debate the amendment should stand in their place.

Even on my rudimentary maths, that is more than seven, Deputy Lester Queripel. So, that particular motion has been lost.

2680 Who wishes to speak to this amendment, then? Deputy Le Clerc.

Deputy Le Clerc: Sir, is it possible to speak on the amendment and general debate?

The Deputy Bailiff: Yes, if you wish to.

2685 **Deputy Le Clerc:** Thank you.

2690 Sir, I will not be supporting this Requête or the amendment for an extra day’s holiday this year or any year. In particular, this year, I think we should be reminding ourselves that the UK Government general elections take place on 7th May and markets will be in turmoil whatever the outcome, whoever is elected. I worked in the finance industry for many, many years, so I expect that, to have a holiday on the 8th May this year, would cause great damage to the finance

industry. As I say, I have worked in the finance industry and I have had to go in on 9th May and sit there while everybody has been celebrating and walking up and down for many, many years.

2695 I believe, as a local, that Liberation Day is 9th May and it should be only that day that is given as a holiday. It is the day we should take time to reflect and celebrate. I feel the request for an additional day's holiday devalues the memory of those who endured the war years on the Island or were evacuated. Just because it falls on a weekend, it is not the reason to have an extra day's holiday.

Thank you.

2700

The Deputy Bailiff: Deputy David Jones.

Deputy David Jones: I thought Deputy Le Clerc has almost read my speech on that, because I agree wholeheartedly. I think that 9th May is Liberation Day, whatever day it falls on, and that is what is special to the people of Guernsey, it is the day, and it is something that is very valued in my family. My children were taught the importance of Liberation Day and they have gone on to teach their children the value of that celebration.

2705 The other thing, I would also go ahead and scrap this Russian holiday on May Day. All of us, in this States, have been scrambling around for the last three and half years trying to find savings for our FTP. We have closed public toilets, because of £12,000. Here you have got a chance, by scrapping one holiday that is not even a Guernsey holiday in that regard, and save £250,000. That is the sort of FTP saving I want to back. That is the one that brings...

2710 If you look at the FTP savings and you go through them, we have scabbled around. We saved £30,000 here, £42,000 there and all these small amounts to try and get to the £28.6 million where we are now and here you have got a chance to save a quarter of a million pounds – it is probably more that – by scrapping a holiday that has absolutely nothing to do with Guernsey, but the taxpayer is telling us loud and clear – they have rallies in car parks and everything else – 'Stop digging your hands into our pocket.' Well, if we want to keep doing this, we are going to have to raise to taxes to pay for it, because you cannot have one without the other and I am sure the public would understand completely that rather than raise taxes, that we give up this Russian holiday. We have got not guns to parade up and down and armies and men dressed in fur hats, to parade up and down the seafront anyway. So, I would go for that.

2720 But, I want to see Liberation Day celebrated on 9th May, whatever day that falls.

2725 **The Deputy Bailiff:** Deputy Gollop, followed by Deputy Lowe, followed by Deputy Stewart.

Deputy Gollop: Sir, when I attended the St Peter Port Douzaine liaison meeting, there did seem to be a lot of people who were not particularly keen on any of this, but I have to counter, in a way, some aspects of what Deputy Dave Jones has said, because the May Day holiday... We adopted UK practices and I think the May Day holiday is a European Union derivation, an International Day for Workers' Solidarity; nothing to do with Russia and too often this House sees things overwhelmingly from an employer's point of view, rather than an employee's point of view. Employees, whether we like it or not, do enjoy their bank holidays and, in some cases, their extra pay and conditions.

2735 When I look logically at the amendments, Deputy Kuttelwascher is giving us, to use an expression, a 'cop out' – that has been used about me today in another context – but the issue is more interesting than that. With Deputy Fallaize's original Proposition, to which there is an amendment, it is possible, on his Proposition, to vote for Monday to stay as a holiday and for Friday to be a holiday. I think that, despite the expense of it, is the most rational decision to make, given the historic interest in 8th May and the fact that we cannot undermine the bank holiday arrangements we have already made.

2740 What happens on the first Monday of May? The World Aid Walk is one example. Traditionally, the horse racing at Pembroke Bay would be another.

2745 I do not think we can play around with the bank holidays, but the Kuttelwascher amendment effectively takes away the opportunity for a holiday on Friday 8th. So, I have to vote against the Kuttelwascher amendment and against some aspects of the Fallaize Propositions.

The Deputy Bailiff: Deputy Lowe.

2750 **Deputy Lowe:** Thank you, sir.

I will be voting against this amendment, sir. It is going back to the old days. Liberation Day always used to be the closest Wednesday to 9th May, which is what you are asking here in this amendment. Guernsey got rid of that many years ago and said, actually, Liberation Day has to be celebrated on Liberation Day, no other day – that is the day, come what may. Whereas this is going back retrospectively, and I do not actually think that is the route to go down. It should be Liberation Day, 9th May, end of – no extra day, sir.

Thank you.

2760 **The Deputy Bailiff:** Deputy Stewart, to be followed by Deputy Trott, to be followed by Deputy Bebb.

Deputy Stewart: Sir, I would like to speak on the amendment and personally on the Proposition as well, if I may, sir.

2765 I really enjoy my Liberation Days and remember, particularly, the ones that I enjoyed. I used to like the fun fair when it used to come over and I used to get involved with organising a lot of the celebrations for many years with former Deputy Pat Mellor. I think Liberation Day has evolved and it has changed but, for me, I agree with Deputy Le Clerc, it is 9th May. It always is 9th May. Now, whether that is a Saturday or Sunday, or whether it is a Wednesday as it was in 1945, whatever that is, it is 9th May and if we start fiddling around with bank holidays on an annual basis, we are just going to confuse the bejingers out of everyone! I was listening to Deputy Kuttelwascher on BBC Guernsey, and even Jim Cathcart was more confused than he normally is (*Laughter*) and at the end of the interview, I thought, 'I don't know where I am now!'.
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Let us just keep it at 9th May. Let us just keep it straightforward and simple so people can plan from one year to the other and, of course, everything that Commerce and Employment has said and the G4 that represent a wide range of industry across the whole Island have all said, let us just keep it straightforward, there will be costs.
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And I have got to look across to my friend Deputy Trott. Now, on my phone, I have a picture of a flipchart and I do not know whether you are going to vote in favour – I know you are a requérant, Deputy Trott. I do not know, sir, whether Deputy Trott will vote in favour, but on my phone, I have a picture of a flip chart that I took at a Guernsey Finance Strategy meeting and that picture of a flip chart was where Deputy Trott had written a big figure and it was 75% – 75% represents how much business we do in the finance sector with the UK and, if we start getting out of step with the UK on bank holidays, it is going to be extremely disruptive to particularly our finance sector, but also other people in other industries across the Island. So, please, can we just keep 9th May special, whatever day of the week it is, celebrate it as our Liberation Day and let us not try and confuse the public.
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And I will say, why on earth – and I do not think I have got a real explanation... If we did really feel that this is a special year or if we do have a special anniversary coming up, what will be very helpful – it is not going to come out and jump up and surprise us – why can we not prepare 18 months or two years before? Here we are now and it is too late. It is not a good idea.
2790

Thank you, sir. I will not be voting for the amendment or for the main Proposition.

The Deputy Bailiff: Deputy Bebb, to be followed by Deputy Laurie Queripel.

2795 **Deputy Bebb:** Thank you, Monsieur le Député Bailli.

With regard to the bank holidays, when this Requête first came out, I did some cursory research on the internet, nothing particularly extraneous, and what I thought was the case, pretty much turned out to be so. Prior to the 1870s there were no specific bank holidays, people followed religious holidays, some of which were observed, some of which were not. The case in
2800 France is that those religious holidays remain. We all know that we need to avoid the roads in France on 15th August, because that is the Assumption, but if the day falls on a Saturday or a Sunday, then that is it, there is not additional day given.

In the UK, there was a desire to formalise it and I heard an anecdotal story that the desire was to place all the bank holidays on a Monday to facilitate workers to go for a long weekend on the
2805 trains. Now, I cannot find any evidence for that anecdote, but apparently it was Queen Victoria, having taken the train, was so enamoured with it, that she believed everybody should enjoy the joys of travelling on the train for a long weekend and that is why the UK formalised all of its bank holidays on a Monday. So, whereas the rest of Europe celebrate 1st May, in the UK it was changed to being the first Monday of May. But that 1st May was not a Soviet creation, it was not anything
2810 as such. It was originally Mary's Day. It was to celebrate the Blessed Lady.

Now then, the point is that –

A Member: Can we have clarification on that, please?

Deputy Bebb: The point is that you may or may not feel that that is particularly important. The
2815 argument as to whether this – That is the history of it, so we should actually put on record how that history came into being.

But I would urge people to vote against the amendment, the original Requête and everything. At SACC, we recently had cause to look at the General Election coming in 2016 and although
2820 there is over a year before that date, it was impossible to change the bank holidays and the holidays for schools because these things are set so far in advance. As we have had referred to us in one e-mail petition, 'Arrangements for occasions and for activities are made well in advance'. If there was a desire to change the bank holiday in Guernsey for this year, it should have been debated, in my opinion, at least a year and a half before it happened. We are too late and I believe
2825 that the only sensible thing to do is to recognise that the first Monday of May has always been a bank holiday and to leave it as such and then that we keep the 9th being Liberation Day.

In other words, please reject both the amendment and the Requête, because none of it, to my sense, makes any sense and is only serving to prove some disquiet as to what on earth is actually
2830 happening here, when in all honestly what we need is consistency.

Thank you.

The Deputy Bailiff: Deputy Laurie Queripel, to be followed by Deputy O'Hara.

