

ST. HELENA
LEGISLATIVE COUNCIL

THE SPEAKER

Mrs Margaret Anne Catherine Hopkins MBE

EX-OFFICIO MEMBERS

The Honourable Chief Secretary	-	Mr Andrew Ronald Wells
The Honourable Financial Secretary	-	Mr Paul Blessington
The Honourable Attorney General	-	Mr Kenneth Ian Baddon

ELECTED MEMBERS

The Honourable Rodney Garth Buckley	-	East Electoral Area
The Honourable John Gilbert Cranfield	-	“ “ “
The Honourable Cyril Keith Gunnell	-	“ “ “
The Honourable Brian William Isaac	-	“ “ “
The Honourable Bernice Alicia Olsson	-	“ “ “
The Honourable Michael Anthony Benjamin	-	West Electoral Area
The Honourable Stedson Graham Francis	-	“ “ “
The Honourable Anthony Arthur Green	-	“ “ “
The Honourable Derek Franklin Thomas	-	“ “ “
The Honourable Raymond Kenneth Williams	-	“ “ “
The Honourable Tara Thomas	-	East Electoral Area (Overseas)
The Honourable Mervyn Yon	-	West Electoral Area (Overseas)

CLERK OF COUNCILS

Miss Gina Benjamin

PROCEEDINGS OF THE LEGISLATIVE COUNCIL

Tuesday, 23rd March, 2010

The Council met at 8.45 am
in the Court House, Jamestown

(The Speaker in the Chair)

ORDER OF THE DAY

1. PRAYERS

(The Rt. Rev. Bishop John Salt)

The Speaker –
Please be seated.

The Hon. Ken Baddon (Attorney General) –
Madam Speaker, before I sit, I apologise for not having my jacket on; a quarter to nine arrived faster than I expected.

2. ADDRESS BY THE PRESIDENT

My Lord Bishop, Honourable Members, members of the public, both here and listening over the radio, welcome to this the third day of the second meeting of this Council. It was a long day yesterday, and I trust that Honourable Members are suitably refreshed and ready to resume for what may well be another long day. This morning, before we move to the business of the day, I should like to pay tribute to a member of the Public Service, whose long service will sadly come to an end in June of this year when he goes on pre-retirement leave. I am referring to Mr Desmond Wade, Chief Finance Officer. His historical knowledge, quiet and dedicated service in the Finance Department, meticulous work on the presentation of the Government Accounts and the Budget, are all going to be sadly missed. Many is the time he has supported the Financial Secretary of the day, and, of course, most recently he did so again yesterday. Several Honourable Members made mention of you yesterday, Sir, and it is a pleasure to add my own comments this morning. You are one of those often hidden, but vital cogs in a piece of machinery and I do wonder how the Finance Department is going to operate without you there. On behalf of this Council, I should like to say a very big thank you to you for your long and dedicated service and wish you a very happy retirement.

Turning to the Order Paper for today, we will next move to Questions and then to the two adjourned Bills, the Income Tax (Amendment) Bill and the Remuneration for Councillors Bill before we take the other Motions. Thank you, Clerk. The next item of business, please?

3. QUESTIONS

Question 1. The Honourable Stedson Francis to ask the Honourable Chairman, Health and Social Welfare Committee.

The Hon. Stedson Francis –

Will the Honourable Chairman of the Health and Social Welfare Committee, the Honourable Cyril Gunnell, give an update on progress with the training of the vulnerable and unemployed, which is being supervised by the UNDP Project Manager/Trainer currently on island and how long will it be before work will start on the Half Tree Hollow playground?

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell, Chairman, Health and Social Welfare Committee.

The Hon. Cyril Gunnell –

Madam Speaker, thank you and thank you to the Honourable Member for asking the question of which I have pleasure in giving the answer to.

In January 2009, a number of proposals from different SHG stakeholders were submitted to the Development and Economic Planning Department for 2009 UNDP funding allocation for St. Helena. These proposals were: (1) a long-term strategy for the disabled aimed at promoting integration of this group into the workplace and society, from Employment and Social Security Department; (2) an expansion of the vocational activities carried out by the disabled at SHAPE in recycling and agriculture, from SHAPE; (3) a request to expand training for long-term offenders to include masonry programmes, from the Police; and (4) a request to renovate and upgrade the Half Tree Hollow playground, from Legal and Lands Department. The project document was compiled by staff in the Development and Economic Planning Department with input from all the stakeholders. It presents elements of all the above proposals into a single submission with a coherent objective that is consistent with the strategic aims of the island and the funding criteria of the UNDP. The overarching objective is to assist the most vulnerable in society in assessing vocational training and enhancing their opportunity for integration into the workplace and society more generally thus promoting equal opportunities and improving their self esteem and dignity. Thus the project represents an extension or follow-on from the previous UNDP project which was for the re-training of the long-term unemployed. The implementing agency for the project is the Employment and Social Security Department and the Project Manager is Mr Ronald Coleman, the Head of that Department.

The progress to date: - Out of the three local trainers required for the project, we have been successful with the recruitment of the trainer for agriculture and a trainer for recycling and crafts. Both are working with the SHAPE enterprise at Sandy Bay. The agriculture trainer started in November 2009 and the recycling trainer started in January of this year. Due to transport constraints, we have six clients with the agriculture programme and five with the recycling. These numbers will increase when the transport situation improves and Members will be aware that SHAPE is frantically raising funds to purchase an 8-seater four-wheel drive minibus which should arrive on the next voyage of the RMS. The land for agriculture

has been prepared and the plan for the drying sheds has been approved, which should be constructed shortly. Everything on these two programmes is running smoothly.

The third trainer is for construction and under this programme we should see the realisation of an enhanced playground in Half Tree Hollow. However, at this stage, the project is unable to recruit a trainer. The plans for the playground enhancement are now being prepared by the Technical Services Section within PW&SD. In addition to the Project Manager, the project also has a Steering Group comprising of all the stakeholders. The Steering Group will be meeting on 24th March to discuss progress and options for completing the Half Tree Hollow playground.

Another element of the project is assistance with the production of a long-term, sustainable strategy to enable the vulnerable to be trained and integrated into the workplace and society for the formulation of proposed Government policy. This will be the responsibility of the United Nations volunteer, Mr James Clarke, who arrived on the island in February and will be with us for approximately nine months. The Health and Social Welfare Committee met with Mr Clarke on Monday to discuss his initial assessment report, which he will share with all Members shortly at a session of informal LegCo to be arranged. That was last Monday, Madam Speaker.

Regarding the start date for the playground, it is not possible at this time to give a date, but the whole project is due to be completed in December 2010 and it is expected that all elements of the project will be completed by this date. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Stedson Francis?

The Hon. Stedson Francis –

I would like to thank the Honourable Cyril Gunnell for his comprehensive response and just a double question, where will the playground be located and what sort of activities will the playground be able to accommodate?

The Hon. Cyril Gunnell –

I'm not certain about the activities at this particular time, but the playground will be where it currently is in Half Tree Hollow.

The Hon. Stedson Francis –

Thank you.

The Speaker –

Before we move to the next item of business, I omitted to say to the Honourable Members if you wish to remove your jackets, please feel free to do so. Thank you, Clerk, the next item of business.

Question 2. The Honourable Stedson Francis to ask the Honourable Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Stedson Francis –

Will the Deputy Chairman of the Infrastructure and Utilities Committee, the Honourable Brian Isaac, inform this House when the upgrading of water distribution to the Western areas will be started now that the funding of £1.56m is available for this financial year and a further capital investment is provisionally earmarked for the island's infrastructure and engineering expertise is now being recruited?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac, Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Brian Isaac –

Madam Speaker, I thank the Honourable Member for his question. The upgrading of the water distribution in the Western area is included in the Infrastructure Plan and a provisional sum of £131,000 has been included for this. Although the exact timing of this work has not yet been agreed, it is likely to be within the financial year 2011/2012 and 2012/2013. The Honourable Member will be aware, as mentioned earlier in this House, that certain projects under the Infrastructure Plan has to be prioritised and water projects has been given a high priority. Madam Speaker, as the Honourable Member stipulated in his question, that engineering expertise has been recruited and I can support that to be correct. I will just give the Honourable Member some background information on the project Water 2 that is currently.....Project Water 2 is intended to upgrade water collection, storage and distribution infrastructure to meet immediate needs and improvement to the operational performance. This project will cover significant infrastructure works to Red Hill and Hutts Gate and improvement to Jamestown, Levelwood, Blue Hill and Sandy Bay areas. It will also ensure adequate training leading to sustainable capacity within the Water Division and local contract sector. Combined with this project is Water Project 1 and this project is expected to result in improving water quality, reliability of supply and access to new connections as well as better working conditions for the Water Division staff. This project will cost over the next three years, £5,914. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Chairman. The Honourable Stedson Francis?

The Hon. Stedson Francis –

So is the Honourable Member aware that this means that house construction have to be put on hold for yet another year even though we have the engineering expertise and £1.56m for funding to carry this work out?

The Hon. Brian Isaac –

Madam Speaker, as I say, I am aware that that money is available, I am aware that there will be some delays in the house construction work, which the people will be disappointed with, but as I said, this work is planned and hopefully as time permits and with the support of the Committee these projects can progress. I'm sure these are deadlines, but I think with the urgency of having these water works in place, the Committee will endeavour to support the Department wherever possible to complete. Thank you, Madam Speaker.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Where there are vacant homes in areas where the building of residential homes are being held up because of water, is it not possible, even if it's only for construction, to allow water to be used for this purpose?

The Hon. Brian Isaac –

Madam Speaker, I think the Mover is moving away from his question, but I'll answer it by saying that the consideration can be given to these people if such applications are made to the Committee and the Department.

The Hon. Stedson Francis –

Would the Honourable Member follow that up, please?

The Hon. Brian Isaac –

As I said, Madam Speaker, I will support the Committee and the Committee will support the Department in any ways possible where these issues can be addressed. Not saying that it will happen, but we will definitely give it serious consideration that the possibilities could happen.

The Speaker –

Thank you. Honourable Stedson Francis?

The Hon. Stedson Francis –

As Chairman of the Infrastructure Committee, can the Honourable Member say how much money has been spent of the £1.56m that was allocated for infrastructure projects?

The Hon. Brian Isaac –

Madam Speaker, as Deputy Chairman of the Infrastructure and Utilities Committee, I will endeavour to seek such information from the Head of Department. The officials don't have an answer, but I'm sure that they will supply one in writing to all Members. Oh, none has been spent yet, Honourable Member.

The Hon. Stedson Francis –

You've only got five or so days to spend it in, can I ask how you intend to do that?

The Hon. Brian Isaac –

As the Water Engineer recruitment has taken a late step in the post, an agreement has been made with DfID to over carry the money to the new financial year.

The Speaker –

Thank you. Honourable Stedson Francis?

The Hon. Stedson Francis –

Is the Honourable Member aware that that will now mean that he will have £4m to spend next year?

The Speaker –

Honourable Chairman?

The Hon. Brian Isaac –

Yes.

The Hon. Stedson Francis –

Can I ask, if you couldn't spend £1.5m this year, how do you propose to spend £4m next year?

