



OFFICIAL REPORT

OF THE

CHRISTMAS

MEETING OF CHIEF PLEAS

OF THE

ISLAND OF SARK

HANSARD

Assembly Room, Sark, Wednesday, 16th January 2019

*All published Official Reports can be found on the
official Island of Sark Chief Pleas website www.gov.sark.gg*

Volume 5, No. 2

Present:

Seigneur

Maj. C M Beaumont Esq.

Speaker of Chief Pleas

A J Rolfe Esq.

Deputy Prévôt

Mrs J Godwin

Greffier

Mr T J Hamon

Deputy Treasurer

Mrs L Higgins

Constable

Mr M Fawson

Conseillers:

Alan Blythe

Reginald Guille MBE

Peter La Trobe-Bateman

Sebastien Moerman

Christopher Nightingale

Anthony Ventress

Paul Williams

Sandra Williams

Pauline Mallinson

Helen Plummer

Philip Long

John Guille

Christopher Drillot

William Raymond

Amanda de Carteret

Ellen Lalor

Rodney Lalor

Simon Couldridge

Business transacted

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Christmas Meeting of Chief Pleas

Chief Pleas met at 10.00 a.m.

[THE SPEAKER *in the Chair*]

PRAYER

The Greffier

ROLL CALL

The Greffier

The Greffier: There are 18 Conseillers, the Seigneur and the Speaker of Chief Pleas present.

The Speaker: Everybody is here, no apologies.

Welcome to Conseiller Amanda de Carteret

The Speaker: Welcome to Conseiller Amanda de Carteret who is attending her first meeting.

Welcome to Major Marco Ciotti

5

The Speaker: The Lieutenant Governor is unable to attend our meeting, due to other commitments, but Major Marco Ciotti Chief of Staff and ADC to the Lieutenant Governor is in the Public Gallery and I welcome him

Personal Statement by Conseiller Reg Guille MBE

10 **The Speaker:** I am going to first of all call Conseiller Reg Guille, who has indicated that he wishes to make a personal statement.

15 **Conseiller Reg Guille MBE:** Yesterday on my return home in the late afternoon, after a morning preparing for a meeting at 5.30 p.m. yesterday evening, I opened a letter addressed to me. The letter informed me that I was to be subjected to an investigation under the Code of Conduct brought by Mr Michael Doyle, a convicted criminal. Let me put my side of the issue and use my freedom of speech because, I will not be appearing before any Code of Conduct panel.

20 Last year during the election process, and after the period for nominations had opened, Mr Doyle telephoned me on Sunday 18th November to ask if there was any reason why he should not stand as a candidate as he was serving a prison sentence and was out under licence and reporting to a probation officer. I told him I did not know, but I thought it unwise, as under certain circumstances he could be returned to prison, but suggested that he should speak to his probation officer.

25 I then looked at our Reform Law and could not find any reason in the law to prevent him standing.

I then immediately informed the Speaker by email on the Sunday, shortly after the telephone call had ended, of the conversation instigated by Mr Doyle to seek the views of the returning officer. Mr Rolfe then sought advice from HM Comptroller by email of 19th. Having heard nothing back, I then emailed Her Majesty's Comptroller on 22nd November, asking if he had a response to my query sent to him by the Speaker. Her Majesty's Comptroller replied by email on 30 the same day but at 16.41, just a few hours before nominations closed the next day. I replied at 19.51 that same evening saying, 'food for thought for the future.'

But let me read extracts of the emails to you, over that period. The email to the Speaker of 18th November at 11.40 a.m., 'Michael Doyle informed me that he was considering standing for election but was concerned about his criminal conviction. I suggested that as he is out of prison under licence that he should check with his probation officer. It is my view, as he is still subject to being recalled to prison if he breaks the terms of his probation, that he should not stand. However, you may wish to check this issue out with Megan or Robert.' That is the HM Procurer or HM Comptroller 'prior to accepting his nomination, if indeed he should apply to stand.'

40 My email to Her Majesty's Comptroller of 22nd November at 15.42, 'Any views on my query please? I understand he has submitted a Nomination for Conseiller form today which he told me this morning that he was doing this afternoon.'

Email from Her Majesty's Comptroller of 22nd November at 19.51, 'On the basis that Mr Doyle is over 18 and his name is inscribed in the Electoral Register he is eligible to stand. Under Guernsey's Reform Law a person may not hold the office of Deputy where he has had at any time during the five years immediately preceding the date of the election been sentenced for an offence by a UK or Crown Dependencies court to imprisonment for a period of six months or more. I think there is a similar restriction (three months imprisonment or longer at any time during five years before polling day on standing as an MP in the UK.) There is a power under the Sark Reform Law, section 65(1) definition of legal disability for the Chief Pleas by ordinance to prescribe the extent to which a person serving a sentence of imprisonment imposed in consequence of conviction of an offence shall be regarded as being under a legal disability and different provisions may be made for different classes or categories of prisoner and different lengths of terms of imprisonment. A person under a legal disability would not be eligible to have his name inscribed on the register. As far as I am aware, Chief Pleas has never exercised the ordinance making powers under section 65(1). Subsequently to that I have been advised by HM Comptroller that if that provision was to made in the Reform Law it would need to be done by Projet de Loi and not an ordinance as he originally told me.'

60 I then sent an email to the Speaker on 22nd November at 19.53, 'For the future I think we should impose a time limit as Guernsey and other jurisdictions do. I am very uncomfortable that someone convicted of money laundering and other offences will have a say on legislation in our Parliament. However, it is too late to stop him now although other than through the ballot box.'

The email from the Speaker to me of 23rd November at 9.46 a.m., 'I am no more happy than you and trust that the ballot box ensures an acceptable result. Another consideration put to me in the Mermaid last evening is that having been off-Island for a period of years why he was not taken off the Electoral Register.'

On the morning of 23rd, that same morning, I had a civil contingencies meeting with, amongst others, the Guernsey Police about the enfolding electricity switch off situation which did not finish until late. I then saw the last email that I read out from the Speaker and tried to get hold of Mr Doyle before nominations closed at 1 p.m. My intention was to ask him to withdraw his nomination, but I was unable to contact him. Then there was a hustings organised in the hall for members of the electorate, and I am a member of the electorate, to speak to the candidates on the evening of 10th December and when I spoke to him and told him of my findings about convicted criminals being under legal disability not being able to stand for election in other jurisdictions and told him that I would certainly not be voting for him and was

surprised that his manifesto did not mention his criminal conviction of seven years and six months for (a) money laundering (b) acquiring, possessing and using the proceeds of crime (c) converting the proceeds of criminal conduct (d) conducting regulated business activities from within the Bailiwick without a licence, contrary to sections 1 and 2(1)(b) of the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law 2000 and (e) perverting the course of justice. Only he and I were involved in this private conversation, which he then put on Facebook and *Sark Classified* that same evening, with some pretty foul language, and then that paragon of unbiased reporting, the *Sark Newsletter*, published his rant in their next edition. Then I see from the papers sent to me yesterday he put a Code of Conduct report in against me on or about 18th December.

Mr Speaker, you may stand your Code of Conduct panel down as you will have my letter of resignation as a Conseiller of Chief Pleas at the end of this meeting, to be effective immediately.

Thank you.

The Speaker: Can I just say that I had no notice from you, Conseiller Reginald Guille, that that was the subject of your statement.

As the Returning Officer for the Election I took professional advice and accepted Michael Doyle as a fully eligible candidate, and I would not wish to stop anybody on that sort of professional advice.

You have come here today, Conseiller Reginald Guille, using parliamentary privilege, which you can. Regarding the Code of Conduct, when you say *your* Code of Conduct, it happens to be Chief Pleas Code of Conduct. It was passed by Chief Pleas and I am sorry to hear that you feel that somehow or other you are not bound by it, but actually you are and so is everybody else in this Chamber.

Progress on the Slaughterhouse – Statement by Conseiller Helen Plummer

The Speaker: Statement by Conseiller Helen Plummer regarding progress on the Slaughterhouse. It is probably rather appropriate to follow the last statement, actually.

Conseiller Plummer: Thank you.

Mr John Robinson has completed the final designs and agreed them with Mr David Chamberlain, the States Vet and Ms Charlotte Jones, Guernsey Environmental Officer. An order of £2,000 has been placed with Browns of Wem for the structure design of the building frame. Browns supplied the building for the Alderney Slaughterhouse. Our building differs from the Alderney one in that we want to use the building frame to support the hoists and rails rather than have a separate set of steel work inside, which takes up space and adds to costs.

John has started on the retender process for all the other aspects of the Slaughterhouse and so far sent out for the panels, overhead rails and some stainless steel items to be sure to get the most cost effective solution.

He will, however, expect to go out for competitive tendering of the local work: building, electrics, plumbing etc. via the Sark system. He is having an ongoing discussion regarding water supplies. The options include: (a) Rain water run off (b) tankered in water (c) A recent suggestion is to run a pipe from the Harbour Hill bore hole so he is getting a water analysis done. He has had the water analysed on those other two bore holes that are near Les Laches. The option to have a new bore hole looks expensive. Costs could be kept down if more people needed bore holes on the Island.

120 The Committee would like to thank John for all his hard work in planning on this project. That is all, and I would like to thank David Chamberlin and Charlotte Jones for their input also. John is eager to get this right.

Thank you.

125 **The Speaker:** Thank you.

**Sark Community Dairy –
Statement by Conseiller Helen Plummer**

The Speaker: Second statement by Conseiller Helen Plummer regarding progress on the dairy.

130 **Conseiller Plummer:** Thank you.

This statement has come from Mr Richard Axton, who has done such a lot of work.

The working group has found an exceptionally qualified couple to develop a start-up dairy business in Sark. They are currently preparing to leave North Yorkshire and come to Sark in May. Led by the Seigneur's example, landowners have promised to lend or lease sufficient land for pasture and cattle feed. Separate from this, the Seigneur has privately offered housing to the family, who have two young children.

135 It is intended to locate the building for the Sark Community Dairy on fields long leased by the Seigneur to a Trust. The site is Clos de Galleaux, north of the Island Hall, with a new access proposed from the lane of La Moinerie. Plans for the building have been submitted to the DCC last week. It is intended to complete groundwork by 1st May, so that a four-bay cowshed and feed store can be erected by the incoming farmer.

140 The milking parlour and processing will initially be done in fitted containers, which are being shipped from Yorkshire. A new water source will be needed and it is hoped that a well drilling can be co-ordinated with the need of a new Slaughterhouse at Les Laches. Five or six cows in calf will be bought in the summer for autumn calving, aiming to double the herd next year. Arrangements have been made for sowing barley for winter feed.

145 The couple, Brett and Gemma, are keen to produce daily milk in reusable bottles, cream, butter and, eventually, an iconic Sark cheese for export. As the business develops, the dairy plant in the containers will be replaced by a purpose-built dairy block with visitor reception. From the first, rainwater will be collected from the barn roof. Consideration is being given to using the south-facing roof for solar electric.

150 In the course of the next few weeks Sark Community Dairy Trust will be established and then a Trust bank account. The following have been agreed to act as trustees: the Seigneur, Richard Axton, Caragh Couldridge and Wendy Kiernan. £120,000 has so far been pledged, enough to start building the enterprise. An Appeal will be launched in the spring, with the target of reaching £300,000. It is intended at Easter Chief Pleas to report on progress and to request a contribution from Chief Pleas. Public money will be turned into a publicly owned asset. There is no question of public subsidy in running the business.