Deputy Laurie Queripel: Thank you, sir.

2835 Sir, I would like to speak, just briefly, on the amendment and then generally, if I may, sir?

I may yet vote for the amendment because it does kind of achieve what I am looking for, which is when Liberation Day falls on a weekend, sir, we can celebrate Liberation and the Occupation, sir, and all that pertains to that on a weekday and I think that is worthy an extra day of celebration.

But, sir, as a recent opinion column in the press stated, this is an unfortunate position for the
2840 States to be in and I think an unfortunate position for those that have felt compelled to sign this Requête, sir. And it is also unfortunate on this occasion, I have to say that I feel that Culture & Leisure have fallen down on the job and it is not something I have said before, sir, about the Department. I think they do a splendid job, but on this occasion, I think they have underestimated the enormity, symbolically and otherwise, of this unparalleled, profound period in Guernsey's
2845 history and not seen the need to make allowances for it. If any Department should have seen this coming, it is Culture & Leisure, sir. They should have been aware that something needs to be proposed when this clash occurs and will need to be put in place in the future, sir.

2850 So, I am well aware, if the Propositions are not amended, of the problems Propositions 1 and 2 might cause financially, business-wise, States' expenditure-wise and how if Proposition 2 were approved, it would potentially upset many arrangements in regard to events that have been organised, visits that have been arranged, holiday plans, etc. I have been made aware, sir, of a number of examples where this would be the case, because these proposals have come so late in the day and, ideally, should have been considered much soon and indeed bought by the department who are mandated to do so.

2855 So, I believe I have proved, time after time, that I am well aware of the need to be prudent, sir, to be cost conscious, to consider the impact of proceedings on our community and I realise I am not alone in that in this Assembly. So, if push comes to shove, if nothing else, I would urge Members to at least vote for Proposition 4, if it is not amended, sir – I think it becomes Proposition 3 if it is amended – but Proposition 4, so that there is no repeat of this scenario in the future. I think it is Deputy Bebb and Deputy Stewart who have said that these arrangements should have been put in place much sooner, but there is a get-out clause, for them, sir. If they vote for Proposition 4 as it is, at the moment, unamended, there will be arrangements put in place in the future with plenty of warning for everybody.

2865 Sir, I have heard the comment a few times now from colleagues inside this Chamber and from members of the public outside this Chamber, 'No, 9th May is the day. That is it.' Sir, to be so dogmatic, so inflexible, so ungenerous of spirit, that actually flies in the face of what liberty, freedom and choice are all about. So, if something of similar significance happened in Spain or Brazil or Mexico, it will be the subject of a three-day or a week-long fiesta or festival.

2870 **A Member:** That is why they are all broke.

Deputy Laurie Queripel: No, they are not, actually. Actually, sir, I have done my homework and Mexico's economy has grown by 1.8% in the last year and their productivity has gone up by 3%. And Brazil's economy –

2875 I will give way to Deputy Fallaize.

Deputy Fallaize: Deputy Queripel, could he clarify that during that same period, what has happened to the GDP of Guernsey?

2880 **Deputy Laurie Queripel:** I could not, actually, sir, but I am sure Deputy Fallaize could.

Deputy Fallaize: Perhaps they could help us.

2885 **Deputy Laurie Queripel:** And Brazil's economy, sir, has also grown in the last year. So, actually, it is Spain that is bit of a basket case, sir, they celebrate fiestas and festivals, so Deputy Stewart has got one out of three. Mexico and Brazil's economies have grown over the last year, even though they have fiestas and festivals.

Sorry, I am giving way to Deputy Le Pelley, sir.

2890 **Deputy Le Pelley:** Through you, sir, would Deputy Queripel also like to explain what happens in America when 4th July comes up on a weekend and what happens in France when Bastille Day comes on a weekend?

2895 **Deputy Laurie Queripel:** I cannot, but, perhaps, Deputy Le Pelley can. I prepared myself on the Mexican economy, sir, and the Brazilian one, but that is about it, but anyway...

Because, I thought somebody would raise that issue, sir, I thought it might be Deputy Jones, but it was Deputy Stewart.

2900 Sir, I will pick up my train, sir, because you cannot put a price or quantify freedom, sir. If you cannot take a liberty with something like this, when can you? Other cultures, sir, seem to celebrate and value and accommodate these things far better than we do.

I am giving way to Deputy Lowe. It is my choice to do so, because I am free to do so.

2905 **Deputy Lowe:** I would just like to remind Deputy Laurie Queripel, we are not removing Liberation Day. It will still be celebrated, yet the speech you are making implies that actually we will not be celebrating Liberation Day at all. That will continue.

Deputy Laurie Queripel: Sir, I will cover that in a moment, that point that Deputy Lowe has made.

2910 Sir, in fact, when Deputy Jones was speaking, I was reminded of that line from *Oliver Twist*, 'You want more? You want more, boy?' I could actually see the mutton chop sideburns growing as he was speaking. Yes, sir, I do want more. I think it is reasonable to at least want appropriate arrangements put in place to cover times such as this. If we do nothing else, sir, let us make sure that we ensure that we do that for the future.

2915 Of course, sir, I cannot speak for other Members who signed the Requête, but I mention the term, 'period before' rather than Liberation Day. I did that for a reason, sir. Liberation Day, sir, is a momentous, profound and life changing and, perhaps, life-saving as it was, was a day at the end of a very long process, sir, years of darkness, desperation, oppression, hardship, deprivation, families being separated, hunger, particularly at the end of the Occupation. Sir, it is not only about celebrating, remembering the actual day of Liberation, but that our Island, our forebears, 2920 enduring, stood alone, survived in the face of all that and came out of that gruelling period, sir, spirit intact and then had the will, the determination to further endure the hard work and hardship that followed in the years of recovery. The Guernsey of today, sir, has been built on the back of what was put in place then. If that is not worth an extra day of celebration and remembrance now and again, that is a very sorry indictment of our society.

2925 In my case, sir, and I know that there will be many Members of this Assembly who can make similar claims, my parents were released from that yoke of oppression, sir, from years of forced military rule and Nazi Occupation. If we cannot make the exception for that, then we have missed the point. If we measure absolutely everything by material value, gain and loss, without exception, then we begin to diminish an occupation that was endured and a freedom that was obtained at a price, at a cost, that could never be measured, and then we begin to expedite superficiality and 2930 historical and cultural impoverishment.

Under German military rule, sir, there was no room for manoeuvre; there was no chance to be different. If you stepped out of line, you were punished and punished severely. All that was endured to allow us, to buy us, the right to make a choice now and again, to make an exception 2935 now and again. Are we naive enough to believe that the day after Liberation Day, everything went back to normal, that somebody said, 'Right, that's it. That's your lot. Let's get back into the old routine. Business as usual. Clock on, clock off'? No, sir, celebrations, extraordinary events and activities went on for days afterwards. That was the reality, sir, that was the spirit of the time. The spirit we must preserve, the spirit we must treasure. Things were not normal, sir, before Liberation 2940 Day and they were not normal afterwards. You cannot consign it, sir, put it into a neat little box and say, 'That's it. That's the limit. No more.' To do that, sir, is to grossly misunderstand the meaning, the significance of that day and the difficult and desperate years of that period.

2945 Yes, sir, I am prepared to be pragmatic. Perhaps, Members feel that on this occasion, it has been left too late to change things and I will accept that sir. If that is the case, sir, then it should at least ensure by voting for Proposition 4, as it is at the moment, that we are not faced with a scenario again. Let us at least, sir, in the future, ensure that Liberation Day and this incredible momentous period in Guernsey history is not subject to ordinary convention. It is a time in our history, sir, that is far too extraordinary for that. It is a cause for exception. It justifies exception and anything less will diminish it.

2950 Thank you, sir.

The Deputy Bailiff: Deputy O'Hara, to be followed by Deputy Conder.

2955 **Deputy O'Hara:** Thank you, sir. What a good, passionate speech by Deputy Queripel and I agree with him. I totally agree with him.

2960 Members, sir, can I initially thank Deputy Fallaize for contacting me to say that he was proposing to lay this Requête? When we spoke, I mentioned that I had been thinking of something similar and I mention this towards the end of this speech. Since then I have had the opportunity of speaking with many parties on the subject. I congratulate Deputy Fallaize for all the historic information in the Requête and I share all the descript that the Requête offers Liberation Day and its importance to the Island.

2965 The Culture & Leisure Department has rightly or wrongly received some criticism, asking why we have not brought this to people's attention, and I can understand the feelings on that matter. I would like to assure Members and the public that the Department has been organising this event for the last 15 months and has discussed the possibilities of creating a public holiday some nine months ago. Those discussions took place with the Douzaines and, at that time, they told us that they wished to celebrate Liberation Day on the day itself. We also took the opportunity in April of last year to have some discussions and correspondence with Commerce & Employment about the situation and they could see no reasons at all either why we should have a separate holiday.

2970 Clearly, there are some cost implications there, but the general feeling was that Liberation Day should be celebrated on the day that it fell and no public holiday was necessary.

2975 Having said that, it would be wrong for me not to say that since that day and certainly over the last four months, there had been a considerable amount of people who have contacted me and other Members in connection with this issue in that they felt a public holiday should be granted. In view of this, it was, indeed, my intention to bring a similar Requête to the States, but *after* Liberation Day, to implement full consultation over a period of 12 months after 2015, to establish the practicalities of creating this additional public holiday.

2980 Deputy Fallaize's Requête has superseded my intention and asked the question via various alternatives of how this could be achieved. You will see from the appendices within the Requête that consultations have been carried out and support for a public holiday is in the minority. It would wrong not to consider the financial aspects and the effects that the creation of a public holiday would have on States' expenditure and to commerce generally. Indeed, this was one of the main reasons that the Culture & Leisure Department rejected the idea.