The Hon. Brian Isaac –

I'm sure now that the expertise is in place, the Department will try to do what is best with the capacity constraints that are available.

The Hon. Stedson Francis –
I'll hold you to that. Thank you.

The Speaker –
Honourable Members, please make sure you address your questions through me.

The Hon. Brian Isaac –
Thank you, Madam Speaker.

The Speaker –
The next item of business?

Question 3. The Honourable Stedson Francis to ask the Honourable Chief Secretary.

The Hon. Stedson Francis –
Will the Honourable Chief Secretary, the Honourable Andrew Wells, tell this Council the current cost for St. Helenian residents flying standard economy return fare to the UK from Ascension and also for Falkland Island residents flying civilian return fare to Ascension and civilian return fare to the UK from the Falklands?

The Speaker –
Thank you, Honourable Member. The Honourable Andrew Wells, Chief Secretary?

The Hon. Andrew Wells –
Madam Speaker, as the Honourable Member is aware, this Government has no jurisdiction at all over the RAF air bridge. It is entirely the responsibility of the United Kingdom Ministry of Defence. As a matter of information, however, I am advised that, first, the cost of a standard, economy return flight from Ascension to the United Kingdom is £911 with the single fare being £476. An additional charge of £30 is levied if the booking is made with less than ten days notice. Second, the cost of a standard economy return fare from the Falklands to Ascension is £1,122 with the single fare being £565; and finally, the cost of a return flight from the Falklands to the United Kingdom is £2,222 with the single fare being £1,111.

The Hon. Stedson Francis –
Thank you, Honourable Chief Secretary. No further questions.

The Speaker –
Next item of business.

4. MOTIONS

(1). THE INCOME TAX (AMENDMENT) BILL, 2010

Stage 2

The Hon. Financial Secretary –

Madam Speaker, I beg to move that the Council do resolve itself into a Committee to consider the detailed provisions of the Bill.

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

Question that the Council resolves itself into a Committee to consider the detailed provisions of the Bill, put and agreed to.

Council in Committee.

The Speaker –

I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill. Does any Honourable Member wish to speak?

Title, Enacting Clause and Clause 1.

Question put and agreed to.

The Speaker –

I put the question that Clause 2 and 3 do stand part of the Bill. Any Honourable Member wish to speak?

Clause 2 and 3.

Question put and agreed to.

The Speaker –

I put the question that Clauses 4, 5 and 6 do stand part of the Bill.

The Hon. Ken Baddon (Attorney General) –

Madam Speaker, following further discussions between the Honourable Financial Secretary and myself, together with the Chief Auditor, we have a concern about Clause 6 and I beg to move that Clause 6 be deleted. We fear, following further discussions, that this may actually have the opposite effect to what was intended. To explain, Clause 6 proposes the amendment of Schedule III by removing a word which we thought was superfluous, the word “not” because we thought when we were preparing this Bill that Schedule III was to do with Approved Superannuation and Pension Funds. In fact, we now realise that they are dealt with in paragraph 1 of Part A of Schedule I rather than in Schedule III. I put up my hand and say I should have spotted this earlier, but I didn’t. I partially excuse my failure by saying that it’s due to the opaqueness of the drafting of the original Ordinance, which was not my responsibility or that of any of my staff, but the bottom line is that if we make the amendment proposed in Clause 6 it will have the effect of making pensionable the gratuities paid by SHG and at least one private sector employer to persons who retire from the Public Service or from that private sector employer without actually a pension, but entitled to a gratuity. Clearly, that was not our intention. So far as creating an exemption for pension Approved Superannuation Schemes is concerned, we can take a little more time to work on that and make sure we get it right, because there are, in fact, no approved superannuation schemes at the moment, so the intention of the Financial Secretary as the policy lead, is to look at that over the coming months and make sure that something is in place by the time we have our

first approved superannuation or pension scheme, but in the meantime, we do not want to have the unintended consequence of taxing the SHG and other gratuities. For that reason, and with my apology to the House, as I say, I beg to move the deletion of Clause 6.

The Speaker –

Is there a seconder to the proposal to delete Clause 6?

The Hon. Paul Blessington (Financial Secretary) –

Madam Speaker, I beg to second.

The Speaker –

Does any Honourable Member have any questions about the deletion of Clause 6?

The Hon. Anthony Green –

Madam Speaker, it is obviously a little bit too complex to comprehend in detail, but since, presumably, we're going to return to what it was previously, then I think that I would be content with that on the basis that any change that might eventually take place will be after further discussion and particularly a better understanding.

The Hon. Ken Baddon –

Yes, by deleting Clause 6 we simply preserve the status quo, we remove and amend it.

The Hon. Rodney Buckley –

I will go with that, Madam Chairman, yes. We're going back to the original; we can look at it again.

Question that Clause 6 be deleted from the Bill, put and agreed to.

Clauses 4 and 5.

Question put and agreed to.

The Speaker –

I take it that all the numbers now get adjusted?

The Hon. Ken Baddon –

Yes, I was about to say, Madam Speaker, the consequential amendments and subsequent numbering will be made administratively and to make it easier for everyone, I suggest that we use the numbers as printed for the rest of today's proceedings.

The Speaker –

Thank you. I put the question that Clause 7 do stand part of the Bill – Capital Gains Tax. Any questions?

The Hon. Ken Baddon –

Madam Speaker, not a question, but just for the benefit of the listening public who might be puzzled that there are no questions, these amendments have, of course, been discussed extensively amongst Members informally before coming to today's session and they're also explained quite comprehensively in the Explanatory Note to the Bill, which Members as well

as the members of the public have an option to read, so really that was just a comment for the benefit of people listening outside.

Clause 7.

Question put and agreed to.

The Speaker –

I put the question that Clauses 8, 9 and 10 do stand part of the Bill. Does any Honourable Member have any comments or questions? I notice that we have electronic?.....which I'm sure your pleased people.

Clauses 8, 9 and 10.

Question put and agreed to.

The Speaker –

I put the question that Clauses 11, 12 and 13 do stand part of the Bill.

The Hon. Ken Baddon –

Madam Speaker, may I just offer a comment on Clause 11. This was amended during the late stages of the informal consultation to spell out that the ability of the Commissioner to grant exemption from tax to a charitable organisation which is charitable in nature but not actually registered as a charity would be limited by reference to section 3 of the Charities Ordinance and I did circulate yesterday morning to Members, a print of section 3 so that they can see exactly what the effect of that is. Section 11 therefore no longer gives the Commissioner a free discretion to grant exemptions, he will only be able to give an exemption if he's satisfied that the relevant organisation fits the definition in section 3, that is, it could register as a charity if it wanted to, but it has chosen not to.

The Speaker –

Thank you.

Clause 11, 12 and 13.

Question put and agreed to.

The Speaker –

I put the question that the Schedule do stand part of the Bill.

Schedule.

Question put and agreed to.

House resumes.

The Hon. Paul Blessington –

Madam Speaker, I beg to report that the Income Tax (Amendment) Bill, 2010 passed the Committee with one amendment and to move that this Council approves the said Bill and recommends to the Governor that it should be enacted.

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

The Speaker –

Thank you. Honourable Mover wishes to speak at all to the Motion?

The Hon. Paul Blessington –

Madam Speaker, I have no more comments to add to the Motion.

The Speaker –

Thank you. I put the question that this Council approves the Income Tax (Amendment) Bill, 2010 and recommends to the Governor that it should be enacted. Does any Honourable Member wish to speak? Honourable Rodney Buckley?

The Hon. Rodney Buckley –

I'd like to comment, Madam Chairman, that all of the amendments, in my view, bring benefits to the people paying tax on the island and I think it will be welcomed by the community, but if there is anybody who wish to know more about it, we will gladly help in answering their questions if they wish to make contact.

The Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, I think the public have heard us talk about the with-holding tax and I just want to clarify a point if I may and be sort of put right by the officials if it's necessary, but I think it necessary to clarify that in raising issues on with-holding tax we were not actually talking about long-term, and I say expatriate officers for now, just for the purpose of illustration, because I think the public thought we were talking about that group, that is only the group of short-term, less than six months, that I was referring to and other people were referring to, it's not the majority of people who come here and work, so that's for the sake of the public, just for clarification, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, can I just reiterate what I have said is that tax is supposed to be fair and unless a person has double taxation arrangements in place beforehand that they should not have to pay any with-holding tax in St. Helena.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? In which case, I invite the Honourable Mover to respond to the debate.

The Hon. Paul Blessington –

Madam Speaker, I thank the Honourable Members for their comments and suggestions in crafting the Income Tax (Amendment) Bill. As has been stated, this Bill is designed to make sure that the operation of the Tax Ordinance that comes into effect from 1st April will work more smoothly and will benefit all taxpayers on the island.

The Speaker –

Thank you, Honourable Financial Secretary.

Question that Council approves the Bill and recommends to the Governor that it should be enacted, put and agreed to.

The Speaker –

Next item of business, please?

(2) **THE LEGISLATIVE COUNCIL REMUNERATION
AND ALLOWANCES BILL, 2010**

Stage 2.

The Hon. Chief Secretary –

Madam Speaker, I beg to move that the Council do resolve itself into a Committee to consider the detailed provisions of the Bill.

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

Question that Council resolves itself into a Committee to consider the detailed provisions of the Bill, put and agreed to.

Council in Committee.

The Speaker –

I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill. Does any Honourable Member wish to speak?

Title, Enacting Clause and Clause 1.

Question put and agreed to.

The Speaker –

I put the question that Clauses 2 and 3 do stand part of the Bill. Does any Honourable Member wish to speak?

Clauses 2 and 3.

Question put and agreed to.

The Speaker –

I put the question that Schedule I – Remuneration of Members, do stand part of the Bill. Does any Honourable Member wish to speak?

Schedule I.

Question put and agreed to.

The Speaker –

I put the question that Schedule II do stand part of the Bill. Does any Honourable Member wish to speak?

Schedule II.

Question put and agreed to.

House resumes.

The Speaker –

Honourable Mover?

The Hon. Andrew Wells –

My apologies, Madam Speaker. Madam Speaker, I beg to report that the Legislative Council Remuneration and Allowances Bill, 2010, passed the Committee without amendment and to move that this Council approve the said Bill and recommend to the Governor that it should be enacted.

The Speaker –

Is there a seconder?

The Hon. Ken Baddon –

I beg to second, Madam Speaker.

The Speaker –

Thank you. I put the question that this Council approves the Legislative Council Remuneration and Allowances Bill, 2010, and recommends to the Governor that it should be enacted. Does any Honourable Member wish to speak?

The Hon. Brian Isaac –

Madam Speaker, I would just like to make a comment, not on the Bill, but the way the Bill has been prepared. It was prepared by an independent study carried out by members of the public and within that report, I would like to comment that there were no mention of the Public Accounts Committee, which will have to be a role undertaken by the Legislative Council and I feel that that important role should have been included in the report, which was not included in the report. Secondly, I would like to make a mention on the remuneration of the Speaker, the Deputy Speaker. I feel the salary of £1,250 per annum equates to £3.42 a day and that's less than someone is entitled to earn on Social Security benefits and I'm not looking so much at that, I'm looking at the principle of the office of the Deputy Speaker for such a low remuneration to be paid to the Deputy Speaker, I think that's an insult to the office of the holder of the chair of that office and I would ask that consideration be given to a review of both the role of the Legislative Council Members who will have to carry a major role in conducting the PAC and the office of the Deputy Speaker. Thank you, Madam Speaker.

