



**OFFICIAL REPORT**

**OF THE**

**STATES OF THE**

**ISLAND OF ALDERNEY**

**HANSARD**

**The Court House, Alderney, Wednesday, 19th June 2019**

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official States of Alderney website [www.alderney.gov.gg](http://www.alderney.gov.gg)*

**Volume 7, No. 5**

**Present:**

**Mr James Dent, Vice-President**

**Members**

Ms Annie Burgess  
Mr Mike Dean  
Mr David Earl  
Mr Kevin Gentle  
Mr Christian Harris  
Mr Louis Jean  
Mr Steve Roberts  
Mr Alexander Snowdon

**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.*

[THE VICE PRESIDENT *in the Chair*]

## PRAYERS

*The Greffier*

**The Vice-President:** Good evening.

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

**The Vice-President:** Before you begin, I would just like to say that we have received an apology from Mr McKinley.

10 **The Greffier:** Obligated.

## ROLL CALL

*The Greffier*

**The Greffier:** Sir, that is nine Members present, including yourself, sir.

**The Vice-President:** Thank you very much.

## Procedural – Rights, powers and duties of Vice-President

15 **The Vice-President:** Before we continue, I would just like to say that I am presiding over this meeting as the Vice-President, not the President. In the absence of a President, I have tonight all the rights, powers and duties conferred on the President.

The Government of Alderney Law, 2004 deals with chairmanship and makes clear the rules of debate in the present circumstances. Section 44(2) states:

At a meeting of the States the President may take part in discussion, but has no vote except a casting vote, to be exercised in the event of an equality of votes.

In subsection (3), it says:

A person other than the President presiding at a meeting of the States has both an original and a casting vote.

20 I shall consequently be providing inputs to the debates, and although perhaps unnecessary, I shall be doing this immediately prior to the summing up. I shall also be exercising my right to cast an original and, if necessary, casting vote.

**Convener's Report of the People's Meeting  
held on 12th June 2019**

**The Vice-President:** May we now proceed with the Convener's Report, Mr Earl?

25 **Mr Earl:** Mr Vice-President, fellow States Members.

I was the Convener at the People's Meeting. I was assisted by the Chief Executive and the Acting Head of Finance. There were eight States Members other than myself there, the Minutes Secretary, 19 members of the public and seven members of the press. Apologies were received from Mr Roberts and Mr Snowdon, who were attending States Meetings in Guernsey.

30 Item I –

**The Vice-President:** Mr Earl, we will take Item I just before Item I, if that is okay.

**Mr Earl:** Okay.

## Billet d'État for Wednesday, 19th June 2019

### **I. Audited Accounts 2018 – States of Alderney 2018 Accounts and Water Board 2018 Financial Statements approved**

*Item I.*

*The States of Alderney is asked:*

*To approve (a) the States of Alderney 2018 Accounts and (b) the States of Alderney Water Board 2018 Financial Statements.*

35 **The Vice-President:** In fact it is Item I now, but thank you very much. If you could stand again, My apologies! (*Laughter*)

**Mr Earl:** Mr Vice-President, fellow States Members.

40 Item I, which was the Audited Accounts for 2018. We received one written question, which was to explain the split between numismatic revenue and philatelic profits amounts in the budget of £163,674. The Convener advised that the specific breakdown was commercial sensitive but that he believed that Mr Nash was aware of the minimum royalty arrangement with the Mint and therefore the approximate figures could be calculated.

45 Questions at the meeting included: Digital Connectivity Project under the Economic Development Fund. A large amount was spent on this during 2018. However, there was a situation where an error occurred on a medical referral due to an incorrect email address. Therefore it is disappointing to see efforts being made to improve that connectivity and issues still arising. The Convener advised that he was certain that every effort is made to ensure data is correct, and stated that patients should take the initiative if they have not heard from anyone with regard to  
50 medical reference, to follow up with the appropriate people and Departments. The Acting Head of Finance advised that the project related to improving connectivity for homes and businesses on the Island, but appreciated that human error could still be made.

The Summary of Accounts is not very detailed in comparison to the States of Guernsey Accounts Report. Should Alderney not present their accounts in the same format? It was stated

55 that on request administration/paid costs for staff had been provided prior to the meeting. However, it was queried whether consultants fees were included in that amount. The Acting Head of Finance advised that consultants were not on the States of Alderney pay-roll, and it was purely salaries and wages for staff that had been included in that figure.

60 Capital expenditure on GSC and P&F varied significantly between 2017 and 2018. A query was raised on the figure stated in the Chairman's report. It was clarified that the figures in the report compared the revised budget with actuals, rather than the original budget figure.

The next point was that AGCC surpluses exceeded the budget amount. However the Chairman's report states, and I quote:

expectation of ever increasing revenues from this source may, therefore, need to be tempered.

65 The States of Guernsey budget report in 2017 stated that e-gambling receipts would be payable to the States until 31st December 2019. Therefore, will access to the e-gambling receipts no longer be guaranteed after this date? The Chief Executive advised that no alternative arrangements are currently in place and the States are assessing the legality of the statement in the States of Guernsey budget report 2017.

70 The statement on the GSC revenue regarding additional grant expenditure in 2018 when compared with 2017, due to the Nunnery arrangements, were queried. The Chief Executive advised that the project was delayed in completion and therefore income expected in the year had not been received and offset against the subsidy.

75 Next point was that the Accounts appear to be hiding information as there is no appropriate breakdown the grants etc., as had been previously made available. The Chief Executive advised that the new format was adopted some years ago (2016 Accounts) and it is recognised that there is a need to adopt international accounting standards. It was likely that the States of Alderney would mirror Guernsey in their preferred standards, and that progress on this was ongoing. However, should the States Members wish to revert back to the old, more detailed format, this could be discussed at a future P&F meeting. Ms Burgess and Mr Jean spoke in favour of reconsidering this at Committee level and requested that the P&F Chair take discussion on this matter.

80 The formats to the accounts are different between the States of Alderney and the Water Board, which are more detailed than that of other entities such as the Alderney Gambling Control Commission, AeGL and ACRE. The Chief Executive advised that the accounts are prepared in accordance with the Government of Alderney Law, and it is not presented in the same manner as other accounts, such as the Alderney Gambling Control Commission etc., which are prepared by the bodies themselves.

**The Vice-President:** Thank you, Mr Earl.

90 Before we move on to debate the matter, could I ask Monsieur Greffier if he would read out the motion before us tonight?

**The Greffier:** Yes, sir.

95 Item I this evening is, as you have already heard, that the Audited Accounts of 2018. A letter has been received from Mr Earl as the Deputy Chairman of the Policy and Finance Committee, and the States of Alderney are asked to approve the States of Alderney 2018 Accounts and the States of Alderney Water Board 2018 Financial Statements.

**The Vice-President:** Thank you, Monsieur Greffier.  
100 Mr Earl, I believe you wish to propose this Item?

**Mr Earl:** I do, sir. Mr Vice-President, fellow States Members.

As Chairman of the Finance Committee, it is my duty to present the Audited Accounts in respect of the financial year ending 31st December 2018, for both the States of Alderney, and the Water Board. In doing so, I am pleased to advise you that there are no issues arising from the audit to bring to your attention.

As you will all be aware, the financial statements of the States of Alderney comprise a summary of the income and expenditure account. Much of our income is a cash-limited allocation from the States of Guernsey, and our aim is that we should break-even at the year end. However, our income from the Harbour, Court and Planning Fees, was greater than expected, while expenditure on consultants, combined with delays in recruitment, was less than expected. The net result was an underspend of £137,000 against our budget in 2018, compared with an overspend of £95,000 in 2017, all of which meant that we did not have to draw on our Alderney Gambling Control Commission (AGCC) reserves as expected.

Whilst the underspend is arguably better than an overspend, the Treasury Department has been actively taking steps to improve our budgetary control. This includes giving more support to budget-holders, with a focus on more accuracy in financial forecasts, all of which helps avoid surprises at the end of the year.

In 2018, we have once again underspent on our capital programme. Revenue from the Alderney Gambling Control Commission was above our expectation, but less than half of our budget was spent due to a lack of available project management capacity. We are now taking steps to address this through additional capacity, which will help with prioritisation and capital programme management.

With regard to the Water Board Financial Statements, I am pleased to inform you that a small surplus was achieved in 2018.

Finally, I would like to record my thanks to Liz Maurice and her team, for all their efforts during the year.

Thank you.

**The Vice-President:** Mr Earl, thank you.

Mr Dean, I understand you wish to second this motion?

**Mr Dean:** Mr Vice-President, fellow States Members.

It is always a pleasure in dealing with the Treasury Department. The Accounts have been done by the Treasury team with precision, accuracy and due diligence. I would also like to express my thanks to Kerry Hatcher-Gaudion, who stepped down from the States Treasury role at the end of January, and I would like to add that the Department is being suitably steered by Liz Maurice as Acting Treasurer, and the rest of the team of Elanja, Penny and Nick, who are all very professional, and are on hand to answer any queries that Members might have, and all deserve a mention of doing an excellent job.

I would also like to add, I hope the permanent appointment of the Treasurer role is sorted out sooner rather than later.

As Mr Earl has mentioned, I have nothing further to add in seconding the States and the Water Board Accounts, and it should also be noted that the Water Board is in profit yet again.

**The Vice-President:** Thank you, Mr Dean.

Does anybody else wish to speak on this Item? Mr Snowdon.

**Mr Snowdon:** Thank you, sir, I am obliged.

I just wanted to say well done to the whole of the Treasury team. I know they worked very hard. But I also would like to say that we need to look at additional ways of getting more income in for the States of Alderney. So I think we do need to sit down and look at it again after the Meeting tomorrow, but we do need to make a forward-thinking plan about how we can raise more

155 money going forward. I think that is quite a serious matter that we need to take into consideration,  
to increase our revenue incomes.

Thank you.