2985 The other reasons for rejection were those provided by the Douzaines who, in the main, felt that celebration of Liberation Day, as I said before, should be on the day it actually falls. Nevertheless, I accept and have always accepted that, if we are to create a true legacy of Liberation Day for years to come, then creating a public holiday could not be bettered. It would ensure that Liberation Day is remembered by generations to come.

2990 You will see in the Requête, in paragraph 12, that the States approved the public holiday in 2010 and I said:

'It goes without saying that I strongly believe that we should give things back to this community of ours and this is a real opportunity to do so... may Liberation Day live forever.'

Well, I still feel this way. So, from a personal point of view I would welcome a public holiday.

2995 However, I am not sure, in view of the economic climate that the timing is best this year. It is for this reason that I will support Proposition 4 of the Requête which will allow for full consultation to take place with all interested parties and commerce after 2015. This will allow those parties to fully prepare and budget for next time Liberation Day falls on a weekend in 2020. I will not be supporting Propositions 1, 2, and 3 and none of the amendments, although I accept the other amendment has not been laid yet.

I will end by saying that I have been proudly involved with the organisation of Guernsey's National Day for the last 14 years. Arrangements are well in hand for this year's celebrations and I would like to take this opportunity of thanking all those involved and the sponsors for their contributions and efforts to ensure that Liberation Day 2015 will be enjoyed by all.

Whatever is decided today, Liberation Day must never be forgotten. It must continue to education our children, to let them know what Liberation Day means and how it secured freedom and peace for this Island.

I look forward to the debate.

The Deputy Bailiff: Deputy Conder, to be followed by Deputy Perrot.

Deputy Conder: Thank you, sir.

Mr Deputy Bailiff, fellow States' Members, the first part of my speech might be slightly light-hearted or flippant but I do speak on the amendment and the main debate on the Requête. I must confess, when I initially saw the Requête, I thought I would do some research and just as to what 2015 means in terms of this Island, and I will come to that in a minute.

Sir, I have to say that the first parts of the some of the contribution to this debate, I found a bit curmudgeonly. When I had a 'proper' job, I used to love bank holidays. They gave a long weekend with the family. They were different. They were a time to celebrate special occasions. Of course, the sun always shone and, seriously, when they marked a particular anniversary, they served to remind communities of their heritage and remind them of the important events.

Now, this Island will certainly have something very real and very special to celebrate on the weekend of 8th, 9th and 10th May this year and I think Deputy Fallaize and his colleague requérant are absolutely right to bring these dates together or try to bring these dates together in a special celebratory weekend, the reason for which I will explain in just a few moments. As I said, before I do so, perhaps slightly light-heartedly, I should point that 2015 is a very special year in many different ways and there are at least three other occasions which might justify additional bank holiday opportunities which we are missing.

States' Members will, I am sure, be aware that on 15th June 2015, it will be exactly 800 years since King John issued the Magna Carta, which forms the bedrock of many of our laws – well at least that part that is not French in origin. Despite his rather dubious reputation, we on this Island owe King John quite a lot, in terms of our independence, so there is one opportunity.

On 25th October this year, it will be precisely 600 years since the Battle of Agincourt when Henry V and English longbowmen – and I bet a few stout-hearted Guernseymen were there as well – comprehensively defeated the French under King Charles VI, following which Henry was recognised as regent and heir to the throne of France.

On 18th June this year it will be precisely 200 years since the Battle of Waterloo, in which a French army under Napoleon was defeated by an allied army led by the Duke of Wellington and, again I bet there were a few red coated Guernseymen there that day.

So, there you are: two or three other occasions where we could have bank holidays. Just imagine the great conversation openers such celebrations and holidays would give our Chief Minister next time he is in Normandy meeting with and signing agreements with our cousins over there. *(Laughter)* Agincourt and Waterloo, I am sure they would go down really well!

Now, perhaps on a slightly more serious note and coming more up to date, I am sure that no-one in this Assembly would need reminding that last Saturday was the 50th anniversary of the death of the greatest Briton to have ever lived, Sir Winston Churchill. **(Several Members:** Hear, hear.) Tomorrow marks the 50th anniversary of his funeral, a ceremony that I, and I am sure a number of colleagues of a certain age in this Assembly will remember watching awestruck on the television. Now, this Island owes a special debt to Sir Winston in terms of both his stand against the evils of fascism and the victory he helped to secure, which ultimately led to the Liberation of this Island.

3050 Which brings me neatly to the proposal contained within this Requête. As I said, the weekend
of 8th, 9th and 10th May in this year is quite unique and should, in my opinion, be marked in its
entirety, which is why I support the purpose of the Requête.

3055 Friday, 8th May will be the 70th anniversary of VE Day, the day that the war ended in the
Europe, but for us in Guernsey, it also marks the 70th anniversary of the famous speech by
Churchill in the Houses of Parliament in which he included the unique phrase, which has rung
down from the subsequent years and at which we are rightly proud and often quote, 'And
tomorrow our dear Channel Islands will be free.' The 9th May is, of course, Liberation Day, but
3060 10th May also holds significance in that it is the 75th anniversary of the day Sir Winston Churchill
became Prime Minister of the United Kingdom, succeeding Neville Chamberlain and taking
personal and singular responsibility for the direction of the war, which ultimately led to victory
and the liberation of these Islands.

3065 So, there you are, there ends the history lesson. Liberation weekend this year, 2015, is more
than simply recognising the day this Island was freed from Nazi tyranny, but happily and
coincidentally, over a weekend, it brings together a number of significant dates, all relevant to our
history, all worthy of recognition, all of them significant to the people of this Island and, in my
opinion, they should be marked in some way. We were, perhaps, dilatory in failing to spot how
3070 significant 2015 was, this particular weekend. Maybe our friends in Culture & Leisure Department
should have spotted the coincidence of these anniversaries on our behalf and brought them to
our attention, but any one of us, including me, could and perhaps should have mentioned it.

3075 This Requête gives us a chance to celebrate and recognise our freedom and those who
contributed so much to securing that freedom. In just the same way that early this week my dear
friend, Deputy Bebb, helped remind us of the horrors of war and fascism and I honour him for
that, perhaps this Requête will allow us to mark a very special succession of anniversaries. I hope
that you will reject the amendment and support all Propositions in the Requête.

Thank you, sir.

3075 **The Deputy Bailiff:** Deputy Perrot, to be followed by Deputy Trott.

Deputy Trott: I beg your pardon, I thought you were looking at me.

3080 **The Deputy Bailiff:** I was looking beyond you, at Deputy Perrot.

Deputy Perrot: I rather regret seconding this amendment. (*Laughter and interjections*) I give
my apologies to my colleague and friend, Deputy Kuttelwascher, but I had not realised that
people would get so excited by the whole thing. Nonetheless, I am staying loyal to him and I am
3085 going to continue to second it, but I would not wish people to think that I am trying somehow to
attack the tenor of what we celebrate on Liberation Day.

3090 Most people of my generation followed, immediately, the generation of those who were
liberated and, certainly, during my time as a practising advocate in the Guernsey Bar, it was an
opportunity on Liberation Day to celebrate with quiet dignity and in the spiritual way, our
celebration and, certainly, whilst my father was alive, I tried to make sure that I was here to go to
that service. But, I think that one can celebrate Liberation Day without all of the hoopla which we
have now. At least, that is my personal view.

3095 We are not all the same, I know that other people want to have a lot of, sort of, rannygazoo on
Liberation Day and, certainly, the event is organised by a very close friend of mine. She does it
absolutely brilliantly and this is no criticism of her. What she is doing is carrying out the
instructions of the States of Guernsey, but actually the whole character of Liberation Day was
hijacked in or about something like the early 1990's. Before then, it was actually a time of quiet
celebration. There was a fair and, rather like the excitable Deputy Stewart, I used to go to that fair,
but having said that, that was pretty well it. There was a service, but there was nothing more and
3100 there were not people on stilts and Deputies making fools of themselves in the Harbour in those

days and thereby demeaning this institution somewhat. We all do have different views about this, but I do rather regret the change in characteristic. But anyway, that is what we have, that is what the States have resolved.

3105 I seconded this amendment more in connection with the other holiday at the beginning of that week. I think that we have too many public holidays in May and I think, if we are going to have an extra holiday, we ought to have one later on in the year when we are rather bereft of time off, but I think two holidays in the same week are somewhat superfluous and certainly the holiday at the beginning of May has been hijacked. I am not sure that I quite go along with Deputy Jones' remarks that it is a pure communist holiday. It started in the UK, not as a holiday at all – one
3110 thought of undergraduates falling off Magdalen Bridge and young ladies, rather flimsily clad, walking home in the early morning after a somewhat heavy night. That, then, was converted in or about 1978, I think. I am not sure that it was an entirely European concept. The UK adopted this as a spring holiday, as an early spring holiday, and I think they did it because they knew that in other countries in Europe they celebrated International Workers' Day or some ghastly thing like that. So,
3115 Guernsey then followed suit later on, but it is a recent invention. It is not something of traditional history in Guernsey and what I am saying, I think, is let us not have in May and that gives us an opportunity to have another holiday later on in the year.

I have to say, I think Deputy Le Clerc came up with a very good point which I had not considered before and that is that this does follow the General Election in the United Kingdom
3120 and I think that that, actually, is something to be considered so far as the working of the finance industry is concerned. Having said that, I am not totally convinced that we are going to cause chaos if Guernsey happens to have a working day on 1st Monday in May and other countries in Europe have a public holiday on that day. After all, other countries in Europe have more saints' days than you can shake a long stick at and that is not confined just to Portugal, Spain, Greece
3125 and those countries, but many of the northern periphery countries as well, but we still seem to be able to trade quite happily with their financial institutions, even if we are active on a particular day when they are inactive.

