



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 6th December 2017

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

Volume 5, No. 10

Present:

Mr Stuart Trought, President

Members

Mr Matthew Birmingham

Mr Mike Dean

Mr James Dent

Mr Louis Jean

Mr Graham McKinley

Mrs Norma Paris

Mr Steve Roberts

Mr Alex Snowdon

Mr Ian Tugby

The Greffier of the Court

Mr Jonathan Anderson

Business transacted

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States of Alderney

*The States met at 5.30 p.m. in the presence of
Lieutenant G T Workman RN (Rtd), a representative of
His Excellency Vice Admiral Sir Ian Corder KBE, CB,
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

The Greffier: Good evening, Mr President. If you are ready, I will proceed with the roll call.

The President: Before you take the roll this evening, I would just like to let you know that
5 Mr Barnes has sent his apologies. Please continue with the roll.

The Greffier: Thank you, sir. Nine Members present and a quorate proceeding.

The President: Thank you very much.

Convener's Report of the People's Meeting held on 29th November 2017

10 **The President:** In that case, Mr Roberts, as Convener, would you like to give us the
Convener's Report, please.

Mr Roberts: I certainly would, Mr President.
Item I, Voluntary Assisted Dying: comments on this item included –

15

The President: No, it is the Convener's Report – who was present, how many people.

Mr Roberts: I do beg your pardon. There were 38 public and there were four from the press.
Comments on this item included the following. In the UK the MP represents us, and who
20 would be responsible in the States? The Convenor clarified that this issue is in the early stages of
discussion in conjunction with Guernsey.

It was noted that one person every eight days travels to Dignitas to die.

It was also noted that the States have bigger issues to deal with at the current time and that
the Island is not big enough for this to be enforced. You cannot even be born here.

25 If a clinic is to be created here, then legislative changes would be required. This facility could
then be used by the wider community and UK residents.

It was noted that there is no current facility to transport the deceased from this Island.

The President: Thank you very much, Mr Roberts.

Billet d'État for Wednesday, 6th December 2017

I. Voluntary Assisted Dying – Item debated without resolution

Item I.

The States is asked:

To debate the subject of voluntary assisted dying using the attached framework; including consideration of:

a) a potential common approach to take with the States of Guernsey; and

b) potential steps to be taken to initiate a public debate on the matter.

30 **The President:** Mr Greffier, if you would introduce Item I, please.

The Greffier: Thank you, sir. Item I this evening is Voluntary Assisted Dying.

A letter has been received from Mr Dent in his capacity as the Chairman of the Policy and Finance Committee, and the States are asked to debate without a resolution the subject of
35 Voluntary Assisted Dying using the attached framework, including the consideration of a potential common approach to take with the States of Guernsey and potential steps to be taken to initiate a public debate on the matter.

40 **The President:** Thank you very much indeed.
Mr Dent, I believe you wish to introduce this.

Mr Dent: Mr President, colleagues, thank you.

Before I begin, I would like to say a few words about how this debate has come about. The first call for it was from someone with close connections to Alderney, Mr Doug Wilson; secondly,
45 on the encouragement of a number of persons in Guernsey, notably Gavin St Pier, whom I understand, should there be a perceived public support on both our Islands, might be keen to work with us; thirdly, the support of a number of my colleagues for both the concept and a public debate; fourthly, the view of P&F that this was a matter that should be talked about in an open forum and not talked about behind closed doors and that discussions here in the States of
50 Alderney could be a useful catalyst for further thinking; and lastly, because of my own personal views on how I might like to end my life, should I be in unbearable pain or should I have lost all quality of life, because I have seen others suffer needlessly.

There is deliberately no motion attached to this debate. The intention is simply to encourage a public discussion. The debate here will have succeeded if people start to open up with their
55 own views and write or talk to States Members indicating their thoughts.

We are not going to rush measures through; we are not *able* to rush measures through. In fact, this is one matter where there may be issues with the UK that we would have to sort out before we could do anything. But if Alderney and Guernsey can get a message out that yes, we would support some form of assisted dying, then I think it is a message that will be heard not
60 just on these Islands but much further away.

So, where to begin ... I suppose the first question is simply should assisted dying be legal, and to this I say unequivocally that I believe that it should. To me, the only real questions are under what circumstances. My starting point is therefore some basic principles. For example, would the following be appropriate: when death is inevitable suffering should not be – along with good
65 care, dying people deserve the right to control the timing and manner of their death; assisted dying should be controlled by the dying person only – there should be no right to allow anyone

else to end another's life; dying people should have the means to control their death safely and comfortably in their own home, if they wish; those healthcare professionals who may not wish to assist dying people to control their own death should not be required to do so. These are, in fact, the principles presently adopted by the charity Dignity in Dying. I repeat them because I believe they are a good starting point.

The charity Dignity in Dying usefully also suggests assistance to be limited to terminally ill and mentally competent adults, there should be a requirement from the dying person to end their own life and not to permit other persons to do it for them, there should be a waiting period to give the dying person time to reflect on their decision, there should be a requirement for an assessment by doctors and/or lawyers, and the dying person should be allowed to choose to die at home.

Clearly, we cannot have people being bumped off by their relatives or even encouraged by others to take the fateful step. But, taking a more practical stance, I think also that an assisted dying option must be something a person has decided they want long before may need to exercise the option. A person must have the right to exercise this option at the place and a time of their own choosing. Medical and legal sanction must be given to any assistance that is provided. Persons must have the right to change their mind at any time.

My parents have both made living wills. My mother is 89 and my father was 91 three days ago. They do not want their lives prolonged unnecessarily. If death is near, they do not want to be unnecessarily revived, particularly if that revival will result in pain. While my parents are not actually opting for assisted dying, they are opting for the unnecessary prolongation of their lives. I know this is different, but under current UK law this is the most they can ask for. I do not know whether they would want to exercise a wider option but I do know that they might like the choice. Maybe there are other fundamental principles we should be incorporating. If so, I would like to hear from my colleagues and the public.

Finally, are there any other safeguards we should be thinking about? Are there any other conditions that we might want to apply? For example, should the right be limited to Alderney and/or Bailiwick residents? I must confess I would not be too keen on people coming from far and wide to die here. We talk much about finding niche markets but I would not want this one. We have many already using the term 'Death Island', albeit in another context, and I would not want that context expanded. Would we want to apply this in Alderney, even if other British jurisdictions rejected it? This I say is something I would want. If Alderney had this light it might just be an additional reason, a good reason, for coming to live here.

So now I leave you with these thoughts. If enough people are prepared to voice support for this idea, maybe we can have a further debate next year. In the meantime, it might be appropriate to invite folks with a better knowledge of the options to seminars. If we work with Guernsey, this might not be too burdensome. It might also be sensible to look at how our existing laws deal with palliative care; and who knows, maybe then we can become a progressive voice in the wider world debate. And who knows, maybe we can lead the UK in progressive thinking with a radical new piece of legislation.

Finally, I understand Gavin St Pier plans to introduce a requête asking the Guernsey States to make an in-principle decision to move forward. This is, of course, a step further than we are taking today.

Thank you, colleagues.

The President: Thank you.

Mr Roberts, I believe you wish to second this.

Mr Roberts: Yes, I do, Mr President.

At the States meeting I quoted 82% support for this legislation. I was quoting this as an average world health view. Someone got confused and thought I meant Alderney; of course, I did not.

120 After Mr Dent's excellent speech on this delicate issue there is very little left for me to say. I hold this view entirely. He has described the forward way and he has described the way Guernsey are also thinking. He has described the laws and protection that will be mandatory for that individual and he has described his own personal view.

125 No motion for this, only debate, so it will be interesting to gauge the views of these 10 members of Alderney's population on just how they feel about assisted dying. There may be some issues with the churches too; I do not know, I suppose they will arise.

130 We have all lost people close to us, some in kinder circumstance and some not. People can get into dire straits physically, yet be of sound mind. People have, we have heard, made living wills now. So many of us have a view relating to our own loved ones to end their life as they would wish, and our own when the time comes. Some of us will suffer at the end of our lives, some will not. I am unable to comment on my own family for personal reasons – I would find it too stressful. This is a delicate and controversial issue but one we must not duck away from as it is an issue that will affect some of us that are here tonight.

135 We could also perhaps, within the Islands, lead the UK with this radical and progressive piece of legislation that is about choice. It will come; it is just when. It is an issue that is complicated, but it is an issue about compassion, about dignity and, most of all, personal choice at the end of our lives, not only for our loved ones but for us all.

I totally agree with Mr Dent and I would totally support the way forward. I myself would want that choice.

Thank you.

140

The President: Thank you, Mr Roberts.

Does any other Member wish to speak on Item I? Mr Jean.

Mr Jean: Thank you, sir.

145 I am not an insensitive man, nor am I against individual people and their views or families, but I feel that this proposal is inappropriate for a number of reasons and I hope we do not spend too much time on it – we have far more important things to do, not least improving the Island's transport links.

150 Do we really want more people to associate this Island with dying and death? We already have the inheritance of the German Occupation and controversy over how many slave workers may have died here. It would be a great slogan for Alderney: 'See Alderney and die'. Not a great slogan for the Island.

155 As was said at the People's Meeting, our elderly and infirm residents are especially vulnerable, either through feeling themselves to be a burden on their relatives who live on the mainland, some who can only get here with difficulty, or because they may be seen by their relatives to whom they are no longer as close as they were as being a burden or an obstacle to them realising an inheritance. A law permitting assisted dying would put pressure on people who, with the strong community support we have here, should be able to continue living contended lives.

160 That may be, but I have said enough. I hope I do not hear of this idea again. I think that you would be putting the medical profession and many people in a very difficult situation over this. I am an optimistic man, very optimistic, and I just feel that this is the wrong way to go. We have never, any of us in our lives, thought about when people should die. It is not our right to and I find it a very difficult subject – very difficult for the medical profession, very difficult for people who are deeply religious. Many people talk to me, although they might be elderly, of the value of every day and living every day and how much they value their lives and are grateful to be still with us, and I do not feel ... I just do not like this, not with my optimistic nature. It is not for me and I hope we do not hear of it again.

Thank you, sir.

170

The President: Thank you, Mr Jean.

Does any other Member wish to speak on Item I? I will take you first, please.