**The Vice-President:** Thank you, Mr Snowdon.

Does anybody else wish to speak on this Item? Mr Jean.

160 **Mr Jean:** Mr Vice-President, fellow Members.

On page 5 of the Chairman's Report, under Conclusion, mention is made of the importance of our gambling revenue, which enables our States in strengthening our economy. No mention is made of the Policy and Resources Committee's stated intention to take the gambling money into  
165 general revenue in 2020. Although it was mentioned at the People's Meeting as the Chairman, Mr Earl, correctly said, the first we heard of this plan was in 2016 in the Guernsey Billet. We were told at this time by the Guernsey States that this was a drafting error and should not have been published. It is no secret that during the last three years I have tried to persuade our States to produce a case defending our right to keep that AGCC money. The case should demonstrate  
170 present and future needs for which that gambling money is crucial to Alderney's needs. Without this money, Alderney will indeed be poorer. I have been assured on more than one occasion that Guernsey will not take our gambling money, and to date it is my belief that no case has been put together to show the integral and vital importance of this money to Alderney's needs, both now and in the future.

175 I have asked that we look at the way the AGCC is linked to the States of Alderney. I have even reminded people of the definition of licence fees. What 'licence fees' meant in 1948 has changed considerably. I am still concerned that we will lose this income which should remain here in Alderney. I remember the considerable opposition from Guernsey's government to Alderney's proposals to set up the Commission, and I would not mind as much if the money was going to  
180 Guernsey to be kept specifically for Alderney projects. But I assure you all it is destined to go straight into the general revenue pot for Guernsey.

I too congratulate the Treasury staff for all the work they do on our behalf and for this year's small underspend, and I am very grateful to them, and I am very grateful as well to the outgoing Treasurer Kerry Hatcher-Gaudion. They are always a pleasure to work with.

185 Paragraph 3, I think it is, under Conclusion, mention is made of project slippage, and we will draft in human resources to deal with this slippage. To point out that during the last four or five years we have made considerable reduction to staff through a works audit. Through lack of control by the States of Alderney, a reduction of staff took place all in one go, not, as proposed, over a three-to-four-year period. This was done – and I am told this cost the States £500,000 per annum  
190 – I would ask how many years did we pay out that sum? And I hope to get an answer to that question.

Four years on, and at a great cost, our States is now reversing the policy of four years ago, and we are told that many hundreds of thousands will be required for employment of new staff for the States of Alderney. Who will pay for this? I can only see these costs being handed on to the  
195 already hard-pressed public, and I am really quite concerned about that. Especially, as well, I would like to point out, that in Guernsey it is quite clearly publicised that they are intending to reduce their staff by 200. I believe that we need to take more control of this, I really do.

I thank you, Mr Vice-President, for listening to my remarks, and I thank you all very much.

200 **The Vice-President:** Thank you, Mr Jean.

Anybody else like to speak on this Item?

If there is nobody else wishing to speak, before I ask Mr Earl if he would like to exercise his right to sum up, I would just like to add my own thanks to Liz Maurice, who has taken over the daunting task of looking after us – she is going a fantastic job – and indeed to all the rest of the  
205 staff in the Treasury Department. Thank you very much indeed.

I would also like to remind everyone here tonight that we are here to approve the Accounts. We are not really here to be discussing future financing and budgetary matters.

Mr Earl, would you like to sum up?

210 **Mr Earl:** Mr Vice-President, Mr Jean, I have really nothing much more to add, except to say that I will ensure that the figures you have asked for are provided, and I would ask the Acting Treasurer to do that at the earliest possible convenience.

You made a very interesting point about receipts from the Alderney Gambling Control Commission. I can shed a little bit of light on that, but I cannot fully answer the question for the same reason that you cannot. In 2015-16, there was a review of the financial arrangement between Alderney and Guernsey, and as part of that the funds from the Alderney Gambling Control Commission were identified. It was also agreed that they would find a method of presenting that information, and in particular, the value to both Islands' economies.

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220  
225 If you consider the 2008 Accounts for the States of Guernsey – you need to look at Appendix 6 – you will find that the revenue from the Alderney Gambling Control Commission is listed in the accounts as an income, alongside tax and other sources. They also, if you bother to read the small print, say – I can quote you the figures from 2017 – but I think that the figure was something like £20 million to £21 million benefit to Guernsey's GDP, and approximately £5.5 million to Alderney's GDP. There is nothing – as far as I can see – that says that they are going to take that away from us, but you may well be right.

**The Vice-President:** Thank you, Mr Earl. In that case, Monsieur Greffier, can you put the motions to the vote? Should we take it as item (a) first and then item (b) second?

230 **The Greffier:** Okay, sir. In that case, the States of Alderney are asked to approve the States of Alderney 2018 Accounts.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	None
Mr Dean		
Mr Dent		
Mr Earl		
Mr Gentle		
Mr Harris		
Mr Jean		
Mr Roberts		
Mr Snowdon		

**The Greffier:** Sir, that is all Members in favour.

And secondly, the States of Alderney are asked to approve the States of Alderney Water Board 2018 Financial Statements.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	None
Mr Dean		
Mr Dent		
Mr Earl		
Mr Gentle		
Mr Harris		
Mr Jean		
Mr Roberts		
Mr Snowdon		



235 **The Greffier:** Again, all nine members are in favour, sir.

**The Vice-President:** Thank you very much.

**II. Employment Legislation, Minimum Wage Legislation, Disability Discrimination Legislation and a Health and Well-being Strategy where Physical and Mental Health are integrated –  
Item approved**

*Item II*

*The States of Alderney are asked to resolve that it is open to developing:*

*(i) Basic employment legislation*

*(ii) Minimum wage legislation*

*(iii) Disability legislation*

*(iv) A Health and Wellbeing Strategy where physical and mental health are integrated.*

240 **The Vice-President:** If we can now move on to Item II. If you could, Monsieur Greffier, just brief us first before I ask Mr Earl to provide the Convener's report – just brief us on the motion before us.

**The Greffier:** Item II this evening is Employment Legislation, Minimum Wage Legislation, Disability Discrimination Legislation and a Health and Well-being Strategy whereby Physical and Mental Health are integrated.

245 A letter has been received by yourself as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to resolve that it is open to developing, firstly, basic employment legislation, secondly, minimum wage legislation, thirdly, disability legislation, and finally a Health and Wellbeing Strategy whereby physical and mental health are integrated.

250 **The Vice-President:** Thank you. Mr Earl, the Convener's report, if I may?

**Mr Earl:** Mr Vice-President, fellow States Members.

255 Item II of the People's Meeting was, as you say, about equality, and comments on this Item included: strongly commending P&F for putting this on the Billet; however foreseeing potentially issues of subsidiarity in implementing of legislation. We should perhaps not do this ourselves and ask the States of Guernsey to include us. They can then administer this and Alderney's needs and requirements will be communicated by the Alderney representatives in the States of Guernsey.

The Convener stated that the States of Guernsey had criticised Alderney for not having this legislation in place, therefore it is necessary to progress the matter.

260 The next Item is: there is concern that Guernsey legislation will be tailored for Guernsey, and therefore not suited to Alderney, and importing it will not be sufficient for Alderney's needs.

265 The next point was: a query was raised with regards to part-time and full-time employee pension provision, as it was considered to be somewhat discriminatory. In recent years some States employees were given severance; the Chief Executive advised that it was voluntary early severance. Another member of the public commented that it was the closure of the old pension scheme to new entrants, and the opening of a new defined contributions pension scheme. The Chief Executive advised that the new pension scheme is available for qualifying employees.

270 The next point: the resolution on the Item states, 'the States of Alderney is asked to resolve that it is open to developing...' – what does this mean? The P&F Chair advised that should the motion be passed, then P&F can develop the matter further in liaison with the States of Guernsey, as all four areas would require a great deal of thought and consideration.

Another member of the public stated that the States of Guernsey had not yet developed their legislation, therefore would it not be better to discuss it with them first? The next point, the economy is very fragile at present. Therefore, has any formal approach been made to employers/employees before the States decide on these issues? Would it not be more beneficial to consult with the relevant stakeholders first, before having a political debate? The P&F Chair advised that a public consultation of a detailed nature in co-ordination with States of Guernsey will follow, to see if it is applicable to Alderney.

It has been noticed that there is some concern that Alderney needs more protection for employment and disability protection. The point regarding stakeholder consultation was noted, and the P&F Chair stated that he has been trying to get items discussed by the States to generate debate and alert the public that matters are being discussed. Mr Gentle added that it is now 2019, and that as a Government we should be taking steps to address these issues. This item was first discussed in 2013 and it was decided then by the States not to proceed. Therefore they seek to determine if there is support to draft the necessary and much needed legislation.

Mr Jean stated that the point regarding concern that Guernsey legislation will be tailored for Guernsey and therefore not be suited to Alderney, and that importing it will not be sufficient for Alderney's needs, should be taken. He stated that he was part of the debate back in 2013 when it was not approved. However, legislation such as this is good in a stable and thriving economic climate, which Alderney does not currently have, as it is still in the midst of a recession. He urged caution on this matter.

Health and safety regulations and equal opportunity could be very damaging to any potential investors and future employers. And for clarity, that is a separate point and not linked to Mr Jean.

Mr Vice-President.

**The Vice-President:** Thank you very much, Mr Earl. Mr Earl, I understand that you wish to propose this Item, so if you could rise again, that would be great.

**Mr Earl:** Mr Vice-President, fellow States Members – I feel a little bit like a jumping-jack tonight!

Mr Vice-President, I would formally like to propose this Item, but reserve my right to speak later.

**The Vice-President:** Thank you very much.

Mr Gentle, I understand that you wish to second this Item?

**Mr Gentle:** Yes sir. Mr Vice-President, colleagues.

I will start by quoting a couple of lines from you sir, in your letter attached to the Billet:

Alderney currently has only a limited range of employment legislation which covers employment permits and employer's liability. ...