So, there we are. I am supporting Deputy Kuttelwascher here. I do ask him to give some consideration. This is just an opportunity of, perhaps, shifting one holiday to another time and,
3130 perhaps, it would be more appreciated.

The Deputy Bailiff: Deputy Trott.

Deputy Trott: Thank you, very much, sir.

3135 Sir, I confess to having found this debate thoroughly fascinating. There is a paragraph in the Requête that deals with 1st May rather well and I will read it to Members, if I may. It states that:

'... while undoubtedly much appreciated as an opportunity for additional rest and recuperation, there is nothing especially significant about the public holiday on the first Monday in May, excepting, of course, that it is the date of several famous Guernsey Muratti victories' –

and I am very grateful to my friend, Deputy Fallaize for reminding us, sir, that those victories in the 1980's, 1990's and noughties include some famous wins at home. In 1985, we beat them 4-3; in 1991, 3-0; in 1997 2-1; and in 2001, 4-1. Now those all happened on 1st May, sir, and, as far as I
3140 am concerned, it makes no difference which day we give our cousins in Jersey a good old thrashing, (*Laughter*) although I have to say, I would prefer this to take place during the first week of May in order to give us the opportunity to celebrate these victories thoroughly on 9th May.

Thank you, sir.

3145 **The Deputy Bailiff:** Deputy Quin.

Deputy Quin: Thank you, sir.

Probably being the only one old enough to know anything about the actual day, though I could not claim to be in the Island on the 9th – I was in Biberach being entertained by the Germans. (*Laughter*) It has been suggested that Hitler kept me close so he could keep an eye on me, but I do not know if that was true. (*Laughter and applause*)

When we came back, in 1946 – the following year we came back, after we had come back from Biberach, I heard people talking about, and I heard Deputy Queripel talking about the joy. What was missed: there were two groups of people, those who went and those who stayed. At school, we were in groups and we often told off and bullied, because we had left the Island, when the others had stayed and faced. So, something has been forgotten – and I say it has been forgotten, it is not a criticism of you – but my mother, she would be spinning in her grave now, if she thought you were thinking of anything other than *the day* – the day being 9th May. You can have it on a Monday, Tuesday or whatever day Deputy Jones wants to call it, a Russian Day – 9th May is 9th May. I have made the same statement to Culture & Leisure and to Home Department when this has been raised there and, as I say, I am probably the only one old enough to have been there. Certainly the ladies are not nearly half the age.

So, I would be very keen for us to stay with what we have got, which is 9th May.

Thank you.

The Deputy Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

Sir, at the moment, I feel like tearing up the amendment and the Requête, but I suspect if I did that, I would find myself in front of a Code of Conduct panel, but there is only the privileged few in this Assembly seem to be able to get away with things like that.

The reason I say that I feel like tearing up the Requête is because it seems like an absolute nonsense to me to bring a Requête in late January that seeks to alter the dates of traditional public holidays that take place in early May of the same year. I appreciate that Deputy Fallaize and his fellow requérant – I am speaking on the amendment and in general debate, sir – I appreciate they have the best of intentions truly at heart, but it seems to me we have here a prime example, once again, of poor levels of communication. Members may groan, sir – they can groan as much as they like, because it would appear that someone else should have addressed this issue. So, the question I find myself asking is, how much communication actually took place between Deputy Fallaize and that someone else?

Just as an aside, sir, I took great comfort from the Chief Minister saying in his speech yesterday that we do have a communication problem within and from the States. It has taken two and a quarter years to get this stage and here we have another prime example of the lack of communication within the States. So, the question I ask is, when will these poor levels of communication be addressed to avoid us being in the sort of position we are in today?

This particular issue has caused a lot of unrest amongst Islanders. Many events have been already planned, especially for 4th May and I was told yesterday by a particular group of people, they have a major event planned for that day and, if we decide not to recognise 4th May as a holiday, then it will cause a great deal of financial hardship and stress.

Two questions I would like Deputy Kuttelwascher and Deputy Fallaize to answer, if we get to debate the Requête – but I focus on the benefits, if any, of voting in favour of these proposals. What exactly are the benefits? And who exactly will benefit from us supporting these proposals?

I look forward to the answers to those questions and I ask those questions, sir, because it has not been made clear in either speech and it has not been made clear in the Report itself. Who is going to benefit from fiddling around, changing dates at this late state? It seems to me –

Deputy Kuttelwascher: Point of order, sir.

The Deputy Bailiff: Point of order, Deputy Kuttelwascher.

3200 **Deputy Kuttelwascher:** Sir, Deputy Lester Queripel is misleading the Assembly. In my amendment, I am not proposing any change in dates this year and he seems to be presuming that I am.

The Deputy Bailiff: Deputy Kuttelwascher, he did say that he was also speaking in general debate, so he is trying to address both things.
3205 Deputy Lester Queripel to continue.

Deputy Lester Queripel: Thank you, sir. I do apologise to Deputy Kuttelwascher, he seems to think I mislead. I do apologise.

3210 It seems to me, sir, all that will happen, if we vote in favour of these proposals, is that chaos and disruption will ensue, but I fully accept that I may be wrong, wrong, wrong, because I know that Deputy Fallaize and Deputy Kuttelwascher always do their homework and their research. They consider all the angles and all the options and they never appear to make irresponsible or rash statements or decisions, but of course, sir, as we all know, appearances deceive. So, I really must
3215 look forward to replies to my questions.

Thank you, sir.

The Deputy Bailiff: Right, no-one else rising, I turn to Deputy Fallaize as the lead requérant to speak on the amendments, if he so wishes.

3220

Deputy Fallaize: Sir, I only wish to say that, number 2, the amendment encapsulates what is my main objective, which is to try to ensure that at least in future years, when 9th May falls on a weekend, that there is a public holiday declared on the nearest available weekday. But, a small question which Deputy Kuttelwascher might address or clarification when he sums up, I think it is
3225 the case that his amendment is proposing that in every year, with effect from 2016, the first Monday in May shall not be a public holiday and not that just that it will not be a public holiday in those years in which 9th falls on a weekend. I think that is right, but if he could just clarify that that would be helpful.

Thank you, sir.

3230

The Deputy Bailiff: Deputy Kuttelwascher, then, to reply to the debate on the amendment.

Deputy Kuttelwascher: Thank you, sir.

3235 If I could start with Deputy Fallaize, yes that is the intent, because the intent is to swap the cost of one public holiday and pass it over, as it were, to another one. So the whole idea behind this is being at no cost both to the public purse and to commerce of delivering what this amendment proposes.

3240 When Deputy Le Clerc said what she said, I thought, 'Oh, dear', because everything I said actually satisfied what she wanted. I am not proposing anything on 8th this year. I am not proposing any extra holidays this year. My amendment starts with 2016 and when I look at Deputy Jones, Gollop, Lowe, Stewart, Bebb, Lester Queripel, I do not think any of them quite heard what I said. I am not proposing to change that 9th May should be Liberation Day. I am quite clear about that.

3245 The real issue is this: do you want a public holiday associated with Liberation Day on a weekday, when it happens to fall over the weekend? It is as simple as that. Now some people said, 'We do not need a public holiday in addition to Liberation Day if it falls at the weekend'. I said, 'Fine, if you do not want it, then vote against it.' But the question is: do you or do not you want a public holiday on a weekend, as a bonus, if you like, to celebrate Liberation Day when it falls on the weekend? It is a simple as that.

3250 The reason why I am suggesting that 4th May be disposed with is that it pays for it, commercially, because you do not create any extra holidays and that, I would have thought, would have kept Commerce & Employment happy and others. Maybe not.

3255 The other thing is, Deputy Lester Queripel said, 'what are the benefits?' Well, there is only a benefit if you think it is good idea. This is a cost neutral proposal and if you would like a public holiday associated with Liberation Day, well you can have it. Now, if you do not want it, you do not have to have it, so just vote against it.

3260 But this is almost a rather selfish amendment. I need this amendment if I am going to support this Requête and the purpose of the Requête is, I think, at the end of the day, to create a public holiday on a week day associated with Liberation Day if it falls on the weekend. Now, it does not satisfy the requérants for this year and I think the problem with that is this late laying of the Requête and to try and change the dates this year, I think, would cause far too much angst and disruption for too many people, and that is why it is a compromise. It is far from perfect, but it is an option which I think is reasonable.

3265 But either way, it is not something that I actually was hoping to get involved in, but I do like the idea of a public holiday on a weekend associated with Liberation Day and these are the only circumstances under which I will be prepared to support it. So, I am not asking for a recorded vote and I ask Members to support it, because then the Requête may have a chance, if amended.

Thank you, sir.

3270 **The Deputy Bailiff:** Well, Members of the States, we move to the vote on the amendment proposed by Deputy Kuttelwascher, seconded by Deputy Perrot, which will have the effect of replacing the four Propositions on page 181 in the Billet with the three Propositions in the amendment. Those in favour; those against.

Members voted Contre.

3275 **The Deputy Bailiff:** I will declare that lost.
Deputy Gillson, are you intending to make your amendment?

Deputy Gillson: Yes, I am sir.

3280 **The Deputy Bailiff:** Members of the States, I am minded to put to you the Proposition that you continue, just to see whether you are minded to conclude the debate on this article. I am conscious that it has taken an hour for the last amendment to be debated and the next amendment might take that time, but a number of Members have spoken in general debate and, therefore, there is the possibility of concluding within the next 45 to 60 minutes. So, those in favour of continuing; those against.

Members voted Pour.