175 **Mr Snowdon:** Mr President, fellow colleagues, I do sort of echo Mr Jean's concerns to a certain degree, but I think where this is coming from is people who are in pain and suffering. It is not about speeding the process up; it is, unfortunately, when someone is coming to the end of their life and has got medical reasons or some sort of condition and a lot of pain and suffering. I think it might be a kinder way if that person feels that that is the only route that they can take and medically they are not going to get any better. I would probably strongly support this, just to
180 give some clarification on my view to Mr Dent.

Thank you.

The President: Thank you, Mr Snowdon.

Mr McKinley.

185

Mr McKinley: Thank you, sir.

Mr President, fellow colleagues, a very brief but personal story. My parents moved to Alderney in the mid-1960s. Both were very fit, both were very well. They loved living here. My father, as some of you may know, was a senior officer in the Royal Air Force and he had an
190 outstanding war record. He also, after the war, embarked on a number of surveys, mainly Arctic surveys, and became a member of the Royal Geographical Society, an honorary member. He was a very keen yachtsman and a very keen gardener and spread his light around this Island and got to know many people.

In the early 2000s, 2001, he fell ill, mainly due to a rugby injury he received when he was at
195 Trinity College, Dublin some many years before. He was moved to the Memorial Hospital, where he was looked after outstandingly well and they were brilliant in their care for him, but he gradually became worse and worse and was eventually confined to a wheelchair. He was unable to move, walk, although he was almost at right angles. He had to be fed, he had to be moved around, he had to be bathed and washed and he had to be taken to the loo by people at the
200 hospital; a very undignified and degrading way for a man to spend the last years of his life.

He begged us, his three sons and his wife, my mother, to try and get a doctor to reduce the medication. They were not prepared to do so. I quite understand why, because at that time it was not something that was considered very much. He spent two years in hospital; the last two years of his life were impossible. Remarkably, his brain was in top condition – unlike that of his
205 son at an early age, some might say. *(Laughter)* But after requesting assistance he actually died peacefully one night and all is well and fine.

I think that I truly support all that Mr Dent and others have said. I am afraid I do not support what Mr Jean has said. I recommend the way forward as recommended by this report.

Thank you, sir.

210

The President: Thank you, Mr McKinley.

Please.

Mrs Paris: Thank you, sir.

215 Mr President, fellow colleagues, death, and especially probably our own death, is a very difficult subject for anyone to talk about, but I think it is important that we do because, after all, none of us are going to get out of here alive in the end and it seems to me that it will only be a matter of time before action on this issue does pass into law. There is an increasing expectation in almost every area of life that people should have choice and it is inevitable that there is going
220 to be more and more pressure, I think, in this area. As medical skills progress and more and more people can be kept alive perhaps just to exist or to be in pain, or certainly with not very

much quality of life, there will be an increasing desire, I think, amongst people to be able to choose the manner and the timing of their death.

225 I do believe that given suitable protection and clear guidelines for both medical staff and relatives and loved ones, as well as for those wishing to pursue this course of action, I personally would be supportive of the necessary changes in the law at some point.

The President: Thank you, Mrs Paris.

230 Does any other Member wish to speak on Item I? Mr Tugby.

Mr Tugby: Personally, sir, I would not want to live if I was not fit or anything like that. In fact, I have told my wife that there is no way I want to be put in hospital if I needed to be fed or if I was suffering in any way. I have seen two of my sisters die suffering and it drags on. Years ago, there were not the drugs to keep you alive and you would have died much earlier, but now ...
235 alright, you might not be in pain but in my book there is no dignity in just lying there, having to be fed and you do not even know what is going on. That is why I think it should be up to the individual and if the individuals were to write it in their will as their wish if they got into that state, that they could be left to pass away peacefully without anybody being involved, basically, instead of having drugs administered purely to keep you alive a bit longer. That is why,
240 personally, I support this motion totally. It is up to the individual and I maintain they should be able to make that decision when they are in sound mind if what they feel is they do not want to get into a position where they are having to be totally fed and they cannot even walk.

That is all I can say on that, sir.

245 **The President:** Thank you, Mr Tugby.

Do either of the two remaining Members wish to speak on this? Mr Birmingham.

Mr Birmingham: Thank you.

250 Firstly, I want to say clearly that I support the principle of assisted dying and I am glad this important subject is being discussed. I believe that most people who have seen a close friend or family member die slowly and painfully will support it as well. In my own case, I watched my father die slowly and painfully from cancer and it is simply not a situation that I would wish to force upon anyone or should be forced upon anyone.

255 Of course, it is not simple, the points made in the paper show that and the solutions are not simple. That an incapacitated person could not control the manner of their death without the aid of another and that people defined as mentally incompetent would be forced into unnecessarily suffering while a mentally competent person would not are just two. But the first step has to be a wide-ranging public consultation and all these issues can then be fully considered and shared. And certainly with a shared health service with Guernsey and the
260 transferred services I think a common approach between the Islands is the sensible way forward.

The President: Thank you, Mr Birmingham.

265 Mr Dean, do you wish to speak on this?

Mr Dean: Mr President, fellow colleagues, I have listened to what my fellow colleagues have said. I must admit I am personally very torn. I was always brought up that life was sacred and helping to end life would be morally unacceptable. Assisted dying is possibly acceptable, assisted
270 suicide possibly unacceptable. What is the difference?

Terminally ill people are vulnerable members of society. Some might feel under psychological pressure to ease the burden on their families. Advances in medicine will mean that possibly we can cure diseases and disabilities that were once considered untreatable. A terminally ill patient may in the future have a bearable quality of life. A recent study of people who took their lives

275 with assisted suicide revealed that one in every six was suffering from depression. That should not be allowed to be a factor in a human's choice to die.

It then raises other issues. Alderney's demographics: is it too small for us to have a commercial operation here? When you speak to people in the community, as I have been doing this week, and you talk about is it acceptable for assisted death, a lot say yes it is; when you say would it be acceptable to do that on Alderney, some say certainly not.

280 So, personally, I really do not know and we have got a long way to go here. We have got a long way to go with our healthcare system, we have got a long way to go with the way we deal with people who have mental disabilities, physical disabilities. Like I said, life is sacred. Helping to end life, I believe, is morally unacceptable.

Thank you.

285

The President: Thank you, Mr Dean.

Mr Dent, do you wish to exercise your right to reply?

290 **Mr Dent:** Mr President, colleagues, the only thing I would like to say at this point is actually to thank you for being so open with your views on this subject. I really hope that we have stimulated a wider debate outside this Chamber and I hope we can take this thing forward at some later stage. I personally am not at all happy with the commercial aspects of it. I think my own view is that it should be something for Alderney and Bailiwick residents only and we should not be bringing people in – but that is just me.

295

Thank you.

The President: Thank you very much, Mr Dent.

There being no resolution to Item I, could we move to Item II, please, Mr Greffier.

II. Review of Governance consultation feedback – Item debated without resolution

Item II.

The States is asked:

To discuss the feedback from the Review of Governance consultation, following the structure set out in the attached report, in order that the Policy and Finance Committee can subsequently reflect on the States debate in agreeing next steps.

The Greffier: Thank you, sir.

300

Item II this evening is the Review of Governance consultation feedback. A letter has been received from Mr Dent, as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to debate without resolution the feedback from the Review of Governance consultation, following the structure as set out in the attached report, in order that the Policy and Finance Committee can subsequently reflect upon the States debate in agreeing the next steps.

305

The President: Thank you very much.

Mr Roberts, as Convener, were there any comments on this Item, please?

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Mr Roberts: Yes, sir, there were several.

Comments on this item included the following. It was noted that the initiative would be welcomed for the reform of Governance. The States Members were advised to re-read very

carefully the report by Andrew McDonald. Tinkering around the edges is not the way forward and trust needs to be re-established in the public and politicians – they need to work together.

315 It was noted that the reduction of P&F to five would be disastrous – more democratic for 10 members.

It was also noted one comment stated they only had confidence with a 10-man P&F after 50 years of watching the States' historical operation.

320 **The President:** Can you just tell me where that last piece came from in the notes?

Mr Roberts: That is what I heard.

The President: But is that the –

325

Mr Roberts: That was said.

The President: Is that the printed –

330

Mr Roberts: No.

The President: It is not. All right, thank you very much. If you just make that clear that you have added that.

335 **Mr Roberts:** I have added that because it was omitted from my paper –

The President: All right, thank you very much.

340 **Mr Roberts:** – and I felt that it was right that I should actually give that person's comment to the States.

The President: Yes, that is fine, okay, thank you.

Mr Roberts: Thank you.

345

The President: Thank you, Mr Roberts.
Mr Dent, I believe you wish to introduce this.

350 **Mr Dent:** Mr President, I am opening this debate with a degree of trepidation. The matters we will be talking about have proven hugely divisive, particularly amongst some of my colleagues, but we do need reform.

I have just come back from a Commonwealth Parliamentary Association course, mainly aimed at the induction of new Members of the Legislative Assembly in the Falkland Islands but useful to all of those who participated. In one session, each of the delegates was invited to explain their own legislative process, focusing on scrutiny and holding government to account. What could I say? We didn't do scrutiny. Or maybe I could have said we could not hold our Government to account because guess what: all 10 of us – well, actually, only nine of us now – were the Government.

360 So let me say it at the outset: if we are to have proper government, we need reform and we need it soon.

Many of you may remember that when this consultative paper came out, the *Journal* was kind enough to publish an alternative vision – mine, not the Committee's views. So before I come to the Committee's consultative document, let me repeat the views I expressed in my own article. It is my view that the suggestions in the consultation paper are inadequate and merely

365 tinkering. They are, however, a start. The rest of the world is moving to executive government in
one form or another and only some die-hard local governments and Guernsey – and Guernsey,
to be fair, is moving ... only these few are sticking with committee forms. Let me make an aside:
Guernsey, in my opinion, is not moving sufficiently rapidly and this is one of the reasons that
Jersey and not Guernsey is now the most dynamic jurisdiction in the Channel Islands.