The consequences for Alderney are that relations between employer and employee must rely on contract law and the lack of employment legislation and a minimum wage has brought inconsistencies ...

I believe there should be total support for employees having the basic right to have a written contract setting out the terms of their employment. We are at a different point of development with respect to employment legislation. We do not have the range of legislation that exists in Guernsey, but there are good reasons to make a start.

Alderney residents, like people everywhere, are going to stay in work longer as the state pension age rises. They need basic legal protection, otherwise this could translate into increased costs in unemployment and incapacity benefits. It would be difficult for the employment aspect of disability discrimination legislation to be brought in force without a foundation of basic employment legislation here in Alderney. We need to recognise that the States of Guernsey has to compensate for the different legislative environment in Alderney. There are concerns in

320 Guernsey that treating people differently here in Alderney increases the costs to the States of  
Guernsey. If we have lower standards on accessibility, there can be more costly support  
requirements. If we have no minimum wage, low pay increases the amount of supplementary  
benefit payable. If we do not have the basic protections for employees, more people may leave  
the labour market early, lowering the tax intake, and increasing benefit costs.

325 Mr Vice-President, our business community in Alderney may not have looked favourably on  
the idea of employment legislation in the past. We will certainly need to engage with them and  
take their concerns into account. But we all need to recognise that it is time for a change. We can  
do this carefully, with a light touch and over time. There are benefits in having basic employment  
legislation that go beyond the individual employee. It makes us a more attractive place to live and  
work, and it enhances our reputation.

330 Let me turn to discrimination legislation, by which I mean to include other grounds of  
protection in addition to disability, such as age, race, religious belief, carer status, gender  
reassignment, sexual orientation and marital status, as well as the grounds of sexual preference.  
I think, sir, that you would be confident, as you look around this Chamber, that there will be  
support for a review of the Alderney Building Regulations, and Building Development Control  
335 policies as a means of ensuring that new builds should be disability friendly, and for policies to  
include more lifetime homes. I totally support this view. Furthermore, when significant structural  
changes are being made to properties, there should be more active encouragement for the  
developer to include appropriate access improvements.

340 In autumn 2017, the Committee *for* Employment & Social Security decided that it would best  
to develop a multi-ground piece of discrimination legislation. It was felt that this would have a  
number of advantages in providing equal protection to all, allowing better protection for people  
being discriminated against on multiple or intersecting grounds of protection, and would be more  
resources efficient in the long-run. This would be mean increasing the accountability of  
Government in relation to human rights and equality, improving understanding and dialogue  
345 around human rights and equality issues here in Alderney, and improving compliance with  
international obligations.

Equality and rights are important because they embody the community's fundamental values  
that people are treated fairly and equally and are socially included. The adoption of legislation  
would demonstrate leadership about the standards of behaviour in our society, and provide  
350 challenge to prejudice and discrimination. It is part of ensuring that Alderney is a good place to  
live and offers a good quality of life for everyone. It is important for Alderney economically, in  
terms of our ability to attract and retain the workforce that we need. It is important for Alderney  
to ensure that the skills and aptitude of our workforce are used optimally, and that discriminatory  
practice does not write people off.

355 Disability discrimination legislation is particularly important in the context of an ageing  
population. There are higher levels of disability amongst the older population – it might be  
something to do with mobility, or hearing. Ensuring that these people are included and able to be  
made active and participate in a social life is about their wellbeing and preventing ill-health and  
loneliness. It should be noticed that for transferred services under the Alderney (Application of  
360 Legislation) Law, 1948, as amended, where Guernsey has responsibility for service, any decisions  
made relating to the Guernsey service will also apply here in Alderney.

The Social Policy Group minutes from August 2013, and the *Hansard* from November 2013  
debate in the States of Guernsey, suggest that there had been a conversation within the States of  
Alderney at that time about whether there should be an Alderney disability strategy. We know  
365 that P&F did not want a strategy extended to Alderney, but my colleague Mr Jean said on 27th  
November 2013, as recorded by *Hansard*:

In Alderney ... we are looking forward to making progress with our own programme of improvements for those less  
abled than ourselves. I realise we have never given enough time to this important area, which has long suffered  
from neglect. Now is the time to put that right.

Well, six years have passed, and now is the time for this States to start putting it right. Sir, I sincerely hope Mr Jean does get his wish.

370 Now on to the minimum wage: the absence of a minimum wage in Alderney causes problems for Guernsey's Committee for Employment & Social Security when it needs to supplement the wages of individuals and families living in hardship. I do not doubt that a minimum wage would be challenging to introduce, and might, in the extreme, make a business unviable. The average household income is lower in Alderney than Guernsey, and the cost of living is, in some respects, higher here.

375 A lack of employment legislation can disadvantage ordinary residents in their ability to stay in work until a higher state pension age, which could translate into increased costs in unemployment and incapacity benefits, which in turn could lead to ongoing increased benefit expenditure. Guernsey have the Minimum Wage Law 2009, which came into force on 1st October 2010. Since that date, all qualifying workers have the statutory right to be paid not less than the rate approved  
380 by the States. The current minimum wage rate in Guernsey – which came into force on 1st January this year – five months ago – is split in two. The adult rate – including apprentices – for those aged 18 and over is £8.10 an hour, an increase of 35p on the old figure. The young person's rate, which applies to 16- and 17-year-olds who are not apprentices, had an increase of 45p to a rate of £7.50. The living wage, as used in parts of the UK, is an informal benchmark set by the Living Wage  
385 Foundation, not a legally enforceable minimum level of pay like the minimum wage, and it currently pays more than the minimum wage in Guernsey – being £9.00 per hour outside of the capital of London.

Section 1(1)(b)(ii) of the Supplementary Benefit (Guernsey) Law, 1971, the Law which governs entitlement to supplementary benefit, states that a person whose resources are insufficient to  
390 meet their needs is eligible to claim supplementary benefit if they are 'acting in compliance with work requirements relating to them'.

The Law defines 'work requirements' as becoming or continuing to be in full-time remunerative work, which has the meaning given by the Supplementary Benefit Regulations, 2014, to be engaged in full-time remunerative work according to those regulations a person must work for a  
395 minimum of 35 per week, remunerated at a rate that is at least equal to the minimum wage.

As minimum wage legislation does not apply in Alderney, this means that an Alderney resident remunerated at a rate that is less than minimum wage would not be acting in compliance with the work requirements set out in the above legislation. Therefore, they would not be entitled to claim supplementary benefit, unless they were exempt from the condition which requirements them to  
400 be in full-time remunerative work. There is a concern that the principle is problematic. If Alderney residents were required to meet the same income requirements as Guernsey residents, they may have to work more hours to do so and this does not seem fair.

On the other hand, one of the reasons for introducing the minimum wage in Guernsey was to avoid the Government subsidising businesses who paid wages that were insufficient to cover a  
405 person's living cost. A lack of minimum wage in Alderney could mean that the States of Guernsey is effectively subsidising Alderney businesses who pay low wages by topping up their living costs via supplementary benefit. This principle is also of some concern, and it would be more straightforward to treat Islanders equally if there were also a minimum wage in Alderney. Any legislation would need to be tailored to Alderney, and not go blindly down the 'let's follow  
410 Guernsey' route.

Finally, with regard to a Health and Well-being Strategy where physical and mental health are integrated, I say this: equality takes on many forms. Recovery from mental health problems is a concept that acknowledges that people can and do lead meaningful lives in spite of mental health problems. Recovery represents the flourishing of values and beliefs which allow a person to define  
415 themselves beyond illness and disease. Fundamentally, it is about growing meaning, purpose and self-expression in a person's life. One in four of us will suffer some sort of mental health problem in our lives, according to the World Health Organisation. By spotting signs of ill-health early, we can give hope for recovery, especially where early intervention is important.

420 By listening without judgement, we can give hope that someone who may be struggling with  
difficulties can feel accepted and understood. By encouraging someone to seek professional help,  
we can give hope that their difficulties can be overcome with the right mixture of help. By asking  
someone on the brink the right questions, we may even save a life, and bring hope to that person's  
darkest moments.

425 There are 18 Acts in force in the UK which have addressed key changes and developments to  
mental health policy and legislation. The Health and Safety at Work Act 1974 – the first of those 18  
– classifies mental health issues arising as a result of work conditions as personal injury, and  
ensures basic rights in relation to healthy work standards. The Equality Act 2010 gives protection  
to many groups, including those with disability. Mental health conditions and mental illnesses  
430 such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive  
compulsive disorders, as well as personality disorders and some self-harming behaviours are all  
considered disabilities under this Act. In 2011 the Conservative-Liberal Democrat Coalition  
published a Mental Health Strategy that emphasised the relationship between mental and  
physical health, and how mental health is everybody's business. This strategy, amongst other  
things, focused on prioritising mental health with the government, and reducing the stigma and  
435 discrimination.

We can all contribute in a million different ways to help build a mentally healthy community,  
and it might just take a conversation over a cup of tea. We have to ensure that we prevent people  
with mental health issues being treated unfairly. Mental health problems can be caused by what  
the average person is immune to. The OAP on a small pension struggling to decide whether to pay  
440 the rent or put the heating on in winter, and fretting as a result; the single mother with two  
children and an errant father not paying his share, putting less food on her plate because the  
children need to new shoes for school, and fretting as a result – they both exist here in Alderney.

If the Mental Health (Discrimination) Act 2013 was able to repeal legislation that previously  
prevented people with mental problems from becoming a director of a company, or even standing  
445 as a States Member, then we surely can ensure that our own organisational health and well-being  
strategies integrate physical and mental health as a matter of course. That is equality.

Mental health and physical health should never be thought of as separate. Poor physical health  
can lead to an increased risk of developing mental health problems. Similarly, poor mental health  
can negatively impact on physical health, leading to an increased risk of some conditions.