The Speaker –

Thank you. Perhaps the Honourable Attorney General could advise on the procedural aspects of this in how Honourable Members might make their views known to the Governor?

The Hon. Ken Baddon (Attorney General) –

Madam Speaker, as the Honourable Member mentioned and as I think you mentioned in your opening address yesterday, it is not impossible for this Council to adjust upwards the rate which has been recommended by the independent body, but it is open to the Governor to appoint either the same independent body or a fresh one to review the remuneration allowances at any time and Honourable Members were given an assurance at the last informal meeting of this Council that a further review will take place, because although the report was thorough in many respects, a number of possible deficiencies were identified which Members felt they would like to have looked at, including the ones mentioned by the Honourable Brian Isaac. I'm not quite sure what the timing will be, but in terms of the legal process, a new review can be commenced as soon as the Governor wishes to commence it.

The Speaker –

Thank you, Honourable Attorney General.

The Hon. Brian Isaac –

Thank you, Madam Speaker.

The Speaker –

Does any other Honourable Member wish to speak? Does the Honourable Mover wish to respond to the debate?

The Hon. Andrew Wells –

Madam Speaker, I think the points that I wished to raise have largely been covered by my Honourable Friend the Attorney General. As he has rightly said, we've already, the Administration has already noted the concerns over one or two key elements of the report which informed the drafting of this Bill, including the concerns over the Public Accounts Committee and the remuneration of the Deputy Speaker. The way to proceed, again, as indicated by the Honourable Attorney General, will be for the Governor to appoint either the same or another body which can independently review the concerns expressed. I also have no definite timetable to offer Members, but I can say that I will be discussing this matter with the Governor this week and that we will attempt to move forward as quickly as possible. Thank you.

The Speaker –

Thank you, Honourable Mover.

Question that Council approves the Bill and recommends to the Governor that it should be enacted, put and agreed to.

The Speaker –

The Honourable Tony Green?

Motion No. 3 – The Honourable Anthony Green.

The Hon. Anthony Green –

Madam Speaker, I beg to move, without notice in accordance with Order 10, Regulation 1 (g) that this Council requires the Deputy Speaker, except when unable to do so by reason of illness or other good cause, to attend all formal and informal meetings of the Council.

The Hon. Stedson Francis –
Madam Speaker, I beg to second.

The Speaker –
Thank you, Honourable Members. Does the Honourable Mover wish to speak to the debate first?

The Hon. Anthony Green –
Thank you, Madam Speaker. I'm bringing this Motion to the House because I believe that if we want to get the best value from the newly-introduced position of Deputy Speaker, we could achieve that by requiring the attendance of the Deputy Speaker at both formal and informal meetings of Legislative Council. I believe it would also benefit the holder of the post of Deputy Speaker if he was aware of all the deliberations of this Council, both formal and informal, that his task would be that much easier whenever he might be called upon to deputise for the Speaker if such a call does indeed become necessary. This will also enable a smooth transition in a time of need. To be able to achieve this, the Remuneration Bill requires a resolution to be moved in this Council. I accordingly do so and call on my fellow colleagues for their support. Madam Speaker, I beg to move.

The Speaker –
Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion? The Honourable Stedson Francis.

The Hon. Stedson Francis –
Thank you, Madam Speaker. I support that the Deputy Speaker attend all meetings to keep abreast of all discussions and in the event that you, Madam Speaker, are unable to be present at any time, for whatever reasons, the Deputy Speaker would be well versed with all matters discussed.

The Speaker –
Thank you, Honourable Member. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, I support that. I have worked with the Deputy Speaker for many years and I know how very interested he is in the politics of the island and how things work and he has an immense knowledge of all things, including the law, and his input at the various meetings would be very valuable.

The Speaker –
Thank you, Honourable Member. Honourable Rodney Buckley?

The Hon. Rodney Buckley –
Madam Speaker, yes, I support the suggestion, I think it's a very sensible move. I will support the Honourable Member.

The Speaker –
The Honourable Derek Thomas?

The Hon. Derek Thomas –

Yes, Madam Speaker, I support the Motion, I think it is a very sensible move since this Council will be going through a really er, facing a lot of change and I think it is absolutely important that the Deputy Speaker be able to attend all meetings so he's up to date, he will gain experience and knowledge and also be able to help this Council, so I fully support the Motion, Madam Speaker.

The Hon. Brian Isaac –

.....it's the office that I'm concerned about, it's a newly-appointed office within the Constitution and our Standing Orders and I think that the remuneration should fit the chair of that particular office. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Madam Speaker, I support the Motion. The Deputy Speaker could be very good for the new Councillors and myself, he is very knowledgeable about....especially when you're going through income tax and Bills, he is very, very good, so I support this Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Raymond Williams?

The Hon. Raymond Williams –

I fully support the Motion, Madam.

The Speaker –

The Honourable Michael Benjamin?

The Hon. Michael Benjamin –

I support the Motion as well, Madam Speaker, for the reasons outlined by my fellow Councillors.

The Speaker –

Thank you, Honourable Member. Does the Honourable Mover wish to respond to the debate?

The Hon. Anthony Green –

Madam Speaker, thank you. I just wish to thank my colleagues for their support and Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member.

Question that the Council requires the Deputy Speaker, except when unable to do so by reason of illness or other good cause, to attend all formal and informal meetings of the Council, put and agreed to.

The Motion is carried.

The Speaker –

Thank you. Honourable Deputy Speaker is in the Chamber and is now fully aware that he's going to be coming to all our meetings, which will be much appreciated I can assure you, Sir. Thank you. Next item of business.

Motion No. 4 – The Honourable Attorney General.

The Speaker –

Could I please have a copy of the Bill? Honourable Attorney General, Ken Baddon?

The Hon. Ken Baddon –

Madam Speaker, we reached this item of business faster than I expected this morning. I do have spare copies of the Legal Notice with me for all Members and with your permission I'll just pass around the table, which is what.....

The Speaker –

Thank you.

The Hon. Ken Baddon –

Seeing that it has passed right round the table, Madam Speaker, I beg to move that this Council ratify the English Law (Human Rights Act) Order 2010.

The Speaker –

Is there a seconder to the Motion, please?

The Hon. Andrew Wells (Chief Secretary) –

Madam Speaker, I beg to second.

The Speaker –

Thank you. Honourable Mover?

The Hon. Ken Baddon –

Madam Speaker, as Honourable Members will recall, because they all saw the draft before this was approved by the Executive Council, an Order was made in January of this year to declare that the United Kingdom Human Rights Act 1998 does not apply to St. Helena because it is not appropriate to local circumstances. The background to this is that before we had our Human Rights Chapter in our new Constitution, there were conflicting opinions as to whether or not the United Kingdom Act applied here anyway. It seemed to me when I first prepared this and it still seems to me today that it will be desirable now to make absolutely clear that the English Act does not apply so as everyone knows exactly which law to look at when they want to know about Human Rights in St. Helena. I am, I might say, Madam Speaker, as a matter of law, ninety percent plus convinced that if this matter were to come before the Supreme Court, the Supreme Court would say it does not apply anyway, but I consider it desirable to make the matter clear and avoid unnecessary litigation.

A little bit of background, Madam Speaker, for the benefit of Members and the listening public. The European Convention on Human Rights was signed in 1950 and the United Kingdom was one of the first countries to sign it. The United Kingdom was the first country to ratify it in 1951 and it was extended to St. Helena some years ago, although I have not checked the precise date. But under the Convention, someone who believes that their Convention rights have been contravened must go to the European Court of Human Rights in Strasbourg and that is an expensive and time consuming process. A report which I read last

night suggested that it will take probably five years to get to a decision. But then, Madam Speaker, in 1998, the United Kingdom Government, only forty years after signing the Convention, decided that the local court in the United Kingdom should be able to apply the Convention and that's what the Human Rights Act 1998 achieved, but when the Bill, as it then was, went through Parliament, the Lord Chancellor actually said "the Convention Rights will not in themselves become part of our domestic law". What the Act did, once it was passed, was to give the British courts, and the English ones in particular, the right to use the Convention to help them to interpret Acts of Parliament. If an Act of Parliament is inconsistent with the Convention, no court in England can say that the Act is unlawful, although the higher courts can make a declaration that it is inconsistent with the Convention. What was clear before we had our new Constitution, Madam Speaker, and is clear now, is that under the Colonial Laws Validity Act, the Human Rights Act certainly could not override our local Ordinance. Also under the Human Rights Act there is only a very limited ability for the court to avoid financial compensation to someone whose Human Rights have been contravened. By comparison, Madam Speaker, our new Constitution, which came into force on 30th September, incorporates fundamental Human Rights and Freedoms into our local law, unlike the Act which has not incorporate them into British Law. They're set out in detail rather than in the very broad terms used in the English Act, and, in short, I beg your pardon, they also give the Supreme Court quite a wide power to grant financial compensation compared to the English Act. I therefore am firmly of the view, Madam Speaker, that our new Constitution gives the people of St. Helena better guarantees of their Human Rights than anything which is enjoyed by the people of the United Kingdom. In short, Madam Speaker, they replace uncertainty with clarity and they place broad ambiguous principles with clear statements which reflect modern circumstances and the decided cases from the European Court of Human Rights. As I indicated earlier, Madam Speaker, the purpose of this Motion is to ensure that we have clarity and certainty in which law applies here and accessibility by local people both to the law itself and to the courts which will enforce it. The Order therefore seeks to remove the one remaining area of doubt which is whether or not the UK Act finds its way into St. Helena law via the English Law (Application) Ordinance. I believe that to leave the uncertainty is perhaps a recipe for unnecessary litigation and that it is therefore desirable to remove that doubt. That is what the Legal Notice does, it was Legal Notice No. 1/2010, but as the explanatory note mentions it cannot take effect unless and until it is ratified by resolution of this Council. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Ken Baddon. I put the question that this Council ratifies the English Law (Human Rights Act) Order 2010. The question is open for debate. Any Honourable Member wish to speak? The Honourable Tony Green?

The Hon. Anthony Green –

Yes, Madam Speaker, I think I've reconciled myself that this needs to be approved to avoid all doubt and for clarification purposes and I understand the Attorney General to say it gives us better guarantee, but I just would like to ask, and I think I may have asked this previously, is that in making sure that the British Act does no longer apply to St. Helena, and he might have already said it, but can the Attorney General say whether there are any significant Human Rights that we are being deprived of by deleting all doubt that this Act of UK does not apply to St. Helena?

The Speaker –

Honourable Attorney General, you'll reply when you wind up?

The Hon. Ken Baddon –
I'll reply when I wind up.

The Speaker –
Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Yes, Madam Speaker, I follow that line of thought. In supporting this, are there any significant Human Rights that we would be deprived of. It used to be in the past when an appropriate law was not in place in St. Helena then, of course, the English Law was there to rely on. The Human Rights part of it is now enshrined in the Constitution, of course, and one may think that that ought to be sufficient, but, you know, there is always the doubt. Thank you.