155 Under the Trust a not-for-profit company will implement the intentions of the Trust, 'To establish and maintain a dairy for the benefit of the inhabitants of Sark, to protect the pastoral landscape and rural traditions of the Island.' They will make a contract with the framer and will receive his rent. The infrastructure of the dairy will remain a public asset for 75 to 100 years. The portable machinery and stock will be the farmers.

160 It is hoped that this injection of new capital towards making Sark self-sufficient will encourage the growing of more feedstuff on-Island as well as the development of dairy products and dairy skills among the young people. There is an attraction for holiday makers who expect

Sark food to be home grown. A working dairy business that is welcoming to visitors can re-
animate the pastoral landscape. Sark's visitors are increasingly going to be old people who walk
around the plateau of the Island, rather than scrambling down to the beach and they are going
170 to be looking for good things to eat and drink and take home with them.

Thank you.

Two members of the Public Gallery: Hear, hear.

175 **The Speaker:** Thank you, Conseiller Plummer.

Can I just remind members of the Public Gallery you are here to listen and not to enter into
the debate.

**Good governance and the economy –
Statement by Sebastien Moerman**

180 **The Speaker:** Conseiller Sebastien Moerman to make a statement regarding good
governance and the economy.

Conseiller Moerman: Thank you, Mr Speaker.

I moved to Sark because I love Sark. I stood for Chief Pleas because I wanted to serve the
Island to the best of my abilities in its early days from the old to the new system of Government.
185 For Sark to survive it needs a growing economy, an economy that this House must nurture. I am
not necessarily thinking of new businesses, although that would be nice, but supporting existing
businesses in what should be their expansion. To further support the economy Sark needs to
attract new residents, maybe to live here, but really to bring a financial contribution to this
Island.

190 I have said it before and I say it again, Sark does not need more taxes. It needs more tax
payers. There are various large expenditures in front of us: Sark Shipping, the proposed insane
acquisition of Sark Electricity, the changes in education, the Procureur etc. And it looks to me
that these expenditures will only be possible by raising taxation to a much higher level if our
new Policy and Finances Committee is unable to promote and focus on the economy rather than
195 taxing everybody more and more.

Although not here, as I would wish, and I am afraid this is the nature of my profession, I
believe I have, with the members of a previous F and R Committee, pushed for changes, changes
that are desperately needed for this Island to succeed and without increasing taxation. Our key
goals were: a sound, responsible and professional budget; the development of an economy
200 programme free from state interference; an adequate civil service, proportionate to the size of
Sark but using those professional skills and expertise required by an independent jurisdiction; an
increased use of management accountancy; an internal audit function; a human resources
function. The above were key measures to modernise Sark to meet modern standards as
required by Sark residents. They rightly want to know what we are doing and why.

205 Unfortunately, as we told you would happen, the Senior Administrator has resigned, and the
position is regarded as toxic both on and off-Island. This will make it very hard for Sark to attract
the right person with the right skills and expertise to support the Government of Sark. This
resignation occurred after you massively voted against our budget and, respecting the
democratic vote, Conseillers Norwich, Norwich and myself resigned from the F and R
210 Committee.

A centralised powerful Committee was thereafter created but reformers objected towards
this course of action. You will remember that I spoke against concentrating too much power into

too few hands, particularly now that you no longer have a joined up civil service administrative function.

215 Then, although we were told that this was absolutely not the intention, Conseiller Reginald Guille stood and you elected him as the Chairman of that Committee. It is clear to me that the ideas and values such as good government, good governance, transparency, accountability and, of course, free market independent from government, that Conseillers like myself hold, are not required by this House any longer.

220 As a result, I am not prepared to be standing for P and F, a Committee that I voted against. That would be hypocritical. I have nothing more to bring other than my values and standards in life and I will therefore tender my resignation as a Conseiller to the Speaker at the close of today's meeting.

Thank you.

225

The Speaker: Well, thank you for that, Conseiller Moerman.

A number of issues that you have raised will be dealt with in this Agenda.

Appointments to Committees

230 **The Speaker:** I have been informed that the following appointments have been made by Committees: Development and Control, the Chairman is Conseiller Alan Blythe and the Deputy Chairman, Conseiller Ellen Lalor. Education, the Chairman is Conseiller Pauline Mallinson, Deputy Chairman, Conseiller Anthony Ventress. Child Protection Special Committee, Chairman Conseiller Reginald Guille, Deputy Chairman, Amanda de Carteret. Future Energy Special Committee, the Chairman is Conseiller Pauline Mallinson and the Deputy Chairman Conseiller
235 Philip Long.

And may I thank you all for standing for these important roles and I am sure that you will enjoy the work involved.

Procedural –

Reminder to inform Committee Secretary on appointments

240 **The Speaker:** May I remind Members of my request of last Friday's meeting, that when Committee Chairman and Deputy Chairman have been elected those appointments should be communicated to me and the Committee Secretary so that the Committee list can be updated as soon as possible.

Procedural –

Electronic devices

245 **The Speaker:** Now, in accordance with the Rules of Procedure, I would remind all present that mobile phones, cameras, recording devices and other electronic equipment should be switched off now, less for those allowed to Chief Pleas Members in accordance with Rule 16.

Business of the Day

1. Extraordinary Meeting, 6th November 2018 – No matters arising

Matters arising from the Extraordinary Meeting of Chief Pleas held on Wednesday, 6th November 2018.

The Speaker: We go to Agenda Item 1, matters arising from the Extraordinary Meeting of Chief Pleas held on Wednesday 6th November 2018.

Are there any matters arising? In that case there are none.

2. Questions not related to the Business of the Day – Sark Electricity Companies– Question by Conseiller Sebastien Moerman

250 **The Speaker:** Agenda Item 2, Questions not related to the Business of the Day, question from Conseiller Sebastien Moerman regarding the Sark Electricity Companies.
Conseiller Sebastien Moerman.

Conseiller Moerman: Thank you, Mr Speaker.

255 I have been approached by various residents expressing some concerns over the proposed ill-considered and financially suicidal acquisition of Sark Electricity and its holding company. To put things in perspective, I believe Flybe has just been sold for £2.1 million. It really makes you wonder, sir. In my opinion there is no possible chance of reaching an agreement with Sark Electricity or of obtaining a sensible valuation unless the company is under a regulatory regime, and this is not clear at the moment.

260 My questions are therefore the following: (1) May we know the name of the firm retained to value Sark Electricity and the basis of its selection and suitability? (2) May we know the terms of engagement of this firm? (3) What is the legal advice regarding the ownership of a grid and how will the valuers be prised of this information? (4) Is any consideration taking place in respect of the future necessary decommissioning of a power station with significant environmental
265 rehabilitation being required with its necessary costs in relation to the valuation currently underway? (5) Are there any implications regarding tax revenue relating to any potential acquisition? (6) Will you confirm to the residents of Sark that their opinions will be considered through an open and transparent consultation process before any commitment to purchase is made? (7) Is the Price Control Commissioner going to repeat the process of price determination
270 and potentially a Price Control Order as this would give some certainty to the status of a company? Lastly, (8) The defunct Policy and Performance was responsible for the Price Control Commissioner expenses and legal fees. I understand that there were issues with a process of a Price Control Order, I would very much welcome an inquiry into this as lawyers are usually insured.

275 Thank you.

The Speaker: Thank you, Conseiller Sebastien Moerman, and I congratulate you on working seven questions into one.

Conseiller William Raymond to reply, Conseiller Raymond.

280

Conseiller Raymond: Thank you, sir.

The questions that have just been put differ slightly from those that were actually tabulated in writing, and I have replies to the ones... (*Interjection*) They are in substance the same, I do not think anything turns on it but I must make that clear.

285 At the moment, no valuer is retained to value Sark Electricity assets or the companies which own them. A provisional quote had been obtained but a week ago we received, quite unexpectedly, heads of agreement from lawyers acting for the electricity companies. This document required Chief Pleas to agree to headline terms and conditions in order for the proposed purchase to proceed. We are obviously taking advice on this document and in the
290 meantime have necessarily suspended the valuation process. The suspension arises from the stipulation in the document that both parties to the transaction would jointly instruct a valuer to determine the value of the company assets at replacement value. It is the view of the Committee that Chief Pleas will require independent and expert valuation advice. Also, we should not predetermine the basis of valuation. That is a matter for the experts we engage. This
295 is especially so when we are told the industry standard basis is present day value, not replacement value.

There are therefore no existing instructions to valuers and following that no instructions have been given to accountants and there is no financial information for them to review and no access has been afforded to financial records.

300 The Committee regard the grid as an essential part of the electricity assets but have no information on the ownership or entitlement. This will be formally explored in due course, if the purchase is to proceed.

The Committee is very much alive to the potential problems from both dilapidations and contamination which may arise on the expiration of the company lease, but no enquiries have obviously been made at this premature stage.

The Committee has no plans to increase taxation at this stage. In fact, no decision could be made unless a purchase is to take place, at which point the amount will be known and any financial and fiscal decisions can then be made, after appropriate public consultation.

310 The Price Control Order was made by the Commissioner and this was appealed by Sark Electricity. The action was settled out of court between the Commissioner and Sark Electricity as the parties to the action. Chief Pleas was therefore a bystander. The Commissioner is still in post and a new Price Control Order may be made, but that is a matter for the Commissioner and the Commissioner is an office holder and out with the control of Chief Pleas.

315 I can confirm that a review of the previous case is being undertaken. It is perhaps important to emphasise, at this stage, that to date no financial information has been received from the electricity companies and as a result no instructions have been given and no fees incurred.

Thank you.

The Speaker: Thank you.

320 I take it you wish to ask a supplementary? Conseiller Sebastien Moerman.

Conseiller Moerman: First of all, I would like to thank Conseiller Raymond for his answers that clarify the matter.

325 I just would like to make two observations: replacement value is really taking us into la la land, and the second point I would like to make is that I have taken my own personal legal advice and I believe that the grid is the property of this Island and of the tenants of Sark. Therefore before trying to buy something that we already own we should be careful.

Thank you.

330 **The Speaker:** Thank you.

**3. Armed Forces Legislation –
Policy and Performance Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Policy and Performance Committee entitled ‘Armed Forces Legislation’ and approve a Projet de Loi entitled ‘The Armed Forces (Offences and Jurisdiction) (Bailiwick of Guernsey) Law, 2018’.

Proposition:

That Chief Pleas approves the Projet de Loi entitled ‘The Armed Forces (Offences and Jurisdiction) (Bailiwick of Guernsey) Law, 2018.’

The Speaker: We will go to Agenda Item 3, to consider a Report with Proposition from the Policy and Finance Committee entitled ‘Armed Forces Legislation’ and approve a Projet de Loi entitled ‘The Armed Forces (Offences and Jurisdiction) (Bailiwick of Guernsey) Law, 2018’.

335 Conseiller Reginald Guille to introduce the Report.

Conseiller Reg Guille MBE: I have nothing to add to the Report, sir, and I would ask Chief Pleas to approve, please.

The Speaker: Right, are there any questions or comments from the floor?

340 In that case we will go to the Proposition:

That Chief Pleas approves the Projet de Loi entitled ‘The Armed Forces (Offences and Jurisdiction) (Bailiwick of Guernsey) Law, 2018.’

Those in favour; are there any against? That is **Carried**.