370 The very first question I want to ask this evening is therefore: is our committee form of
government serving us well? We need to ask this question if only because the consultative
document was based on the assumption of the continuation of that system. In my view, our
committee form of government has at least four major flaws. It leads to very slow decision
making; in the case of P&F there is now basically a three-week cycle of debate – faster than it
375 was last year – and when issues have to be explored and extended over two, three or more of
these meetings the process seems unending. The Committees, particularly P&F, are forums for
politicking, and the restatement of previous positions takes up too much time, frequently more
time than do discussions of the practicalities of the issue or the way forward. The committee
system subverts the role of the States Assembly; much more should be debated in public and in
380 this Chamber. And the committee system prevents strong political leadership; we need strong
leadership, particularly when dealing with Guernsey, the UK and others, and this is surely a
pertinent observation today when we seem to have so many difficulties with our neighbours.
Some form of executive cabinet government focused on the implementation of policy would
solve these problems. We would have faster decision making, greater focus on delivering action,
385 better debate, scrutiny in the States and easier dealings with third parties.

Another issue not dealt with in the consultation paper is the role of our President. The
accepted wisdom is that we need a speaker/chair for our States Assembly and that he or she
should be apolitical, but does the present system of selecting our President best provide for
that?

390 Another issue not dealt with in the consultation paper is the role of the People's Meetings.
We have a strong tradition of allowing the public to express their opinions and encouraging
States Members to take these into account when debating in the States Chamber, and there is
also the opportunity to answer questions. It is really good that the public has this opportunity to
hold their elected representatives to account, but the present format of these meetings dates
395 back to simpler times. The issues we are dealing with now are more complex. We now have a
much better educated electorate and we now have much better communication tools. So do we
now need different rules or a different format for these meetings?

Let me now turn to the consultation paper itself. A key given and essential to the
consultation paper's recommendations is the continuation of the committee system.
400 Consequently, the motions are, on the one hand, ones which we might usefully be able to
implement on our own; on the other hand, they will, as I have just noted, bring about only
limited reform.

In the consultation paper, issue 1 was the lack of effective scrutiny, which led to the
recommendation for reducing P&F to five Members. This and the recommendations for issue 5,
405 the matter of the Alderney Representatives in the States of Guernsey, seem to me to have been
the sole reason that many in this Chamber have called for the whole document to be
abandoned. I will come to these two matters later, but before I do I want to invite you, my
colleagues, to tell us if you support the other recommendations.

Issue 2 concerns vision and strategy. I will remind you of what was said:

The States should agree a shared vision for the next five years together with a series of high level objectives.
These should be translated into a business plan with measurable outcomes which will provide the basis for the
States business agenda.

The business plan should be reaffirmed by the States every year and subject to a full review and debate every four
years, in the year following an election.

The Policy and Finance Committee agenda should be reviewed to focus on strategic priorities with delegation of
routine operational matters to the civil service.

410 It seems eminently sensible to me, and we will be following the practice of almost all other legislatures in the world.

Issue 3 concerns remuneration of States Members. The proposal was that there should be an external review of the remuneration for States Members. We need to attract younger people to stand for the States. Younger people are trying to hold down jobs and each year the workload of States Members, particularly the chairmen, gets heavier and heavier. Now, before anybody
415 thinks I am trying to feather my own nest, let me say that, should this be agreed to, I will not be accepting during my time in any office any greater remuneration than I am presently entitled to.

Issue 4 concerns political stability. The recommendations were that under current rules the polling day for general elections should be held as late as possible in the two-year cycle. Surely
420 this can only be a good thing. We do not want a hiatus in Government activity every two years between the election and the beginning of January.

It is also recommended that the Law be amended to align the dates of general elections closer to those for the States of Guernsey – another good thing, particularly if we want our Guernsey representatives to participate in the Guernsey committee system. Mr Jean, how many
425 Guernsey committees do you sit on? And do you not think it would be good if we could get a seat on, for example, the Committee for Economic Development?

The third recommendation was that consideration be given to holding elections once every four years instead of two, as at present. Let me say here that this is one recommendation I am less keen on. Having been a States Member for the best part of a year I do see value in our
430 overlapping system. We need the knowledge that the continuing Members bring with them.

The fourth proposal was that from 2018 committee chairs should be appointed for a term of two years to provide more stability and continuity. In regard to this, while I do believe that the chairs should serve longer, I cannot see the harm in their seeking re-election every year. I, for one, intend to stand for the chair of P&F next year and it will be up to my colleagues to decide
435 whether they want me back or not.

Issue 6 concerns openness and transparency. The recommendations were:

All external advisory reports to be made available to the public subject to review for commercial and/or personal sensitivities.

There should be greater clarity between formal meetings for States business and the valuable, but less formal, opportunities for engagement between States Members and the community.

Policy and Finance Committee should consider the costs and benefits of an information release commitment where requested by a member of the public.

Are these not laudable recommendations in everyone's interest?

Issue 6 concerns ethics and conduct. The proposals were that the Code of Conduct rules and procedures should be subject to a formal review every five years, with the first review in 2019,
440 and that the States Register of Gifts and Hospitality should be available online. Are these also not reasonable recommendations in everyone's interests?

I turn back to the more controversial recommendations. Issue 1 concerns lack of effective scrutiny. The recommendations were that with effect from 1st January 2018 the Policy and Finance Committee should be reduced to five Members with an open invitation for any other
445 States Member to attend as observer, unless matters were confidential. Okay, I supported this, I thought we should go for it, but I think I know now that I do not stand any chance of having it implemented and, as politics is the art of the possible, I believe I must give up for the time being. I only hope that, come the end of next year, a new intake of Members might be more ready for reform and maybe, just maybe, they might support even more radical reform and go for some
450 form of executive government. Mr President, colleagues, I am giving up only temporarily.

The second recommendation was that States meetings should be used to debate, challenge and scrutinise policy proposals and matters referred from the Policy and Finance Committee through effective use of established rules and procedures. Who could disagree with this, except perhaps those who had completed all the scrutiny they wanted to do during committee

455 meetings? Colleagues, have you not noticed that the most scrutiny in this Chamber is for
initiatives from GSC and BDCC? Could this be because not all of our Members sit on both
Committees?

A further recommendation under this head was that guidance and support on effective
scrutiny would be provided to new and continuing States Members. As we just debated in the
460 Falkland Islands the best way to deal with scrutiny, all I can say is that new Members should be
given much more guidance on how to provide scrutiny and next year I may be applying some of
the new techniques I have just learnt here myself.

I now turn my attention to issue 5, which is the Alderney representation in the States of
Guernsey. This, in my opinion, is the single most important proposal at stake. The
465 recommendations were as follows. Two representatives to be elected to represent the majority
view of the States of Alderney to the States of Guernsey on relevant issues, to be elected in
future as follows: one selected by plebiscite and approved by the States and one to be elected
by the States. The other recommendation was for at least one representative to the States of
Guernsey to attend the Policy and Finance Committee as a full Member, or observer if not
470 elected to the Committee.

Mr President, we now have the opportunity to make, every year in February, a report to the
States of Guernsey on issues important to Alderney. That statement should be agreed by
ourselves and not be the individual views of one Member. When issues are debated in Guernsey
we need to be able to ask questions relevant to that debate. When reports are tabled in
475 Guernsey we need to be able to ask other questions relevant to that report. We need flexibility
in regard to at least one of our number. There is also advantage in having continuous
representation from another Member, so I think this proposal is the ideal way forward.

Mr President, colleagues, I have spoken at length and for that I apologise. When you speak
now, please address each of the issues and let us know your position. The public need to know
480 your position. These are subjects that deserve more than a simple emotional outburst of 'It's not
fair!' They speak of how we will be able in the future to stand up to the rest of the world.

A large number of Islanders responded to the consultation document and on all issues the
majority of responses were in favour of the reforms recommended. If you were one of those
who wanted to chuck the whole of this document away, please explain now in a public forum
485 why you wanted to ditch the whole package.

Finally, let me return to the McDonald report and our longer-term needs. One year in as a
States Member I see it in a whole new light. The McDonald report provided a persuasive analysis
of the way Alderney is run and dispelled misconceptions about its status. It set out the case for
change in the way Alderney is governed and administered. It explained that reform is now
490 urgent, not least because so many earlier opportunities have been missed, and identified
aspects of the present system which are particularly in need of reform. It suggested principles to
guide the reforms. It defined and designed principles which might inform the reform of the Civil
Service. It proposed an order of play, a phasing for the modernisation of Alderney's Government
and administration and it called for Alderney to move swiftly to define its response to Brexit and
495 encouraged it to clarify its relationship with Guernsey.

So what do I suggest happens next? I want to re-stimulate the wider debate that somehow
seems to have been thwarted; and, more than that, I hope that these debates lead to early and
far-reaching reform. Alderney deserves nothing less. So perhaps we should be convening a
meeting of interested parties: States Members, members of the public, the Chamber of
500 Commerce, all those who think we cannot go on the way do; a workshop initially held over a
weekend to thrash out some options and a sensible way forward for proper reform.

Thank you, colleagues. Thank you, Mr President.

The President: Thank you, Mr Dent.

505 Mrs Paris, I believe you wish to second this.

Mrs Paris: I do, sir, thank you.

Mr President, colleagues, as Mr Dent has pointed out, the report that we had from Mr McDonald gave us many pointers towards the areas of Government that we need to reform, and we, as the Governance Committee, have obviously looked at these in depth.

510 However, I think it needs emphasising that the UCL report made no suggestions as to what these reforms should consist of. It merely became clear that a bill of some £300,000 would be forthcoming to help us to find the answers to the questions they had posed. As was raised at the People's Meeting, the first tricky question is could we afford not to do it, could we afford to do it.

515 I do recognise that there are limitations to trying to make these recommendations for change from an internal perspective, although on the positive side one does at least have first-hand experience of the difficulties and the logjams in the current system. On the negative side, there is the risk of not going far enough and still being unable to convince colleagues of the need for some changes.

520 We have huge challenges on how to foster confidence in elected Members through access to information and yet maintain the ability to have space to air our views, and this is especially important in such a small jurisdiction as ours where the proximity of the politicians to the electorate can create more personal, more intense and more emotionally charged debate.

525 I do not intend to go into the detail of these proposals; Mr Dent has covered the ground and the public's responses to the suggested changes in admirable detail. As he says, I believe the proposals are not radical enough, but I do think these reforms are worthy of serious consideration and they do have my support.

530 My only reservation is with regard to having a five-person P&F Committee. I abstained from voting when this came before the States several months ago as a requête. My view was that it should not be done in isolation from the rest of the reforms we were working on and I felt that we had not made enough progress as to how exactly scrutiny of P&F decisions would be carried out. In my mind, this second point still remains outstanding.