3285 **The Deputy Bailiff:** On that basis, I call Deputy Gillson to move his amendment.

Amendment:

To insert the following proposition between Propositions 2 and 3:

'2A. That the opening of shops for the serving of customers on 9th May in every year shall, from such time as the necessary legislation can be brought into force, be subject to the same restrictions and requirements as are from time to time applicable to the opening of shops for the serving of customers on Sundays.'

Deputy Gillson: Thank you, sir. I shall be brief.

In laying this amendment, first I would like to thank Deputy Le Pelley for seconding and Deputy Fallaize for not objecting to my tagging it onto his Requête.

3290 The first point I would like to make is that this does not, in any way, affect the original Propositions of the Requête. This amendment adds a separate and new Proposition and in making this observation, I do acknowledge that it probably goes further than the original Propositions and so could be challenged under the Rules of Procedure. However, I do hope that Members do not challenge it and that Members do support the debate and ultimately support the amendment.

3295 This amendment seeks to do one thing. That is to keep Liberation Day special. Many Members have spoken already as to just how important Liberation Day is, how special it is, so I will not repeat that and everybody agrees, it is very special to commemorate and celebrate an important part of our history, our National Day and each year is absolutely right that we remember and we celebrate.

3300 Now, if we go back, if I remember back about a decade, I remember that there would be no large shops open at all. They would all be closed. There would only be convenience shops that would open and I believe this was good. This showed retailers demonstrated respect and I commend them and I commend the shops which currently do not open on Liberation Day. However, a few a years ago, that started to change. It changed with a sporting goods shop that started to open on Liberation Day. Then a few years ago, a couple of larger out-of-town

3305 supermarkets and last year another supermarket opened on Liberation Day.

Now, these shops open on bank holidays and I have no problem with that. I just have a problem with them opening on Liberation Day, because Liberation Day is special and I see this as being the thin end of the wedge of commercialisation on Liberation Day. It is only a few shops that are doing it, but I think that it is a shame for Liberation Day to become more commercial and

3310 we really need to ensure that Liberation Day stays special, especially as, as my good friend, Deputy Quin mentioned, there are fewer and fewer people who will have first-hand recollections of Liberation Day.

I do not like this creeping commercialisation and, as I said, I fully applaud the shops that do remain closed. I expect somebody will say, 'Well, it is not many shops. There are only a few shops

3315 that are opening, that would be affected by bringing Liberation Day under Sunday trading laws.' That is true and that is exactly why it is a good time to do it, because it will not affect... If we wait until lots and lots of shops open, then it becomes too late to do it and if you were to support this amendment...

I think we do need to act now, because, as I said, it is potentially the thin end of the wedge and

3320 I find it really disappointing in a way to feel the need to bring the amendment, because 10 years ago, you would not have needed to. Nobody would have thought about it, but there is a change, there is a creeping commercialisation and it is disappointing.

So, I think, sir, being brief, given the time, Liberation Day is an important day. It is very important in our culture. It is an important part of our heritage. It is not a normal bank holiday. I

3325 have got no idea what August bank holiday is to commemorate. I have got no idea, just the fact it is August, who knows? But Liberation Day is special. It is different and it should remain different and the fact that we do have limited retail on that day now, I think is good and I think that is what we should keep.

So if, like me, you think that we should not have creeping commercialisation, then please

3330 support this amendment.

The Deputy Bailiff: Deputy Le Pelley, do you formally second it?

Deputy Le Pelley: I do, indeed, sir and would like to reserve my right to speak.

3335

The Deputy Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

3340 Sir, I cannot support this amendment. I can understand the reasons why Deputy Gillson has brought it and I am pleased he has but again, it shows the situation that we have here in Guernsey where we are discriminating against certain retail establishments rather than the whole of the rest of Guernsey that are able to operate and open and trade on a bank holiday or indeed any day of the week, Sundays included. It is a nonsense of Sunday trading laws that we have in place. You can buy a bunch of flowers and you can buy a pot with a bunch of flowers in, but you cannot buy the pot on its own. It is absolutely barking and the sooner we address it the better.

3345 That said, we are talking about Liberation Day here. There are celebrations that take place through the day. There is the parade during the morning and then the celebrations in the afternoon all held in town, or most of them held in town. Some of the parishes have other celebrations, but out of the 62,000 population, you can probably say there are 20,000 out there who are celebrating. The rest celebrate in other ways to suit themselves. They do not necessarily want to go along the front. They want to do other things and that is right, whether that be sport, whether it is to be with family or cliff walks or whatever, that is their choice and this, to me, is all about choice.

3355 Liberation Day should be about choice. It is exactly what it says on the tin, as Deputy Jones always likes to use. It is liberation. We have been liberated. It is not for us to actually say, one particular sector – in this case, retail – cannot open, because they happen to be a bigger shop than the rest. That is discriminating against retail shops and I just think it should be left to the individual. I hear what he said, creeping commercialisation, but you have to look at it the other way, how many times do we hear about shops closing, because they are trying to compete with the internet and they cannot manage to compete with the internet and yet we are trying to close them down, saying, 'Okay. The internet is there and it is 24 hours, but you cannot give people the choice as to whether they want to go shop or not on Liberation Day, because it is Liberation Day.' I say it is actually a day of freedom and for that reason I cannot support this and the sooner we address the Sunday trading laws and they get fair to everyone, whether it is a builder, whether it is finance businesses or whoever who want to work are able to work to ensure that this Island has a good economy and money coming in for those who chose to operate.

3365 **The Deputy Bailiff:** Deputy Stewart, to be followed by Deputy Bebb.

3370 **Deputy Stewart:** Sir, I will be reasonably brief and we will not get into a big discussion about Sunday trading, but that will be coming to the States later this year.

3375 Members, I would just like to remind you that you did have an e-mail from the general manager of Waitrose, who did point out that there will be considerable food wastage, because of course Liberation Day this year is on a Saturday. We then will not be able to shop on a Friday, which will mean that you have only got Monday to Friday and if you are busy and you are at work, you are going to have some difficulties getting your shopping and actually my Liberation Day is, I might do a few little jobs first and then go to the bit of Liberation Day that I particularly enjoy, playing some Crown and Anchor or whatever.

3380 The other thing though that I would like to remind Members and you can check out the new Visit Guernsey mobile website which has just been launched as well to coincide with the TV ads, but we have joined up with Jersey to create the Heritage Festival and this will be running from April through into May and we are hoping to target a huge amount of tourists. Of course, notwithstanding that, we do have a huge amount of visitors who do like to join in our Liberation Day. So, if we apply these Sunday trading laws, we will of course, still have shops open, because those will have to apply, but they will have to apply for licences and extra costs to get those licences, more work for the Douzaines and, actually, to have as many shops and the greatest variety we can have there for all these visitors that we are trying to attract, they will expect to see the majority of our commercial business open. They may go and watch the cavalcade and then go into town and shop in all our stores there.

3390 So, I will not be voting for this amendment for those reasons, sir.

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

Deputy Bebb: Thank you, Monsieur le Député Bailli.

3395 I am actually a supporter of the Sunday Trading Laws that we have. They are archaic, they are
bizarre, but quite frankly, we have far more archaic and far more bizarre laws that, I think, affect
people's lives a little bit more and I would rather deal with those first. But it causes my heart to
sink that Deputy Stewart was right in saying that apparently we will be debating Sunday trading
again, later this year. So, let us not dwell on that.

3400 However, I fully agree and I think it important to note that during the St Peter Port Douzaine
meeting regarding this – the St Peter Port is probably the parish that will be affected most by the
amendment, were it to pass – there was a unanimous decision that they would not support, they
were not of the view that this should be passed. It is quite true that St Peter Port, of course, will
trade and I think it is important that, as Deputy Lowe and Deputy Stewart have said, that those
3405 people who choose to trade have the choice to trade on that day. I know that most employers will
be paying their staff double pay on Liberation Day and, indeed for many people, that is a
welcomed opportunity and work that extra money. I feel that it is the decision of employers and
employees and I think that we should not legislate in this way, because surely it will require some
form of legislation and I do not think that it is therefore a good use of St James Chambers' time
either.

3410 Therefore, I would urge Members to reject this amendment.
Thank you.

The Deputy Bailiff: Deputy Hadley.

3415 **Deputy Hadley:** Like everybody else in this Assembly, I do believe that Liberation Day is a very
special day and should always be remembered as a special day. However, I do oppose this
amendment for all the reasons I would oppose Sunday trading restrictions and, indeed, as Deputy
Lowe said, it is ironic that on a day celebrating liberation and freedom, we want to curb the
freedom of people on this Island.

3420 **The Deputy Bailiff:** Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

3425 Sir, Liberation Day is a day for celebration and partying. You occasionally still see on a clip from
Pathé News of VE Day in London and everybody is partying. I have absolutely no idea why closing
some shops would make it more special. I really do not understand the connection. In fact, I think
it might make it more irritating for a lot of people. So, I cannot support the amendment.

The Deputy Bailiff: Deputy Le Pelley.

3430 **Deputy Le Pelley:** Thank you, sir.

I do not want to keep people waiting too, too long, but I think really we do need to specify
exactly what types of holidays we have got. I am talking in general as well as for this particular
amendment. We have the Christian, religious days as holidays and we also have bank holidays and
3435 those come into two very defined areas.

But, Liberation Day is something extra, extra special and I think Deputy Quin has pointed out
that he probably is, out of all us, the only person who has any direct experience of that. Many
more of us may have experience through what we have been told by our parents. For me, my
mother was in Jersey at the time. She was an English girl, but she was actually in Jersey and they
3440 very nearly suffered all the problems of being deported, as indeed you were, sir. My father was in
the RAF and did his bit away from the Island. Liberation Day to that generation probably means a
lot, lot more than it does to some of us, but it is a very, very, very special day.