450 Mental health is just as important as physical health. Our mental health plays a big role in how  
we feel on a day-to-day basis. It includes our psychological, social and emotional well-being. It  
affects how you think, feel and act in our daily lives. Social relationships, both quantity and quality,  
affect mental health, health behaviour, physical health and mortality risk. Social isolation of  
otherwise healthy, well-functioning individuals eventually results in psychological and physical  
455 disintegration and even death.

We did not just sign an agreement that we are all very aware of in 1948. It is also the year that  
the NHS was founded. Since that time, physical care and mental healthcare have largely been  
disconnected. There is an ever-increasing call on healthcare professionals to consider  
psychological well-being when treating the physical symptoms of a condition, and *vice versa*.  
460 People with mental health conditions are less likely to receive the physical healthcare they are  
entitled to. Mental health service users are statistically less likely to receive routine checks like  
blood pressure and cholesterol that might detect symptoms of these physical health conditions  
earlier.

There is also evidence to support the claim that they are less likely to be offered help to give  
465 up smoking, reduce alcohol consumption, and make positive adjustments to their diet. Good  
nutrition is a crucial factor in influencing the way everybody feels. A healthy, balanced diet is one  
that includes healthy amounts of proteins, essential fats, complex carbohydrates, vitamins,  
minerals and water. The food we eat can influence the development, management and  
prevention of numerous mental health conditions, including depression and even Alzheimer's.

470 People today, particularly the younger generation, are living their lives through the prism of  
social media, and it means that there is an ever increasing need for help. Like it or not, at a time  
when we are commemorating D-Day 75 years ago, which was the ultimate in resilience, the world  
has changed and everything is instant. We need to show people that when something goes wrong,  
that it is not the end of the world, and that feeling down is not something to make them  
475 marginalised.

Referring back to my point about the OAP living below the poverty line – we can see that a  
good diet is not always within reach. It is 2019. I believe that is time to approve the drafting of  
legislation and developing policies to try and address these problems, to give people basic  
protections in work, to recognise the rights of those with disabilities, and to support the health  
480 and well-being, physical and mental, of our community.

Thank you.

**The Vice-President:** Mr Gentle, thank you very much. Would anybody else like to speak?

Mr Jean.

485 **Mr Jean:** Thank you, Mr Gentle, for reminding me of my words in the Guernsey States.

I still also feel that here, particularly for Alderney and where this starts for me is these other  
jurisdictions do indeed – as was pointed out here – have more complicated, complex legislation,  
and while I do accept we must do what we can to see that people’s rights are upheld in every way,  
490 I actually doubt that there are many people who are on Alderney who are paid much below the  
minimum wage.

Alderney needs to do what it can, but I would prefer to see some of these things done by  
example and through encouragement. I believe the easy thing to do would be one of the things  
that was discussed at the time, back in 2016, which was three disabled crossings in the town –the  
495 bottom, top and middle of town. But I question the need to be pushed or coerced into adopting  
the legislation by remarks from Guernsey. This should be done gently. The States could set the  
first example by doing these crossings and encouraging others to contribute ideas towards  
achieving other initiatives.

As our economy recovers, it will be easier to look at these items of legislation, and they  
500 certainly should not all be introduced at once. One at a time.

They also, in my opinion, particularly need to be tailored to Alderney’s needs, and not just lifted  
straight from Guernsey, and to be in line with what Alderney can afford, and what Alderney can  
do. I realise some new legislation is unavoidable, but let us keep it as simple as we can.

I agree with longer working lives, however – back then I echoed a word of caution. Those  
505 involved in manual work and some of the physical trades may well be worn out by one lifetime’s  
work, let alone trying to add more years to that working life. This must include an ability for those  
people to retire more or less as their circumstances dictate.

We know in recent months certain people have applied pressure over some items of  
legislation. I am not swayed by that argument at all. There is no doubt in my mind that Alderney  
510 is very different to Guernsey. Even our economy behaves in a completely different way to  
Guernsey’s economy and we still have problems. The nub of our problem goes back, yet again, to  
transport, which is why I emphasise that great care must be taken – and I do see that in this paper.  
I see that care being stressed. I just want to add to it, to say that the way that we tailor any new  
legislation to fit in Alderney, and at a pace that people and business here can cope with, that is all  
515 I ask of you – that we do this gently.

I realise it is coming. I realise some of it has got to come. But it will add a burden in certain  
quarters, and it will not be easy. It must be done one at a time, steady as you go. That is my view.

Thank you very much, sir.

520 **The Vice-President:** Mr Jean, thank you.

Would any other Member like to speak? Mr Harris.

**Mr Harris:** Mr Vice-President, fellow Members.

525 Just a few words. I have little to add after Mr Gentle's excellent speech, but it is quite clear that in the year 2019 Alderney needs to move forward with making the Island a much more secure and inclusive place, and these proposals make great progress in achieving that goal for all Island residents.

I wholeheartedly agree that obviously, due to Alderney being markedly different from elsewhere, including Guernsey, in many, many ways, that any forthcoming legislation needs to be tailored specifically for Alderney and time needs to be taken to get it right. I absolutely hope that the States will vote in favour to develop the Items listed in tonight's Billet, and I am looking forward to great progress being made in these areas as soon as we can.

But I will reiterate that it must be done properly.

Thank you.

535

**The Vice-President:** Any other Members wish to speak? Mr Roberts.

**Mr Roberts:** Yes please, Mr Vice-President.

540 We live in a changing world, and the time comes when you get left behind. In 2017 we agreed to consider the option of developing a disability strategy, but we thought it was not a priority. If the disabled are not a priority, then what is? The absence of the minimum wage here causes social, family issues, when it is to top up and supplement income to families facing hardship. This is a complaint I hear regularly in Guernsey, and that is because we have failed to implement a minimum wage in Alderney, and we should have, because it feeds ammunition to some in Guernsey, and that increases our deficit.

545 It will cause ripples throughout our employers as to the fragile and ailing economy. However, I feel we have no choice here than to adopt it; but we will have to listen to all parties. Basic employment protection should be a requirement as much as insurance, along with the minimum wage – or even a living wage. It may cause a little inflation initially, but it exists in Europe, Jersey, Guernsey, and it had to come here – particularly as we pay our taxes to Guernsey, and the system of security top-ups.

550 We will probably adopt the same rate as Guernsey, and this will happen, and it will be too low, and I will tell you why. I asked for an Alderney average wage, and I failed to get an answer from the source that I was provided. So I do not know.

555 The average wage in Guernsey is a staggering £51,000. In Alderney, I would expect it to be half of that. In Alderney we have fuel poverty, as our electric is reputedly the second dearest in the world. Fuel is far dearer than in Guernsey, and out of proportion, I would have thought, and we have been paying the same rates of TRP for many, many years. The elderly suffer from fuel poverty here, and pay over the odds for everything. So do young working families. You should always respect your elders: they graduated school without internet.

560 We need to go forward, but with caution. But let us not forget the disabled accesses on the Island and those are already struggling here.

**The Vice-President:** Thank you, Mr Roberts.

565 Anybody else? Ms Burgess, please.

**Ms Burgess:** Thank you, Vice-President and fellow States Members.

570 I do not really have much more to add, except that I do want to thank Mr Gentle for some really very good points. It was good to listen to and I am in full agreement that we need to develop these areas. I actually feel it is just the right thing to do. When you actually read it, when you say, basic employment, minimum wage, disability legislation, it speaks for itself. I think, in a modern world, we have to look after all parts of our society, and we have to protect and help.

I would also like to echo what Mr Harris said, when he says let us do it properly, and I also recognise Mr Jean's point that Alderney is slightly different to Guernsey, so we have to do this in a way that is appropriate to our Island and our needs. But really, all in all, I am very much in agreement with this going through.

Thank you.

**The Vice-President:** Thank you, Ms Burgess.  
Anybody else? Mr Snowdon.

**Mr Snowdon:** Thank you, sir; fellow colleagues.

I would just like to say well done to Mr Gentle for a very passionate speech – fantastic.

Just going over some simple points, basic employment legislation I think is absolutely essential. You have got people with a mortgage, struggling to pay the rent and they can lose their job next week. How are they meant to proceed? It is a really, really important feature that we need to integrate going forward.

It offers security, you cannot expect people to be in a job and not have security as to whether their job is going to be there in the future. They need to have some sort of protection, some sort of way to be able to future plan their way forward.

I think, as Mr Roberts touched on with the minimum wage, the cost of living is extremely high here. Electric is very high, food is very high and travel is very high. So I think it is absolutely essential that we have some sort of minimum wage. People are struggling, working longer hours to make up enough money to basically survive, but they might working 60 or 80 hours a week, which is a ridiculous amount of time to spend in order just to survive.

Disability is a very, very important issue, and I think we actually have an issue tonight where a States Member is unfortunately not able to get here, because this building is not actually fit for disability. So even tonight, we have got an example where disability is affecting us here. It is absolutely essential we look at disability access for people so everyone is integrated.

Just touching on a point that was raised in the States of Deliberation by Mr Roberts about the transport issues with disability, we have got to look at that. People are having issues getting on to the planes and the airport is not satisfactory. It needs to be sorted about. So hopefully these recommendations are a step in the right direction in moving forward with that.

Just to go back to Mr Gentle's speech – which was absolutely fantastic, and I think he has covered most of the points – but I would just like to say well done to those two States Members who did the Mind course. I think the Mind Centre is fantastic that is opening up. I think it opening up this weekend if I am right. I think that is a really good step in the right direction. It is fantastic that they have come here, and that the Mind Centre is opening up to deal with these aspects and issues in our community, which I think have been hidden in the past. So it is very good that this is coming to the forefront.

So I strongly support all of these items. I would also just like to say that I think Guernsey would support us supporting these items as well, so I think we are working together on this one, fingers crossed, if it passes tonight.

Thank you.



615 **The Vice-President:** Thank you, Mr Snowdon.  
Would anybody else like to speak? Mr Dean.