535 I am disappointed that there are no recommendations to help eliminate the age imbalance we have within States membership. It is well researched that organisations do best when they reflect the balance of the society from which they are drawn. Women and the younger generation do not have sufficient representation on the States.

540 Nevertheless, I hope my colleagues will see these reforms for what they are – a genuine attempt to streamline our decision making, make it more transparent and more accountable – and I am sure further refinements and improvements could be made as a result of a positive debate this evening. We need to show that we are open to ideas for change and improvement.

545 Also, I would like to say that, given the various events that we have had over the past few weeks, I think our relationship with Guernsey requires some scrutiny. Our close ties since 1948 should be characterised by a relationship of trust and understanding. Unfortunately, at the moment, it would seem that Guernsey do not really seem to understand us and that we, very sadly, have lost some trust in them. This is a situation which needs to be urgently fixed with genuine goodwill on both sides. As a Bailiwick, times are hard and we are all in this together.

Thank you.

The President: Thank you, Mrs Paris.

550 Does any Member wish to speak on Item II? Mr Dean.

Mr Dean: Mr President, fellow States Members, where do I begin? You raised quite a few issues, James, so I will deal with as many as I have just written down here.

555 There seems to be some public misconception. Four of us are being called dissenters for not wanting to bring this to the States now, so I shall deal with that straight off. A Governance Review Committee was formed, which I believe was chaired by the President. At no point when I was on P&F did I remember that they were not going to come back and report to the other

seven Members. The first we knew about it was when they had done their Governance Review and they sent it out in the post and we received it along with members of the public.

560 You say you had a vast response. I do not call 170 responses very vast. More people were interested in the parking issues on Victoria Street when we had over 500.

565 You talk about openness and transparency. I would have liked it to come back to P&F so we could all have discussed it and we could all have had input on it, and it could have been far better than it is now. So, for that, I am very disappointed. Certain Members seem to forget they are elected by the people for the people. When I have chaired previous committees, you are the chair of the committee. You do not make the decisions; it is a committee decision. Certain things that happen on P&F are not a committee decision. Sometimes I am not the only one. I feel we are not consulted. Decisions are made, we have emails come through and we are told what is going on. As far as I am concerned, that is not how a committee works, so drop it down to five
570 and it could be even worse than it is now.

You talk about public consultation. Yes, we should have had public consultation, not sending something out. We should have had some open forums, like we have done with BDCC. Let's take BDCC. I might be biased because I sit on that Committee, but it is the most open and transparent Committee there is. Maybe all the committee meetings should be like that. Certain Members of
575 us locked into that. That was something that Mr Birmingham wanted to do and he sold it to us at the first meeting. I must admit at the time I was a little bit concerned, but it runs really smoothly now and I would say it certainly is the best Committee of the States.

580 So P&F has got a lot of work to do. Cropping to five, I do not think that actually helps. We have major issues on the States and that is what the people want to see fixed. We have major issues with transport, sea and air. That is the most important thing. If you talk to people in the street, what do they want? They want that. They are not interested in how many people sit on P&F. They want the States to get on and deal with the big issues and tonight I feel some of the issues we are dealing with are a waste of time. We are discussing them with no resolution.

That is all I will say. Thank you.

585

The President: Thank you, Mr Dean.

Does any other Member wish to speak on Item II? Mr Jean.

Mr Jean: Thank you, sir.

590 I am, despite what is said about me, in favour of Government reform, but I am also opposed to efforts by special interest groups to try to railroad Members into a particular course of action. You will recall that the consultation document was sent out by the Governance Committee, as Mr Dean has quite rightly pointed out, without consultation with the Policy and Finance Committee. The views were those of only four Members plus the President, who chaired the
595 review panel.

I objected to the consultation taking place without first being put to the other seven Members. Along with Mr Roberts, Mr Dean and Mr Snowdon, I voted against this Item being included on this day. The Chamber of Commerce issued a letter to Members pointing out that at the last election all candidates said they were in favour of reform and stating that it was
600 disappointing that I and the other three dissented from this Item being brought forward at this time, the inference being that we were opposed to reform. No, we are opposed to the consultation going ahead without reference to *all* States Members. Let's be clear about that.

605 Then I came to the responses set out in the Billet and I suggest these are not entirely the spontaneous thoughts of members of the general public but they are a result of serious lobbying by the Chamber of Commerce, who published a summary of responses that they had received from Members and invited more prior to the conclusion of the exercise. I feel that the consultation was thus flawed and the responses influenced by the Chamber's activity. On their list of current issues on their website they put 'influencing States of Alderney on key issues that will drive economic and political reform'. That should not be to swamp the spontaneous

610 thoughts of residents who are not members of the Chamber, and some have indicated to me
that they can find no reference to their proposal or proposals submitted through the
consultation process. Let us, as soon as the current pressing issues have been dealt with, return
to this subject, taking into account the responses received but also, I hope, presenting to a
People's Meeting proposals to which the majority of States Members agree.

615 Now, to take a few other points, removing the hiatus of election every two years when half
the States feels the vulnerability of coming forward to face the electorate by having 10 Members
up for election at one time? Well, that just shows the level of inexperience. To me, that really
highlights part of it, because if you have an election for 10 people here and 20 people stand, it is
not going to happen. I argued back then, on our first reform – and I make these points to you
620 now because I was involved in the first reform that led to five out every two years to make up
the number ... every four years, sorry. One of the constant complaints about that from the public
is finding those last Members to vote for. That must surely show that if you have 10 out at once
you are literally running the gambit – let's say four States Members stand down and then there
is a contest for the other seven or so that are left – that you will not get enough candidates to
625 stand. The risk you are taking is enormous and it is why I supported back then, and I was very
clear about it, what our forefathers had put in place for us: a smaller election, a way of slicing
the cake up in a smaller way so that the electorate here could cope with it and the Island's
population could bring forward the candidates gradually. That does lead to a more stable
Government. I have constantly been in the predicament of looking amongst 10 or 11 candidates
630 standing for election for five seats and been in the situation where I am saying, 'I want to use my
maximum vote, I want to use all five votes and I am struggling, the last candidate or two I am
struggling for.' I am sure that many Members have faced the same predicament as well. I am
sure they have; they must have.

There was reference to committee posts in Guernsey. I am going to have to come out with
635 something now that I never really wanted to say. In 2016, in April, we were before the Guernsey
States and my colleague got up and said that we were far too busy with our affairs in Alderney to
be able to stand for a Guernsey committee. That was why ... He has since obtained a committee
position. I have to say that, Graham – Deputy McKinley – and I am sorry but that is what
happened. So that was the opportunity cancelled out in 2016. I was not about to air my dirty
640 linen in public. I was not likely to get up before the States and say that I disagreed with my
colleague. I had to accept it. There we are.

Now to the matter for me of the Guernsey Reps, because you are playing around a lot with
that. Well, you could look and you could say that there are only two of us, so one of us is
certainly going to lose our seat – you or me.

645

Mr McKinley: Sorry, you should be addressing this to the President.

The President: Yes, can we have just one person at a time, please, sir.

650 **Mr Jean:** Thank you.

There are only two Guernsey Reps. I have not prepared a huge speech tonight. I am going off
the cuff now because of some of the remarks that have been made. There are only two of us, so
one of us is going to lose our seat – you or me. The point about that is it directly disenfranchises
the public – that is the first thing – and it has obviously come from the four and possibly within
655 those four Members an element of dissatisfaction, because certainly one of those Members of
the four chairmen on that Governance Review Committee failed to get elected by the public. I
will say that straight out. So there we are: we are disenfranchising the public, taking one elected
Member to Guernsey back from them. A hard one in a 47% representation from this Island
which actually wanted to go further on this – they wanted total control over the election of their
660 Guernsey Reps. The Alderney States took the decision not to allow it. That is fine.

As for controlling – this has been raised as well, and this is not a very dangerous subject – the output of the Guernsey Rep, this has been raised time and time again. I have been here now for years and years in a past life and now back again, and this has been tried again and again: ‘Let’s control the Alderney Reps, let’s control their output, let’s make sure they only speak with an Alderney view.’ What do you think ...? To my mind, that is amazing! What do you think we go to Guernsey for? Any of you, what do you think we go there for? But we do have to have the freedom to move on our feet. We cannot be restricted, and if we are restricted we cannot move with the ebb and flow and the change of current with amendments, amazing speeches, words that move you, words that sway you – words that will take you in a direction, through persuasive debate, that you did not think you were going to go in when you arrived – and you have to have that freedom. I say to you now that is not acceptable and again shows the inexperience of a States and people only here with us a year talking about Government reform.

Now I go to the five-man P&F and I will compare that again to a disenfranchisement for the public. As I see it, that is how the public should look at it, because we have all got elected Members on P&F and it was a very fateful day when that decision was taken, a very fateful day. Part of me does not agree with it, but now it is there, and the public may look to their candidates, whom they support and they went out and voted for, and they may be saying to themselves, ‘I am glad that Member is on P&F, I am glad that all of the Members that I voted for are on P&F. It might be through Tourism, it might be through Aurigny, it might be through Building and Development. I am glad.’

We talk about Items on the Billet, we should go for Items on the Billet. Many times I have recommended that Items do not remain in P&F and get pushed forward onto the Billet. Sometimes I am successful, but not always. More people must speak up on the bigger subjects. More people must speak up, that is what I say. There are the quieter voices of those that are newer than I to politics. I do not want the rights of the people subsumed. I support openness and I am glad I see a lot more openness about this States. It is a strange thing that the States ... It is a dangerous thing to react to a situation because you do not like the secretiveness of Members, and then the States becomes more communicative, and then the States ebbs and flows and you get a much better level of communication with the public. That is not always the case. Is that going to be changed through Government reform? No, I do not think so.

I have spoken quite a bit. I am for Government reform. As far as I am concerned, the public should be fully involved and every single States Member that I work with. I am happier this year than last. I am happier with the people that I am working with – they are nice, some of them are very well intentioned and they care; I cannot say that ... The last four years have been difficult. To my mind, there is a better, more open bunch of people, not so intent on putting their own self-interest in here but interested in Alderney and its well-being, and I hear some genuine and some very nice statements in committee. This –

The President: Mr Jean, you have had very full rein. We are talking about Government reform, not the quality of the people you have been serving with. If you could just –

Mr Jean: Thank you for that.