**4. Transfrontier Shipment of Waste (Sark) Ordinance 2019 –
Douzaine Report considered –
Proposition carried as amended**

To consider a Report with Proposition from the Douzaine entitled ‘Transfrontier Shipment of Waste (Sark) Ordinance 2019’ and to Approve the Ordinance entitled ‘The Transfrontier Shipment of Waste (Sark) Ordinance, 2019’

Proposition:

That Chief Pleas approves the Ordinance entitled ‘The Transfrontier Shipment of Waste (Sark) Ordinance, 2019.’

The Speaker: Agenda Item 4, to consider a Report with Proposition from the Douzaine entitled ‘Transfrontier Shipment of Waste (Sark) Ordinance 2019’ and to Approve the Ordinance entitled ‘The Transfrontier Shipment of Waste(Sark) Ordinance, 2019’.

345 I understand Conseiller Paul Williams is to introduce the Report.

Conseiller Paul Williams: Thank you, sir.

I have nothing to add to the Report itself. However, I wish to bring to your attention that there is an error in the drafting of this Ordinance, namely in section 25(2)(a), the date should refer to 18th January 2019, not 2018. I would therefore ask that the Proposition be amended to read:

350

Amendment:

That Chief Pleas approves the Ordinance entitled 'The Transfrontier Shipment of Waste (Sark) Ordinance, 2019' with Section 25(2)(a) of the Ordinance amended to refer to the 18th January 2019 not 2018.

The Speaker: Thank you.

Are there any questions or comments from the floor? In that case, we will go to the Proposition as amended:

That Chief Pleas approves the Ordinance entitled 'The Transfrontier Shipment of Waste (Sark) Ordinance, 2019' with Section 25(2)(a) of the Ordinance amended to refer to the 18th January 2019 not 2018.

355 All those in favour; are there any against? That is **Carried**.
This Ordinance will be numbered II/2019.

**5. Committee Mandate –
Policy and Finance Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Policy and Finance Committee entitled 'Committee Mandate'.

Proposition:

That Chief Pleas approves the Mandate of the Policy and Finance Committee.

The Speaker: We go to Agenda Item 5, To consider a Report with Proposition from the Policy and Finance Committee entitled 'Committee Mandate'.

360 Conseiller Reginald Guille to introduce the Report.

Conseiller Reg Guille MBE: Thank you, sir.

The Committee have reviewed the previous mandate and it is presented to you in Appendix 1. We have nothing further to add and ask that the mandate be approved.

365

The Speaker: Thank you.

Are there any comments or questions from the floor?

In that case we will go to the Proposition:

That Chief Pleas approves the mandate of the Policy and Finance Committee.

Those in favour; are there any against? That is **Carried**.

**Procedural –
Reminder about updating Committee mandates**

370

The Speaker: Can I remind the Members, and particularly the Chairman and Deputy Chairman of the other Committees that have not yet updated their mandates, that they should do so as soon as possible.

**6. Renewal of the Service Level Agreement – St James’ Chambers –
Policy and Finance Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Policy and Finance Committee entitled ‘Renewal of the Service Level Agreement – St James’ Chambers.

Proposition:

That Chief Pleas approves the proposed Service Level Agreement for 2019 with St. James’ Chambers, and the associated costs, and that the Chairman of Policy and Finance Committee be authorised to sign it on behalf of Chief Pleas.

375 **The Speaker:** We go to Agenda Item 6, to Consider a Report with Proposition from the Policy and Finance Committee entitled ‘Renewal of the Service Level Agreement – St James’ Chambers. Conseiller Reginald Guille to introduce the Report.

380 **Conseiller Reg Guille MBE:** This Report comes in every year. We have taken to doing a renewal of the Service Level Agreement each year; it used to be every two years. There is a slight budget increase to it but nothing more than RPI, and I would ask that the Proposition be approved, sir.

The Speaker: Right, are there any questions or comments from the floor? In that case we will move to the Proposition:

That Chief Pleas approves the proposed Service Level Agreement for 2019 with St. James’ Chambers, and the associated costs, and that the Chairman of Policy and Finance Committee be authorised to sign it on behalf of Chief Pleas.

385 Those in favour; are there any against? That is **Carried**.

**7. Sark Data Protection and IT Infrastructure –
Policy and Finance Committee Report considered –
Propositions carried as amended**

To Consider a Report with two Propositions from the Policy and Finance Committee entitled ‘Sark Data Protection and IT Infrastructure’.

Proposition 1:

That Chief Pleas adopt Recommendations 1 and 2 of the ‘Data Protection – Update and Compliance Report’.

Proposition 2:

That Chief Pleas notes the recommendations of the report on IT support and instructs the Policy and Finance Committee to carry out further work on this area in 2019 and bring recommendations to Easter Chief Pleas at the latest.

The Speaker: Agenda Item 7, To Consider a Report with two Propositions from the Policy and Finance Committee entitled ‘Sark Data Protection and IT Infrastructure’. Conseiller Reginald Guille to introduce the Report.

390 **Conseiller Reg Guille MBE:** Thank you, sir.

I would like first of all to table an amendment to Proposition 2 of that Report. On the last line delete 'to Easter Chief Pleas', so delete 'Easter' and bring recommendations to Chief Pleas 'as soon as possible.' So that is an amended Proposition:

Amendment to Proposition 2:

That Chief Pleas notes the recommendations of the report on IT support and instructs the Policy and Finance Committee to carry out further work on this area in 2019 and bring recommendations to a meeting of Chief Pleas as soon as possible.

The Speaker: It really is helpful to me if you give me written warning of those sort of amendments to Propositions. I am not supposed to sit here taking dictation, okay.
395 Conseiller Reginald Guille.

Conseiller Reg Guille MBE: My knuckles are firmly rapped, sir.

At our request, as you know, the States of Guernsey have been providing data protection cover for us and this report attached, or the report attached, is submitted with our agreement from Mrs Claire Eley, the Senior Data Protection Officer in Guernsey.
400

I would ask that Proposition 1 be supported, but I would ask that Proposition 2, that requires further work. There is quite a bit of work to be done on that and there will be some workshops happening in the very near future, which Mrs Claire Eley will be taking.

405 I have nothing further to add, sir.

The Speaker: Are there any questions or comments from the floor?
Conseiller Pauline Mallinson.

Conseiller Mallinson: I would just like to comment on the IT sections of the Report. I was working with Policy and Finance last year on this paper for Chief Pleas and was not aware, until this morning, of the change to Proposition 2. I would just like to say that, personally, I think that some of the issues we have with our IT systems are quite urgent. I appreciate that Policy and Finance have a lot of other things on their plate at the moment, but I would be very concerned not to see the investigations and potential work with Guernsey carried out as a matter of urgency.
410
415

The Speaker: Thank you.

I am sure Policy and Finance will take that on board.

420 Are there any others? Conseiller Chris Drillot. Can you...You have got it on, well done.

Conseiller Drillot: Thank you, sir, I do read!

Just one query, because obviously not being up to scratch completely with it, Conseiller Guille mentioned Guernsey were looking into this, have we got a Proposition and a proposal from our local IT people that can help us with this, rather than us sending all our IT off to Guernsey?
425

Thank you.

The Speaker: Thank you.

I believe that was a maiden speech, congratulations, Conseiller Chris Drillot.

430 Conseiller Reg Guille.

Conseiller Reg Guille MBE: The decision was taken some time ago in Chief Pleas, sir, that we would utilise the data protection personnel from Guernsey and we have a person from the data protection in Guernsey seconded to Sark to carry out the work. The previous Senior Administrator was disinclined to take on data protection as one of her mandated subjects and therefore Chief Pleas use the facilities of the data protection team in Guernsey.
435

We are well served by that data protection team and they will be invited back very shortly after this meeting to carry our further data protection work with us.

Thank you, sir.

440

The Speaker: Thank you.

Anybody else? In that case we will go to Proposition 1:

That Chief Pleas adopt Recommendations 1 and 2 of the 'Data Protection – Update and Compliance Report'.

Those in favour; are there any against? That is **Carried**.

445

Proposition 2, as amended:

That Chief Pleas notes the recommendations of the report on IT support and instructs the Policy and Finance Committee to carry out further work on this area in 2019 and bring recommendations to a meeting of Chief Pleas as soon as possible.

Those in favour; are there any against? There is one against, that is **Carried** by a substantial majority.

**8. Tribunal Panels –
Policy and Finance Committee Report considered –
Proposition carried**

To Consider a Report with Proposition from the Policy and Finance Committee entitled 'Tribunal Panels'.

Proposition:

That Chief Pleas directs the Policy and Finance Committee to request the Law Officers of the Crown to draft the necessary legislation to give effect to the provisions in this Report.

450

The Speaker: Agenda Item 8, To Consider a Report with Proposition from the Policy and Finance Committee entitled 'Tribunal Panels'.

Conseiller Reginald Guille to introduce the Report.

Conseiller Reg Guille MBE: Thank you, sir.

455

I have nothing to add or change in the Report. We have debated this previously in Chief Pleas and in order to free up quite a lot of people currently I think 17 or 18 are on the Tribunal Panels, our intention is to cut them down, as it says in the Report, to about 10, having an overarching panel and I would ask Members to support the Proposition.

Thank you.

460

The Speaker: Thank you.

Are there any questions or comments? Conseiller Christopher Drillot.

Conseiller Drillot: Thank you, sir.

465

Can I just ask who would actually be choosing this panel? At the moment it is voluntary, is there someone that would actually choose who the reduced panel is going to be?

The Speaker: Conseiller Reginald Guille.

470 **Conseiller Reg Guille MBE:** The panels are advertised and people put themselves forward. Certainly we would hope that a number of the current membership of the three tribunals that we have, Development Control, Taxation and Road Traffic would volunteer to sit on an overarching panel. And, as it says in the Report, then sit on any particular panels that are required. So the Tribunal Panels, we are talking about having a Land Reform Tribunal Panel, that
475 would take the total of panel members up to about 23 or 24 people, which is a large number of what is our small, declining population. And therefore Chief Pleas has previously said that they support the reduction to have one panel which will deal with any tribunal that comes up for Road Traffic, Taxation and Development Control I think, for those three.

480 **The Speaker:** I think, Conseiller Guille, Conseiller Christopher Drillot's question really was who determines whether they should go on or is it an open book, anybody who applies can be a tribunal member?

Conseiller Reg Guille MBE: It would be advertised for tribunal members and tribunal
485 members are often recruited by the current tribunal members. If somebody resigns from a tribunal or stands down from a tribunal then the tribunal Chairman tends to look for somebody. They have to come to Chief Pleas to have that person nominated. So instead of having what could be four separate tribunals the plan, which Chief Pleas has supported in the past, and why the Report is here, is to reduce it down to about nine or 10 people who would have expertise in
490 the various areas and panels would be selected so there is no conflict of interest when a panel sits on any of the subjects that arise before it.

The Law Officers are quite happy that they can draft an overarching Tribunal Panel which will deal with any panels that may be set up by Chief Pleas in the future.

495 **The Speaker:** Thank you.
Conseiller Chris Drillot.

Conseiller Drillot: Thank you, sir.

500 Can I just try and rephrase on that a little bit further then, Conseiller Guille. Obviously there would need to be a Chairman. Do we, as Chief Pleas choose our Chairman or does one of the existing Chairmen take that role?

Also, if you are combining three committees, possibly four to one, who actually decides, is it the Chairman then that will decide whether he has got people that know about road traffic, who know about building control, who know about the Reform Law? He is going to have to then pick
505 his Committee? It is just really who is going to give that Chairman the authority to do that?

Thank you.

The Speaker: Conseiller Reginald Guille.