Some 15,000 we were told managed to evacuate, against their wishes, in many, many cases, but they were forced to by a Nazi machine that was vast coming towards this Island. 10th May is known as *La chute de la France* – the fall of France – very, very rapid. The Germans came across France very quickly and there was very little time for anybody to do anything. Not much time for the British Government to try and defend or make any decisions about the defence of this Island and people in quite some good order, actually, given the time, managed to get away from the Island. Several hundred actually followed the call to go and fight for the country. Hundreds signed up and many of them, of course, did not come back, having given the ultimate sacrifice to try and defend our rights to freedom.

We also had, of course, several people... well, there were two batches of people taken. One group was deported in September 1942 and another in one in March 1943. Approximately 2,000 people actually were deported to Germany. Several others were actually rounded up, because of their passive resistance to the Occupation and they ended up in various camps in Germany and many of those did not come back. We also had three residents who were sent to concentration camps, because of their religion.

I am just trying to point out to you that this day means a lot of different things to different people and yes, we do need to celebrate and yes, we do need to enjoy ourselves. We do need to celebrate that freedom. Deputy Quin was probably too young to realise just exactly what kind of problems he was facing, but to face the lack of freedoms that we take for granted today was very, very serious at the time – no freedom of association, no freedom of speech, no freedom of movement, no freedom of doing anything at all without some sort of regimental control over everything that you wanted to do. That is why I am saying to you that Liberation Day is extra, extra special.

Now, the second part of my argument is this: that, for a number of years, we have had a slow creep of rather large commercial enterprises coming into the Island and changing our National Day and I call Liberation Day our National Day and it jolly well ought to be. I am proud to be a Guernseyman and I celebrate Liberation Day and I take it very, very seriously. The generation before us, there are not so many of them, but it means an awful lot to them and I find it quite annoying that people are over here from multinationals and nationals that are deciding that they are actually going to make a few bob on the day by opening up their stores or opening up their shops. They should be showing the respect to what those people went through for five years, nearly six in some cases, because, as Deputy Quin will tell you, he did not come back on 9th May. Those that were deported took a long time to come back to Guernsey. They were not back here on the 10th. Those people were away for a lot longer. People who were in prison took a long time to get back. People who were in the armed forces took a long time to get back. People who were evacuated took a long time to get back. In fact, I think, looking across the way, there is an Alderney Representative here who will tell you that Alderney did not get its people back until about 15th December. It was a long, long haul to actually get back and it made such massive changes to people's way of life.

I am asking you to support this amendment, because I think the idea, this creep, of our day being invaded by commercialisation by big, English, foreign conglomerates. I am sorry if you think I am targeting a particular country, but this is not the Guernsey way. They are not Guernsey companies. They are not really aware of exactly what Guernsey stands for and I think we should actually ask them to show a bit of respect and to close – and we are talking about businesses that are of a reasonable size. We are not talking about the small people. We are talking about big businesses and I would ask you, please, to support this amendment and actually ask them to respect our special day.

Thank you.

The Deputy Bailiff: Deputy Brehaut.

3495 **Deputy Brehaut:** Yikes, am I at a UKIP conference? Blow the English – coming over here, employing people, paying them and then going on to pay tax and insurance. What an outrage!

The Deputy Bailiff: Point of order, Deputy Le Pelley.

3500 **Deputy Le Pelley:** I am not a member of UKIP.

Deputy Brehaut: Maybe not, but you certainly qualify in my opinion.

3505 Can I say, sir, this is quite common. The further society moves away from an event, the more inclined they are to celebrate it. Now, Liberation Day was a very, very understated event. I think it was only the 40th anniversary where it became the event that it is today – we have a fair, whatever we have. Before then, it was an incidental, but very poignant day. Now, what we have with this sort of mass media society... The First World War was an awful event. However, the BBC and other organisations now define these days and we have, whether you like or not – And I make an observation, you put on a television set during that period and find somebody not wearing a poppy. You watch any media, you watch any programme, you watch any interview and I did an interview with Channel and was asked to wear a poppy and I refused. Why? Because people died in trenches to give me the freedom to make that choice and the irony seemed to be lost on them.

3510 I find it odd that people not directly connected or perhaps have a remote family connection are making a much stronger case for Liberation than the people who lived through it. It is a cliché – old soldiers from the First or Second World War very, very rarely refer to it, because it was a wretched experience. We cannot rewind the clock with regard to commercialism, but what you can do, perhaps, and this is a suggestion for Liberation Day: when we mark Armistice Day on the 11th of the 11th at the 11th hour, we sound a siren. Possibly on 9th May, we could start the day with a siren to convey that same sentiment – (*Interjections*) Sorry, I was not aware we did. I am sorry. Well, I am sorry about that. There may be other things people can do to give them that sense of occasion and remembrance and then people enjoy themselves.

3520 Thank you.

The Deputy Bailiff: Deputy O'Hara, is it a point of correction?

3525 **Deputy O'Hara:** Well, if I may just expand. You are quite right that there is a siren, but as far as remembrance is concerned, Liberation Day is divided distinctly into two sections. The morning is all about remembrance, church service, church parades, veterans, etc. So the first part of the day in the morning is devoted to remembrance and the second part is devoted to celebration.

3530 **The Deputy Bailiff:** We turn to Deputy Fallaize as the lead requérant to comment on the amendment if he wishes.

3535 **Deputy Fallaize:** No, sir, I think the amendment concerns something which is related to but separate from the main purposes of the Requête, so I have nothing to say.

The Deputy Bailiff: Well, I invite Deputy Gillson, as the proposer of the amendment to reply to the debate on it.

Deputy Gillson: Thank you, sir.

3540 I shall be brief. Deputy Lowe commented about freedom. Absolutely right, but with freedom comes responsibilities and those responsibilities are to respect traditions and respect and maybe put respect before profits.

3545 Deputy Stewart mentioned about one particular shop. Realistically, the law is not likely to change for this year, so their arguments about it being a Saturday and Sunday is irrelevant. It is more realistically going to be for future years, but even when it does happen, it is interesting that

the shop that was there before they took over managed to not open on Liberation Day and did not have a problem, really, and actually, when you look at the size of the shop, fresh food is just a small part of their business, so I feel that they were overstating it a little bit.

3550 The only other comment I would think to make was to Deputy Bebb. The reason why I suggested putting it onto Sunday trading law was to specifically reduce and minimise the amount of work St James' has, because the simplest way of this would be just to amend the definition of Sunday trading law to bring Liberation Day within that, so this could be done, because the law is there in place with minimum legislative changes.

I hope people will support it.

3555 Thank you, sir.

The Deputy Bailiff: Members of the States, we move to the vote on the amendment proposed by Deputy Gillson and seconded by Deputy Le Pelley to insert a new Proposition 2A into the four Propositions. Those in favour; those against.

Members voted Contre.

3560 **The Deputy Bailiff:** I declare the amendment lost.
So, if we move into general debate then. Deputy Bebb.

Deputy Bebb: Thank you.

3565 Very briefly, there was one thing in the last debate that concerned me slightly. Deputy Le Pelley was talking about the need to regulate and to formulate this, but I believe that it is the responsibility of Culture and Leisure Department to deal with all matters pertaining to Liberation Day. I think that what this Requête does highlight is there is, currently, no provision in place if Liberation Day falls on a Saturday or a Sunday, whereas I do not agree that there should be this displacement that happens as the Requête requests. I do think that the case could be made that if
3570 Liberation Day does fall on a Sunday then the following Monday should be a bank holiday. I think that that one is far less controversial.

But I think that the best place for those decisions and for those discussions, especially if there is to be any restrictive legislation concerning trading on Liberation Day.... As people note, I voted against the last one, but there may be a case for other restrictions to be in place, I am not sure.
3575 The best place, in my opinion for those discussions to happen is in committee and I would sincerely hope that the Culture & Leisure Department therefore go away from this debate and do firmly take this as something that they will need to look at. I look forward to a report from the Culture & Leisure Department so that we do formalise these things finally, so, that we do not put ourselves, nor future States in the position of trying to resolve the matter a few months ahead of
3580 the date. It is too late, in my opinion.

Members, as I have said, previously, I urge you to vote against the Requête.

Thank you.

3585 **The Deputy Bailiff:** Deputy Duquemin and then Deputy Gillson.

Deputy Duquemin: Thank you, sir.

I will start by saying that, yes, Liberation Day is our most important day ever and I did chuckle when Deputy Trott was talking about all the Muratti victories of the early 1990's, because I think it was a certain Tony Vance that scored most of the goals during that period and I do remember a
3590 tweet from him, which did say simply that 'On 9th May' – and it was 9th May – and he said, 'Our most important day ever.' So, despite all the Muratti victories, Liberation Day is the day.

Deputy Stewart and then I think Deputy Perrot indulged in stories of Liberation Day and I know it is late in the day, but I will take only a minute of your time to say that I think Deputy Perrot did make a very interesting observation between the different ways that Islanders do celebrate

3595 liberation. On the 50th anniversary, when there was, shall we say, a great deal of formality and
fireworks in St Peter Port and, indeed, the Liberation Monument was unveiled, I had the privilege –
and I say privilege because it was a huge privilege – to be with a fisherman and a flag in Cobo and
I went out with Herbie Nichols and watched as he put the flag on Grosse Rocque. I think it is
important that we do realise that there are many different ways that Islanders, often without
3600 ceremony, do celebrate the special day, but the special day is 9th May.