The President: Go ahead.

Mr Jean: I will stop momentarily and I will apologise for that. I will take that point, I think you are quite right, but I am that I have made it; I think it is an important point to make. The States does change.

The President: Government reform.

Mr Jean: Yes, Government reform and largely how the States changes. And this goes for everyone – Presidents as well, as far as I am concerned. The way that responses and questionnaires and things are delivered out to the public, it is important to remember that everybody is not involved. Nobody can take an executive decision to mailshot the public without the rest of us. We are all involved, we all want to be involved and we all care about what we do.
Thank you, sir.

The President: Thank you, Mr Jean.
Does any other Member wish to speak on Item II? Mr McKinley.

Mr McKinley: Well, perhaps I had better now.
Mr President, fellow States Members, I am not quite sure what we are here to discuss at the moment because we seem to be going slightly off track, but as I understood it we are discussing whether or not we should be debating further the Government reform rather than going into the detail of the Government reform that at the moment is being debated. I do believe that we should be going forward and we should be considering Government reform in some ways.

I think one of the criticisms about the States ... There are a lot of criticisms about the States, but interestingly enough, few people out there actually stand for the States in the end, and interestingly also, a number of those who criticise the States are not even on the voting register, so a couple of points that I would make quite strongly to start with are that if you wish to criticise the States then perhaps you should stand for the States, and if you are not on the voting register perhaps you should be.

I also would agree entirely with several of the points that Mr Dent made, but particularly with regard to encouraging younger States Members. We do have on my left the youngest States Member, and I think I am the oldest States Member, so we need some of Mr Snowdon and Mr Dean's age, and in order to do that perhaps we should be encouraging and looking at perhaps a two-tier way of remuneration, in that those who are lucky enough to receive some sort of pension already or money from somewhere else need not necessarily receive a pay rise, but to encourage those who are otherwise required to work eight or 10 hours a day in private work, they should be perhaps given slightly better remuneration and encouraged to join the States. In that way we would have a younger level and a lot of new thinking perhaps.

I am not going to go into the business of a five-man P&F Committee. I think we can debate that... I think most States Members know where I stand on that, although actually I am beginning to wonder, having spoken to former States Members, whether it would be right to have only five. Those who have been on the States before, a number I have spoken to said that there should most definitely remain 10.

I think what is important, however it is decided, is that we on the States need to be far more open and far more transparent. Major debates should be held here and indeed a full debate on the review of Government reform should be held within the States sometime soon and decide the way ahead. But we should also perhaps consider, as we have done in the past, inviting a number of the public to sit in on our Committee meetings. I know they do sit on the BDCC Committee, but possibly also the other Committees, including the Policy and Finance Committee. I am not suggesting that they should have a say at that Committee, but they should be able to observe what is going on and what is said.

I think that perhaps we also ought to be rather more proactive and make rather more decisions, because we talk an awful lot but we do not make a lot of decisions, and perhaps that is changing. We also need to have slightly better public relations so that we let people know sooner and in more detail what we are trying to achieve.

I am not going to go into great detail about the Guernsey Reps, but I just want to correct a couple of things. First of all, I think the election of the Guernsey Reps, however it happens – I am not really concerned about how it should happen ... They are elected at the moment by a plebiscite – that is to say that we should be doing what the people are asking us to do. But surely

765 that is what all the States Members should be doing also, so we should be talking from the same book, really. Whether we are Guernsey Representatives representing the people or Guernsey Representatives representing the States, we are representing the same people, I hope.

770 With regard to what I am alleged to have said about committees, I really do not recall that and actually I would ask openly for some sort of *Hansard* report on that. I am actually on two committees in Guernsey at the moment and I am standing in for one other as well on an as-required basis. If one of us loses our seat through this new system of election, so be it. We are all up for re-election at some stage. If we stand again in three years' time and do not get elected, that is the way it is, I am afraid.

775 I am not going to say much more, other than to say that I think that our vision and strategy and business plan, which was again outlined by Mr Dent ... I think we need to be quite clear where we want to go, how we want to get there, we should be open and transparent and all of us should be representing the people rather than our own thoughts.

Thank you, sir.

The President: Thank you, Mr McKinley.

780 Does any other Member wish to speak on Item II? Mr Tugby.

785 **Mr Tugby:** Sir, certain things do need to change in the States, no doubt about that, but some things definitely do not need to change and one of them is only a five-man Policy and Finance. We have got some people saying, on the outside, 'Oh, you only need five on the Committee, that is much better to run it,' and this, that and the other. They have not even been to the States, they do not even know.

790 Government reform: if it is such a hot topic and everybody is interested and wanting it changed, why are there six press and four or five members of the public here tonight? How many of the Chamber of Commerce are here, who are stating what needs to be done, what has got to be done and everything else and criticised us? They are quite capable of standing for the States. How many Chamber of Commerce are on the States? I do not know ... is anybody here on the Chamber of Commerce? No. That is how interested they are. All very well criticising us on the outside, but come and stand to be a States Member if they want Government reform and do it their way.

795 At the present time, there is definitely room for improvement, no doubt about that. Maybe Mr Dent should be a bit more forceful as Chairman and keep it in a bit more order, and maybe some more States Members should come forward with ideas to discuss in Policy and Finance on ways of trying to make extra money for Alderney. We do not seem to have many ideas coming forward on how we can generate extra income. That is one of the problems. They are not coming from the Chair or anywhere else it seems and if an idea does come forward it is knocked on the head before it even gets debated – 'Oh, we can't do that,' finished, that is it. Let's have more debate on some things that go forward and just see if things are possible. The one Mr Jean brought up about the ferry in yesterday's meeting: 'Oh, we can't do that.' Why can't we? We have not even looked in great detail at it.

800 So there is definitely room for improvement but I think we need to thrash out what needs to be done in Policy and Finance first and then bring it back into here for some more debate, because you can bet your life we will not agree in Policy and Finance, so we can bring it back here and thrash it out again. When people keep criticising what is going on, this, that and the other in the States it is a very difficult job, because you are never going to satisfy everybody and some of the most vocal ones on the outside are not really interested; all they are wanting to do is cause trouble.

805 As regards 10 Members in and 10 out, well, this year, when we had four new Members in, it caused major problems at the start of the year because decisions were taken without them finding out the true facts before the decision was taken. So, if you had 10 in and 10 out ... As an example, if you had another FAB situation, you could have 10 new Members who had never

done any States work in their lives before, and that would be a total disaster because you have got to be in there to know how it all works. We have been unfortunate lately in that we have had so many chief executives. I hope the next one stays his full term and we can get some continuity on it, because that all needs to be sorted out, and just move forward and discuss all the projects. Anybody who wants to bring a project into the Policy and Finance, let them have their say and appoint a couple of people to look into it and see if it is viable in any way, and then maybe we will go forward.

I am not totally against everything in the Government reform, but there are some things which ... When you look what goes on in Guernsey, the UK and even Jersey, none of them are perfect. All right, we may not be perfect, but I know we damned well try very hard to do our best and that is what I believe we were voted in for.

That is all I have got to say, sir.

The President: Thank you, Mr Tugby.
Does anybody else wish to speak on Item II? Mr Roberts.

Mr Roberts: Well, those were long speeches, so mine is going to be a short speech. I believe in good governance, of course, but the take-up of only 170 returned forms really puts this in perspective and I believe it is an ambition by a few to improve things. We have little money, we have more pressing issues and I believe, from the pitiful response, the majority of the public actually think the same.

The old chestnut of a five-man Committee has never worked. Historically it has been proved. I cannot support this tonight for a couple of reasons. We cannot afford it: £300,000 for another set of reports – it is a fortune! Guernsey Reps should be chosen by the public, I have no doubt. A 10-Member election is wrong and could set Alderney back for years.

Thank you.

The President: Thank you, Mr Roberts.
Does any other Member wish to speak on this? Mr Birmingham.

Mr Birmingham: Thank you, Mr President, fellow Members. Well, I think my views on reform of the States to improve the Island's political system of government of the Island are well known. Anyone who listened to my requête speech on the reduction of Policy and Finance to five Members will know my position and, rather than repeating myself, I would direct anyone interested to review that speech in *Hansard*.

While a massive overhaul of the operation of the States might be recommended by some, and might even be preferable, we are stuck in the position of a person asking for directions and being told, 'Well, I wouldn't start from here.'

First, in my view, we have to make what we have work using the tools that we do have, and I am not sure that we have time for longwinded and expensive exercises in reform, redrawing the map, especially as there are many different models of government, all of which have different levels of support. This consultation asked a series of simple questions about actions that are achievable, many under the current Law. Those that replied supported every proposition.

As the only Member of the States who does not sit on Policy and Finance and will have no say in what that Committee chooses to do, I urge them to listen to the public. Many suggestions here are simple and straightforward and are basic principles of good governance. Some others will improve the operation and scrutiny regime of the States, some others do have issues – and Mr Jean's point made about the chopping and changing of the States and having 10 and having elections like that is a valid point. However, I would say on the other side that does not necessarily mean we still could not align our election better with the Guernsey cycle at the same time. So there are things that could be done there.

I would make a couple of observations, and for me it is very simple: it is all about scrutiny, and scrutiny should be done in this Chamber and not behind the closed doors of P&F. In my view, that simply cannot be done with a 10-man Policy and Finance Committee.

870 Some mention has been made of the level of response to the review document, but I will put another little fact out there. Currently you will all be aware that the BDCC is undertaking consultation on amendments to the Planning Law. We have had a very big response there – in excess of 300 responses – and some of the early replies to that actually raise significant points about concerns relating to the separation of the roles of States Members. In fact, heading
875 towards that 300 have that concern. My view is a simple one. If we need to get the scrutiny issue and separation of roles which the public have a concern about, I do not see how we can still do that with a 10-man Policy and Finance Committee. If somebody can come up with a suggestion of how that is possible and maintain the 10-man Policy and Finance Committee, then I will change my view.

880 I do not hold out any hope for these recommendations being adopted, but it is something we still have to discuss because my experience has been that I do not believe the current system works. I believe we have powers within our own law that we can improve what we do, and for me, as I have said, it is all about good scrutiny.