510 **Conseiller Reg Guille MBE:** The current system of Tribunal Panels have an excess of people on those panels and each of the tribunal Chairmen select three members to sit on any investigation that they have to do at any time they have to sit. Therefore there will be no difference on this. The Chairman, who will be elected by the membership of the overarching Tribunal Panel, would see who was available, who was not conflicted and select three members
515 to sit on a road traffic issue or a development control issue or a taxation issue and therefore this was a method of reducing a large number of people being on tribunals and preventing them from possibly standing for Chief Pleas, because if you are on a Tribunal Panel you cannot be a Member of Chief Pleas and as our population is shrinking Chief Pleas has previously supported an overarching panel and it will be easily done by a Projet, which the Law Officers are ready to draft whenever they are instructed to do so.
520

Thank you, sir.

The Speaker: Thank you.

525 Is there anybody else? In that case we will go to the Proposition that Chief Pleas directs the Policy and Finance Committee to request the Law Officers of the Crown to draft the necessary legislation to give effect to the provisions in this Report. Those in favour; are there any against? There is one against, that is **Carried** by a substantial majority.

**9. Establishment of a Scrutiny Management Committee –
Policy and Finance Committee Report considered –
Proposition carried**

To Consider a Report with Proposition from the Policy and Finance Committee entitled 'Establishment of a Scrutiny Management Committee'.

Proposition:

That Chief Pleas approves the establishment of a Scrutiny Management Committee as defined in the attached paper, the members of which will be nominated by the Policy Development Group to be confirmed by Chief Pleas at Easter Chief Pleas or earlier if there is an appropriate Chief Pleas meeting.

The Speaker: Agenda Item 9, To Consider a Report with Proposition from the Policy and Finance Committee entitled 'Establishment of a Scrutiny Management Committee'.

530 Conseiller Pauline Mallinson to introduce the Report.

Conseiller Mallinson: Going back over a year now, when it was first mooted that we should merge the Policy and Performance Committee with the Finance and Resources Committee it was flagged up as an issue that we would need to look at the scrutiny of a committee that had such wide-ranging powers and this Report is a suggestion as to how we could undertake that scrutiny. So the aim, which is based on the model that they use in Guernsey for the States Scrutiny Committee, is to set up a combination of Members of Chief Pleas and outside people to form a Scrutiny Committee.

535
540 Now, while we were discussing this, one of the changes that we made to the Guernsey model – and I have to apologise for a drafting error in the Appendix – is that in Guernsey neither the chair or the deputy chair of any other committee can sit on the Scrutiny Committee. We felt that would reduce us down to an unreasonably low number of Members who would then be able to be part of the Scrutiny Committee so we aimed to change it such that it was only the chair of other committees, except for Policy and Performance. So the Chair and the Deputy Chair of
545 Policy and Finance are excluded but only the chairs of other committees are excluded. And if you look in the section under Constitution in the Appendix I am afraid that that change was made to say the chair of any other committee of Chief Pleas where it talks about the President of the Scrutiny Committee, but under the Members, the last but two lines, it still says chair or deputy chair and that should have read the chair of any other committee of Chief Pleas, so I apologise
550 for that which I did not spot until quite late.

Going back to the actual Proposition then, we are proposing to establish a new Committee of Chief Pleas to be responsible for scrutinising the work of all Committees of Chief Pleas as described in the Appendix, and that the Members of that Committee should be nominated by the Policy Development Group and then brought to Chief Pleas for confirmation at Easter Chief
555 Pleas or earlier if there is an appropriate opportunity.

Thank you.

The Speaker: Are there any questions or comments from the floor?

Conseiller Sebastien Moerman.

560

Conseiller Moerman: Thank you, sir.

I was born in a country where when you want to bury an issue, or a group of persons, you create a committee where you park all the ugly truth and the really unpleasant people. What a delightful golden cupboard for you, Conseiller Mallinson. It could have been me too in there. Please excuse my sarcasm but this proposed Committee does not have any of the expected powers. Of course, I support scrutiny and the establishment of a Scrutiny Management Committee but what is scrutiny? If you mean the examination of a process used to develop new policies and a process of establishing new laws, I support it. If you mean ensuring that a robust and careful process has been followed but ensuring that the residents of Sark can be reassured that Conseillers and civil servants are meeting the standards of good governance that Conseillers are abiding by the Conseiller's Code of Conduct, then of course I support it.

570

Scrutiny is a deep study of process and standards. It is a process of checks and balances that the Government of Sark is working well and meeting the standards required of an independent jurisdiction. In other jurisdictions the scrutiny panels or committees have investigatory powers, powers to request politicians and government employees to comply with requests for information. Government employees or members of parliament to possibly attend for interviews and where necessary to request remediation in a written report which would be publically available. This Committee does not have the necessary teeth.

575

Lastly, I cannot see where we will find enough willing, competent volunteers to man this Committee. I would prefer that this Report be redrafted to meet the standard required of an independent jurisdiction.

580

Thank you.

The Speaker: Okay, is there anybody else before I call? Okay, Conseiller Pauline Mallinson, do you wish to respond to that?

585

Conseiller Mallinson: Yes.

The Speaker: It may help you to know that I was brought up to believe that a camel was a horse designed by a committee.

590

Conseiller Mallinson: I am sorry that Conseiller Moerman does not feel that we have gone far enough with this Report. It has been reviewed by the Law Officers. I am not quite sure what wording Conseiller Moerman would like to see in the duties and powers but I am sure that is something that we can look at and work on.

595

I think my concern would be if we do not at least say that we are going to establish the Committee, even if we want to say that it is subject to some review of the duties and powers, then there is a danger that this issue will drift on and we will have no scrutiny function. I would therefore be happy if anybody wishes to suggest an amendment to the Proposition, but I would like us to pass something that said we are committed to setting up a Scrutiny Committee and will review the powers in future or something like that but I would welcome any other comments from any other Conseillers.

600

The Speaker: Okay, anybody else?

I think in that case we will go to the Proposition on the Order Paper:

605

That Chief Pleas approves the establishment of a Scrutiny Management Committee as defined in the attached paper, the members of which will be nominated by the Policy Development Group to be confirmed by Chief Pleas at Easter Chief Pleas or earlier if there is an appropriate Chief Pleas meeting.

Those in favour; are there any against? That is **Carried**.

**10. Secondary Education –
Education Committee Report considered –
Proposition 1 withdrawn; Propositions 2-3 carried as amended
Propositions 4-5 carried**

To Consider a Report with five Propositions from the Education Committee entitled ‘Secondary Education’.

Proposition 1:

That Chief Pleas agrees that from 1st September 2019 Sark School no longer educates children beyond age 13 (year 8) and instructs the Education Committee to work with the Law Officers to bring any necessary changes to the Education Law and the Committee mandate to Easter Chief Pleas.

Proposition 2:

That Chief Pleas agrees that the Education Committee, following discussion with the parents/carers of the affected children should arrange places at Les Beaucamps or Blanchelande College and suitable accommodation in Guernsey for Sark children who will be aged 13 to 16 in the academic year September 2019 to August 2020 whose parents/carers wish it.

Proposition 3:

That Chief Pleas instructs the Education Committee to investigate options for providing a higher level of support to facilitate parents/carers who opt to home educate their children from September 2019.

Proposition 4:

That Chief Pleas agrees that the funding arrangements and parental contribution for Guernsey education should be as set out in Appendix 1.

Proposition 5:

That Chief Pleas instructs the Education Committee to continue to explore the possibility of some form of charitable funding for bursaries/grants or loans to parents/carers experiencing financial hardship in respect of accommodation contributions and report back to Easter Chief Pleas

610 **The Speaker:** Agenda Item 10, To Consider a Report with five Propositions from the
Education Committee entitled ‘Secondary Education’.
Conseiller Pauline Mallinson to introduce the Report.

615 **Conseiller Mallinson:** Chief Pleas has some important decisions to make today and strong
opinions have been expressed to us as Conseillers, both face to face and in writing. The
education of our children is always going to be an emotive subject.

620 All the work we have done over the last year has been to try to meet the objectives of
ensuring that we provide all young people of Sark with an education that is of high quality and fit
for their futures, wherever those may take them. Historically, when parents could afford it,
many of them have chosen to send their children away to either Guernsey or the UK for
secondary education. Indeed, long in the past funding was provided for children to go to

Guernsey for secondary education if they passed the 11-plus. In recent years, Sark School has been tutoring secondary age children taking online GCSEs, with the Education budget providing the computer facilities and supervision but parents paying for exam fees and the actual courses. The number of children taking these exams have ranged from two to four or five in any year.

625 With the numbers of children we have in Sark we will never be able to provide what most people would regard as a proper secondary school experience, with the breadth and choice of GCSE subjects and extracurricular activities and the level of social interaction children should expect. To put it into perspective, in the mainland the average number of pupils in a senior state funded school is about 950 and in an independent senior school is about 500.

630 Proposition 1 today is therefore recognising that Sark School is not and, by normally accepted standards, cannot be a satisfactory secondary school. Our main objective then becomes to facilitate all children who wish to take advantage of a wider secondary education to do so, not just those whose parents can afford to bear the whole cost themselves. We are therefore proposing a level of financial support for off-Island educations, as set out in Appendix 1.

635 We have proposed two partner schools, Blanchelande and the Guernsey state school, Les Beaucamps. We have been asked why we do not just provide the funding and allow parents and children to choose the school they want. Our eventual objective is still to have a Sark house in Guernsey for our children to live in while they attend schools in Guernsey, to preserve a sense of Sark community although, as we have previously said, for the first year or two while we only

640 have a very small number of children this may not be possible to justify financially. Our fall back option for those years is to use host families recommended and vetted by the Guernsey Government Department, who already do this for Alderney children.

We feel that for Chief Pleas just to provide funding, without working with the schools our children will attend, both to ensure a smooth transition from Sark School to the secondary

645 schools and then to continue to work with the secondary schools to ensure our children's happiness and success is an abdication of our responsibility. We therefore feel we should continue to limit the schools we work with to a small number, but we accept the suggestion that has been made to us that we should try to include Elizabeth College and the Lady's College and we are happy to ask for similar discussions with them to the ones we have had with

650 Blanchelande, with a view to agreeing for Sark children to attend them on the same basis as we have proposed for Blanchelande. Because of the community point we made above we do not plan, at this stage, to extend the partner school list to include ones in the UK, but we will keep this under review.

Proposition 2 is to instruct the Education Committee to arrange appropriate school places

655 and accommodation for the children who will be in Year 9 in September 2019, whose parents or carers wish them to go to Guernsey. This needs to move ahead without delay to remove uncertainty over what will be happening in September for these children and their parents and carers.

Many of the other concerns that have been raised with the Committee centre around the

660 arrangements for children whose parents and carers do not wish them to go to Guernsey. I want to stress here that we are not talking here about children with special needs. We have already said in the Education Policy, presented to Midsummer Chief Pleas that we will make special arrangements if any children are deemed by the Sark Government's approved educational psychologist to have special needs, and this would include a child that they believed was

665 unsuitable to go away from home.

Other than that, the majority of the Education Committee still believe that the recommended option for our children should be to go to Guernsey for their GCSEs. Concerns have been expressed to us that parents may feel unable to support their children who do not go to Guernsey, doing online GCSEs, or may have to give up work to do so. That is why Proposition 3

670 instructs the Education Committee to investigate options to support parents and carers who choose to home educate their children and, assuming any of the parents and carers of the children covered in Proposition 2 really do not want their children to go to Guernsey we will

work with them on this. But we do not believe this should be by Sark School going back to educating these children. We are concerned that by doing this we would risk diluting the focus of the staff on making Sark School the best it can be up to Year 8.