The Speaker –
Thank you, Honourable Member. Any other Honourable Member wish to speak? The Honourable Mover like to wind up the debate?

The Hon. Ken Baddon –
Madam Speaker, as I mentioned, perhaps rather obtusely rather than expressly in my opening remarks, I am entirely satisfied in my own mind that the Rights which are enshrined in our Constitution are not less than the UK Rights in principle and they are much more clearer and more detailed in their presentation. I therefore would say, in answer to the question do we lose anything, yes, Madam Speaker, we lose uncertainty and ambiguity. Madam Speaker, I beg to move.

The Speaker –
Thank you. Could I just, on a point of order, ask do we now ask you to move that we resolve into Committee? Do we have to resolve into Committee for this?

The Hon. Ken Baddon –
No, because it's not a Bill, it's a Motion.

The Speaker –
It's a Motion. Thank you.

Question that the Council ratifies the English Law (Human Rights Act) Order 2010, put and agreed to.

The Motion is carried.

The Speaker –
Next item of business?

Motion No. 5 – The Honourable Derek Thomas.

The Hon. Derek Thomas –
Thank you, Madam Speaker. Madam Speaker, I put the Motion that this Council believes that better provision should be made for the control of dogs on the island that will ensure that

all dogs when in public places are on a leash and not left unattended and that owners or persons having charge of such dogs are required by law to clean up the mess when these animals foul in public places.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion?

The Hon. Bernice Olsson –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Bernice Olsson. Honourable Mover?

The Hon. Derek Thomas –

Thank you, Madam Speaker. This Motion, Honourable Members, is intended to strengthen the legislation in support of the proper control of dogs. Government's aim is to develop and encourage the farming industry, including local livestock, yet each year owners are continuously experiencing problems of dogs attacking, killing and wounding their sheep. For the financial year 2006/07, five reports were made to the Police where dogs attacked sheep; this resulted in nine sheep were killed and fifteen wounded. 2007/2008, ten reports were made to the Police, resulted in nine sheep killed and three wounded. In 2008/2009, five reports were made to the Police which resulted ten sheep killed and nineteen wounded. This is a serious issue and does nothing to encourage and develop our local livestock. In lamb season, great stress and strain is placed upon the owners in having to sit up at night in trying to protect their sheep. This is not fair. The responsibility of dogs should clearly be the owner or keeper. We all know that once dogs are allowed to wander on the loose in public places they travel for miles. The proposed requirement for legislation is to ensure that when dogs are public places they are kept on a leash and under proper control and full responsibility falls upon the owners or keepers of such dogs.

Madam Speaker, our primary aim of self sufficiency is through the tourist industry from our island and its natural beauty. Yet dogs are allowed to do their mess in public places and nobody is responsible for cleaning it up. Surely such responsibility must be placed upon the owner or keeper of these dogs. DfID has provided additional funding support to develop the island with great emphasis placed upon tourism. We cannot have dog mess all over the place, especially in Jamestown. The pavements are a total disgrace. People must be careful where they walk. Madam Speaker, in bringing about legislation this will go some way in developing our island. Thank you.

The Speaker –

Thank you, Honourable Mover. I put the question that this Council believes that better provision should be made for the control of dogs on the island that will ensure that all dogs when in public places are on a leash and not left unattended and that owners or persons having charge of such dogs are required by law to clean up the mess when these animals foul in public places. The question is open for debate. Does any Honourable Member wish to speak? Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, whilst the intention of this Motion, as it's worded, that there should be better provisions for the control of dogs on the island, is admirable, the issue is not one of whether dogs are kept on a lead, but rather whether dogs are adequately supervised and

whether owners or handlers take responsibility for their dogs. For example, the Police dogs are well trained and allowed to do free runs under their Handler's supervision. Instances of dogs worrying sheep are a cause for concern, also dogs wandering on the roads unattended are frightening to people, they're afraid of them and there have been reports of dogs causing near road traffic accidents and this reinforces the requirement of responsibility for dog ownership. Maybe public places need to be expanded or explained or maybe terminology such as communal areas or alternatively being more specific, such as any public walk or pleasure ground, any laid ground out as a garden or used for a purpose of recreation, any part of the seashore which is frequently used by large numbers of people and managed by the person having direct control of it as a tourist resort or recreational facility, and so on, Madam Speaker. As far as I am aware, there are no dog fouling laws on St. Helena. In the UK, this law normally comes under the Environmental Protection Act 1990 or Litter (Animal Dropping) Order 1991. In the UK, of course, there are Dog Wardens. If a law is put in place, it would be used, I would think in the same way the Litter Law is used. Our Environmental Health Section would certainly welcome such a law. Only last week, Tourism asked our guys to clean up dog poo at the Church Lane. It is not easy getting people to agree to do this as it is not listed in their job description, although they do try to do their best whenever asked. Apart from the unpleasantness of dog faeces on the pavements or streets or roads, dog owners would do well to remember that dog faeces can cause blindness, especially to children. There are reports on the internet about children rubbing their eyes after coming into contact with dog faeces resulting in them becoming blind. I can support the sentiments of the Motion, Madam Speaker.

The Speaker –

Thank you, Honourable Cyril Gunnell. Any other Honourable Member wish to speak? Honourable John Cranfield?

The Hon. John Cranfield –

Thank you, Madam Speaker. This Motion is necessary, Madam Speaker, to control dogs everywhere on the island and not just in public places and the foul mess in Jamestown is appalling, Madam Speaker, and does require dog owners to be more responsible when they have their dogs or letting their dogs roam the town, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, I support this Motion, in particular with dogs worrying and killing sheep. It has been known, as reported by my Honourable Councillor, Derek Thomas, that sheep been killed in the past by dogs and these have not been, for some reason, identified, although they have been micro chipped when they were puppies. This is something that needs to be taken under control if we need to increase our mutton and sheep population on the island. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I can support this Motion. This is not the first time a Motion of this nature has been brought to the House and the same concerns shared around this table. I hope now

that the Motion gets its blessing and that we can put the necessary legislation in place to combat this problem I support the Motion, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Madam Speaker, yes, I will support the Motion. I too believe that legislation needs strengthening because things are getting a little bit slaphappy, so, yes, I will support the Motion.

The Speaker –

Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Madam Speaker, I support the Motion. There have been a lot of complaints from the people in town, especially when they go for their walks early in the morning, they found that there's a lot of dog mess about the town, so I will give my blessing to this Motion.

The Speaker –

Honourable Attorney General?

The Hon. Ken Baddon –

Madam Speaker, as the principle Law Officer, I'm certainly content to see the matter looked into and one of my first actions if the Motion is passed will be to provide the relevant Council Committee with the extracts from the English Law which might be a good starting point for this exercise. I suspect that the lead Committee will be Home and International, but that other Committees will also have an interest, but it is only right that I should mention that the problem will be, well, there will be two problems. One will be in the detail. As mentioned by the Honourable Cyril Gunnell, how do we define a public place, what do we do about leashed dogs which need to be let loose in public places from time to time and so on, so there will be some detail to work on. But the other problem will be in the enforcement. If we have a law, we already have a law that says it's an offence for an owner to let dogs worry sheep, the problem is that dogs worry sheep at times when no-one is around to watch and detection is the problem. The same problem will arise with the dogs fouling the pavements and so on. Unless the event is witnessed by someone who is willing to give a statement and go to court and so on and so forth, then the law will not work. I simply mention that as a word of caution that amending the law is not going to be a miracle solution to the problems, but as I say, I'm entirely content to support the appropriate Committees in the process of looking into the matter.

The Speaker –

Thank you Honourable Ken Baddon. The Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, Honourable Members, I give this Motion my full support. Much as been said about dogs trespassing on pastures and causing damage to livestock as well as roaming the highways unattended. Should we not be looking at our current legislation, as the Attorney General just mentioned and seeing if what we've got is being enforced or is it adequate? Section 11 of the Animals Trespass Ordinance, Cap 168 showing the law at 1st

January 2001 does provide substantial measures and provisions for dogs caught worrying, wounding and killing domestic animals and poultry. However, Madam Speaker, it is imperative that action is now focused on preventing situations where dogs are being allowed by the owners to repeatedly roam roadsides, highways and public spaces, thereby causing problems to pedestrians and domestic animals. To this end, legal measures and provisions within section 12 and 13 of the aforementioned Ordinance covering dogs found loose on highways and public places are urgently required to be strengthened to allow the Police Service and Control Officers to deal with this constant problem in a more satisfactory manner. I recall that about a year ago the Police Service was currently working with Control Officer, A&NRD, to formulate a programme of action to address the issue of roaming dogs and indicated that they would provide publicity on the matter through the media when the programme was up and running, but so far nothing has been heard. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I fully agree with the sentiments of the Motion that dog owners should be responsible for their animals and in particular when they're in public places they should be on leashes and cleaned up after them. However, one consequence I think of this would be that responsible dog owners may then have difficulty in adequately exercising their dogs and that if we are going to require all dogs to be on leash in public places, I would suggest there should be some designated off leash exercise areas so that responsible dog owners could adequately exercise their animals.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion? In which case, I invite the Honourable Mover to wind up the debate?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I'd like to thank the Honourable Members for their support. The issues raised, the concerns they raised in supporting this Motion will be worked out in the detail in forming the legislation. I am aware of current legislation in place, but clearly that legislation needs to be strengthened. As the portfolio holder of Home and International, I would take it onboard to work with the relevant agencies in forming draft legislation for consideration, taking into account the Members' concern. There is the issue of who's going to police it, but I believe once the legislation is strengthened then the majority of dog owners will honour their responsibility. Thank you, Madam Speaker and I will push this issue forward as a matter of priority through my Committee.

The Speaker –

Thank you, Honourable Mover.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

Next item of business?

Motion No. 6 – The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Madam Speaker, I put the Motion that this Council resolves that to maintain high quality health care through the island's only health centre, the St. Helena Government takes an early look into the possibility of providing an independent, full and holistic study of the island's medical services and report its findings to this Council.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion?

The Hon. Cyril Gunnell –

I beg to second, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Mover?