Deputy Bebb is correct that the Culture & Leisure Department is mandated to do things that
involve Liberation Day and we did have, as Deputy O'Hara, the Minister, mentioned a debate
many, many months ago as to whether or not there should be an extra day, a day in lieu, whatever
you want to call it, because Liberation Day fell at the weekend. As page 170 of the Billet or the
3605 Requête mentions, we said:

'... the Board is not convinced that the Requête justifies government imposing an unproductive day, which is not May
9th, on businesses operating in the Island or on departments providing public services.'

It mentioned, in the bottom line of that paragraph, the 'significant financial burden'.

At the time, I mentioned figures and I know that Deputy Stewart has mentioned the
contributions from the G4 and I think that, very much, he also mentioned the fact that 75% of our
business is carried out with our neighbours in the UK. But, also, I think it is important that what
3610 happens, when we go away from this debate is not only to talk to our colleagues and for Culture
& Leisure to perhaps lead that, but I think also – and it is perhaps a role for the Chief Minister –
that we need to liaise with our brothers down in Jersey, because I think Winston Churchill did say,
'our dear Channel Islands'. Perhaps it should be something that we do not just one Island, but we
do as the Channel Islands. So, I think that should be taken on board and it is important to have
3615 synergy with the UK. If we did not, I hope, by now, we would have had double summertime.

In terms of the financial burden and I think this more relates to a day – Let me tell you, if it
costs £50 million for Guernsey to have a holiday on 9th May, I would be all in favour of spending
that money, but in terms of what it costs to have holiday on day that is not 9th May, my figures
are thus.

In terms of the States of Guernsey, the 2015 budget that we have approved, the pay costs for
the Government employees, the public sector employees is £203,398,000 – I once did a speech
that included lots of figures and it went terribly, but I am going to give it another go, so if you
bear with me – that does not include GE, the staff at Guernsey Post, etc. But, if we look at there
being 365 days in the year, there being 104 weekends, there being eight bank holidays and there
3625 being, perhaps, a holiday allocation of 25 days, that leaves 228 working days. Divide the
£203,298,000 by 228. That means every working day of a Government employee is costing us
£890,000. That is simple maths.

If we then realise that there are employed in the Island 31,500 and we assume that the average
cost in the public sector is roughly the cost of the average salary across the Island and we do
3630 some simple maths, we come up with a figure of £5,097,272.73. Now, I am probably someone on
the fiscal side of life. Having said that, 9th May, if it cost £50 million every year, it is the most
important day in our history and I was privileged to sit here. Deputy Quin is not one to often
grace us with a speech in this Assembly but when he does I think he was able to explain, more
than anyone, the significance and I applaud him for that. But the fact is that when it is not 9th
3635 May, it does have a significant financial burden and for that reason, I think that we need to leave
it.

We did discuss it in Culture & Leisure way back when we reached the verdict that we did and I
think it was the right verdict. I think it was actually quite responsible of Culture & Leisure to think
about the economics of the situation as well. So, for that reason, I will be unable to support the
Propositions that are unamended but that includes Proposition 4.
3640

Thank you, sir.

The Deputy Bailiff: Deputy Gillson, I was going to call next and Deputy Le Tocq.

Deputy Gillson: Thank you, sir.

3645 I will not be supporting any of the Propositions in the Requête for two reasons. One, I think 9th May is 9th May. That is the day it is celebrated, that is Liberation Day.

3650 But also for another reason – that the Requête mentions in 2010, which was the 65th, we did have an extra day on Monday, because it fell on the Sunday. The reason we had that was it was bought to the States by Commerce & Employment, of which myself and Deputy Sillars were members. We brought it to the States because we heard a lot of people were saying that it was coming up, it was a big event and they wanted to have more than just one day to celebrate it, but they wanted to the celebrate the weekend and events would be put on the Monday and it would make a wonderful great weekend celebration for the 65th.

3655 We came to the States in September, it was approved – 10th May, Monday, was a bank holiday and virtually nothing happened on that day. It was just another bank holiday. I do not think any events were organised. Certainly, I do not know of any Douzaine events that were organised and they all had at least nine months to plan. So, I do not think people will celebrate 9th May on an extra bank holiday. It will be 9th May as the Liberation Day. That is the day you celebrate. It is just another day off and, quite frankly, we have got enough days off in the May. I do not see the need for that. If it falls on the weekend, it falls on the weekend.

3660 Thank you.

The Deputy Bailiff: Deputy Le Lièvre.

3665 **Deputy Le Lièvre:** Thank you, sir.

My mother celebrated her 26th birthday on the day that the Germans landed and she was just shy of 31 when the Island was liberated and when she died in October of last year, she was the last direct living link for our family with Liberation Day. Obviously, I remember her tales very clearly, as do her grandchildren, but that is where the family living link with the Liberation ends.

3670 My grandchildren will have no memory of her and will not be able to speak to her. The link between the living and the dead of that generation has been broken for all time. From that time on, history will be passed on via word of mouth, the written word and electronic communications and, as such, and I really do think this is the case, the meaning of Liberation Day, the personal touch and all that goes with it, will slowly fade, if we are not very careful. Today, for the second time, I was not really intending to speak even though I am a signatory in the Requête. I think some of the letters collected by Commerce & Employment indicate the gradual devaluation of Liberation Day, quite clearly – they do to me, in any event, and they certainly would have done to my mother.

3680 Deputy Gillson's amendment was driven by the desire to ensure that Liberation Day was very special. Having a day to celebrate is important and I appreciate, as pointed out by Deputy Perrot, that the manner in which people celebrate is up to them, either by quiet contemplation or, indeed, by having a good time, whatever that entails. The important point is that the memory of Liberation Day is maintained by a constant public holiday which will be one of the mechanisms to ensure that the memories of Liberation Day remain special, that the memories of Liberation Day remain unfettered by commercialisation or, indeed, the trading demands of our financial institutions and I would urge you, if you do not support Propositions 1, 2 and 3, to support Proposition 4, because it is vital for our children, for our grandchildren and their grandchildren to remember what many people in this Island went through. As I have said, I will just ask you to vote for Proposition 4.

3690

The Deputy Bailiff: With nobody else standing, I am going to go into the wind up part of the debate on the Requête, which means we now go in reverse order. Where Ministers have already left, I will turn to Deputy Ministers, where the Deputy Minister has also left, I will be turning to the senior ordinary Member of the Department, Deputy Gollop.

3695 So, Deputy Stewart, do you wish to exercise your entitlement to say anything on behalf of the Commerce and Employment Department at the end of the debate?

Deputy Stewart: No, sir.

3700 **The Deputy Bailiff:** Deputy Gollop, on behalf of the Social Security Department?

Deputy Gollop: No, sir.

The Deputy Bailiff: Thank you. Deputy Ogier, on behalf of the Public Services Department?

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Deputy Ogier: Nothing further to add, sir. Thank you.

The Deputy Bailiff: Deputy David Jones on behalf of the Housing Department?

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Deputy David Jones: No, sir.

The Deputy Bailiff: Deputy Gillson, on behalf of the Home Department?

Deputy Gillson: Nothing to add, sir.

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The Deputy Bailiff: Deputy Burford, on behalf of the Environment Department?

Deputy Burford: Nothing to add, sir.

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The Deputy Bailiff: Deputy Le Lièvre, on behalf of the Education Department?

Deputy Le Lièvre: Nothing to add, sir

The Deputy Bailiff: Deputy O'Hara, on behalf of the Culture and Leisure Department?

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Deputy O'Hara: Nothing to add, sir.

The Deputy Bailiff: Deputy Kuttelwascher, on behalf of the Treasury and Resources Department?

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Deputy Kuttelwascher: Nothing to add, sir.

The Deputy Bailiff: And, finally, the Chief Minister, Deputy Le Tocq, on behalf of the Policy Council?

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The Chief Minister (Deputy Le Tocq): Sir, how do we vote in a few moments? Let us not accept any impugning of our resolve to make and to celebrate Liberation Day. My parents lived through those five years and, if the Assembly will indulge me for a moment, my parents got married in 1938 and on Liberation Day, I believe my mother was actually in the then country hospital, because she had given birth to a stillborn child. So, many people have different memories of that particular day, but we celebrate because the Allied Forces brought to an end five years of trial and turmoil for many members of our society. My dad's brother, my uncle, is still alive, he is 90, possibly listening to this – but, if he has any sense, possibly not – but I know that he himself has certainly strong views about how the proper way to celebrate and to commemorate that day should be undertaken.

3745

3750 We are not going to agree on that and as time moves on, after seven decades, for the next generation, we need to be creative and reinvent the way in which we remember. But remember we must and it is important that we find ways of communicating to future generation what this means for us, as an Island, because it is part of our identity and it should continue to be part of our identity forever, I believe.

3755 However, as such, my own view and I believe the views of the majority, if not all of the Ministers of Policy Council, really, in terms of adding another day or moving a day, that is actually quite a small thing compared to the first matter that I brought to our attention. I believe that we need to resolve in this Assembly that we will do our utmost to ensure that Liberate Day is celebrated appropriately and that the stories and the message of what it means for us are passed down to future generations, whether that is through the natural way and families, passing on from one to the other, whether that is through corporate community events, through education. We need to find and use all these means of doing so.

3760 So, whatever the vote today, I would want it not to be interpreted in any wrong way.
Thank you, sir.

The Deputy Bailiff: Deputy Fallaize, as the mover of the Requête, to reply to the debate.

3765 **Deputy Fallaize:** Thank you, sir.

I remain committed to all the Propositions in the Requête, but I appreciate that most Members who have spoken believe that it is too late to change arrangements for 2015, so much of what I say in reply, which will not be a great deal in any event, will be focused on Proposition 4.