885 **The President:** Thank you, Mr Birmingham.
Mr Snowdon, do you wish to speak?

Mr Snowdon: Yes, please. Thank you.

890 Mr President, fellow colleagues, not to repeat what everyone has already said tonight, because I think it has been quite a good debate, but I think we need to think of a way forward to take this further.

I think everyone is in agreement that obviously different levels of agreement on how much ... issues there are with good governance and how we need to improve it, so I would like to say to
895 Mr Dent that we should have some sort of workshop with the public and try and get more public engagement and more input with the public, come back round the table again and then come up with a way forward. I think that would be the best way forward for the States to handle this.

Thank you.

900 **The President:** Thank you, Mr Snowdon.
Mr Dent, do you wish to exercise your right to reply?

Mr Dent: Mr President, colleagues, I wish to be brief this time.

I would like to thank Mr Snowdon for echoing what was a suggestion of mine at the end of my speech, because I do think it is a very sensible way forward.

905 I do not understand why some Members were so concerned about not having debated this in P&F. Far too much is debated behind closed doors. This is the forum for debating these matters, (**A Member:** Hear, hear.) and it has been, I think ... I am very pleased that people have actually expressed in public the views that they have expressed tonight, where either they have agreed with me or they have disagreed with me. This is the place we should be expressing those views.
910 It should not be behind P&F and there is no reason we should have had an earlier debate on a subject like this in P&F. This is the forum, not P&F.

915 Just one last point. Mr Tugby, on suggestions for making money, I hope you will read my report as Chairman of P&F. I think that we have made one or two suggestions about making money and finding new niche markets for Alderney, and I think that I have had some hand in it myself, but thank you very much.

The President: Thank you, Mr Dent.

**III. Mali (Restrictive Measures) (Alderney) Ordinance, 2017 –
Item approved**

Item III.

The States is asked to approve:

The Mali (Restrictive Measures) (Alderney) Ordinance, 2017.

The President: Mr Greffier, can we move to Item III, please.

920 **The Greffier:** Sir, Item III this evening is the Mali Sanctions.

A letter has been received from Mr Dent, as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to approve the Mali (Restrictive Measures) (Alderney) Ordinance, 2017.

925 **The President:** Thank you very much.

Mr Roberts, as Convener, were there any comments on this at the People's Meeting, please?

Mr Roberts: There were no comments on this Item, Mr President.

930 **The President:** And you do not wish to add anything, Mr Roberts?

Mr Roberts: No, not this time.

The President: Thank you very much.

935

Mr Roberts: If there had been a comment, I would have.

The President: Thank you.

Mr Dent, do you wish to propose this?

940

Mr Dent: Mr President, colleagues, yes, I shall be brief.

The request for this action has come via the EU and we do not have legislation that would allow us to implement EU measures automatically, so we had to bring this measure to the Chamber so that we can enact this special Ordinance under the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994.

945

The measures are aimed not at the government of Mali but at individuals who might undermine the current peace process. As you probably know, recently there was an ISIS-inspired rebellion there.

Mr President, colleagues, I commend this Ordinance to you.

950

The President: Thank you very much, Mr Dent.

Mr Birmingham, I believe you wish to second this.

Mr Birmingham: Yes, thank you, Mr President, fellow Members.

955

Restrictive measures ordinances, which used to be a staple of Alderney States meetings, have dwindled over time as the responsibility for many of these sanctions is passed to Guernsey. I, for one, miss them, as they can be informative geopolitically and can often shine a light on to situations in the world that are sometimes below the radar of mainstream news. Others have described them in the past as gesture politics, but sometimes gestures are important as they show who you are and what you stand for, and in this case it is democracy and the rule of law.

960

The situation in Mali is quite desperate. It is in the grip of an unprecedented political crisis, one of the most serious since the country gained independence in 1960. There was a coup in

2012 and a rebellion in the north of the country. The situation is a melting pot of Islamist militant rebels which all follow the Syrian-inspired Wahib sect of Islam, making them unpopular with most of the Malian Muslims who belong to the rival Sufi sect. The UN Security Council has warned that the destruction of shrines in Timbuktu, a World Heritage Site, could amount to war crimes being undertaken by those sects. Ansar Dine, one of those groups, is believed to be associated with Boko Haram, which you may more likely have heard of, the Islamist group responsible for terror attacks in Nigeria, including the kidnapping and enslavement of young women. There are other ethnic conflicts in the mix as well, with rebel groups supporting the rights of minority groups such as the Tuareg, and many of these groups are financed by drug smuggling and kidnappings.

It is important that any intervention into that country allows what is a fledgling peace process to succeed, and these proposed sanctions will act as a stick to those parties that will not come to the table.

The President: Thank you, Mr Birmingham.
Does any Member wish to speak on Item III?
Very good, Mr Greffier, will you take that as approved, please.

The Greffier: Thank you, sir.

IV. Data Protection (Bailiwick of Guernsey) Law, 2017 – Amended Item approved

Item IV.

The States is asked to approve:

The Project de Loi entitled ‘The Data Protection (Bailiwick of Guernsey) Law, 2017’, and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

The President: We will move to Item IV.

The Greffier: Item IV this evening is the Data Protection (Bailiwick of Guernsey) Law, 2017.

A letter has been received from Mr Dent, as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to approve the Project de Loi entitled the Data Protection (Bailiwick of Guernsey) Law, 2017 and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

The President: Thank you very much.
Mr Roberts, as Convener, please.

Mr Roberts: There was no comment on this Item.

The President: Thank you.
Mr Dent, I believe you wish to propose this.

Mr Dent: And we have an amendment as well.

The President: I believe you wish to propose this.

Mr Dent: Mr President, colleagues, this Law could be of major importance to Alderney. As noted in my annual report to the States, two opportunities have recently been identified contingent on Alderney operating internationally recognised data protection standards.

1005 We believe there may be an opportunity, for a small jurisdiction operating outside the main world financial markets and with an already highly regarded role as a regulator of other services, to offer a world-recognised regulatory regime for KYC operations. KYC operations are currently unregulated and, as a consequence, KYC clients have little guarantee as to the quality of service they receive.

1010 Secondly, a niche opportunity for the handling of big data in an ethical manner, using what some have described as a data Hippocratic Oath. I believe that handling big data in a manner aligned to protect rather than exploit those who have wittingly or unwittingly been supplied with that data is something Alderney could be involved in.

1015 As we do not have the electricity supply required to do the actual data manipulations, our role could once again be that of a regulator, again building on our already established reputation in the gambling industry.

This legislation, unlike some of the other pieces of financial regulation I have brought recently to this Chamber, is firmly in Alderney's interests and I hope that next year we can begin to seriously explore the opportunities it presents.

1020 Thank you.

The President: Thank you very much, Mr Dent.
Mr Dean, I believe you wish to second this.

1025 **Mr Dean:** Yes, I do. I echo everything Mr Dent has just said – he has stolen my thunder, really, but is important we are fully up to date with everything.

The President: Thank you very much.
Mr Greffier, I believe we have an amendment to this Item.

1030

The Greffier: That is correct, sir. An amendment has been received from Mr Dent and seconded by Mr Barnes, and it read:

I propose that the revised version of the Data Protection (Bailiwick of Guernsey) Law, 2017 as amended and approved in the States deliberation on 29th November 2017 be substituted for the version currently appended to the Billet d'État for the Wednesday, 6th December meeting.

The President: Thank you very much.
Mr Dent, do you wish to propose your amendment?

1035

Mr Dent: Mr President, colleagues, normally I would be shouting about Guernsey asking us to process an amendment such as this at such short notice, when in fact only last week we heard about it and it was only yesterday that P&F approved its inclusion on today's Billet. It was, however, circulated by email.

1040 I am, however, going to make an exception to my protestations. This amendment provides some exemptions and alleviates some of the more stringent original compliance requirements. Most importantly, it strengthens Alderney's position in that it gives us the right to annul regulations that Guernsey may deem appropriate if we do not like them, but we have a limited time in which to exercise this right – four months.

1045 Thank you.

The President: Thank you, Mr Dent.
Mr Dean, I believe you wish to second this.

1050 **Mr Dean:** Yes, I echo all the things Mr Dent has said.

The President: Thank you very much, Mr Dean.

Does any Member wish to speak on this? Good. I take that as approved, Mr Greffier.

1055 We will continue with the debate on Item IV as amended. It has been proposed by Mr Dent and seconded by Mr Dean, so does any Member wish to speak on Item IV as amended? Nobody wishes to speak?

Very good. Mr Greffier, we will take Item IV as approved as amended and we will move to Item V, please.

**V. Beneficial Ownership of Legal Persons (Alderney) (Amendment) Ordinance, 2017;
Beneficial Ownership of Legal Persons (Alderney) (Nominee Relationships) Ordinance, 2017;
Beneficial Ownership of Legal Persons (Provision of Information) (Transitional Provisions)
(Alderney) Regulations, 2017 –
Item approved**

Item V.

The States is asked to approve:

- 1. Beneficial Ownership of Legal Persons (Alderney) (Amendment) Ordinance, 2017*
- 2. Beneficial Ownership of Legal Persons (Alderney) (Nominee Relationships) Ordinance, 2017;
and*
- 3. Beneficial Ownership of Legal Persons (Provision of Information) (Transitional Provisions)
(Alderney) Regulations, 2017.*

The Greffier: Item V this evening is Beneficial Ownership legislation.

1060 A letter has been received from Mr Dent, as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to approve: firstly, the Beneficial Ownership of Legal Persons (Alderney) (Amendment) Ordinance, 2017; secondly, the Beneficial Ownership of Legal Persons (Alderney) (Nominee Relationships) Ordinance, 2017; and thirdly, the Beneficial Ownership of Legal Persons (Provision of Information) (Transitional Provisions) (Alderney) Regulations, 2017.

The President: Thank you very much.

Mr Roberts, as Convener, were there any comments on this Item, please?

1070 **Mr Roberts:** Yes, there was one comment, Mr President.

The form had some anomalies with regard to specifying a person when it is a company. The Chief Executive advised the individual to come to the office to resolve the issue.

The President: Thank you very much, Mr Roberts.

1075 Mr Dent, I believe you wish to propose this.

Mr Dent: Mr President, colleagues, you have before you the Ordinances and Regulations required to put into effect the legislation that you passed on 19th April.