**Mr Dean:** Mr Vice-President, fellow States Members.

620 I would also like to echo the sentiments that the other States Members have mentioned of Mr Gentle's speech, and there is a point of correction – but I did not want to stop him as he was on his way through. The new builds, under BDCC policies, we do have lifestyle homes regarding disability access. So that is something that we are already ongoing and doing now, as any applications come forward.

625 I would also welcome these proposals, but I would have a degree of caution that we always need Alderney solutions to Alderney problems, and any legislation will need very careful, detailed consultation with everybody, and detailed analysis before we as a States propose and adopt any policies and legislation. As a States – and Mr Snowdon has already touched on it earlier on this evening – best service is defined as turning around the economy and generating more business and therefore more income into this Island, to pay for the improvements necessary for  
630 everybody's well-being.

**The Vice-President:** Thank you, Mr Dean.

Mr Earl, would you like to make your contribution before I put my element in?

635 **Mr Earl:** Is this my summing up speech?

**The Vice-President:** No, you will have an opportunity to make a ... no? Okay.

In that case, I will add my contribution as Chairman of P&F.

640 First of all, I would like to echo the point made by Mr Snowdon, that it is ironic that we are discussing disability legislation here when one of our Members is absent tonight because of his difficulty in climbing our stairs. Mr Gentle has already echoed some of my thoughts, but at the risk of boring you, I want to just repeat some of the things. Alderney currently has only a limited range of employment legislation, and this mainly covers employment permits and employer's liability. Other jurisdictions typically have a wider range of laws, which often cover conditions of  
645 employment, employment protections, employment disputes, minimum wage levels, and the arrangements for transfer of staff from public undertakings.

The consequences for Alderney are that relations between employer and employee must rely on contract law, under the current consequences. The lack of employment legislation and a minimum wage has, however, brought inconsistencies in some aspects of the delivery of the transferred services – one or two people have alluded to this already. The example I have here is  
650 that the absence of a minimum wage causes problem for the Guernsey Committee for Employment & Social Security when it needs to supplement the earnings of individuals and families living in hardship.

655 Let me go back to 2013. In 2013, the States of Alderney Policy and Finance Committee expressed the view that it did not consider it appropriate that the States of Guernsey Disability and Inclusion Strategy be extended to Alderney. The Committee at that time made it clear that this was not in any way to suggest that the States had any opposition to the principles of disability and inclusion within society. On the contrary, they noted that they supported inclusion in all walks of life, but considered, given the size of the Alderney community and its Government, that  
660 strategies and associated legislation needed to be proportionate. They believed that non-adoption of the Guernsey Disability and Inclusion Strategy was the most practical response.

665 In September 2017, following new policy documentation from the States of Guernsey Committee for Employment & Social Security (CfESS) which focused on longer working lives, the States of Alderney debated matters, though without formal resolution. In short, in September 2017, the States of Guernsey Committee, CfESS had asked the States of Alderney whether or not to broadly welcome Guernsey's policy proposals to encourage longer working lives, to agree to

consider the option of developing a disability strategy for Alderney, though at the same time acknowledging that this might not be a priority, and whether or not to support the introduction of disability discrimination legislation in Alderney. The Policy and Finance Committee were asked  
670 by the States to then reflect on the debate, and to provide appropriate feedback to the Guernsey Committee *for* Employment & Social Security.

Following that 2017 debate, a response was sent by P&F to Deputy Michelle Le Clerc, President of the Committee *for* Employment & Social Security. That response, as you will all have noted and I hope read, is reproduced on the Billet. If I may quickly summarise the sections of that response  
675 relevant to tonight, these were: as regards basic employment legislation, there was support for a written contract setting out terms of employment. With regard to wider rights, it was noted that legislation should be kept to a minimum in order not to become burdensome or create significant costs for the Government to administer. It was also noted that the States might progress this if there could be help from the States of Guernsey Advisory Service team and if the legislation was  
680 simple and did not require detailed mechanisms or tribunals to administer and enforce.

As regards minimum wage legislation, the majority of States Members at that time considered that a minimum wage would be challenging to administer and could make some businesses unviable. It was noted that the average household income in Alderney was lower than Guernsey, as we have indeed noted tonight, with many residents needing to have multiple jobs with pay rates that reflected the market. There were, however, those who supported and made reference  
685 to the need for a living wage.

As regards disability legislation, it was felt that Alderney could usefully develop its own strategy. A bespoke strategy, instead of a mirror of Guernsey's, might be better. There was, nonetheless, support for Alderney building regulations and building and development control policies ensuring that new builds were disability friendly. There was not, however, support for  
690 direct legislation. It was felt, once again that for a small jurisdiction, such as ours, the legislative burden should be minimised.

The matter of a health and well-being strategy, where physical and mental health were integrated, was as you have probably noticed, not on the agenda in 2017. Over the last three years there have additionally even a number of workshops on health and well-being. Most noteworthy, in December 2018 there was a debate in the States on health and social care delivery and regulation. Although that debate was wide-ranging, the integration of physical and mental health was again not considered. In May of this year the Policy and Finance Committee reflected once again on current policy. The Committee was minded to reconsider both the States' previously  
695 stated position and the wider issues now perceived by some as problematic inconsistencies with Guernsey; and that for debate and decisions, the question as to whether legislation could be introduced in the four areas now set out.

Let me return now to employment legislation and a minimum wage. I should like to see treat these issues together. Recently there has been much talk of both minimum and living wages. The absence of minimum wages is in fact a matter of some concern, particularly, it appears, to the authorities in Guernsey. As you probably remember, the subject has been raised recently by one or two Guernsey Deputies when talking about the review of the 1948 Agreement. If I can *précis*  
705 one of the CfESS 2017 documents, this states that when Supplementary Benefit is paid by the States of Guernsey – that is, to Alderney residents – it can simply be subsidising Alderney businesses who have chosen to pay low wages.  
710

An Alderney resident paid less than the Guernsey minimum wage appears, in fact, to fall into a sort of legal limbo. According to the 1971 Supplementary Benefit Law, the definition of full-time remunerative work is working for a minimum of 35 hours per week at a rate at least equal to the minimum wage. Conceivably, in Alderney, full-time remunerative work might therefore include  
715 anyone working 35 hours per week and paid less than even a pound an hour. Clearly, the CfESS has a number of problems when applying its regulations in Alderney, and I sympathise with their predicament.

720 Alderney is not, however, Guernsey. We have already noted this. As I have just noted, many people do more than one job, many jobs are not naturally full-time and there is much flexibility in our labour market. One of the good things about Alderney is that people on the whole behave decently to each other and we do not rely overtly on rules and regulations. Though, having said this, this is not always the case. I believe, therefore, that all employees, both full and part-time, should be provided with a basic employment contract and that there should be some enforceable framework available as to proper and sensible conditions such might incorporate.

725 I am not, as I hope you see, advocating UK-style employment law. What I would have us have is basic legislation: legislation that in addition to setting out protection in the case of unreasonable dismissal and providing basic work practice protections in cases where there are disputes, providing the framework for further regulations that can be drafted and brought into force as and when we saw fit. I do not pretend to be an expert on these matters and I believe we will need  
730 guidance and much discussion in regard to what might be appropriate and what might be inappropriate. My call is for what I believe is often termed enabling legislation. This would allow us to institute reforms at a pace best suited to ourselves. I am not sure how acceptable such legislation might be to the Privy Council, but I would ask that we explore the possibility further through the Law Officers.

735 May I now return to the Bailiwick social security system and the CfESS's problems with Alderney? I do not think we are currently a major imposition on this system. Nonetheless, as long as we remain different there will be those in Guernsey who make much of the difference and the risks that they perceive the Guernsey exchequer will be bearing on our behalf. Two years ago, I expressed the opinion that rather than Alderney introducing complex legislation – which given  
740 our small civil service and remoteness from Guernsey would be difficult to administer – Guernsey might bend instead. I still believe this, though as you will have noticed, I am now calling for some minimum legislation of our own.

One more matter: as I understand it the CfESS are also concerned that somehow the present lack of Alderney employment legislation may disadvantage Alderney residents in any ability to  
745 stay in work when retirement ages and state pension ages increase, as inevitably they must.

Colleagues, this evening we are also talking about disability legislation. The Guernsey Equality and Rights Programme is fundamentally good and has inevitably moved forward since 2017. Next month, the States of Alderney will be welcoming Deputy Emilie Yerby and Kerstin Neason, who is working on the matter for the Guernsey Government and who will be better able to update us. In  
750 Alderney's case, particularly with our ageing population, the needs of those less able than ourselves are clearly something we need to be paying proper attention to, not just because it is the right thing to do, but because it is in our own self-interests.

We do have problems, as I noted in 2017, particularly in regard to access. Those with mobility issues do not find Victoria Street and the High Street easy places to navigate. Retrofitting easy  
755 access infrastructure will, however, be costly and our approach must therefore concentrate on what is reasonable and what will have the greatest benefit. I therefore think we need our own carefully thought-out disability strategy and if I can bore you with the same pun I used two years ago, we do not want to follow Guernsey blindly.

In 2017 the CfESS asked us if we wished to replicate, or closely follow, this disability discrimination legislation currently under development in Guernsey. In 2017 I said no. We might  
760 not want, or be able to afford, all the infrastructure or the new services that Guernsey might be contemplating. Lifts in all our public buildings and ramps at our shop entrances might be nice. We could have special road-crossing facilities for the blind, public notices printed in braille, large print or maybe even Polish, Portuguese and Latvian language alternatives to papers we produce.

765 But two years on, I see we have done very little. Our cobbles are dangerous, particularly dangerous for the elderly, and we do not leave enough space for wheelchair or mobility-scooter users on the road. Pedestrians, firm and infirm, are often forced to walk in the middle of the road and those with hearing difficulties are put at added danger when they do this. We also seem to

770 be driving faster than we used to and fewer people are walking. Over the last 16 years, I see fewer and fewer people choosing to walk or ride bicycles.