The Hon. Rodney Buckley –

Madam Speaker, Honourable Members. Let me first draw your attention to the wording of this Motion. It simply asks Members to give support as a collective body and asks the Government to take an early look at maintaining high quality health services on our island and it requires the Government to report its findings back to this Council. It will then be up to this Council to decide the next course of action. It has already been said by our many learned friends that I am the Government on the Health Committee and asking myself to improve the health services, but Honourable Member, allow me to suggest to you that unanimous agreement by an elected, collective Council is representing the power of the people at its very best and it will bring difficult decisions on behalf of the people to a conclusion and that is what this Motion, or any other Motion that I bring to this House, seeks to do. This Motion is brought before this House, not, I repeat, not, to go witch hunting to fix blame on the Health Services or its staff, but to start a process of endeavouring to set up the best health care service that is possible for our island to have, covering at least the next ten to fifteen years, longer if it is sensible to do so. Our present health service is by no means the best it could be, and, indeed, the credibility of our health service given by the local community is extremely low. But what we do have, Honourable Members, is staff that is dedicated, staff that are polite, staff that are kind, staff that are clean and staff that are doing the very best job they can under the difficult circumstances in which they work. The Hospital and equipment itself is like reading a book that takes you back in time. Built and equipped in 1954, age and deterioration of both equipment and buildings are quite noticeable and anybody with basic intelligence can hardly claim that our Hospital is not old fashioned in many respects. Patients could actually take longer to recover in their illness in such an environment than it would take a patient to recover in a high-class, modern hospital. Honourable Members, there is no substitute for education. We are stuck out here in the middle of the Atlantic and there will always be a limit on how far in-house education can be achieved. We must therefore turn to outside support and this, Honourable Members, must be by hi-tech communications. You will see Motion No. 10 on the Order Paper, I beg your pardon, the Motions have been re-worded, Motion No. 9 I think it is now, on the Order Paper, which deals with communications and is connected with this Motion, because communication, my friends, is the key to the success of our island. Medical communications in the modern world is for us mind boggling. In the United States, for instance, outlying

clinics, thousands of miles from the city is connected to the city hospital who in turn is connected to specialist medical units who in turn is connected to medical headquarters, all, ladies and gentlemen, with the latest available hi-tech equipment and the press of a button. Medical specialists thousands of miles away can nowadays look at the working parts of the human body with the press of a button and a TV screen. St. Helena must move in that direction of hi-tech services also, but we need help to do so. NICO finishes their Health Link 3 contract in 2012 and it is proposed to replace their services with the recruitment of doctors done locally and provide medical support assistance to NHS institutions in the United Kingdom. DfID medical team provide advice on hospital advancement and whilst this is valuable it can only be limited to the direction of basically maintaining the status quo. Whilst I will not disagree that such a change from Health Link 3 services is necessary to move forward, I have some reservations that without a well set up outside medical institutional assistance, we might well end up taking a backward step. St. Helena cannot expect to get medical specialists working here, not only because of funding, but more so because specialists cannot operate here and keep up to date with the rapid scientific improvements in their field. We therefore need to take our problems to specialists via high speed internet and a TV screen. We need to take training for our Nurses to their School of Nursing, Clinical Skills, Practical Programmes, via high speed internet. We need modern diagnostic equipment to save lives and to reduce the ever increasing costs of overseas referrals. We will also need high speed internet for the recruitment of doctors, especially when you take into account that most people in the medical profession today qualify as specialists in a particular field and not as general practice doctors. High speed and affordable internet will be essential for this island to provide the standards of health care that the service is expected to provide. It will also provide cost savings in the long term. To move in this direction and to do our job as elected members of this Government in setting up the best possible health service for the medium to long term, we need help. This help we will only get in the form of outside, independent, full and holistic study covering all aspects of our medical services that are provided by the Health and Social Services Department. To summarise for us where we are, what we should have, what we are likely to need in this next period and what is possible in today's world of medicine. Given the green light, the terms of reference for the study will be for you, Members, to draw up, setting up what you wish to achieve from this study. Once this study is complete, it will again be for you to decide what you can and what you cannot have and set your course for the next ten to fifteen years or longer if you see fit. Given all the circumstances in our isolation and aid dependent situation, unless we have some factual information in a written form from a modern medical organisation with the relevant expertise in the combined field of modern medical technology and high speed, affordable communications, we cannot hope to take our hospital out of the ancient past and into the modern future. Honourable Members, whatever the costs of a specialist organisation to do this job for us, it will be money well spent, even if we cannot achieve any of such recommendations in our political four-year term, the information will be invaluable to those who come behind us and those who genuinely seek to take our health services out of the past and into the future. I can seek no more, Honourable Members, than to ask your support for this Motion and start the long process of bringing improvements to the health of all who live here. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Mover. I put the question that this Council resolves that to maintain high quality health care through the island's only health centre, the St. Helena Government takes an early look into the possibility of providing an independent, full and holistic study of the island's medical services and reports its findings to this Council. The question is open for

debate. Does any Honourable Member wish to speak? The Honourable Cyril Gunnell, Chairman of Public Health and Social Welfare?

The Hon. Cyril Gunnell –

Madam Speaker, one may ask why I would want to second this Motion being the Chairman of Health and Social Welfare, but I find that I can support it and I did want to hear what the Honourable Member had to say anyway. I can support the Motion. The Motion, as I see it, does not in any way criticise the good work that is already being done, and, which is sometimes done under very trying circumstances. Being able to maintain high quality health care is what our medical establishment is all about. Of course there is always room for improvement, regardless of how well any medical services anywhere and at any time is working and an independent, full and holistic study of St. Helena's medical services could highlight where improvements can be made and hopefully the report will also identify where any funding, if funding is required, can be sourced from. "You have a hospital that you can be proud of." "You have a hospital that you can be proud of." Madam Speaker and Honourable Members, those are not my minds, although I don't dispute that view. Those are the words spoken last month to Councillors at our Info LegCo by Sue Wardell, the DfID Director of Overseas Territories, following her visit to the Hospital. She had taken into consideration dedication to duty, facilities and skills available and constraints. Unlike many of us, Sue was able to make comparisons between medical services in St. Helena and medical services she has seen elsewhere, including in the Caribbean, parts of Africa and even in a developed country like the UK where there is no shortage of expertise and facilities in the field of medicine. Madam Speaker, I believe that an independent, full and holistic study of the island's medical services will highlight the good work that is already being done and also, among other things, it will also include the financial and human resource constraints that we have in the running of an efficient and effective medical service. Firstly, it needs to be acknowledged that high quality health care is already provided on island. The request that this be maintained through an independent study is commendable. Regarding the various health services that are delivered by the medical and nursing staff, primary care is the main focus of the Public Health and Social Services Department as high quality care at that level results in fewer acute care needs via hospitalisation. Primary care is provided through the following clinics:- Outpatient Clinics which operate every week day at various districts throughout the island; in Jamestown there are ten GP Outpatient Clinics offering a total of approximately one hundred and eighty appointments per week; in Half Tree Hollow, there are two GP Outpatient Clinics per week offering approximately forty-five appointments; the GP Clinic at Longwood operates once per week offering up to twenty-five appointments; Levelwood, Sandy Bay and Head O'Wain operate on alternate weeks and offer a combined total of up to thirty GP appointments, so during the course of one week of GP Clinics, it is possible for two hundred and fifty patients to be seen. In addition to the GP Outpatient Clinics, a number of specialist Clinics also operate on a weekly basis. These include Diabetic, Ante Natal, Gynaecology, Cardiac, Oncology and Mental Health. Medical Officers also make by-weekly visits to the inmates at H. M. Prison, undertake private medical examinations for person seeking local or overseas employment and for crew members of the RMS St. Helena, visit clients in the care facilities, such as the CCC, CBU and Barnview. As well as GP-led Clinics, Nurse-led Clinics operate every week. We have a fully qualified Physiotherapist. We have a Nutritionist working with the Community Nurses to advise patients suffering from non communicable diseases, such as diabetics and heart disease on their dietary needs. Operating theatre sessions are held once per week when up to five or six surgical procedures take place. Development within the Laboratory allow early diagnosis of all blood tests that can be performed locally plus further enhancing the quality of care

provided. In addition to the care provided locally or on a regular basis, PHSSD also receives visits from medical specialists every year or every other year depending on demand. These specialists include Optometrist, Ophthalmic Surgeon, Ear Nose and Throat Surgeon, Gynaecologist, Psychologist, Psychiatrist and General Physician. Overseas medical referrals are offered regularly when it is clear that health problems cannot be treated on island. The health care offered abroad for our referrals is of an extremely high standard and is also very expensive. Approximately sixty patients are referred for such treatment each year. This is a brief overview of the service provided. Whilst this is of a very high standard, taking into account the isolation of the island and the limited resources available to us, this does not mean that there is not room for improvement. Some of the initiatives for development in the coming year include:- expansion of the computerised outpatient system to the country clinics, thus making all outpatient data available when a clinic is in progress, as opposed to the current system whereby only those patients who have booked an appointment in advance can be seen; exploring the development of telemedicine and formulating links with overseas specialists to provide advice on a call down basis; pursuing the possibility of establishing a link with a UK-NHS Trust to provide regular support from specialists as well as providing visits to the island from the specialists themselves as and when needed; contracting the services of a qualified radiographer; developing the provision of nurse-led clinics in the community to free up doctors time for those patients who require extra attention; devoting more time to the diabetic patients who have uncontrolled HBA1C levels. Therefore, whilst the health care service we provide is of a high standard, there is, of course, always room for improvement as health services worldwide develop on a daily basis with the development of new technology and treatments. The content of the Motion that SHG should look into the possibility of an independent study of the medical services is worthwhile as such a study will be to the benefit of all stakeholders. We need to bear in mind though that no funding has been allocated or even earmarked for such a study at present. Should funding become available and such a study goes ahead, it would need to be to build on the work that has already taken place, for example, PHSSD's Strategic Plan and Development Strategy. Madam Speaker, I support the Motion.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak?

The Hon. Brian Isaac –

Madam Speaker, as Deputy Chair to the Public Health and Social Welfare Committee, I can only support the presentation given by the Chairman and want it to do what is possible. It is asking to, not criticising what is in place, it is asking to improve what we have and I'm always welcome to improvement. Thank you, Madam Speaker.

The Speaker –

Thank you. I'd just remind Honourable Members that when you wish to speak, please wait until I call you to speak. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I agree that an independent study on the medical service would be very useful. Madam Speaker, I give full support to the Motion.

The Speaker –

Thank you, Honourable Member. Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Madam Speaker. I can support the Motion. I feel there is no harm done in an independent review to ascertain that we have the necessary resources and facilities to give our Health Department a clean bill of health and to ensure that we maintain a high quality care.

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. I too support the spirit of the Motion and I thank the Honourable Cyril Gunnell for drawing attention to the excellent work that is already being done in our Hospital and which, as he says, was specifically commended during the recent visit of the DfID Director. I naturally share Members' views that however good the situation is, we can always do better and we are moving into slightly uncharted waters for us as we go towards recruiting and contracting our own medical staff instead of relying on NICO, the service provider to do that on our behalf. The Honourable Cyril Gunnell also rightly drew attention, however, to the fact that we do not yet have funding identified for such a study. If, therefore, a decision were taken that such a study should go forward, we would need to discuss the terms of reference and the costing of such a study with DfID in order to be able to access the TC budget. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable John Cranfield?

The Hon. John Cranfield –

Thank you, Madam Speaker. I support the Motion on the grounds that we do need to ensure that we have the best and reliable diagnostic testing equipment in the Hospital to enable Doctors to diagnose illnesses at an early stage and alleviate expensive diagnosis overseas. On that note, Madam Speaker, I support the Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, I believe an independent review is essential for future improvement in our medical field. I fully support the Motion.

The Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, I will support this Motion, but first, I think, let's pay tribute to the services that we do get from our medical people. Compared to other places, it is good. Many changes are taking place in the medical world and it seems that how things are done elsewhere are gradually coming in to St. Helena, but St. Helena is not UK and we do not have the opportunity here for private health care. We heard a moment ago about all that we do here and I agree with that, but sometimes it's not what all we do, it's about how well we do it and there's been lots of comment forthcoming about medical services and I think it's going to be very difficult to make an assessment, but to have an independent assessment and to take the health service forward, I fully support.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? In which case, I'll invite the Honourable Mover, the Honourable Rodney Buckley, to wind up the debate.