675
680 What form this support to home education should take, and how much it would cost, is hard to determine until we understand the plans of the current Year 8 children but we will come back to Easter Chief Pleas with costed proposals. We will also then be able to confirm the budget figures for secondary education. To date we have provided per pupil costing for Guernsey schools, but until we know which children will choose which options, we cannot confirm the total cost.

Proposition 4 is for Chief Pleas to confirm the funding arrangements and parental contributions to accommodation, as put forward at Michaelmas.

685 Proposition 5 is because a number of people have expressed concern that the proposed parental contribution to the accommodation costs may create hardship for some families, particularly if they have not been saving towards their children's education, as many families do. We are keen to explore ways to help those who may genuinely struggle with these payments and the suggestion is that we look for it from sources other than the Government. The alternative approach would be to make the proposed parental contributions to accommodation means tested, but at present the Government does not really have any sensible data on which to base any means testing.

690 In summary, I believe these Propositions are the next step in providing Sark children with the best education we feel we can provide them within the financial constraints of Chief Pleas and I hope that Conseillers will support the Propositions. I myself wholeheartedly believe this is the best way forward and am, of course, happy to take any questions you may have.

The Speaker: Thank you.

700 Does anybody wish to contribute to the debate? I have got one, Conseiller Sam La Trobe-Bateman, followed by Conseiller Chris Drillot. There are hands going up ... I have got four, I have got Conseiller Sam La Trobe-Bateman, Conseiller Chris Drillot, Conseiller John Guille and Conseiller Chris Nightingale. Are there any others who would like to be considered? Conseiller Sandra Williams.

I will start with Conseiller Sam La Trobe-Bateman

705 **Conseiller La Trobe-Bateman:** Thank you.

It goes without saying that a higher standard of secondary education is of the utmost importance. We all want to give our children the best opportunities in education and in life that we possibly can, after all they are our future.

710 The range of subjects that would be available to our children in Guernsey would be far greater than what we could possibly offer in Sark School. By exposing the children to a wider variety of subjects it gives them a broader view of the possibilities, interests, skills and career choices available. By limiting them to a substandard secondary education on Sark we are doing our children a massive disservice and potentially restricting their futures.

715 Another very important aspect of secondary education is the social development. Growth throughout exposure to diversity of people, ideas and opportunities is something that can only be achieved in a larger schooling system. Supporting these Propositions will change the lives of many people with children on Sark, adjusting to the idea that your child may attend secondary education in Guernsey will be difficult for some, but let us remind ourselves that the sacrifice of them leaving is to ensure a brighter future for them.

720 For any child or family who feels Guernsey is not the right choice for them, there is always the option of home schooling. Although home schooling lacks the social development aspect it can still be a very successful method. If there are enough parents who choose this method they could all band together and share the cost of employing tutors or if the Education Committee feel that they should support it.

725 As a parent myself, I would never wish to be separated from my children, but I know that living in Sark has many drawbacks, education being one of them, and this is the first opportunity we have to improve upon it, simply put, a brighter future for our children should outweigh our own selfish desires to keep them here on Sark.

I fully support these Propositions.

730

The Speaker: Thank you.
Conseiller Chris Drillot.

Conseiller Drillot: Thank you.

735 I have just got a statement of what my feelings to vote on this will be and I have a few questions which I will bring up later.

I am aware the way that it has gone on with this Committee is not easy and the decisions that will be made will not please everybody, they may not even please the majority. As a new Conseiller, we have not really had the time to go back over the amount of work that has gone into it to get a full idea of what is being proposed today.

740 My main reasons for being against this is an Island feeling that we are trying to build the community back up and if we are going to suggest to families come to Sark and bring your kids up but when they come to 13 you will have to send them elsewhere or home educate them, if you are capable, is not a good advert for building the Island economy up, which is what the Island really needs at the moment.

745 There is also a possibility that if it all passes through that we will lose more families. Over the last 10 years we have lost a lot, we will lose a lot more, which we definitely do not want to do.

The connection with Guernsey I feel is a great opportunity, rather than having to send them off to England, Guernsey is closer. My daughter was in Guernsey. I do know the pitfalls of having a daughter there and being here, it is not as easy as everyone thinks just nipping over to Guernsey when she is crying over the phone. I know it is the same in England but it is a good idea to be able to give them the opportunity to work with a Guernsey school. I do not feel at the moment that working with a Guernsey school is a good opportunity, as Guernsey do not even know what they are going to be doing next year. All their schools are all over the place.

755 The work that has been put in on the reconstruction of this school from the old to what we have got now was a lot of work and we have got some very good teachers in there. I would like, at some point, the Education Committee to give the Members of Chief Pleas the thoughts of the teachers, their feeling of whether they think the school can actually be brought up to standard to educate the kids a bit further that cannot afford or do not want to leave the Island.

760 Yes, I agree, time is running out, but I feel that this is not something that can be pushed through quickly just because it has got to be done by September. This needs more time for the new Conseillers, the old Conseillers, the new teachers and the new Head of Education to look into it in a bit more detail.

Thank you.

765

The Speaker: Thank you.
Conseiller John Guille.

Conseiller John Guille: Thank you, Conseillers Drillot and La Trobe Bateman, for your well researched comments.

770 When I first looked into the proposals and Propositions I was leaning in favour of the Propositions. Assisting Sark children to attend secondary education off the Island in a much larger school environment, with all the benefits both educational and extra-curricular, is surely a good idea if we can afford it.

775 I am the only Sark School educated person amongst the Conseillers to have been lucky enough to benefit from a secondary and a university education off-Island. I was very lucky that my parents worked so hard to afford myself and my brother that opportunity.

I think it is almost essential that in the future we have Sark born children returning to the Island, having experienced the many benefits of a secondary education and of spending three or
780 four years at university. A broad range of individuals, with varying educational and practical backgrounds can only benefit our community. The work that the Education Committee has done, building strong ties with Guernsey and negotiating preferential rates for Sark children, is fantastic and perhaps even a landmark in the history of Sark education. Whatever the outcome of today's vote, I see no reason why these agreements cannot be pursued.

785 The Conseillers have received seven letters and emails from members of the public. These have been from current and past Sark School parents and an education professional. All of these individuals have expressed grave concerns about the secondary education proposals to be voted on today. With respect to some of these Propositions I share many of these concerns.

Briefly, I will offer my own thoughts on the Propositions: I agree wholeheartedly with the
790 concept of assisting Sark children to attend secondary education in Guernsey. I believe that pooling resources, to offer a limited option for education in Guernsey will offer the best value for the taxpayer.

I do not agree, however, that education on-Island should end at 13, leaving home schooling as the only option. I would like the Education Committee to investigate in the most serious and
795 urgent fashion, the hiring of an additional teacher for Sark School. Conseiller Drillot has taken the time to talk to the current Head Teacher of the school, who is extremely experienced and well respected. He has offered that Sark children would have the option of seven GCSEs in class, not online, if we hire an additional teacher. Finally, further to this, the hiring of an additional teacher will greatly benefit those children seeking secondary education off-Island. Based on my
800 own experience, I believe that waiting until 13 to send a child off-Island for secondary education leaves them at a disadvantage to their peers already at the off-Island school. I totally understand that waiting until 13 can save parents, and possibly in the future the Island, a huge amount of money. Hiring an additional teacher for Sark would greatly improve the value of off-Island education by ensuring these children are much better prepared for this sometimes daunting
805 experience.

The Speaker: Thank you, Conseiller John Guille, I believe that is a maiden speech, congratulations.

Conseiller Christopher Nightingale.

810

Conseiller Nightingale: Thank you, sir.

Proposition 1 involves changing the law, as I understand it. I am worried about changing the law without having more thoughts on where we are going. We have got a new teaching team in place now who are very enthusiastic, seem to be doing a very good job and they have done all
815 they can to improve things. I understand they have changed the staff room into a science lab, which is one of the things that was badly needed.

I am very concerned about not providing secondary education on Sark. As we desperately need businesses and young people on Sark. Any young couples wanting to set up business or come to live on Sark and work on Sark one of the first things they will look at will be education and I think that the lack of secondary education will go against us. Also, in spite of some help,
820 newcomers will face considerable expense with lodgings and travel if this Proposition goes through.

Thank you.

825 **The Speaker:** Thank you, Conseiller Nightingale.
Conseiller Sandra Williams.

Conseiller Sandra Williams: So far, sir, I would just like to support the other speakers before me on some of things that they have said.

830 We have found ourselves in a bit of a dilemma here, because I firmly believe that we are not ready for this next stage because we do not have enough information. The families of the children that do not want to go away to school are feeling that they have been left behind and that people actually do not care what happens to their children, which I know is not the true fact. We are here today to decide on other people's children's future, but they have at the moment no choices. I think we need to take a look and see. Home educating will not work in 835 Sark, I do not believe it will work. Mothers have tried it and they have told me what hard work it is. Parents have to work and I do believe that if we do not do something very soon more families will leave the Island because they will not want to be forced to send their children to school in Guernsey.

840 One mother is facing looking at between £3,000 and £4,000, when her two children move to Guernsey, a year, and that is without them getting to Guernsey and getting home. I would like to ask the Education Committee if they would consider withdrawing their Propositions today because I, at the moment, feel that it will be lost. I think Proposition 1 will lose today and it will offer you the right time to come back and bring us something that we can decide on. And I would like to meet with the parents that want their children to go away, I would like a meeting 845 with the mothers of the parents that do not want or cannot afford for their children to go away. I would like to speak to the teachers and I would like to ask for a named voted if it goes to the vote.

Thank you very much.

850 **The Speaker:** Thank you.

Before I call Conseiller Pauline Mallinson to respond to those comments, is there anybody else who wishes to speak? Conseiller Sam La Trobe-Bateman.

855 **Conseiller La Trobe-Bateman:** I think one of the problems we have with this is we cannot afford to do both and that is the biggest issue we have. We cannot afford a teacher to do GCSEs. And what Conseiller Guille said about they could offer seven GCSEs, well I think nine is the minimum everywhere else so straight off the bat we are producing –

860 **A Member:** Six.

Conseiller La Trobe-Bateman: I thought it was nine?

A Member: Apparently it is six.

865 **Conseiller La Trobe-Bateman:** But it is the social side. And so what we will do is if we hire teachers here then the people that wish to send their children away to school, there will be no money to help them and support them so it limits the people that can then send their children away that want to and so it is a balancing game. I think that more people will lose out if we do not go through with this.

870 **The Speaker:** Thank you.
Conseiller William Raymond.

875 **Conseiller Raymond:** Thank you, sir.

I am concerned because we know that Sark wage rates are not very high and people are providing a home for their children on Sark and then, under these provisions, they will find themselves having to pay for accommodation for their children in Guernsey on top of that, which could be an imposition that they can ill afford. I know that it is contemplated in

880 Proposition 5, but there is no resolution in Proposition 5, only a commitment to explore the possibility of loans or bursaries. I have a real concern about that.

I would also like to ask why the thought processes are confined to the Guernsey schools and why the previous arrangements that existed with UK schools have not been explored further with perhaps the same monetary sum being accorded to parents who chose to send their children to the UK.

885

The Speaker: Thank you.
Conseiller John Guille.