775 So what do I suggest? I would like us to examine all of the proposals that came out of Guernsey and to implement those that we can afford and those that are likely to be of greatest benefit to our people. I would like a checklist of possibilities and for it to be a requirement that, before new services and infrastructure are brought in that we reasonably see what can be incorporated to the benefit of those with disabilities. I do not want us to spend money without benefit and I do not want us to be a slave to political correctness. But I do want us to be active and do what is reasonable and affordable.

780 Because little has happened since we last debated this subject, maybe we do also need some legislation and just as I argued with employment, I think it would be good to have basic legislation that, in addition to setting out requirements to examine and implement what is reasonable and cost-effective, would provide for a wider regulatory framework that could be adjusted and brought into force as and when we saw fit. As was the case with employment law, I believe we will need guidance and much discussion in regard to what might be appropriate and what might be inappropriate. My call is therefore – again – for enabling legislation to allow us to institute reforms at a pace that best suits us.

790 The last issue we are debating tonight is a health and wellbeing strategy where physical and mental health are integrated. I was not going to say much on this subject. I do, however, want us to note that we lack proper psychiatric services and it might be appropriate to look not just at the linkages between physical and mental health, but also at the synergistic support that appropriate general disability legislation – and perhaps even employment legislation – can provide to those that have physical and mental health problems. Health issues are a transferred service, but disability and employment legislation are our responsibilities, and if we can do something to help those in need with facilities to support their needs, and if can do it at only small cost, let us get on with it.

795 In conclusion, I support all four elements in the proposition tonight. If we pass these resolutions tonight, this will however be only one small step along the path. We have plenty of opportunities to tailor our legislation and strategy, taking into account our own needs and resources. I do not think we have to follow Guernsey precisely.

800 Thank you.

And with that, Mr Earl would you like to avail your opportunity to sum up?

**Mr Earl:** Mr Vice-President, fellow States Members.

805 After all of that, I have nothing to add except to commend this Item to all of you. It is the first step on a long road, but one which I believe, as Mr Snowdon has said, will go down with our colleagues in Guernsey.

Thank you.

**The Vice-President:** Thank you, Mr Earl.

810 Monsieur Greffier, would you put this to the vote and could we take each item separately, if we may?

**The Greffier:** Yes, in which case, the States of Alderney are asked to resolve that it is open to developing basic employment legislation.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	None
Mr Dean		
Mr Dent		
Mr Earl		
Mr Gentle		
Mr Harris		
Mr Jean		
Mr Roberts		
Mr Snowdon		

815 **The Greffier:** Is also open to developing minimum wage legislation.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	None
Mr Dean		
Mr Dent		
Mr Earl		
Mr Gentle		
Mr Harris		
Mr Jean		
Mr Roberts		
Mr Snowdon		

**The Greffier:** Is also opening to developing disability legislation.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	None
Mr Dean		
Mr Dent		
Mr Earl		
Mr Gentle		
Mr Harris		
Mr Jean		
Mr Roberts		
Mr Snowdon		

**The Greffier:** And is also open to developing a Health and Well-being strategy where physical and mental health are integrated.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	None
Mr Dean		
Mr Dent		
Mr Earl		
Mr Gentle		
Mr Harris		
Mr Jean		
Mr Roberts		
Mr Snowdon		

**The Greffier:** Sir, in all four matters, all the Members are in favour.

820

**The Vice-President:** Thank you.

**III. Questions and Reports –  
Questions for verbal reply**

*Item III.*

*The following questions had been received:*

1. Question from Mr Gentle for the Chairman of the Finance Committee, Mr David Earl:

*Is the Chairman of the Finance Committee able to explain why certain parts of the Committee meeting minutes remain confidential to members of the Policy and Finance Committee not sitting on the Finance Committee, despite the Finance Committee being appointed as a sub-committee by members of Policy and Finance, and would he be amenable to a change to the status quo in these supposedly open and transparent days to enable the members of Policy and Finance to be able to scrutinise decisions taken in Finance?*

2. Questions from Mr Earl for the Alderney Representatives in the States of Guernsey, Mr Steve Roberts and Mr Alexander Snowdon:

*Question to Mr Roberts:*

*Could you briefly inform us of any matters relevant to Alderney discussed during the most recent meetings of the States of Guernsey and of any relevant discussions you may have had with the State of Guernsey members or officers outside the chamber? I would be grateful if you would also briefly inform us of any matters relevant to Alderney that were discussed during the Commonwealth Parliamentary Association meeting that you attended in Guernsey as a Representative of Alderney?*

*Question to Mr Snowdon:*

*Could you briefly inform us of any matters relevant to Alderney which were discussed during the most recent meeting of the States of Guernsey, and of any relevant discussions you may have had with States of Guernsey Members or officers outside of the chamber?*

3. Questions from Mr Snowdon for the Chairman of Policy and Finance Committee, Mr James Dent:

*1. Could the Chairman of Policy and Finance Committee explain what is happening with the Tourgis development?*

*2. Could the Chairman of Policy and Finance Committee update us with what is happening with medevacs?*

*3. Can the Chairman of Policy and Finance Committee explain the new PSO process, with a timeline?*

*4. Would the Chairman agree that Policy and Finance Committee should be putting a Policy and Finance Plan together such as the Policy & Resources plan released recently?*

**The Vice-President:** We have a number of questions tonight, I will take them in the order that they were sent in.

**Confidential information in Finance Committee meeting minutes**

825 **The Vice-President:** Mr Gentle, I believe you have a question for the Chairman of the Finance Committee?

830 **Mr Gentle:** Is the Chairman of the Finance Committee able to explain why certain parts of the committee meeting minutes remain confidential to members of Policy and Finance Committee not sitting on the Finance Committee, despite the Finance Committee being appointed as a sub-committee by members of Policy and Finance, and would he be amenable to a change to the *status quo*, in these supposedly open and transparent days to enable the members of Policy and Finance to be able to scrutinise decisions taken in Finance?

835 **The Vice-President:** Thank you.  
Mr Earl.

**Mr Earl:** Mr Vice-President, fellow States Members, Mr Gentle.  
In response to the first part of Mr Gentle's question, the Rules of Procedure for States Committees are set out in Rule 11, and I quote:

Minutes should be approved by the Committee at its next full meeting, and excepting confidential annexure(s), shall be circulated to all States Members.

840 I continue: confidential annexure(s) should only contain confidential material relating to a person or a company's business, personal affairs and any matter covered by the Data Protection Legislation. Sensitive commercial information should also appear in the confidential annexure(s).

845 The Rules clearly provide that confidential annexures are not circulated to all States Members and therefore implicitly are not available to the members of particular committee. Notwithstanding the fact that the Finance Committee is a sub-committee of the Policy and Finance Committee, there is no provision within the Rules of Procedure to treat it in any way other than as a committee.

850 Secondly, in response to the second part of Mr Gentle's question, I would support the view contained in a document entitled Confidential Annexures, which will be discussed at tomorrow's P&F meeting. Again, I quote: it is also important to point out that the current Rules of Procedures do not include any rules or guidelines around access to information for States Members. It would certainly be good practice to have such rules which would set out clearly what information States Members were entitled to access, how requests might be made for information to which a States Member may not have an automatic entitlement, but may wish to make the case that they need to know, and what obligations there are to maintain the confidentiality of certain information. It would also be helpful to have some clear guidance on what is defined as confidential and how best to minute confidential items, so that transparency about decision-making can be maximised without compromising those elements of a decision which are justifiably confidential.

860 **The Vice-President:** Mr Earl, thank you.

Do we have any supplementary questions that related to the answer just given by the Chair of Finance? Mr. Snowdon.

865 **Mr Snowdon:** Thank you. I will just try and work out how I will ask my question, Mr Dent, thank you.

870 Regarding the Finance Committee – which you all do a fantastic job on – however, it is very hard for us to know what is going on. In the last Finance Committee minutes, it was 'confidential item' on the Alderney Ambulance Station, swimming pool, Alderney Animal Welfare Society, Accounts 2018, Connaught Extension Update, Alderney playground plus under-fives provisions, stamp items, Alderney Broadcasting Company and there was actually 'any other business' and it says 'confidential item' on that as well.

Would you agree with me that this seems a little bit inappropriate for a sub-committee of P&F that is meant to be acting under P&F, for P&F for Members not to see those items? As far as I am concerned, I do not know anything about those items because they are confidential now, though

875 I am a member of the P&F which is meant to be the senior committee for that Committee. So I would like some clarification as to how we can actually find out what is going on with the Finance Committee. It is not against the Finance Committee members at all; it is about the government of it.

Thank you.

880

**Mr Earl:** Mr Chairman, fellow States Members, I believe I have answered that question already and I do not see any reason why I should repeat the second part of my question.

**The Vice-President:** Thank you, Mr Earl.

885

Does anybody else have a supplementary question? Mr Jean.

**Mr Jean:** Would the Chairman agree with me that perhaps we should look at what a confidential item is and reassess it and recalibrate it? I am sorry to say this, but I believe needs to be done for the Finance Committee itself – for the benefit of the Committee itself – because I actually believe that there is merit in what is being said here and some of those items certainly should not be under confidential annexure. It is ridiculous.

890

Thank you.

**Mr Earl:** Mr Chairman, fellow States Members, I do not disagree with you. I think that is what I said in the second part of my question.

895

**The Vice-President:** Does anybody else have a – ?

**Mr Roberts:** Yes, yes. I would just like Mr Earl to agree with me, that each and every one of the States Members around took the same oath as what yourself did. So we should be equally trusted with information which the public gave us.

900

**The Vice-President:** Mr Earl, would you like to answer that question?

**Mr Earl:** Mr Chairman, fellow States Members. Again, I really have nothing further to add. I think I have made it quite clear that this is a subject that requires reviewing, and it is not for me to comment.