The Hon. Rodney Buckley –

Thank you, Madam Speaker and I thank my Honourable colleagues for their support and their moves towards improving our services. I too fully appreciate and acknowledge the good work that our medical services are providing at the moment and there is no criticism from my point whatsoever. I will emphasise, however, that the Motion is brought to the House focusing on hi tech communications in the future, because I believe that is what is going to help and take our services forward, so the Motion focuses on providing high speed, affordable communications is going to be, in my view, the crux of improving our services over the longer term. But I do really appreciate the good work and the services provided by the Health Service and that will always be my view, Madam Chairman, but I just emphasise that the whole crux of the Motion is high speed, affordable communications with the outside world. Madam Speaker, I beg to move.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

Next item of business, please.

Motion No. 7 – The Honourable Cyril Gunnell.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I beg to move that this House resolves that when resolutions are made in this House and thereafter considered by Executive Council that the public is informed of Executive Council's decision and also the actions to be taken.

The Speaker –

Thank you, Honourable Member. Is there a seconder, please?

The Hon. Brian Isaac –

Madam Speaker, I beg to second.

The Speaker –

Thank you. Honourable Mover?

The Hon. Cyril Gunnell –

Madam Speaker, Honourable Members, when questions and motions are prepared for an oncoming formal Legislative Council meeting, such as the one we are now participating in, some of the questions and motions are initiated by members of the public, our respective constituents and some of the questions and motions originate from ourselves. But all of them are important. They seek to correct an injustice, bring about change or improve transparency and good governance and a main aim of it all is to make a difference and improve the standard of living in St. Helena for the benefit of all. When it comes to questions for the

Order Paper, they have to be carefully worded if you are to receive information you are hoping for. When it comes to Motions, a great deal of time is taken up with research, which is extremely important if you are going to put forward an exposition that will encourage positive debate and hopefully at the end you will receive the result you want. It is important to remember that every item of business that is allowed to be administered in this Honourable House and is broadcast live and also recorded for broadcast later, it is done with the intention of involving the general public. They hear answers given to questions and they hear the result of Motions. They also hear what resolutions are made. But thereafter, they sometimes are left wondering what action has been taken or is it going to be taken to bring about satisfactory conclusion. Madam Speaker and Honourable Members, I am a very keen listener to the St. Helena Legislative Council Proceedings. I often make notes of resolutions made, I have heard some well prepared Motions approved and that sometimes is the last that is heard of it. So what happens after resolutions are made in this House? We are told that they are considered by the Executive Council. But what happens after that? Why when the Executive Council meeting that considered the resolutions is reported it does not always say what action is to be taken or bring about satisfactory conclusion? I understand, Madam Speaker and Honourable Members that sometimes when resolutions are considered in Executive Council that at times there is no appropriate policy to drive the issue forward or that a Department identified for carrying out the action required may not have adequate finances or manpower. But if that is the case, shouldn't that be reported to the public? Honourable Members, when the resolution is made in this Honourable House, it is made in public, I feel it should therefore follow that action to be taken should also be made known to the public. To conclude, Madam Speaker, on the Order Paper for this week there are some very searching questions and equally there are some well thought out Motions. Resolutions made will be considered by the Executive Council, of which I have recently become a Member. Honourable Members, will, I am certain, want to assure the public that their labours will have a satisfying result. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. I put the question that this Council resolves that when resolutions are made in this House and thereafter considered by Executive Council the public is informed of Executive Council's decision and the action to be taken. Does any Honourable Member wish to speak to the Motion? The Honourable Andrew Wells, Chief Secretary.

The Hon. Andrew Wells –

Madam Speaker, Honourable Members, in accordance with the principle of open and transparent government, the existing practice in St. Helena is already for all resolutions of this Honourable House, despite the fact that they are not binding decisions, to be reported in good time to the Executive Council, with a statement of any action required indicating to which officers or Committees that action should be assigned. As the Honourable Mover mentioned, it is possible that the resolution may not be in accordance with prevailing policy, or, at least, not fully so. In such a case, the Administration, and more specifically now, the Strategic Policy Unit, will ensure that the relevant Council Committee or Committees, Departments and/or advisory bodies give due consideration to whether a change in prevailing policy is possible, affordable and appropriate. It goes almost without saying, Madam Speaker, that the public are also kept informed of progress following such reports to the Executive Council. As Chief Secretary, I am happy to undertake to maintain, and, where necessary, strengthen this process. Madam Speaker, I support the Motion.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak to the Motion? In which case, I invite the Honourable Mover to wind up the debate.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I take it that, not hearing anybody else speak, actually gave assent to it going forward and I thank the Honourable Chief Secretary for his input, and, as you say, Sir, we now have the Strategic Policy Unit who will decide on all kinds of things, look at the possibility, affordability and the appropriateness of any resolution that was handled in the House, but the main thing is that it is made known to the public and that I understood you to say that you will continue to do. Thank you, Madam Speaker.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

Honourable Members, I think we will now take a coffee break. We will resume at a quarter to eleven. Thank you.

Council adjourned.

Council resumed.

The Speaker –

Next item of business.

Motion No. 8 – The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Madam Speaker, I beg to move that this Council resolves that in the best interests of promoting sustainable farming and fishing activities on the island, St. Helena Government takes an early look at waiving tax for the financial period 2010 to 2013 on income derived solely from local farming and fishing activities and report its decision to this Council.

The Speaker –

Honourable Member, do you wish to declare an interest?

The Hon. Rodney Buckley –

I do beg your pardon, Madam Speaker, I first have to declare an interest in this Motion as I tried my best to promote fresh vegetables, although I have to say it is about to become one of my many past pleasures.

The Speaker –

Thank you, Honourable Member. Does the Motion have a seconder?

The Hon. John Cranfield –

Yes, Madam Speaker, I beg to second.

The Speaker –

Thank you. Honourable Mover?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Honourable Members, I am aware that some of you are a bit uncomfortable with this Motion, but I would ask you again to take a look at the wording of the Motion, which is only asking you to support taking an early look at waiving tax for farming and fishing and when this is done to decide yes or no. All strong economies are built on production, be it food production, energy, manufacturing or baby production. In St. Helena, our economy is on the brink of nil production and that includes baby production. Perhaps that is because the current productive generation do not get sufficient fresh food from the land and sea to build their sex drive and reproduction cells. This Motion is all about increasing fresh food production. Our island farming and fishing culture is declining at a fast rate and I believe our job as elected Members is to slow down this decline by putting appropriate mechanisms in place. The Agricultural Committee, together with the Department, have taken the first steps to halt this decline by examining all possible ways of assisting producers with meat and vegetable production and to assist the fishing industry. There will be a shortage of meat, in particular beef, over the next eighteen months to two years. This is a result of reduced breeding stock brought about mainly by the reduction of cattle kept by part-time producers in the backyards and overgrown pastures with invasive species. For me, it is very clear that if this Government do not inject substantial sums of money into pasture clearance in this coming year, the island will never ever get back to being self sufficient in beef production and continued decline in production will be stating the obvious. But such injection in land clearance alone will not provide growth. Animals in controlled environments cannot look after themselves, nor can land maintain itself. The same predicament is worst in arable production. Unless we can encourage some younger people into farming there will be no surprises if in the next few years fresh vegetables will be a distant thing of the past. Honourable Members, the reason for this sad state of affairs is simple. If you do not make a profit in business you do not stay in business. To attract farmers back to the land, it requires meaningful incentives and development support that will not make them rich, but enable farmers to earn a living that will provide a reasonable return for their seven days a week hard work and to earn sufficient income to put aside provisions for times of losses, poor yields, sickness and some provision for a pension. The biggest threat facing the island's economy right now is the loss altogether of commercial farming and fishing of our only productive natural resources. Every day we hear 'support private sector investment'. Honourable Members, farming and fishing is food production and is the most important private sector investment of all and must always be kept on top of the support list. Food shortages are currently being faced around the world and the G20 countries points out that unless world food supplies are doubled by the year 2040, there will be widespread famine across the globe. St. Helena is already feeling the effects of food shortages through prices of imports in our shops. We have fertile land, a climate suitable for all year round production and rich seas that stretch for hundreds of miles and all we have done is sat back and search for negative excuses not to do something, just so that we do not have to stand up and be counted in the event of failure. My friends, together let us start now making some moves towards pulling our island out of this negative productive culture that has developed and start by waiving tax for food production as an incentive in return for pickings from our valuable food resources. Let me make clear, that I fully support the new Income Tax Law. It was so very wrong that only 54% of the private sector previously paid income tax and the new Tax Law is designed to make sure that this does not happen in future. However, in trying to achieve the main objectives of the law, I believe that to include collecting tax from

the grey area of part-time, backyard production was a mistake and this move will seriously damage our food supply chain and the low income families using this avenue to stay above the poverty line. Nevertheless, the law comes into effect from 1st April and the Tax Office must do their job and uphold the law. The law requires proper record keeping for both full-time and part-time production and there are quite heavy fines for non compliance: a one hundred pound fine for the first month, plus ten pounds per month for late lodgement and two hundred and fifty pounds plus ten pounds a month for failure to keep records. There are two important points here, Honourable Members. Firstly, the backyard producer will not register and will not keep paperwork, because he hates paperwork, do not trust the Government and will smell a rate and will simply use this reasoning to stay away from producing. Secondly, even if they do register and keep books, at the end of the day, the Tax Office will have spent large sums of money on this process and not collect any taxes because there will be no taxes to collect. So the question must be raised, what is the point of interfering with a grey tax area that will cost money only to add more burdens on an already heavily dependent state of affairs. In the case of the full-time farmer and fishermen, the ever increasing cost of production and the frustration of having to keep track themselves of the paperwork will put considerable pressure on them to turn to an easier living.

Honourable Members, the Motion is asking for your collective support to take a long look at all aspects of the suggestion and decide if such a move will bring valuable benefits to the community in the long run. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. I put the question that this Council resolves that in the best interests of promoting sustainable farming and fishing activities on the island the St. Helena Government takes an early look at waiving tax for the financial period 2010 to 2013 on income derived solely from local farming and fishing activities and reports its decision to this Council. The question is open for debate. The Honourable John Cranfield?