890 **Conseiller John Guille:** First of all, I cannot agree more on a personal level with Conseiller La Trobe-Bateman that educating off-Island has many advantages over on-Island and if I should have children I would like to give them the same advantage that my parents offered myself.

In terms of the costings, Conseiller Mallinson said we do not have overall costings yet because she is waiting to see how many children would actually want to take up the offer of assistance to leave the Island. I would request that we could have some indicative costings based on, for example, two children, five children, to at least give the Conseillers here an idea of what this scheme will cost.

895

Thank you very much.

900 **The Speaker:** Thank you
Anybody else? Conseiller Helen Plummer.

Conseiller Plummer: Thank you.

905 As you know, my children went away, and it was quite hard emotionally and financially. I myself – this is going back – did not want to go away. My parents could not have afforded to send my brother and I away. I have seen the benefits for the children but what greatly worries me is that the children beyond the age of 13 we are putting a lot of strain on those families. Please, can we suggest that they can attend the Sark School?

910 They are going to drift away from the other Sark children and I do agree, with children coming to the Island as families they do not want to be split up. Is there any way that we could keep these children here if they wish? And I would agree with Conseiller Sandra Williams in having a chatter with the parents on both of these aspects.

Thank you.

915 **The Speaker:** Is there anybody else? I have got Conseiller Chris Drillot and Conseiller La Trobe-Bateman.
Conseiller Chris Drillot.

Conseiller Drillot: Thank you, sir.

920 Just two other questions that come into the debate on the actual voting on this that I am a bit concerned about: I do not know how tight – not knowing too much about law – that these options of school fees, if we went down that line of sending our kids to Guernsey, would be to stop people just turning up on Sark for a few months, a year, taking up the option and then moving back to Guernsey and getting cheap school fees. So if we did go down this line we would have to make the school fees are very tight, that they cannot just come here, use us and go.

925 The other one I am very concerned about is a human right law of the right to parent your children so to give them the right to benefit, to parent their children, we are taking away by saying unless you can afford or set up home education someone else will be parenting your children in Guernsey, so we are actually taking their rights away. I am not 100% sure how accurate that one is but it is something that I feel, again, as Conseiller Williams said, there is not

930 enough information for the public and Conseillers to vote on these proposals so we will hope
that Education will take up Conseiller Williams' point.

Thank you.

The Speaker: Thank you.

935 Conseiller Sam La Trobe-Bateman.

Conseiller La Trobe-Bateman: It is the last time, I promise.

940 One of the big arguments we hear often is the costings of schooling. I would just break it
down. I have a four bedroomed house and the tax that me and my wife pay is £3.75 a day and
that works out for the year for my tax bill. If that doubled – I know we all hate tax increases –
but to fulfil all education requirements, so be it £6 a day, what we cannot afford £6 a day
everybody? Come on.

The Speaker: Thank you.

945 Is there anybody else? In that case I will call Conseiller Pauline Mallinson to answer those
points and can you also respond to the suggestion from a Member that you withdraw the
Propositions and if you wish take a break with your Committee to discuss that then let me know,
please.

Conseiller Pauline Mallinson.

950

Conseiller Mallinson: Right, where to start?

955 I will take the factual question first about the costings. We do have per pupil figures for the
costings in Guernsey. The fees for a Guernsey state school that the Sark Government would be
charged is £7,000 per child, per year. The figure that we have been given out of the estimate for
a fostering arrangement is approximately £6,000 a year and the suggested costings are that the
Government would pay up to half of that on a sliding scale, based on how long a family or a child
has been in Sark. So those are the per pupil figures. For instance, if two children chose to go to
Guernsey in September next year then the cost to the Sark Government would be £20,000. If the
960 following year we had a total of six children in Guernsey then the cost to the Sark Government,
depending on how long, slightly less if they were recent newcomers to the Island but
approximately £60,000. So does that help with that costing figure?

965 The points that have been raised: the views of the head teacher on GCSEs, I do not believe it
is true that he feels that he could offer seven GCSEs taught with just one additional teacher
because there is an issue in there about modern foreign languages. But, yes, it is true that he
believes there could be taught GCSEs in school, but the professional advice we have is that
would need at least two more secondary teachers. It is also, to some extent, relying on the fact
that our current head happens to be a secondary teacher. If that changed in the future then that
would change the equation and we are therefore almost limiting ourselves to recruiting a head
who is a secondary teacher. One of those two teachers would definitely need to be a maths and
970 science specialist and that is a category of teacher who at the moment, to be a honest, is a little
bit like hen's teeth, quite difficult to find, so I think we could have some issues recruiting
somebody into that role. And certainly in the UK a maths and science secondary specialist is
normally payed a premium of £6,000 a year over and above the salary that we would normally
get at that level of teacher, so it is quite an expensive resource.

975 It is quite possible that next year we would have either two or three children needing that
facility so we are talking perhaps £60,000 for two or three children. Now, again, that is if we go
for two teachers. It is also fair to say that conversations I have had with the head, he is strongly
opposed to online GCSEs in the school. So he has looked at a model where we teach the GCSEs
in the school, he does not believe that what we had up to last September, of children sitting in
980 school doing online GCSEs is something that he would wish to support.

In terms of more time to look at the Propositions, Proposition 2, I think we have to consider today because we have a group of children who have to start their next phase of education in September. If we do wish to give them the option to go to Guernsey then we have to start working with those children to secure their places and sort that out for them now. We cannot
985 afford to defer that. We could, as one of the letters you received I believe suggested, say we look at Proposition 2 but on a – what is the right word? – for this year only basis. So we could say that we will look at those children but that would not be committing at this stage to secondary education in the school for any of those children who do not choose to go away, so we would need to talk to those children and their parents, find out what their plans are, and then I think
990 come back to Chief Pleas and say this is what the situation is. But I think we have to be able to talk to Guernsey about those specific children if they wish to go away, because otherwise we are going to be running out of time if we leave it to Easter Chief Pleas.

The longer-term question in Proposition 1, we cannot defer very long because if the decision of this House is that they want to keep those children in school we have to do some recruitment and that recruitment would have to be done within the next...If we do not start that recruitment
995 until Easter then we are up against the clock, basically. So I think if we wanted to have further meetings and discussions and bring it back to Chief Pleas, that would have to be before Easter. I think we would have to look at an Extraordinary Chief Pleas to bring that back.

Proposition 3 is the one that we have talked about in terms of if there are children who wish
1000 to remain in Sark and we wish to provide a higher level of support some people are saying that should be in school, we are saying we do not believe it should be in school but we can look at that. Again, to put it in perspective it is quite possible that this September there will be one child who does not want to go to Guernsey. Now, to set up appropriate support and facilities for educating one child on online GCSEs might be a very different model from opening a whole
1005 secondary school in the school.

So it is what is the right way to support the parents and carers who opt to home educate their children. Home education has proved a very emotive term. We used it to try and clarify the difference between teaching children in a secondary school and providing some other sort of support to online GCSEs. In retrospect, perhaps we should have called it ‘supported learning’ or
1010 something other than home education but two things that we really wanted to stress were, I think, firstly that if parents choose to keep their children in Sark then we feel they have to take some level of responsibility for the education of their children. That it is not going to be as simple as saying there is a school, we hand them over at half past eight and they come back at half past two and we do not have to worry about what goes on in the middle. They have to take
1015 a higher level of responsibility for the decision that they have made to keep their child in Sark.

The other thing that we felt concerned about, and it comes into a lot of the financial discussions, is that if we provide a very highly supported learning offering in Sark, which some people have said it should have equal funding with children we send to Guernsey or whatever, we feel that we would want the choice that parents and carers make for their children not to be
1020 based on affordability and that is why, in an ideal world, yes, we would be saying to the Government fund the whole cost of sending children to Guernsey but, again, we have this issue of families who might come in at the last minute and how do we at least charge them some money when they have not been on Sark for their whole lives because other people have said to us, ‘I pay to educate my children, why should I pay to educate other people’s children?’ So it is a really difficult balancing act. As Conseiller La Trobe-Bateman knows, I have quite a lot of
1025 sympathy with his arguments on taxation, I think it would be nice to have more funding to support our children, but we are trying to work within what we realistically believe we have at the moment.

So, in summary, I do not wish to withdraw Proposition 2 because I do feel it is very important
1030 that we sort out the education of that cohort of children. I do not know whether my Committee feels they want to discuss the matter? Do you want to take a break and discuss the Proposition? Yes, could we do that then, please.

The Speaker: Okay, well I will suggest that we have a break for say 10 minutes, coming back at a quarter to twelve, unless you require longer.

*Chief Pleas adjourned at 11.36 a.m.
and resumed its sitting at 11.50 a.m.*

**10. Secondary Education continued –
Education Committee Report considered –
Proposition 1 withdrawn; Propositions 2-3 carried as amended;
Propositions 4-5 carried**

1035 **The Speaker:** Right, Conseiller Pauline Mallinson, do you want to give us the deliberations of the Education Committee?

Conseiller Pauline Mallinson: Yes. Having taken on board the comments and views of Conseillers we wish to make some changes to the Propositions that we are putting before Chief Pleas today.

1040 Proposition 1, we are withdrawing.

Proposition 2 is changing and I have given the Speaker the wording, and I apologise if what I am about to say comes out as very slightly different, but: 'Chief Pleas agrees that the Education Committee, following discussions with the parents/carers of the affected children' – that is the children who have become eligible for this year – 'should arrange places at Les Beaucamps or Blanchelande College or other Guernsey schools and suitable accommodation in Guernsey for Sark children who will be aged 13 to 16 in the academic year September 2019 to August 2020 whose parents/carers wish it with funding specifically for those children as set out in Appendix 1'.

1050

Amendment to Proposition 2:

That Chief Pleas agrees that the Education Committee, following discussion with the parents/carers of the affected children should arrange places at Les Beaucamps or Blanchelande College or other Guernsey schools and suitable accommodation in Guernsey for Sark children who will be aged 13 to 16 in the academic year September 2019 to August 2020 whose parents/carers wish it with funding specifically for those children as laid out in Appendix 1

What we are saying there is we cannot delay a decision for that small number of children.

Proposition 3 then becomes:

Amendment to Proposition 3:

Chief Pleas instructs the Education Committee to investigate further the options for providing support for the education of children whose parents/carers do not wish them to go to schools in Guernsey and report back to Chief Pleas as soon as possible.

1055 And then the remaining Propositions we wish to leave as they are.

The Speaker: Okay.

Proposition 1 has been withdrawn. Can I ask Conseiller Sandra Williams, because we were going to Proposition 2 as amended: you did ask for a named vote, do you wish a named vote on this?

1060

Conseiller Sandra Williams: Yes, please.

The Speaker: Okay, so it will be a named vote.

1065 Conseiller Pauline Mallinson, just follow this carefully, will you, and make sure I have got it correct because this is going into the audio and that is what will be recorded.

Proposition 2, as amended:

That Chief Pleas agrees that the Education Committee, following discussion with the parents/carers of the affected children should arrange places at Les Beaucamps or Blanchelande College or other Guernsey schools and suitable accommodation in Guernsey for Sark children who will be aged 13 to 16 in the academic year September 2019 to August 2020 with funding specifically –

Conseiller Pauline Mallinson: No, ‘whose parents and carers wish it’.

1070

The Speaker: Yes, sorry, okay –

– whose parents/carers wish it with funding specifically for those children as laid out in Appendix 1. Okay, we have a named vote. Are you ready?

The Greffier: Yes, sir.

1075

The Speaker: Can I just say to the new Conseillers, in case you are not aware of this, you are voting ‘pour’ or ‘contre’.