1080 If I may remind you, this legislation derives from requirements of the Financial Action Task Force, which is an intergovernmental body established in 1989 with 37 members, including the EU, Russia, the United States, New Zealand, Australia and Switzerland. It sets global anti-money laundering and combatting of terrorism standards and is now requiring jurisdictions to have timely access to adequate, accurate information on beneficial ownership of legal persons. In

1085 Alderney's case, these are, of course, companies; these are the only types of legal persons that can presently be created here.

A law provided for, and now the Ordinances and Regulations as set out, the mechanisms to permit the operation of the required private, secure, consolidated and local access register of beneficial owners of Alderney companies. The register is to be administered by the Greffier and his duties will mirror those being introduced in the Guernsey Register of Beneficial Ownership.

1090 May I remind you that these Ordinances and Regulations are necessary if Alderney is to continue to operate a Companies Register and if Alderney companies are to be permitted to trade with the rest of the world.

1095 Finally, two things: firstly, the AGCC has expressed its support for the Law; and secondly, the proposed Ordinances and Regulations are aligned with those being made or to be made in Guernsey.

Thank you.

The President: Thank you, Mr Dent.

Mr Tugby, I believe you wish to second this.

1100

Mr Tugby: Yes, sir, thank you.

The President: Thank you very much indeed.

Does any Member wish to speak on Item V?

1105

In that case, Mr Greffier, we will take items 1, 2 and 3 of Item V as approved.

The Greffier: Thank you, sir.

VI. European Communities (Food and Feed Controls) (Alderney) Ordinance, 2017 – Item approved

Item VI.

The States is asked to approve:

The European Communities (Food and Feed Controls) (Alderney) Ordinance, 2017.

The President: Now we move to Item VI.

1110 **The Greffier:** Item VI this evening is the European Communities (Food and Feed Controls) (Alderney) Ordinance, 2017.

Again, a letter has been received from Mr Dent, as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to approve the European Communities (Food and Feed Controls) (Alderney) Ordinance, 2017.

1115

The President: Thank you very much.

Mr Roberts, as Convener, were there any comments on this Item, please?

1120 **Mr Roberts:** Yes, Mr President. It was noted that this Ordinance should be adopted as Alderney is required to control this issue – for example, contamination etc.

The President: Thank you very much indeed.

Mr Dent, I believe you wish to propose this.

1125 **Mr Dent:** Mr President, I first advise that we are indeed under something of an obligation to implement this Ordinance. As the title implies, the text derives from an EU directive of similar name. Although the UK is leaving the EU, we are still required, because of our Protocol 3 commitments, to legislate the regulations.

It is a waste of time and the legislation puts unnecessary burdens on us. After all, it has long been an Alderney principle not to legislate unless it is really necessary.

1130 The UK will have a need to show the remaining members of the EU, if it wishes to obtain a good post-Brexit trade deal, that we are compliant with the high food and feed control standards of the EU. In the event that the UK does not obtain a deal with the remaining members of the EU and it reverts to World Trade Organisation trading arrangements, it will also have to indicate that we have similar standards. Without the proposed changes, it is believed that there will be significant complications to an Alderney farmer who, for example, wishes to export animal products.

The Ordinance does, however, also deal with food outlets. While it is accepted that it can be challenging for shops and restaurants to show that they are complying with all food safety regulation, this Ordinance, as it consolidates a number of regulations, is useful.

1140 In summary, the Ordinance is not expected to introduce any additional burdens. I understand that the Bailiwick environmental health officers have been working for many years with the businesses in Alderney to ensure that they are already working to compliance levels in line with the proposed Ordinance.

1145 Finally, the Ordinance will ensure parity with UK and EU legislation and facilitate the ongoing free trade of food, notably animal products, while the UK remains in the EU and indeed thereafter.

Thank you.

1150 **The President:** Thank you, Mr Dent.
Mrs Paris, I believe you wish to second this Item.

Mrs Paris: Thank you, sir.

1155 Mr President, fellow colleagues, this piece of legislation is important and we should pass it. Without it our laws will become out of kilter with the EU and then trading with the EU – although mainly that is to do with the UK in our case – may become more and more difficult.

This will continue to be the situation, of course, after Brexit. Then the UK will be in the same position as we have always been in, still having to trade to EU standards but without advice on what those standards should be.

1160

The President: Thank you, Mrs Paris.
Does any Member wish to speak on Item VI? Mr Roberts.

1165 **Mr Roberts:** As States Member for Agriculture, I fully welcome this as it is going to help the farming community and it is good to have it in our laws as well.

Thank you.

The President: Does any other Member wish to speak on this Item? Mr Birmingham.

1170 **Mr Birmingham:** Thank you, Mr President, fellow Members.

I am glad the intention here is to consolidate legislation into one law – that is obviously helpful when you are operating – but I will make one slight caveat. Alderney is at the end of the supply chain and that in itself can bring its own challenges in compliance with some of the environmental health law that actually exists. The environmental health officers in Alderney sometimes have to be a little bit more ... how can I put this delicately ... perhaps slightly less stringent than they would necessarily be in different places, very simply because of the way we

1180 import our food, where we are basically, in a lot of cases, shipping it in on a boat which is not necessarily in the best set of circumstances for transporting food. So, as long as the environmental health officers still, shall we say, enforce the law in a practical manner in Alderney ... I think that is important. Otherwise, it would be a terrible situation, for example, if the Island had no frozen food. That could be a bit of a disaster, especially for me because I work in that industry.

1185 **The President:** Thank you very much, Mr Birmingham.
Does any other Member wish to speak on this Item?
I take it you were declaring an interest then?

Mr Birmingham: Yes.

1190 **The President:** Does any other Member wish to speak on this particular issue?
Okay, seeing as we have people of various opinion, Mr Greffier, would you please put that to the vote.

1195 **The Greffier:** Thank you, sir.
The States of Alderney are asked to approve the European Communities (Food and Feed Controls) (Alderney) Ordinance, 2017.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Tugby	None	Mr Birmingham
Mr Jean		
Mr Roberts		
Mrs Paris		
Mr McKinley		
Mr Dent		
Mr Snowdon		
Mr Dean		

The Greffier: Sir, with Mr Barnes absent, that is 8 votes in favour and 1 abstention; that motion passes.

1200 **The President:** Thank you very much indeed.

VII. Annual Reports of States Committees for 2016

Item VII.

(i) Annual Report of the Policy and Finance Committee.

(ii) Annual Report of the General Services Committee.

(iii) Annual Report of the Building and Development Control Committee.

(iv) Annual Report of the Finance Committee.

The President: We will now move to Item VII, please.

1205 **The Greffier:** Item VII this evening is Annual Reports of the States Committees for 2017.
On 4th May 1977, the States resolved to instruct all committees to prepare an annual report and for that report to be debated at the December States Meeting.

The President: Thank you very much.

(i) Annual Report of the Policy and Finance Committee

The President: What we will do, for the sake of clarity, is take these one at a time.

1210 Mr Roberts, as Convener, were there any comments on the Annual Report of the Policy and Finance Committee?

Mr Roberts: There were a few comments on this Item, Mr President, as follows.

1215 Could the Chairman explain the new policy for Alderney stamp revenues that has not been discussed in a full States Meeting? Mr Dent clarified that Guernsey Post does not report to the States of Alderney. A new stamp policy can only be developed in conjunction with the Guernsey Post. It is hoped that a better deal will be announced within the next two weeks.

1220 The Prof. Wilson report: what is the States doing about it re the Island's issues of lack of exercise and obesity? Mr Dent clarified that the States are aware of these issues and are moving the swimming pool project forward. Mrs Paris also stated that the States of Alderney supports the States of Guernsey's Walking for Health. There is a Sunday initiative that is free to the public.

The Taxation Law: are the 180-day restrictions going to be lifted? It was clarified that progress is being made on this issue and a further announcement will be made in due course.

The President: Thank you very much, Mr Roberts.

1225 Mr Dent, I believe you wish to propose this, introduce it.

Mr Dent: Yes, Mr President, colleagues, I do not intend to read my lengthy report. (**A Member:** Oh!) (*Laughter*) I think you have heard enough from me today.

Thank you very much.

1230

The President: Thank you very much.

Mr McKinley, I believe you wish to second this.

Mr McKinley: Yes, sir, I do.

1235

The President: You second it, yes?

Mr McKinley: Yes, Mr President.

1240

The President: Thank you.

Does any Member wish to speak on the Annual Report of Policy and Finance Committee? Mr Snowdon.

Mr Snowdon: Thank you, Mr President, fellow colleagues.

1245

Could I just ask Mr Dent for some clarification with regard to the FAB Link project with the plebiscite, because I was not quite clear if there is a date set for that at all. I believe £130,000 was spent with PWC: is that considered good value for money? And does Brexit affect the talks with FAB Link at all? That was on the FAB Link bit.

And then, with internet connectivity, is there any progress since this report has been written?

1250

Thank you.

The President: Thank you very much.

Does any other Member wish to speak on the Annual Report of the Policy and Finance Committee? Mr Tugby.

1255

Mr Tugby: Just a couple of items, sir. What it is is that, on the FAB Link, we get a lot of negativity spoken about FAB but we should be actually saying some of the problems it seems

could come out of it. As an example, yesterday we had a person who is employed by the States saying, about the fibre-optic cable, that to get the big business here, even if we improve our digital connections and everything else, the big business would require the fibre-optic cable.

1260

We are not putting the benefits out to the public; we just seem to be putting negatives out and the public are just saying about negatives, and it is time we should be putting out some of the positive things about it.

1265

The President: Thank you, Mr Tugby.

Does any other Member wish to speak on the Annual Report of the Policy and Finance Committee?

Mr Dent, do you wish to exercise your right to reply?

1270

Mr Dent: Yes, Mr President, I will just say a few words, sir.

My apologies for not putting the up-to-date position on the fibre-optic cable, but I did write this a few days ago and the most up-to-date information was not available at that time. But there is some good news which I believe will be out certainly within the next 24 hours. So I hope Mr Tugby will be pleased when he hears that news coming out.

1275

On the plebiscite, there is no date attached to it because we have not heard very much from FAB Link for the last six weeks. When we hear more, maybe we will be able to fix a date.

Is £130,000 value for money? Well, only time will tell. We can only wait and see.