The Hon. John Cranfield –

Thank you, Madam Speaker. I support this Motion wholeheartedly, Madam Speaker. The farmers and fishermen play an important role in our economy and need all the assistance they can get. I understand that there are peak periods in both of these professions, but I also believe that the lull outweighs the peak periods, so on that, Madam Speaker, I wholeheartedly support the Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Madam Speaker, I appreciate what the Honourable Member is trying to achieve and on the face of it his Motion seems reasonable to support. We do need to develop farming and fishing on the island, but we need to do it in a way that it does not cause an imbalance amongst taxpayers. From the new financial years, there will be additional incentives for farmers on the income tax, on land clearance, subsidies and other initiatives. Madam Speaker, it is quite possible, and I will support trying to improve these incentives. Such incentives, Madam Speaker, might outweigh the amount of relief that is proposed in this Motion. I think this could be best done with improved subsidies to the industries, formal advice, training, marketing investigations, improved storage facilities, etc, etc. Madam Speaker, I am concerned that if this Motion is supported it opens the way for other local businesses to claim for similar type of treatment. This in turn could have a marked effect on

our budget revenues and will lead to growing discontent in the community. Madam Speaker, I do not support this Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, I wish to declare my interest and do not wish to speak to this Motion and refrain from voting. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, as the Financial Secretary, I've obviously got an interest in any proposals that have something to do with tax collection, so I'd just like to make a few comments on the Honourable Councillor's Motion. I certainly accept his views that farming and fishing are very important to St. Helena and that looking towards the longer term food security issues suggest that we should really take sensible steps to ensure that we have long-term security of food supplies here on the island as well as having something that the island can actually produce and generate income from, so I have no problems from that point of view. I also accept that the Motion says only commits us to taking an early look, it is not asking for a commitment to a decision at this point and I'm certainly open to having a look at all options to support the farming and fishing industries. However, when we actually come to having a look at those aspects, I think there are some points that should be taken into account. First of all, if we want to promote a sustainable farming and fishing industry, by definition our sustainable industry has got to be a profitable one otherwise, as the Honourable Councillor said, nobody in the long-term is going to stay in it. A profitable one is one that is capable of earning and paying taxes and if the industry is not profitable then there is going to be little or no income tax that it will be earning to pay in any case. I actually got some of my staff to have a look at what the tax payments from the farming and fishing sector actually were; bear in mind that in 2008/09 the total income tax collection on the island was in excess £1.5m. The farming sector paid just over £2,000 (two thousand pounds) in tax and the fishermen paid £7,000 (seven thousand), so that's under £10,000 (ten thousand) out of £1.5m. So that suggests to me that the current situation is that the farming and fishing sectors are far from profitable now and that if we are going to have a sustainable farming and fishing sector, we need to do something that's going to increase their basic profitability. I'm also concerned that we are wary of making ad hoc or exceptions to a tax code when, in fact, what I think the island needs in order to sustain growth is a generally more business friendly approach to tax and I will be, in the course of the year, putting forward proposals, both on indirect and direct taxation that I believe will be more friendly to attracting industry here to helping local industry to expand and giving it a degree of protection from low priced imports. So rather than make a commitment now to waiving tax on a particular sector, I would like to suggest that Council considers the more general tax reforms that I shall be putting forward over the course of the next twelve months.

I understand that there are specific instances with regard to the local backyard producers, as opposed to the larger scale farmers and for them I understand that the additional paperwork burden involved with registering for tax could be a serious disincentive. As you know, the new Tax Ordinance actually introduces a £500 per annum allowance for income derived from small-scale farming activities that is designed to try and exempt people who are small-scale,

backyard producers, from having to get involved in filing and keeping tax records. So I do understand that record keeping is an issue and I'll certainly be happy to work with Members of the Council and with my Tax Office officials in order to make sure that we don't kill the goose that lays the golden egg, in this respect. So, in summary, I believe that our fishing and farming industries are valuable; they do need to be supported. I'm not convinced at this stage that a short-term tax holiday is going to provide the necessary solution or incentive. We need to look probably more broadly at the problems facing the sector and how we can raise their profitability. I think taxing a profitable industry is a much better way to go than waiving taxes on an industry that currently is struggling to make any profit at all.

The Speaker –

Thank you, Honourable Member. The Honourable Michael Benjamin?

The Hon. Michael Benjamin –

Thank you, Madam Speaker. I'm not sure if I should declare my interest here, because I am a Member of the Agriculture Committee, but I'm inclined to agree with my fellow Councillor, Mr Derek Thomas, the Honourable Derek Thomas, in saying that if you waiver the taxes you could be opening up, for want of a better statement, a new can of worms to provide other private sector organisations to come and claim a tax break. I believe that we should look or encourage farmers by giving them sensible subsidies. So at this moment, I do not support this Motion. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I thank the Honourable Member for bringing this Motion to the House. It has some very important issues. I am concerned of waiving taxes, I would have some difficulty with that, but I would be in support of supporting subsidies or other charges that would help the farmers and the fisherman. I cannot support this Motion in its current state, Madam Speaker. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. I think on balance that I can support this Motion, but only because it asks that the St. Helena Government takes an early look. So I have no problems if there's an examination of the proposal. This would also allow people like me to know how the Natural Resources Committee feel about the proposal, since it needs to sit comfortably amongst all the other Committee plans to assist farming and fishing. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. What this Motion has done is to bring to the House, and I have heard some talk already, about the difficulty that farming and fishing, how difficult it is on St. Helena and there's talk about subsidies and perhaps this will also help people in their

thinking and I believe that we have to encourage young people into farming and fishing activities. Now, if tax on income after due consideration has been given, can be waived, perhaps it will also have a knock-on effect of prices to the consumer, you know, perhaps they can be reduced; I don't know, but a study will perhaps bring all of this out. And I would like to support a study to look at waiving tax, because I think it will take into account all of these things that the Financial Secretary talked about and I think it will give people a better idea then to be able to support or not support this kind of thing. It could have a knock-on effect also, of course, with other people, they will perhaps be saying, you know, why should these people, although they work very, very hard and we all appreciate that, why should they be waived tax and not us, so I think it will have a, definitely have a knock-on effect there. I would more support the idea of subsidies of various kinds to fishermen and to farmers and we have been, you know, I'm on the Agriculture Committee as well, and we have been around to all the farms and they have all been asking for various things that would make their life easier, they're looking for things, for example, like a tractor that they can hire, they're looking for some help with pesticides and for land clearance and so on, they're looking for all these kind of things. Now, this is where subsidies could actually help rather than waiving tax. Like the Financial Secretary say he would rather look at a profitable business rather than not tax a business. So, this is very difficult, you know, to sort of put a vote to, I would assume, because emotions come into it. You know, I personally, as far as fishermen are concerned, I do know of their struggles, I worked with them for many years and I know how difficult it is, fishing. You know, having to get up at 3 o'clock in the morning and to go to fish and then to go out there and find there's no fish and the cost of getting out there with no income at the end of it, it's not very good, and at the same time, the bills are increasing because they have to pay for their fuel and all that sort of thing, so very, very difficult for the fishermen. Sometimes they have a bumper catch, but you know, if you're out there all day fishing in that hot sun, the first thing you want to do is have a beer when you come home and so sometimes people don't actually put money aside, you know, because they work hard and they like to enjoy themselves as well. But this is the way a fisherman is. A fisherman is not like your other, sort of, business person, because I don't think, you know, you can make fishermen, fishermen are actually born, it's that important. Farmers, I would imagine, same sort of way. I would have some difficulty with waiving tax, but I would certainly support a study that would have a look at the whole thing and see whether tax could actually be waived and what effect this would have on any other businesses in balance and that sort of thing. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? In which case I invite the Honourable Mover to wind up the debate.

The Hon. Rodney Buckley –

Thank you, Madam Speaker. I started of the Motion by drawing Members' attention to the wording of the Motion and I took particular care to use that wording, simply asking Members to take an early look at the possibility of waiving tax, so that still stands. I appreciate Members' difficulty and I also said I was aware that Members were a bit uncomfortable with this Motion, but it simply asks Members to support taking an early look at the possibility of doing that Motion. Picking on one or two comments, the imbalance on tax payments, I agree that the Honourable Members fear on an imbalance in tax payments, but I would like to point out that tax reliefs are on production and not services. It is not unusual elsewhere, anywhere, or anything else, to give reliefs or subsidies on production whereas services don't actually get subsidies because they are a service, they are not a production, they do not feed the people,

they take people's money easily out of their pockets, although I am aware that there are one or two places in the world that actually provide subsidies for building contractors, but the basic thing is relief on production, and, in particular, on food production, is where it gets its support. But again, like I said, it's taking an early look at the possibility. Moving on to the difficulty Members have with waiving tax, I would draw Members' attention to the fact that we have already allowed waiving of tax on inward investor status. Now, these are inward investors coming here with a tax waiving of three years with money and taking money out of our economy, so the waiving of tax on local production of food and the waiving of tax on inward investors I see as no different as a waiving of tax.

The Hon. Ken Baddon –

A point of information, Madam Speaker.

The Speaker –

Honourable Ken Baddon?

The Hon. Ken Baddon (Attorney General) –

The Honourable Member has now twice referred to tax exemptions for inward investors. The Approved Investment Scheme applies equally to both inward and local investors.

The Speaker –

Thank you, Honourable Member. Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Honourable Attorney General; I was just making a point on the aspect of waiving of tax. The Financial Secretary mentioned that businesses which are brought up need to be profitable to stay in business. Well, I have to draw his attention to that farming and fishing haven't been profitable for the last hundred years hence the reason they need some assistance, and, I also draw attention to under ten thousand pounds being collected from these two industries, which is the two main industries on the island, so ten thousand pounds out of the £1.5m collected in tax is a drop in the ocean and it would be easy to recover it from the fresh produce and meat going through the market; we would get tax from the retailers and the wholesalers. I accept that the issue is complex and I accept that there will be people claiming that why should he have tax and why not me, but I will draw Members' attention to a comment I made in the response to the budget. The red tape on this island has been geared in the last fifteen to twenty years to be judge and jury of individuals and that, ladies and gentlemen, is not the way forward. Individuals don't come into play. What we are looking at is an industry trying to strengthen an economy. So I do appreciate the Motion is complex or the suggestion of waiving tax is complex rather, but I will draw Members' attention before they vote to the simple wording of the Motion that is asking for your support to take a early look at all the aspects of the suggestion. Madam Speaker, I beg to move.

Question on Motion put.

The Hon. Cyril Gunnell –

I declare a Division, Madam Speaker.

The Speaker –

Thank you, Clerk, a division has been called.

The Speaker –

Honourable Attorney General, the Clerk is just wanting clarification on all voting in this House now being by secret ballot or.....

The Hon. Ken Baddon –

No, Madam Speaker, that was for elections. The rules regarding a division are still that the votes are given orally.

The Speaker –

Thank you. I'll ask the Clerk then to call the name of each individual Member.

Ayes

Noes

Abstentions

The Hon. Rodney Buckley

The Hon. Michael Benjamin

The Hon. Stedson Francis

The Hon. John Cranfield

The Hon. Brian Isaac

The Hon. Raymond Williams

The Hon. Anthony Green

The Hon. Bernice Olsson

The Hon. Cyril Gunnell

The Hon. Derek Thomas

The Speaker –

The results of the Division are as follows: - Ayes 4, Noes 4, Abstentions 2. Accordingly, the Motion falls away. Thank you, Honourable Members. Next item of business.

Motion No. 9 – The Hon. Cyril Gunnell.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I beg to move that this Council resolves that St. Helena Government should liaise with DfID to look into the possibility of introducing policies and incentives to assist St. Helenian families of working age living abroad to relocate to St. Helena.

The Speaker –

Thank you, Honourable Member. Is there a seconder to this Motion, please?

The Hon. Brian Isaac –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Brian Isaac. Honourable Mover?