Carried – Pour 17, Contre 1, No Vote 0

POUR

Conseiller Reginald Guille MBE
Conseiller Peter La Trobe-Bateman
Conseiller Sebastien Moerman
Conseiller Christopher Nightingale
Conseiller Anthony Ventress
Conseiller Paul Williams
Conseiller Sandra Williams
Conseiller Pauline Mallinson
Conseiller Helen Plummer
Conseiller Philip Long
Conseiller John Guille
Conseiller Christopher Drillot
Conseiller William Raymond
Conseiller Amanda de Carteret
Conseiller Ellen Lalor
Conseiller Rodney Lalor
Conseiller Simon Couldridge

CONTRE

Conseiller Alan Blythe

NO VOTE

None

The Speaker: That is **Carried** with 17 pour, 1 contre.

We go to Proposition 3:

That Chief Pleas instructs the Education Committee to investigate options –

1080

Conseiller Pauline Mallinson: To ‘investigate *further* the options’.

The Speaker: Sorry:

– further the options for support to the educating of children whose parents/carers do not wish them to go to schools in Guernsey and report back to Chief Pleas as soon as possible.

Conseiller Sandra Williams: Sorry, can we just have that Proposition again, please?

The Speaker: Proposition 3:

That Chief Pleas instructs the Education Committee to investigate further the options for support to the educating of children whose parents/carers do not wish them to go to schools in Guernsey and report back to Chief Pleas as soon as possible.

1085 Now, do you want a named vote on that as well?

Conseiller Sandra Williams: Yes, please.

The Speaker: I am being asked for a named vote on that as well.

Carried – Pour 17, Contre 1, No Vote 0

POUR	CONTRE	NO VOTE
Conseiller Reginald Guille MBE	Conseiller Alan Blythe	None
Conseiller Peter La Trobe-Bateman		
Conseiller Sebastien Moerman		
Conseiller Christopher Nightingale		
Conseiller Anthony Ventress		
Conseiller Paul Williams		
Conseiller Sandra Williams		
Conseiller Pauline Mallinson		
Conseiller Helen Plummer		
Conseiller Philip Long		
Conseiller John Guille		
Conseiller Christopher Drillot		
Conseiller William Raymond		
Conseiller Amanda de Carteret		
Conseiller Ellen Lalor		
Conseiller Rodney Lalor		
Conseiller Simon Couldridge		

1090 **The Speaker:** That is **Carried** with 17 pour, 1 contre.
We go Proposition 4:

That Chief Pleas agrees that the funding arrangements and parental contribution for Guernsey education should be as set out in Appendix 1.

I take it you do not want to necessarily ... having taken the two decisions?

Right, those in favour of that Proposition; are there any against? Can I take that vote again, please?

1095 Yes, those in favour; those against? That is **Carried**.
Proposition 5:

That Chief Pleas instructs the Education Committee to continue to explore the possibility of some form of charitable funding for bursaries/grants or loans to parents/carers experiencing financial hardship in respect of accommodation contributions and report back to Easter Chief Pleas

Those in favour; those against. That is **Carried** by a substantial majority.

**11. Food and Feed Regulation –
Agriculture, Environmental and Sea Fisheries Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Agriculture, Environmental and Sea Fisheries Committee entitled 'Food and Feed Regulation'.

Proposition:

That Chief Pleas directs the Agriculture, Environment and Sea Fisheries Committee to request the Law Officers of the Crown to draft the necessary legislation for a Sark version of Guernsey's 'Food and Feed Control' regulations.

The Speaker: We go to Agenda Item 11, to consider a Report with Proposition from the Agriculture, Environmental and Sea Fisheries Committee entitled 'Food and Feed Regulation'.

1100 Conseiller Helen Plummer to introduce the Report.

Conseiller Helen Plummer: Thank you very much.

1105 At the Michaelmas Meeting of the Chief Pleas we came up with some Food and Feed control regulations and there were the three options to be considered: first, was to stop the exporting of any food and just supply the Sark market which would bring quite a number of problems; (2) to adopt a Sark version of the Guernsey regulations *now* so that the exports may continue; (3) to adopt a Sark version of the Guernsey regulations later. But (1) and (3) would have substantial problems, because as from next year anything that goes through the mouth, including animal feed, would *not* be allowed to leave the Island.

1110 I feel then that the Island would die, because we cannot move – we have some wonderful food to be shipped out of the Island. So I would like the Proposition to go as follows:

That Chief Pleas directs the Agriculture, Environment & Sea Fisheries Committee to request the Law Officers of the Crown to draft the necessary legislation for a Sark version of Guernsey's 'Food and Feed Control' regulations.

Thank you.

The Speaker: Okay, that Proposition is as it is on the Order Paper?

1115

Conseiller Helen Plummer: It is.

The Speaker: Yes. Does anybody wish to contribute or ask questions?
In that case we will go to the Proposition

That Chief Pleas directs the Agriculture, Environment & Sea Fisheries Committee to request the Law Officers of the Crown to draft the necessary legislation for a Sark version of Guernsey's 'Food and Feed Control' regulations.

1120 Those in favour; are there any against? That is **Carried**.

**12. Committee Elections –
Policy and Finance Committee: Conseiller C Drillot elected;
Special Committees;
Top Level Domain Special Committee: Conseiller A Blythe elected**

To elect Conseillers to Committees, as required.

The Speaker: We go to Agenda Item 12, Committee Elections: To elect Conseillers to Committees, as required. There is one vacancy on the Policy and Finance Committee.
Conseiller Reginald Guille.

1125 **Conseiller Reg Guille MBE:** I would like to propose that Conseiller Christopher Drillot be elected to the Policy and Finance Committee, sir.

The Speaker: Is there anybody else who wishes to stand?

1130 In that case, I will declare that Conseiller Christopher Drillot to be a Member of the Policy and Finance Committee.

There are two vacancies on the Top Level Domain Special Committee. Are there any nominations?

1135 **Conseiller Reg Guille MBE:** I would like to nominate Conseiller Alan Blythe and I believe somebody else wishes to nominate from the floor, sir.

The Speaker: Okay. Any nominations from the floor? This is for the one vacancy remaining on the Top Level Domain Special Committee. I am not getting any response, so I will declare Conseiller Alan Blythe to be a member of the Top Level Domain Special Committee.

13. Committee and Panel Elections –

Non-Chief Pleas Members –

Medical and Emergency Services Committee: Mrs D Baker and Dr R Norwich elected;

Top Level Domain Committee: Dr R Norwich and Mr N Moloney;

Child Protection Special Committee: Mrs D Baker and Mrs K Adams

Committee and Panel Elections: To Elect Non-Chief Pleas Members to Committees and Panels, as required.

1140 **The Speaker:** Agenda Item 13, Committee and Panel Elections: To Elect Non-Chief Pleas Members to Committees and Panels, as required.

I have received a request from the Medical and Emergency Services Committee for Mrs Diane Baker and Dr Roger Norwich to be added as *ex officio* Members of that Committee. Are there any other nominations for that Committee?

1145 In that case I will declare Mrs Diane Baker and Dr Roger Norwich as *ex officio* Members of the Medical and Emergency Services Committee.

Are there any other nominations for other Committees?

Conseiller Reginald Guille.

1150 **Conseiller Reg Guille MBE:** I believe they have to be non-Chief Pleas Members, sir, they are not *ex officio* – *ex officio* are people with appointment on the Island. So they would be elected as non-Chief Pleas Members; I believe that must be the correct terminology.

1155 **The Speaker:** Well, I would have thought so, but I see also a member of the Public Gallery nodding her head and she appears on the website as an *ex officio* Member.

I will declare them both as Non-Chief Pleas Members and we will sort out the nitty-gritty afterwards.

Conseiller Reg Guille MBE: Thank you, sir.

1160 For the Top Level Domain, I would like to propose Dr Roger Norwich and Mr Nicolas Moloney as Non-Chief Pleas Members on that Committee.

I would also like to propose for the Child Protection Special Committee Mrs Diane Baker and Mrs Karen Adams as Non-Chief Pleas Members.

All four have indicated their willingness to be put forward for those Committees.

1165 Thank you, sir.

The Speaker: Right, that is the Top Level Domain, Dr Roger Norwich and Nick Moloney; the Child Protection, Diane Baker and –

1170 **Conseiller Reg Guille MBE:** Mrs Karen Adams.

The Speaker: Karen Adams.

1175 Are there any other nominations, at all? In that case, I will declare Dr Roger Norwich and Nick Moloney to be Non-Chief Pleas Members of the Top Level Domain; and Mrs Diane Baker and Mrs Karen Adams to be Non-Chief Pleas Members of the Child Protection Special Committee.

**14. Legal Aid –
Policy and Finance Committee Report –
Report considered**

To consider an Information Report from the Policy and Finance Committee entitled 'Legal Aid'.

The Speaker: We go to Agenda Item 14, to consider an Information Report from the Policy and Finance Committee entitled 'Legal Aid'.

Conseiller Reginald Guille to introduce the Report.

1180 **Conseiller Reg Guille MBE:** The Report is self-explanatory, it is not changing anything with us at the moment for Legal Aid, but we will have to bring in a statutory provision similar to the lines that Guernsey and Alderney are bringing in. That will need further research and debate and come back to Chief Pleas at a later date.

Thank you, sir.

1185

The Speaker: Any questions or comments? That is an information item.

**15. Senior Administrator/Chief Secretary –
Policy and Finance Committee Report –
Report considered**

To consider an Information Report from the Policy and Finance Committee entitled 'Senior Administrator/Chief Secretary'.

The Speaker: We go to Agenda Item 15, to consider an Information Report from the Policy and Finance Committee entitled 'Senior Administrator/Chief Secretary'.

Conseiller Pauline Mallinson to introduce the Report.

1190

Conseiller Mallinson: Thank you.

1195 As I said in the Report, in early December we asked Guernsey if they could find us an interim Chief Secretary based on the job description attached to the Report, probably on a three-day-week basis. Unfortunately, to date, they have not been able to identify a suitable candidate but they have said that they could find suitable people to work with us on specific pieces of work, including a senior HR person who would work with us on the recruitment of the new Chief Secretary.

The Policy and Finance Committee will continue to work to fill this role as soon as practicable.

1200 **The Speaker:** Thank you. Any questions or comments?
Conseiller Sebastien Moerman.

Conseiller Moerman: Thank you, sir.

1205 I shall not bore you with some long comments into this, but quite frankly with the reputation of this Government as an employer, the chances to recruit a competent and skilled Chief Secretary are inexistent.

Thank you.

The Speaker: Inexistent?

1210

Conseiller Moerman: Inexistent.

The Speaker: That is a new word on me.

1215 **Conseiller Moerman:** Impossible. (*Interjection*) Non-existent.

The Speaker: Non-existent.

1220 **Conseiller Moerman:** Sorry, it is my poor knowledge of English! Just working, trying to improve it.

The Speaker: Shocking!

A Member: You will get there!

1225

The Speaker: Right, does anybody else wish to contribute? Okay, well that is an information item as well.

**16. Sark Energy Policy –
Policy and Finance Committee Report –
Report considered**

To consider an Information Report from the Policy and Finance Committee entitled ‘Sark Energy Policy’.

1230 **The Speaker:** Agenda Item 16, to consider an Information Report from the Policy and Finance Committee entitled ‘Sark Energy Policy’.
Conseiller Pauline Mallinson.