3770 Deputy Le Clerc said that a public holiday on a day other than 9th would inevitably devalue the 9th, as Liberation Day. Now, sir, I really do think is nonsense. When Christmas Day falls on a weekend, there is a day in lieu, a public holiday in lieu during the following week, but I do not think that people go around saying, 'Well, Christmas Day has been terribly devalued this year, because we have had the public holiday on a Monday, rather than Christmas Day, 25th being a weekday public holiday, like it normally is.' So, I really do not think that having a public holiday on a day other than 9th would devalue the 9th.

3775 The generation which lived through the events of the Evacuation, Occupation and Liberation, as has been pointed out by one or two other speakers, often did celebrate the Liberation on a day other than 9th. It is actually quite recent, it is more recent generations who have decided to stick to 9th, although not, of course, in 2010, which I will come back to.

3780 Now, on this very point, Deputy Jones... Many Members kept saying 'the 9th is the 9th'. Well, yes, obviously, 9th is the 9th and Liberation Day, the surrender was signed on 9th and I am not proposing changing that in any way, but Deputy Lowe implied that Guernsey somehow rejected celebrating these events on days other than the 9th. That is was some sort of judgment that people wanted to do it on 9th. Actually, I do not think it was anything to do with that at all. I think the reason that it tended to be celebrated on a Wednesday was because, traditionally there was a half day on Thursday and it was thought to be sensible to tie in the celebration on a Wednesday when there was a half day on the Thursday, but I do not think it had anything to do with Guernsey rejecting having celebrations other than on 9th.

3790 Deputy Stewart said that this should all have been dealt with 18 months ago. Well I tend to agree, as far as this year is concerned, but the States' Departments responsible did not announce their intentions until late in 2014. But, in respect of Proposition 4, this is not a proposal to... If you look at it, if you look at the dates involved, this is a proposal to deal with this issue five years in advance. So, that clearly fits the criteria of doing it 18 months or more before.

3795 Deputy Bebb alleged that there would be great confusion in the event that there was a public holiday on a day other than 9th. I must say, I do not remember the whole Island being terribly confused in 2010.

Deputy Lester Queripel said there would be chaos. I do not remember the Island being in chaos in 2010. Deputy Queripel may have been in chaos, but that may not been related to the decision of the States to change the public holiday.

What Deputy Duquemin did not say –

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Deputy Lester Queripel: Point of order, sir, if I may?

The Deputy Bailiff: Point of order from Deputy Lester Queripel.

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Deputy Lester Queripel: Deputy Fallaize is trying to discredit me, sir, because what I actually said was, yes there would be chaos, because it would cause financial hardship and stress for people who had already organised events, if we change the days and we do not recognise 4th May. That is exactly what I said.

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The Deputy Bailiff: Deputy Fallaize to continue.

Deputy Fallaize: I certainly was not trying to discredit Deputy Lester Queripel. I am sorry he took offence.

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The Deputy Bailiff: There was not a breach of the Rules, Deputy Fallaize, so it was not a valid point of order.

Deputy Fallaize: Thank you, sir.

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Now, what Deputy Duquemin did not say, when he went through his analysis of Civil Service pay costs, is that civil servants' contracts, as I understand it, are arranged in such a way that there is a day off in lieu when Liberation Day falls on a weekend. Now, that is what is provided for our own employees. In a sense, what I am suggesting, in Proposition 4, is that ought also to be provided for other people in the Island and I think there is an issue here of fairness for people across the community. We do arrange our own employees' contracts in such a way that they do not miss a public holiday on a weekday, when Liberation Day falls on a weekend.

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Now, why do the States do that? Well, clearly, the history of it is because of recognising the importance of having a public holiday on a week day and I do not see any reason why that ought not to be extended to other people in Guernsey. It would almost be hypercritical for us not to do that.

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I am grateful that Deputy O'Hara, as the Minister of Culture & Leisure which is the Department responsible for Liberation celebrations is saying that he will vote in favour of Proposition 4 and I would ask Members to place some weight on the Culture & Leisure's Minister's support of Proposition 4. Clearly, it would give his Department a clear steer to go away and consult in order to make the necessary arrangements, but in good time, which I accept cannot happen now in respect of 2015, but it can in subsequent years. Quite a number of Members have said to me, including some who have spent notes to me during this debate, saying that they would have had much more sympathy for the Requête had it been laid a year ago. Well, that is a fair point, but I come back to the timescale in Proposition 4, the next year in which Liberation Day will fall on a weekend after 2015 is 2020, so this clearly, in respect of Proposition 4, the Requête is being laid with plenty of notice.

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Now, in 2010, Liberation Day was still 9th May and yet there was a public holiday declared on the nearest available weekday and the importance of the Liberation and Liberation Day was not in any way diluted by what happened in 2010 and the States voted for that. Oddly, only two Members expressed any dissent at all, when the Commerce & Employment Department brought their proposals in 2009 to make the changes in 2010. The States was almost unanimously in support of declaring a public holiday on the nearest available weekday and I think the reasons that were set out for doing it in 2010 apply still today and even if we cannot do it for 2015, we

3850 should do it in future years. I do think that it is important that, for most people, obviously there
are some people who routinely are working in employment at weekends, but for many, many
people these days who are not, there is clearly a difference between an ordinary working day,
Monday to Friday and a weekend day on a Saturday or a Sunday and, if Liberation Day falls on a
Saturday or a Sunday, there is the possibility of it being regarded simply as just like any other
Saturday or Sunday; a person is off work. It is not as special, whereas, for people who are working
Monday to Friday, having the public holiday during the weekday emphasises the significance of
3855 the events of the Evacuation, the Occupation and the Liberation.

I am sorry to labour this point, but I do feel this particularly strongly for children, but we are all
adults having this debate. It is okay for us to say, well we know the importance of Liberation, but,
when you are a child, if you have a day off school. This cannot happen if it is a Saturday or
Sunday, because they are off anyway, but if they have a day off school, specifically to celebrate the
3860 events of the Liberation, then it provides an opportunity for the significance of those events to be
emphasised to future generations.

So, I understand, sir, Members' reservations about Propositions 1 to 3, but Proposition 4, it
does not suggest exactly how it should be done. It sends the Culture & Leisure Department away,
having established the principle that, in future, years, not this year, but in future years, when the
3865 9th falls on a weekend, there ought to be a public holiday declared on the nearest available
weekday. I would ask Members, sir, to vote in favour of Proposition 4 at least.

Thank you.

The Deputy Bailiff: Thank you Deputy Fallaize.

3870

Deputy Fallaize: Can I ask for a recorded vote on Proposition 4, please, sir.

The Deputy Bailiff: Deputy Lester Queripel, you are standing.

Deputy Lester Queripel: Sir, Deputy Fallaize did not answer either of my two questions. I
wonder if he could so, sir, please?

The Deputy Bailiff: Are you minded to answer the questions? You are not obliged to, Deputy
Fallaize.

3880

Deputy Fallaize: Well, I would be only too happy to do so, but I did not write them down, so if
the Deputy might just briefly remind me of them, I will.

Deputy Lester Queripel: Thank you, sir.

3885 Well, the first one was seeking to establish how much communication actually took place
between Deputy Fallaize and the someone else who should have addressed the issue.

Deputy Fallaize: Well, the answer to that, sir, I think was provided by Deputy O'Hara, because I
spoke to Deputy O'Hara before submitting the Requête and I have had exchanges with him. We
3890 have had a good exchange of views on this subject and, of course, Deputy O'Hara has confirmed
that he will be voting in favour of Proposition 4, so I do not regard this as a breakdown of
communication at all, sir – rather an example of joined-up working.

The Deputy Bailiff: Your second question, Deputy Lester Queripel.

3895

Deputy Lester Queripel: Well, Deputy Fallaize kind of answered it, but I would like some more
elaboration, because the second question was: what are the benefits of voting in favour of these
proposals and who will benefit?

3900 **The Deputy Bailiff:** Deputy Fallaize.

Deputy Fallaize: Well, sir, the very best way of me answering that would be to replay my opening speech and closing speech, but I do not think Members are going to want me to do that. It is set out quite extensively in the Requête and I have, particularly, in the end of my summing up
3905 speech, I have just explained the benefits which I think would accrue by voting, in particular for Proposition 4.

The Deputy Bailiff: Deputy Lowe.

3910 **Deputy Lowe:** Thank you, sir. Just a point of order.

I think Deputy Fallaize was being a little bit disingenuous about the youngsters because Education not only celebrates Liberation at the time for Education, but certainly they celebrate for a week now and go through the history at most schools across the Island. So, I think history is continued, very much so. In fact, more so, now, than what it ever was.

3915

The Deputy Bailiff: Members of the States, there are four Propositions. You will find them on page 181. There is a request for a recorded vote in respect of Proposition 4. I am going to put Proposition 1 to you separately first. All those in favour of Proposition 1; those against.

Members voted Contre

The Deputy Bailiff: I am going to declare that Proposition is lost.

3920 I am going to put Propositions 2 and 3 together; 3 being the direction for the preparation of legislation. Those in favour; those against.

Members voted Contre

The Deputy Bailiff: I am going to declare Propositions 2 and 3 lost.

And on Proposition 4, we will have a recorded vote, please, Deputy Greffier.

There was a recorded vote.

Lost – Pour 20, Contre 20, Ne vote pas 0, Absent 7

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

3925 **The Deputy Bailiff:** Members of the States, there voted *Pour*, 20; there voted *Contre*, 20, with seven Members absent. In accordance with the Revisions of the Reform Law, where there is an equality of votes, the Proposition is lost, so I declare Proposition 4 also lost.

Members of the States, that concludes the business for this month's meeting. Thank you all for sitting late. I thought it was important to get the decision out on something that was going to come up later this year.

3930 We will now close the meeting, Deputy Greffier.

The Assembly adjourned at 6.30 p.m.