905

**The Vice-President:** Thank you. Anybody else ... ? I think you have asked one supplementary question?

910

**Mr Snowdon:** Am I not allowed another one? *(Laughter)*

**The Vice-President:** No, you are not. Anybody else with a supplementary question? Thank you.

915

### Recent Guernsey States of Deliberation and CPA meetings

**The Vice-President:** Mr Earl, I believe you have two questions, one for each of our Alderney Representatives, if you would care to ask them each in turn. Thank you.

**Mr Earl:** Mr Vice-President, I do not believe ... have you got a copy of those, please? I have a copy of the another ones, but not this one. Thank you very much. Too many bits of paper today.

920



First question, and this is to the Alderney representative Steve Roberts: could you briefly inform us of any matters relevant to Alderney discussed during the most recent meetings of the States of Guernsey and of any relevant discussions you may have had with the State of Guernsey Members or officers outside the chamber? I would be grateful if you would also briefly inform us of any matters relevant to Alderney that were discussed during the Commonwealth Parliamentary Association meeting that you attended in Guernsey as a Representative of Alderney.

Do you want me to read out the second question?

**The Vice-President:** If you would.

**Mr Earl:** Okay, and the second question is to Alex Snowdon, could you briefly inform us of any matters relevant to Alderney which were discussed during the most recent meeting of the States of Guernsey, and of any relevant discussions you may have had with Guernsey States Members or officers outside of the Chamber?

**The Vice-President:** Mr Roberts, if you would like to go first?

**Mr Roberts:** Would you like me to go first? Yes.

At the States of Guernsey on 12th June 2019, following various updates and questions from P&R, STSB and Home Affairs, there was an election for Economic Development and Planning, usual ratification on legislation; and Rules of Procedure, Criminal Justice (Proceeds of Crime) and Digital Services statements from P&R.

Then came the Reform of Health Care Funding which contained reference to joining the UN disabled law protection. I took the opportunity to speak on the lack of disabled access at Alderney Airport, which is sadly lacking. There is no wheelchair access through Alderney security, meaning the disabled and ill have to be wheeled around the terminal in all weathers – and sometimes pouring rain and gales – to get to the aircraft.

What is an awful fact – awful fact – is that no disabled toilets exist in Alderney terminal at all. Unbelievable, in 2019, for the travelling wheelchair users and also for our local people travelling to Guernsey in wheelchairs. I supported Deputy Soulsby in her amendment, and I asked the question, would she assure me that this would be investigated? Unfortunately I did not get an answer. I had a meeting with Deputy Leadbeater over lunch and I signed the Deputy Ferbrache requête. This requête amounts to protecting widow's pensions throughout the Bailiwick and I was very pleased that he asked me to sign it. I was honoured.

Directly after the States meeting I finished, I attended a CareWatch meeting at the PEH, to discuss various funds and needs to the public sick and elderly and also drug funding, plus end-of-life care. Guernsey is behind Jersey and the UK in funding new drugs and I feel this is totally wrong. Better and more effective drugs are unavailable here due to funding and this needs to be changed. Deputy Roffey is forwarding a requête to change this, and quite right too. It was a good meeting between Guernsey and both Mr Snowdon and me.

Now I will move on to the CPA – the Commonwealth Parliamentary Association meeting – which I was invited to go to because nobody else wanted to go. It was in Guernsey, it was not anywhere exotic.

The previous month I attended the Commonwealth Parliamentary party for two days of lectures on 'fake news', no less. Mr Lyndon Trott was in the chair. The general consensus was that if fake news is told for long enough it becomes fake truth and believed.

But it was most useful in building relations with other small jurisdictions and many experience very similar problems to us in Alderney.

I met many interesting contacts, from St Helena, the Turks and Caicos Islands, Isle of Man, Africa, Australia, just to name a few. I am a very gregarious man. I like people and I felt at home with my task explaining Alderney and its relationships between us and Guernsey. The Australian

lady delegate is visiting my own son in Tasmania, as her son lives nearby. So we have a contact within the Australian government now.

975 I met an editor at *The Evening Standard* and *Independent* and we had a long chat one evening, listening to his insight into their war correspondents and how they operated – and he works with George Osborne.

980 On the last night the CPA – they paid – wined and dined us at the Cobo Hotel and when I arrived at my table of ten – still empty – I found my name-card on my chair. You can imagine my surprise when I looked at the name in the next place to me: it was Michael Jackson! Well, I waited for five minutes and then Michael arrived. So I did dine with Michael Jackson and that really is the truth. He comes from Jersey. I do not know if he can sing, but he can certainly dance. Many do not realise the different Island that I represented, but it was very useful, putting Alderney on the map and promoting Alderney – it is a very good thing the CPA.

985 Thank you.

**Mr Snowdon:** Thank you, sir, fellow colleagues.

990 I am just trying to think about what to add on Mr Roberts' speech. So we had the IT debate in the States of Guernsey which commits for the next 10 years £200 million spent on IT, which is an eye-watering amount, but will hopefully aid with Education, Health and throughout the Boards. So it is a tremendous amount of investment, and that got through the States of Deliberation.

995 We also had the Reform of Health Care policy paper from Policy & Resources. Myself and Mr Roberts were concerned about a specific aspect of it, which was the statutory provisions being removed from the Alderney Hospital Benefit, which comes under the Health Service (Benefit) (Guernsey) Law, 1990. We were quite concerned about that, but we were reassured by Heidi Soulsby and others during the debate that they come under the transfer services, so in theory nothing should change with Alderney. But we did check on that before we went any further.

1000 We also have got coming up the Policy & Resources Plan. I think have asked Members if they have any comments on. I have not had any comments yet, but we could maybe discuss it at P&F if anyone has got any comments on the Policy & Resources Plan that will be going to the States of Deliberation soon.

1005 There was also – when we had talks with Deputies down there – something about expressions for a ferry interest, which they do not seem to know anything about. It feels a bit *déjà vu* because there was a ferry interest before between Guernsey and Jersey and potentially Alderney. No one seemed to know anything about that, at the moment.

In the airport we met a civil servant who was to do with the seabed extension for us to the 12-mile limit, and he told us that it should be hopefully completed on 23rd July, fingers crossed. So we might want to just get some more clarification at P&F tomorrow.

1010 As you know, me, Mr Dent and Mr Earl went down on Monday for the 1948 Agreement talks – that is all it is at the moment and we will see what happens with that.

The DPA, which is the Development and Planning Authority in Guernsey, will hopefully be meeting the BDC members sometime to get a better working relationship between two committees, which is really good. I recommend that other committees in the States of Alderney team up with committees in Guernsey, fingers crossed.

1015 There was just one other thing, we talked with one deputy about CBD oil and the benefits of CBD oil production and everything. I think I have written you that detailed email, but if there are any other questions I would be happy to answer them but I think I have covered everything.

Thank you.

1020 **The Vice-President:** Does anyone have a supplementary question for either of our representatives in Guernsey?

**Mr Roberts:** I would just like to ask Mr Snowdon a supplementary question.

**The Vice-President:** Okay, please rise.

1025 **Mr Roberts:** I was not at the 1948 Agreement meeting on the Monday. Can you tell me, Mr Snowdon, if there was a third party present, an adjudicator, as P&F had mostly asked for a third party to sit and observe our discussions with Guernsey?

**The Vice-President:** I do not think –

1030

**Mr Roberts:** I was asking Mr Snowdon.

**The Vice-President:** Yes, and I would like to make a comment on that question, Mr Roberts. I think that is not relevant to the discussion as to why you were in Guernsey yourself at the States of Guernsey.

1035

**Mr Roberts:** But it came up, sir. It came up that you did the 1948 Agreement, so I think it is relevant to what we are saying, isn't it?

1040 **The Vice-President:** In this instance, I will allow this question. But I think it is very close to not being relevant.

Mr Snowdon, please.

**Mr Snowdon:** Thank you, Mr Roberts; thank you, Mr Dent.

1045

I agree with your sentiments entirely. At the moment it was just a talk and I hope if anything goes forward that Policy & Resources will make their views known as to how to proceed with this. So the answer to your question is that at the moment it was just a talk. So there was nothing entered into or agreed.

Going forward, I think we had all better to get around the table and think about how to proceed further.

1050

Thank you.

**Mr Roberts:** Thank you, Mr Snowdon.

1055 **The Vice-President:** Any other questions for either of our Alderney representatives?

### Tourgis development

**The Vice-President:** Right, Mr Snowdon, I believe you have a number of questions for myself as Chairman. Would you mind asking them one at a time and I will answer them individually after each one?

1060 **Mr Snowdon:** Thank you, Mr Dent.

Could the Chairman of Policy and Finance explain what is happening with the Tourgis development?

Thank you.

1065 **The Vice-President:** Thank you.

Our Strategic Financial Advisor, Mr Stephen Taylor, is co-ordinating efforts to undertake due diligence examinations on our behalf. The Dutch financial guarantors, Atradius, are undertaking similar exercises for their own purposes.

1070 We have also been in dialogue with the Bank, which is considering investing in the project. The Bank, Atradius and ourselves are all seeking further information from the developers.

The project, as you know, is a significant investment and we should not be surprised if the due diligence process is lengthy and detailed. If the project proceeds, it will be the stronger for having gone through this process and the assurance for it will be greater.

1075 If and when we can make a judgment that we have a project that can proceed, the developers will make a presentation of their proposals to the people of Alderney. This will be prior to any decision to go ahead with the project.

Thank you.

Does anybody has any supplementary question they wish to ask on this? Mr Dean.

1080 **Mr Dean:** Mr Dent, the due diligence – for the benefit of some of the new States Members – we were going to be getting due diligence in July 2018. As we are nearly at July, we have been waiting a year. Is there any date that we are actually going to see this due diligence?

1085 **The Vice-President:** Mr Dean, I very much hope we are going to see it very shortly. I share your frustrations.

Mr Snowdon.