1235 **Conseiller Mallinson:** This Report was purely for information. As we said in the notes accompanying it we did feel, in light of the various discussion that are going on around electricity and the future of electricity on the Island, that it was important that what was then the Policy Development Team and now is a Sub-Committee, should make Chief Pleas and the public aware of our latest thinking; and that is what this Report was down to do.

1240 **The Speaker:** Thank you. Any questions or comments?
Conseiller Sebastien Moerman.

Conseiller Moerman: Thank you, sir.

1245 Aah, what a refreshing report, when actually we are looking at the future with clean energy rather than the past with a toxic proposal. However, I am a bit curious by the bipolarity of the Policy and Finance Committee. Last year we were recommended to enter into negotiations with a view to acquire Sark Electricity and I believe only Conseiller Helen Plummer voted against such a mad venture with myself, so I am quite interested to know where are we going? Are we looking at the past or are we looking forward to moving to a socially responsible energy solution? I am somewhat confused.

1250 Thank you.

The Speaker: Anybody else?

In that case, I will ask Conseiller Pauline Mallinson to mend his confusion.

1255 **Conseiller Mallinson:** I will try!

I think it is fair to say that we are, as Conseiller Moerman says, trying to look to the future. And if Chief Pleas were to acquire the Sark Electricity Company, that does not mean that with the utmost possible haste we should actually move forward to a significant amount of renewable energy in the mix provided by that electricity company. So I do not see the two as necessarily in conflict.

1260 This is a policy statement of where we would like our electricity on the Island to be going, if you like, almost regardless of who it is that is providing it. The only benefit of the Government or the community having control over our electricity company is that we can then make this happen in a way that, when the electricity is being provided by a private company, we have no control over how much renewable energy they do or do not have in the mix.

I do not see them as mutually exclusive, but Conseiller Moerman obviously disagrees.

Conseiller Moerman: Yes.

1270 **The Speaker:** Okay. That, again, was an information item.

**17. Director of Education –
Education Committee Report –
Report considered**

To consider an Information Report from the Education Committee entitled 'Director of Education'

The Speaker: We go to Agenda Item 17, to consider an Information Report from the Education Committee entitled 'Director of Education'.

Conseiller Pauline Mallinson.

1275 **Conseiller Mallinson:** This is getting very monotonous, I do apologise!

At Easter Chief Pleas, Conseiller Dunks recommended that we appoint Ms Beverley Gates to the post of part-time Director of Education on an interim basis until the end of 2018 and that we should then undertake a full recruitment process. This was because there were a number of activities such as appointing the new Head of School which needed the Director of Education's involvement and therefore we could not wait while we went through a recruitment process.

1280 We have now undertaken that recruitment process, which was led for us by the HR Manager for Education Resources in Guernsey and a national leader of the Education from the UK, neither of whom had worked with the interim Director of Education. The post was advertised in the Time Educational Supplement online and we received over 30 responses. Based on these

1285 applications, the team shortlisted and then agreed to interview the two leading candidates in London on 4th January. Following a day of assessment tasks and a panel interview, and based on that and the candidates' CVs and experience, the team unanimously agreed that Ms Beverley Gates was significantly the strongest candidate and we will therefore be offering her a three-year contract as part-time Director of Education for Sark.

1290

The Speaker: Thank you. Are there any comments or questions?
Conseiller Chris Drillot.

Conseiller Drillot: Thank you, sir.

1295

Us new Members, who were not involved in this, could we just have a quick, brief explanation on, (1) what the role entitles; (2) how it slightly differs to what the Head of School is doing; and (3) at what cost to the Chief Pleas this appointment is, please?

The Speaker: Conseiller Pauline Mallinson.

1300

Conseiller Mallinson: Okay. The role, as I said, is part time, it is based on approximately one day a week and it is a Director of Education, which is a totally different role to the Head of School. It is basically looking at Education in its widest sense both on the Island and, if we move that way, for our children who are off Island. It also includes adult education and it also to date has played a strong role in safeguarding on the Island.

1305

It is a professional adviser to the Education Committee and to the Board of Education on how we should be conducting education on the Island. It supports us in recruitment and to my mind it is an essential support to being able to do the job of Education Committee on this Island in a sensible and professional way.

1310

We are talking about a cost to the Island of, for next year, approximately £20,000 in salary cost and then expenses for, in the order of, five or possibly six visits to the Island by the Director of Education during the year.

I think that was all the questions.

1315

The Speaker: Okay.
Conseiller John Guille.

Conseiller John Guille: Do we have an actual estimated cost of these visits to the Island?

1320

Conseiller Mallinson: I have estimated £500 per visit. They normally come in under that because we have found accommodation on the Island which does not cost anything, so it is basically air fares and travel costs.

The Speaker: Thank you. Anybody else?

1325

That was an information item.

**18. Asian Hornets –
Agriculture, Environmental and Sea Fisheries Committee Report –
Report considered**

To consider an Information Report from the Agriculture, Environmental and Sea Fisheries Committee entitled 'Asian Hornets'.

The Speaker: Agenda Item 18, to consider an Information Report from the Agriculture, Environmental and Sea Fisheries Committee entitled 'Asian Hornets'.
Conseiller Helen Plummer.

1330 **Conseiller Plummer:** Thank you.

The Information Report is self-explanatory, a lot of work has been done and I would like to thank Miss Jo Birch for doing a lot, and Peter Cunneen.

1335 A lot of work has been done putting traps around the Island by various people. I would ask the people of Sark to keep a good look out and report any sightings of these hornets to either myself, or anybody on the Agriculture Committee; or to Mr Cunneen, please, because they are monitored.

Thank you very much.

1340 **The Speaker:** Thank you. Does anybody wish to comment or question?
That is also an Information Report.

**19. Sea Fishing Annual Report –
Agriculture, Environmental and Sea Fisheries Committee Report –
Report considered**

To consider an Information Report from the Agriculture, Environmental and Sea Fisheries Committee entitled 'Sea Fishing Annual Report'.

The Speaker: We go to Agenda Item 19, to consider an Information Report from the Agriculture, Environmental & Sea Fisheries Committee entitled 'Sea Fishing Annual Report'.
Conseiller Helen Plummer.

1345 **Conseiller Plummer:** Thank you very much.

Yes, the Annual Report again is very self-explanatory. There were not so many dives on the scallop returns as you see for this year, as there were only three divers' applications from Guernsey – one has not dived since August and of the other two, one of the divers was unwell so they could not both go down to dive so one had to stay on board – that is the reason.

1350 We are hoping that there will be more, we are very proud of our sea-fishing and our crustaceans over here and there are talks going on at the moment with Brexit, etc. about the way we will deal with things – but that will come out at a later date.

1355 I would just like to say thank you very much to Mr David Cocksedge for all the work that he is doing for the sea fisheries and to all who have put this Report together, and Ms Liz Dewe for the Angling Club, for all the reports that go through there.

Thank you very much.

The Speaker: Thank you. Any questions or comments?
Conseiller Reg Guille.

1360

Conseiller Reg Guille MBE: I notice in the press that Jersey has relaxed the bass fishing for recreational catchers of bass. I have always felt that putting the restriction on shore fishermen and line fishermen going out to catch bass has always been a sledgehammer to crack a nut when, 15 miles outside our waters, you have big factory ships dredging up tens of thousands of tons of bass every day in the breeding grounds.

1365 I would ask if the Committee would investigate relaxation. It is our three-mile limit and we can follow the relaxing of bass fishing both for our commercial and recreational fishers.

Thank you, sir.

1370 **The Speaker:** Thank you. Anybody else?
In that case, Conseiller Helen Plummer.

Conseiller Plummer: Yes, thank you very much indeed.
Yes, I do agree it is as Conseiller Guille said and we will look into this.
1375 Thank you.

The Speaker: Thank you. That was an information item.

**20. Annual Report –
Tourism Committee Report –
Report considered**

To consider an Information Report from the Tourism entitled 'Annual Report'.

The Speaker: We go to Agenda Item 20, to consider an Information Report from the Tourism
Committee entitled 'Annual Report'.
1380 Conseiller Sandra Williams.

Conseiller Sandra Williams: I have nothing to add, sir, it is just an Information Report so
people can see what does and does not go on down at the Tourism Office. It was a very busy
year last year, for media especially.
1385

The Speaker: Thank you. Are there any comments or questions? That, too, is an information
report.

**21. Seasonal Regulation No 2 –
Road Traffic Committee Report –
Report considered**

*To consider an Information Report from the Road Traffic Committee entitled 'Seasonal
Regulation No 2'.*

The Speaker: We go to Agenda Item 21, to consider an Information Report from the Road
Traffic Committee entitled 'Seasonal Regulation No 2'.
1390 Conseiller Alan Blythe to introduce the Report.

Conseiller Blythe: Sir, this Report is an Information Report just to say that for the last five
years these regulations have been in this current form and have worked very well, and it is
pretty self-explanatory.
1395

Thank you, sir.

The Speaker: Thank you.
Are there any questions or comments from the floor? Okay.

**22. Seasonal Regulation No 4 – 2019 –
Road Traffic Committee Report –
Report considered**

To consider an Information Report from the Road Traffic Committee entitled 'Seasonal Regulation No 4 – 2019'.

1400 **The Speaker:** We go to Agenda Item 22, to consider an Information Report from the Road Traffic Committee entitled 'Seasonal Regulation No 4 – 2019'.
Conseiller Alan Blythe.

1405 **Conseiller Blythe:** This is exactly the same as the other one, just the reverse way round for horses as it is for tractors. *(Laughter)*
Thank you, sir.

The Speaker: Well, let's hope the horses can read that!

**Procedural –
Appreciation for Conseiller Reginald Guille MBE**

1410 **The Speaker:** Okay, anybody else?
Conseiller Sam La Trobe-Bateman.

Conseiller La Trobe-Bateman: Sorry, can I say something that is not on ... just before you close the meeting, can I say something? Is that alright?

1415 **The Speaker:** I really would prefer notice, but I am sure –

Conseiller La Trobe-Bateman: Well, I did not have any notice that our Chairman was going to resign. So, can I say something?

1420 **The Speaker:** Please, yes.
Conseiller Sam La Trobe-Bateman.

1425 **Conseiller La Trobe-Bateman:** In this tricky time with Brexit and everything going on, and the electricity and stuff, I certainly do not want to lose our Chairman over something.
So I would ask all Conseillers that support Reg, and try and persuade him not to resign, to stand up to show our appreciation.
Thank you.

**Procedural –
Notice of Extraordinary Meeting of Chief Pleas**

1430 **The Speaker:** Thank you.
This is to give you notice that an Extraordinary Meeting of Chief Pleas has been requested by the Chairman of the Policy and Finance Committee, to be held on Wednesday 6th February 2019 at 7 p.m. The purpose of this meeting will be to consider the proposed Extension of Territorial Seas, Bailiwick of Guernsey.

1435 Guernsey States are likely to approve the extension on 30th January. Policy and Finance will need to write a short report to cover the policy letter that is to be adapted for Sark. Supporting papers for this meeting will be presented as soon as possible after the Guernsey States' decision has been confirmed, and I have emailed all Conseillers and officers of Chief Pleas with notice of that meeting in 21 days' time.

Before we close the meeting, sandwiches are available at the Island Hall for Members and officers of Chief Pleas and also the ADC to the Lieutenant Governor if he would like to join us.

1440 This meeting is now closing, at 12.22 p.m.
Greffier.

PRAYER
The Greffier

Chief Pleas closed at 12.22 p.m.