1280

Brexit: I have had nothing official, but I do understand unofficially that the issue of interconnector cables has been put on hold and it probably means some delay in the whole thing. There is only one interconnector, I believe, that is now going ahead immediately.

Was there a fourth point, Mr President?

Mr Snowden: I think you clarified it by answering the first question. You have done all four questions.

1285

Mr Dent: My apologies – I cannot read my writing. Thank you.

The President: Thank you very much.

(ii) Annual Report of the General Services Committee.

1290

The President: We will now move to the next Report, which I believe is the Annual Report of the General Services Committee.

Mrs Roberts, as Convener, were there any comments on this, please?

1295

Mr Roberts: Yes, Mr President, there were a few comments on this.

Firstly, waste costs: could we have a rota of one week general rubbish and one week recycling? As people are too idle to recycle, maybe there should be a fine system. Mrs Paris stated that this is a pressing problem. We have very good recycling facilities; it is the black-bag waste that is the high cost. We can look into this proposal; however, it all comes down to cost. Help ourselves and help our Island. It was noted that sending our waste to Jersey is still being pursued.

1300

Fort Doyle extension not mentioned in the Report: it was noted that this is in the plans for 2018.

Longis Bay sewage outlet: work is in progress to improve the facility.

The President: Thank you very much, Mr Roberts.

1305 Mrs Paris, I believe you wish to introduce this and I commend the method of introduction to that just expressed by Mr Dent. I would also point out that if things are not on your Report, such as Fort Doyle, you have no need to respond to them.

1310 **Mrs Paris:** As instructed, I shall not be reading this Report. There are a couple of points, though, that I would like to emphasise from it.

I think we do not get, sometimes, a great deal of praise for what we do in the States, but I would ask everyone to look at the church. The work is finished there and it looks magnificent. I think we all agree that this is something that needed to be done and it really is something we should be proud of.

1315 Less aesthetically pleasing perhaps has been all the progress the Water Board has made digging up roads and putting in the new pipework, and of course that has been with AEL improving the electricity grid. That has really pushed everything on. Obviously, there have been savings to be made by doing it like that. We are now up to phase 11, for which we decided on Tuesday to give the money to get going with that.

1320 The Nunnery: obviously the renovation is underway and we are trying to get to grips with several medium-term things like traffic management and, of course, the waste disposal. I will not go into any more about the waste disposal, as it was raised at the People's Meeting.

The Traffic Strategy is down somewhat to our relationship and ongoing dialogue with the Police – and it is ongoing, so perhaps we will leave that like that.

1325 Also, having the right tools for the job: we have been making some investment in some new plant so that we can work efficiently to do the things that we need to do.

A lot of other things continue as before.

Coastal defence work: we are looking at working more closely with Guernsey about the breakwater and the possibility of taking some of Fort Grosnez back.

1330 I would like to thank everybody, obviously, who has worked so hard, and I would particularly like to mention the Fire Brigade, especially Paul Moore, who retired as Chief Fire Officer earlier this year after 37 years of service. That is real commitment to the Island.

Given the small size of our pool of human resources, 2017 has been really a very constructive year, and we have had some capital slippage but we have actually got quite a lot of things done.

1335 Thank you.

The President: Thank you very much, Mrs Paris.

Mr Dean, I believe you wish to second this.

1340 **Mr Dean:** Yes, I would like to second this Report.

I echo many of the sentiments Mrs Paris has just said. Obviously, it is a work in progress for the Committee, so some things are not finished. Maybe in previous States there has been a mend-and-make-do attitude. I would like to say that maybe that is over now and we have got some systems in place and things are moving along quite nicely.

1345 Mrs Paris mentions the church. We will not go into the cost of that but I am sure everybody will agree it is a fantastic job.

Also I would just like to bring up the waste. It is expensive to ship the waste off Island, so I think everybody, as a community, needs to really look at what they put in their black-bag waste and they could probably recycle quite a bit more. If we actually stripped out those black bags, I am sure there is a lot in there that actually could go in the cardboard and could go in the paper. So I appeal to every single one of us, not just States Members but the general public as well, to really be conscious about what you do with your black-bag waste and in that way we could actually save the Island a lot of money.

Thank you.

1355

The President: Thank you, Mr Dean.

Does any other Member wish to speak on the Annual Report of the General Services Committee? No.

1360 In that case, Mrs Paris, I take it you do not want to exercise your right of reply and we can move ... You do wish to?

Mrs Paris: Could I just make one point, which of course is that a considerable proportion of the money that was spent on the church was an insurance claim.

1365 **The President:** Thank you very much, Mrs Paris.

(iii) Annual Report of the Building and Development Control Committee

The President: We will move on to the Annual Report of the Building and Development Control Committee.

Mr Roberts, as Convener, were there any comments on this Report, please?

1370 **Mr Roberts:** Yes, Mr President.

The question was asked how much has ARUP cost the taxpayer. Mr Birmingham advised that he would provide the total figures for the cost of the Land Use Plan at the States Meeting. It was noted that the finances have been approved in stages across two to three years.

1375 It was noted that 1st December is the closing date for the public consultation. A policy meeting of BDCC is scheduled for Friday, 8th December for the Committee to consider the consultation findings, which will then be passed on to the Law Officers for further advice. The Land Use Plan will be placed for adoption in March and the Committee intends to hold a forum.

The President: Thank you, Mr Roberts.

1380 Mr Birmingham, I believe you wish to introduce your Report.

Mr Birmingham: Thank you, Mr President.

1385 Following along with my fellow Committee Chairmen, I do not intend to repeat the contents of the Report – it is there for all to read – but, as was pointed out by Mr Roberts, we were asked the question of how much has ARUP cost the taxpayer. This was a rather open-ended question, as there have been a number of rather different and disparate uses for ARUP over time, so the Treasurer has kindly supplied me with a breakdown over the last five years.

1390 The total figure paid to ARUP over a five-year period has been £324,000. That is an average of £65,000 a year over that five-year period. Of that amount, only the initial £37,000 was in their role as consultants and that was for their review of the planning process, which was undertaken in 2013-14. The remaining £287,000 has been for using ARUP as an outsource contractor in order to progress planning reform, as was agreed as a goal of the 2014 Economic Development Strategy.

1395 What has this money been used on? Well, it has included support for the Land Use Plan process, which of course was a statutory requirement in 2016; the formation of five strategic documents on vision, housing, economic development, the natural environment and heritage assets to underpin the formation of a clear spatial policy that will form the basis of the planning system for the next 20 years.

1400 It also has included the formation of clear processes, not just for the 2016 and 2017 Land Use Plan process, but one that can be used and can be adopted for all future Land Use Plans. There has been operational support in the collation and assessment of the two Call for Sites in relation to those Land Use Plans and also operational support for both LUPs, including collation and publication of both plans, oversight on the plans, operational support and assistance at both

1405 public inquiries, drafting new policy for the BDCC, which has included statutory guidance for environment impact assessments, major projects and also the legal amendments that are being pursued by the BDCC.

That figure also includes additional support to the States in relation to FAB Link, which was associated with Policy and Finance.

1410 I would just like to make a few thank-yous. I would like to express my thanks to Messrs Roberts, Dean and Snowden for their support throughout the year, and also to Sam Osborne for her hard work in what has been a very busy year for the BDCC. And of course I have to thank Mr John Young, who has been of massive assistance to the Island and the BDCC in pursuing planning reform and I wish him well in his attempts to gain election to the States of Jersey.

1415

The President: Thank you very much.

Mr Dean, I believe you wish to second this.

1420 **Mr Dean:** Yes, I would like to second this. I certainly echo the points and everything Mr Birmingham has raised and certainly I would like on record Mr Young, who leaves the States with the Building and Development Committee and the Planning Office in far better shape than when he took that position. (**Two Members:** Hear, hear.) He will be sorely missed, he really will.

Thank you.

1425 **The President:** Thank you, Mr Dean.

Does any other Member wish to speak with regard to the Annual Report of the Building and Development Control Committee? No.

In that case, Mr Birmingham, you have no need to exercise your right of reply.

(iv) Annual Report of the Finance Committee

1430 **The President:** We move on to the next Report, which is the Annual Report of the Finance Committee.

Mr Roberts, as Convener, were there any comments on this Report?

Mr Roberts: Yes, Mr President.

1435 It was noted that the States will receive the payment for royalties of £112,500 from the Commonwealth Mint by the end of the year, as this is part of the contract.

It was noted that there are no retailers on Island that wish to sell the coins and this issue is being discussed with the Commonwealth Mint.

1440 **The President:** Mr Dent, in the absence of Mr Barnes, would you care to introduce this Report?

Mr Dent: Mr President, I will introduce it in the same way as I introduced my other reports and just ask you to note the Report.

Thank you.

1445

The President: Thank you very much, Mr Dent.

Mr Dean, I believe you wish to second this.

Mr Dean: Thank you, sir, I would certainly second this Report.

1450 Two thousand and seventeen has been a challenging year and the Finance Committee have done a fantastic job. We have had to cut back on certain things. That is obviously the way of the world at the moment and we have to watch every penny we spend.
Thank you.

1455 **The President:** Thank you, Mr Dean.
Does any Member wish to comment on the Annual Report of the Finance Committee?
Mr Snowdon, please proceed.

Mr Snowdon: Thank you, Mr President, fellow colleagues.
1460 Could I just ask Mr Dent to clarify the TRP occupier's rate situation? Thank you.

The President: Does any other Member wish to speak on the Annual Report of the Finance Committee?
1465 In that case, Mr Dent, would you care to exercise your right of reply?

Mr Dent: Mr President, thank you.
Having read the Report, I do think the fourth paragraph and the second sentence could be worded a bit more clearly. We are still without the legal authority to make changes to TRP or to finalise the combination of the two taxes. This does leave us at the vagaries of Guernsey, who are not easily able to distinguish the separate needs of the two Islands. I hope that answers the question.
1470 Thank you.

The President: Thank you very much, Mr Dent.

VIII. Questions and Reports

1475 **The President:** That takes us to Item VIII, Questions and Reports.
To my knowledge we have no questions or reports. Can you confirm that please, Mr Greffier?

The Greffier: That is correct, sir, no questions or reports.

1480 **The President:** Thank you very much, in which case I would ask you to bring this meeting to a close.

PRAYERS

The Greffier

The Assembly adjourned at 7.32 p.m.