**Mr Snowdon:** Thank you, Mr Dent.

1090 It is to your original answer, not this answer which you have just said. Just going back to the public presentation: when we met with the developers – I think quite a few months ago, actually, just I think with the new States, it must have January, February – they did say that public presentation would be happening quite soon, and Exclusive Hotels – if I have got it right – would be coming over to talk to us as well. But that does not seem to have got anywhere.

1095 And we were also told that the timeline was very pushed and that it would be being developed quite shortly. I just wondered if you could actually find out or give any more updates of when the public presentation is happening? I know you referred to it, but it seems to have changed the timeline.

Thank you.

1100 **The Vice-President:** I share your frustration again, let me make that very clear. Due diligence was – we had all hoped – going to take a much shorter period than it appears it is taking. But, I think that it speaks well of those doing the due diligence that they are asking a number of questions and when they have done their work properly we will have answers, and if we get the answers that we need we will have that public presentation.

1105 Thank you.

Mr Earl?

**Mr Earl:** Mr Vice-President, fellow States Members.

1110 Could you advise States Members when this matter will be brought to this chamber? I understand that the question of the freehold of the property has to be decided by a full meeting of the States, and as yet that has not been made. We seem to be doing an awful lot of work without actually having decided that we are actually willing to let go of the freehold.

**The Vice-President:** Thank you, Mr Earl.

1115 I think, again, this is a matter for after the due diligence and we will discuss the matters in relation to the freehold.

Thank you. Any other questions? Thank you.

**Update on medevacs**

**The Vice-President:** Mr Snowdon, your second question.

1120 **Mr Snowdon:** Thank you, Mr Dent.  
Could the Chairman of Policy and Finance update us with what is happening with medevacs?  
Thank you.

**The Vice-President:** Thank you.

1125 The PSO has been re-tendered in a manner that allows tenderers to bid in any one of three ways: for the commercial and medevac service combined, for the commercial service on its own and for the medevac service on its own.

1130 Health and, as a consequence, medevac, as it is part of the health service provision, are transferred services and as such come under the Committee *for* Health & Social Care in Guernsey. The Committee *for* Health & Social Care make payments currently to Aurigny and on occasions to others for medevac services.

In the event that a new provider of air services is not able to provide medevac services, we will need to understand how the current service will be re-provided. Thank you.

Mr Snowdon, you have a supplementary question, clearly?

1135 **Mr Snowdon:** Yes, thank you, Mr Dent.

1140 Just a bit more clarification: you were saying that Health has got to provide the service – please correct me if I am wrong – but I think there is a little bit of a dispute going on between Health providing that service and the States of Guernsey providing that service. I think if Health may be saying that they do not need to provide that service, we definitely need some clarification from the States of Guernsey of who in the States of Guernsey is responsible, and who is going to provide that service?

**Mr Roberts:** Correct. Can I just ... ?

1145 **The Vice-President:** You can ask that question, I will just reply to Mr Snowdon.

I understand that there are indeed some differences between the Committee *for* Health and Social Care social services and P&R. But this is an internal matter in Guernsey and as an Alderney representative I hope you can assist them in their deliberations.

1150 **Mr Roberts:** Mr Snowdon has taken the words right out of my mouth ... Yes, there seems to be an argument between Health and Economic Development, whose baby it is. Now in my view –

**The Vice-President:** Have you got a question?

1155 **Mr Roberts:** – it is health – yes sir. How can you find out – and press Guernsey to find out – exactly who we have to aim at to get proper a medevac service here? My view is that it is Health, but they are denying it. How can we find out who is responsible?

1160 **The Vice-President:** Mr Roberts, my view is that this is a responsibility of the Committee *for* Health & Social Care. How they choose to deal with other departments in Guernsey is their responsibility. Thank you.  
Any other –

1165 **Mr Roberts:** Can I – ?

**The Vice-President:** One question - one question is what is allowed ...

Would any other Member like to ask a question related to this question from Mr Snowdon?  
Thank you.

**Timeline of new PSO process**

1170 **The Vice-President:** Mr Snowdon, your third question.

**Mr Snowdon:** Thank you Mr Dent.

Can the Chairman of Policy and Resources explain the new PSO process with a timeline? I know you have gone into it in some detail already, Mr Dent, but I would like the timeline, if that is okay.

1175 Thank you.

**The Vice-President:** With pleasure. The timeline, as communicated to me, is this: Monday, 13th May, call for expressions of interest followed by feedback meetings with those who responded. Monday, 29th May, issue of the invitation to tender. Friday 28th June, the deadline for tender responses. Early July, interviews with shortlisted bidders. Early to mid-August, the appointment of preferred bidders and media release. In September, a debate in the States of Guernsey; and commencement of services at the latest March 2020. However, I understand that this process may now be slightly delayed.

1180  
1185 As the tender process is now underway, I cannot comment further. We did, however, make very clear our views on certain matters prior to the issue of the invitation to tender.

Thank you.

Does anybody have any supplementary questions relating to this answer? Mr Gentle.

**Mr Gentle:** Are you able to explain, or not, why it has been pushed back?

1190

**The Vice-President:** No. I think I cannot. (**Mr Gentle:** Okay.) I think I cannot.

**Mr Gentle:** Thank you.

1195 **Mr Snowdon:** Mr Dent, sorry to be a bit of a pain about medevacs, but just going back to the process with the PSO, if someone is successful with the PSO being awarded and they have the option and they do not go for the option of medevacs, can that PSO be issued or would we have to sort out medevacs first, before they award that contract?

1200 **The Vice-President:** Could you say that again, please, just so I am clear?

**Mr Snowdon:** Okay, so we are going through this process for the PSO, which had medevacs included – that the provider had to do medevacs. Now we have made that an added option, that they do not necessarily have to do that. I am concerned that if we go forward and the PSO is successful without medevacs included, before that is awarded, that contract for the PSO, without medevacs, will there be reassurances that medevacs will be sorted before that contract is awarded?

1205  
1210 **The Vice-President:** I think I cannot answer your question clearly, Mr Snowdon, but I think we would be making very strong representations along those sorts of lines.

Thank you.

Any other questions?

**Mr Roberts:** Yes sir, sorry, sir.

1215 A lot of people are under the impression that – and they might be right – that the air service is not a transferred service. But surely a medevac would be a transferred service if it is to do with Health? That is part of our service in Alderney. So that should be dealt with separately. Does he not agree with me?

1220 **The Vice-President:** Mr Roberts, I do agree with you. Thank you.  
Mr Jean.

1225 **Mr Jean:** The question which I would like to ask is: would the Vice-President agree with me that the way to deal with this matter as regards responsibility for Health is to look at which service was billed during the days when Aurigny was in different hands? In other words, by looking a few years back, before the Guernsey States purchased Aurigny, bills must have been sent by Aurigny to the Board of Health. Would the Chairman not agree with me that that would confirm who is responsible?

1230 **The Vice-President:** Mr Jean, as Chairman of Policy and Finance, I would think that that is a very useful suggestion. Thank you.  
Any other questions? Mr Dean.

**Mr Dean:** Mr President, fellow Members.  
1235 Following on from your answer, would the Chairman not to agree that we seem to be gambling with people's lives and this medevac situation needs to be sorted out now?

We cannot wait for a process to go forward with the PSO and have a preferred bidder with no medevac, and then find Aurigny pull out, and then we are actually gambling with people's lives. We could find ourselves here in a situation with no medevac, and that is not acceptable – certainly should not be acceptable to any of the States Members – and we need to have this sorted out now, before the process has gone through and we find ourselves in that situation.  
1240 Thank you, sir.

**The Vice-President:** Mr Dean, thank you.  
1245 I think you will find that there are arrangements in place for emergency medevac joint ... I cannot remember the name of the organisation off-hand. It is something like the Joint Operations something Services. But there are arrangements in place for dealing with circumstances like that. Any other questions?  
Thank you.

### Potential Policy and Finance Plan

1250 **The Vice-President:** Mr Snowdon, you have one more question I believe?

**Mr Snowdon:** Thank you, Mr Dent, it is the last question.  
Would the Chairman agree that Policy and Finance should be putting a Policy and Finance Plan together, such as the Policy and Resources Plan released recently?  
Thank you.

1255 **The Vice-President:** Mr Snowdon, the Policy and Resources Plan is 650 pages! It is a very detailed report which has clearly required much effort to assemble. I am surprised and actually very pleased that you have had time to read it – all, I hope! While the report is clearly very detailed,

1260 it would be for P&F to decide whether we should undertake a similar exercise. Personally, I do not believe we have the resources to undertake an endeavour of a similar magnitude. But thank you.  
Mr Snowdon.

**Mr Snowdon:** Thank you, Mr Dent.

1265 I think, personally – I hope you agree with me – that it would be quite good if we did actually come up with some plan that we could put public, because with the Policy and Resources Plan, you can see the workstreams of what is going on. With P&F, you do not really see much at all, apart from the minutes. We could see workstreams about what is going on, the public would know what P&F was up to, it is going to be in a better state.

1270 I am not saying that it has to be 600 pages long, but putting something together would be a step in the right direction, Mr Dent.  
Thank you.

**The Vice-President:** Mr Snowdon, I can only agree with you. I think it is for Policy and Finance as a Committee as a whole to agree a set of policies that we can attach workstreams to. Thank you very much.

1275 Any other questions? Thank you.

Then, Monsieur Greffier, if you would draw the meeting to a close.

**Procedural –  
Ground-floor meeting facilities**

1280 **The Greffier:** Just prior to closing, sir, just a procedural point for your benefit and for the other Members of the Chamber. In the unlikely event, or at the States request, this meeting can be removed to a room on the ground floor where we have full recording facilities, and there will be no impact on the broadcasting. Just a pure procedural point.

**The Vice-President:** Thank you, that is very useful.

**PRAYERS**  
*The Greffier*

*The Assembly adjourned at 7.16 p.m.*