The Hon. Cyril Gunnell –

Madam Speaker, I have been told over the years and maybe all other Members in this House have heard the same thing that there are many St. Helenian families living and working offshore, and I speak now specifically about those in the UK, who would like to return to St. Helena but find that they are not able to afford to. Some people after a while find out that not all of the streets in the UK are paved with gold, they find that after paying out for rental accommodation, Council tax, child minding and a whole range of other expenses, that all of their hard earned money, their hard earned income is spent on day to day living and there is very little, if anything, left to put aside. Many of these people are of working age and could contribute to the economy if they were able to return to St. Helena. Many of them will have acquired skills that are so necessarily needed here on the island, skills that could be put to

good use. I need not remind Honourable Members that two of the island's constraints are lack of human resources and skill pool when it comes to completing projects on time. Some people who do eventually return to the island do so when they have reached retiring age. At this time, having qualified for a pension and retiring allowances, they find they are able to afford to relocate to St. Helena. But although we welcome back to their island home, they are, of course, retired and have done their share of working. St. Helena's population has reduced from five thousand to currently less than four thousand. This is only a guess, but out of the current population, there are probably only around two thousand people that are working and paying taxes. We are very quickly approaching the stage when, given the demographics of St. Helena, we are unable to adequately deal with the level of old age poverty. The economy is very weak, we need more active people to live here and be part of the social structure, to work, earn an income, pay taxes accordingly and enjoy the benefits of their labours. Madam Speaker and Honourable Members, if you were to walk the streets in Jamestown on some weekday evening, you would hardly see anyone else about and the pubs, as far as I am concerned, are far from being full, in fact, there's only two or three people in each sometimes, and I am certain that shops and restaurants and other businesses could do better if there were more customers. We need more people on the island. Honourable Members, we are trying to encourage inward investors to the island and we should continue to do this, but we should also encourage Saints back. Whereas the people I referred to earlier may not have a great deal of capital behind them, their very presence on the island would be very significant. They may have a University degree, have business skills, they could be teachers, engineers, doctors, nurses, tradesmen of all description and so on, and their children would once again help to fill our schools. But there is, perhaps, also a psychological angle to consider with Saints returning. Just maybe, if people see Saints returning it could encourage other Saints to stay. I believe the St. Helena Government should do all it possibly can to find a way to enable Saints to return. One way would be to liaise with DfID to look into the possibility of assisting people to relocate here. Honourable Members, we will recall that when we met with the DfID Director for Overseas Territories, Sue Wardell, with the DfID Head of Territories, Malcolm Geere, in February this year, I made Sue aware that even if Saints wished to return to St. Helena, many of them would not be able to because of not being able to afford to. Sue said no-one had told her of this problem before and Honourable Members will recall that she was very concerned about this and she confirmed with Malcolm that DfID have in the past helped people to return to their homeland. I believe it will be fruitful if we were to positively follow up on this. We should look into the possibility of introducing policies and incentives to assist St. Helenian families of working age abroad to relocate to St. Helena. Honourable Members, that then is the Motion for debate, I trust you will be able to give it your full support. After all, what have we got to lose except more people? Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. I put the question that this Council resolves that St. Helena Government should liaise with DfID to look into the possibility of introducing policies and incentives to assist St. Helenian families of working age living abroad to relocate to St. Helena. The question is open for debate. The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I speak to the Motion in relation to the diaspora of which my Committee, Home and International, has oversight and responsibility of. The policy intention here is clear and fits with the SHG's Strategic Objective of promoting economic growth and development. This Motion directly relates to the retention and attraction strategy, which is a

key piece of work that the Social Development Planner is leading on. Encouraging economically active young people back to the island where they can contribute to the island's economic development has obvious benefits for the economy of St. Helena and also has direct social benefits. Whilst SHG will obviously liaise with DfID on the retention and attraction strategy, SHG itself intends to take a proactive approach to examining what policies could be applied and what incentives could be introduced. The work under the retention and attraction strategy will involve assessing the effectiveness of different options and developing a proposal of possible actions for implementation by SHG. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Honourable Members, I think there is good value in this proposal. For growth within our economy to take place, we need to increase our population. Doubling our population, in my humble opinion, will provide the spending power for a very good living and still not damage our environment. Since our bubbling beauties have no intention of increasing the population in any numbers, in contrast to those who came before them and are now past their sell by date, we need to turn to other avenues. There is no shortage of stories of our people, who use this modern way of life and their democratic right to seek greener pastures offshore, wish that they could now return home to spend the latter days of their lives with their family and friends but are stuck for various reasons. We are paying to import prime workers to fill jobs here, so helping our own people to get back, especially if they have various skills, would be a worthwhile investment. In fact, it will be nothing new, since I personally arranged such a case nearly twenty years ago. Honourable Members, I agree with the Mover, we have nothing to lose, except more people. I will support the Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, Honourable Members, there are St. Helenians, in particular, in the UK, who cannot afford to return home and yet we are deficient of the working class skills that the island so badly need. I am in favour of some financial support given to these people to return home and work. We have people, such as a local doctor, working in UK, lawyers and others with good skills that this island really need. I support this Motion wholeheartedly. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. This is a very clear, and, in my view, persuasively worded Motion and it does, indeed, fit in very well with SHG's existing Strategic Objectives. For the benefits that could come about as a result are not only economic, but also social, and as the Honourable Mover highlighted, psychological as well. We will liaise with DfID, but as Chief Secretary, I can also undertake that we will proactively liaise with the Home and

International Committee, under the Chairmanship of the Honourable Derek Thomas, to take this matter forward. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Madam Speaker. Whilst I sympathise with the sentiments of this Motion, I feel we would need to look at this very closely. We would have to ensure that there would be no repercussions as a result of what could be a great influx of people returning which could impact on our resources, including financial. We would have to ensure that they are genuine about having financial difficulties and unable to return home and not have a bank balance. But having said that, I support the Motion, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. I think the principle behind this is excellent but I do feel too that it has to be carefully managed because any timing of bringing people back we need to be sure that there are jobs and opportunities otherwise we'd create difficulties, but the whole principle behind this Motion I do fully support. Thank you, Madam Speaker.

The Speaker –

Thank you. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I can support the principles behind this Motion, but we must be very careful when implementing policies that they don't have any damaging effect to our economy and resources. I support the Motion. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I also concur with the intention behind this Motion, but I think I should point out that many of the Saints who have left to go abroad have done so because of economic reasons; they've gone to find better incomes overseas and I think until we can actually generate a bigger economy that's able to afford to pay higher wages and provide meaningful jobs, it's going to be very difficult to attract those people home and even if you offered them incentives to come home, you would have nothing to keep them here, so our number one priority must be developing an industry and a private sector that will provide the well paid jobs that will attract people to come home and maybe prevent some of those who would otherwise leave from leaving.

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Yes, Madam Speaker, I can support this Motion. I just want to support what the Honourable Financial Secretary has said. Over the Christmas period, as you know, we have a lot of Saints who come here for Christmas. In speaking to certain couples over the Christmas period, I think they were here for about five to six weeks, and talking to them I asked how they feel about St. Helena after being away for three or four years. They feel, I was told by three couples, they felt that the island had deteriorated, there was nothing here for them and maybe if an airport come they will come back, so I can see where the Honourable Financial Secretary is coming, we've got to have incentive for our people to come back, because they feel the wages are still low. Talking to one couple how they have to try and support their mother with a bit more because they didn't realise that she was in such a bad state as far as her income, IRB, so yes, I can support this Motion, but I think we need to look incentive for our Saints to come back and look at the wage structure as well. I mean, talking to one boy, he picks up, what he said he get £2,000 a month, he works in IT, now he says, I'm not going to give that job to come to St. Helena to pick up four, five hundred pound a month, but I can support the Motion. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak? I invite the Honourable Mover to wind up the debate.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker and I thank Honourable Members for their support. And obviously there would be some concerns, but the reason why we are in the situation that we are in now is because of Government's inability in the past to create incentives and that sort of thing, this is why they have gone away in the first place. To get them back, obviously we need to create incentives here, but once again, that is down to Government and it is down to us, in fact, to create the incentives and that sort of thing. I don't think I need to say anything more than that, but as the Honourable Rodney Buckley pointed out, we are paying for foreign workers to come and work here and if there's someone with the same skills in the UK who wants to come here why not attract that person back, but we will leave it to DfID and the St. Helena Government to work out the details and Honourable Chief Secretary, you said you would liaise with the Home and International Committee, which is the appropriate Committee to deal with that and I'm very certain that between them we will be able to work out something that would be beneficial for all of us. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Mover.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

Next item of business?

Motion No. 10 – The Hon. Rodney Buckley.

The Hon. Rodney Buckley –

Madam Speaker, I move that this Council resolves that in order to provide the island with twenty-first century communications, St. Helena Government considers the possibility of

engaging a communications expert to represent the islanders and establish with the communications provider whether public finance to assist with capital investment would be conducive to realistic pricing and proper returns in the light of the island's small customer base and report to this Council.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion?

The Hon. Michael Benjamin –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Member. Honourable Mover?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Honourable Members, this Motion follows the same aspirations as my previous Motion on health. There is no substitute for education. If our young and not so young people are to be educated to a high level to better govern their island in the years ahead, then they need to tap into the world of high level teaching and that, for me, my friends, I believe is top gear, affordable communications. On Commonwealth Day at Prince Andrew School, the theme focused basically on educating pupils and guests in technology, energy and the environment. Benefits of technology was clearly demonstrated by a live TV presentation from Bishop's Rooms in Jamestown by Cable & Wireless and a live classroom Electronics Teacher sitting to his computer in Wales in the UK teaching our young men at their desk in Prince Andrew School. What a wonderful tool. Wonderful for Prince Andrew School and the Health Service to have a higher internet speed provided recently with funds by DfID for which we are grateful, but if the island is to move to a high level of education, then we need to look further than these two services and provide the best, affordable high speed communications across the island. The current policy at Prince Andrew School is that teachers, visiting advisers and pupils cannot tap in their laptops into the school computer system or use a computer stick for fear of corrupting their network. This obviously is a major drawback to increasing standards and the right software must be put in place to overcome this major constraint. Digital technologies are now the norm and have transformed education in every walk of life. Every student, every adult, every business and every government must have affordable facilities at school, work and at home to improve educational standards if the governance of the island in which we live is to improve the standards of life. In 2008, the UK Government made a statement to the effect that every home should have a legal right to broadband in their home and hinted that money could be available to boost connections. Members have been advised that the island's current communications provider is now tendering for the provisions of services up until 2019 and the responsibility for communications fall under the Home and International Portfolio. The time is therefore here to start the process of working out our best course of action that will take the island's communications up to 2019. Like our Medical Services, I am of the opinion that we need outside help. If we take advice from an expert who is employed by Her Majesty's Government to advise on such matters, we will hear what they want us to hear. For instance, I keep hearing from our officials that mobile phones are a wonderful tool, but please don't get them here; it will destroy your lives. Billions of people in the world with mobiles are enjoying their lives, but we will not be able to. I can think of a dozen or two reasons why our officials don't want mobile phones here, but I will condense these into a simple sentence. Retain information and you retain power. When you have power you do as you please.

Honourable Members, the power of the internet and mobile phones have destroyed the?... of power throughout the globe, why should we be any different? If we take advice from the service provider it may well be the best advice, but being the human animals that we are, we are likely to regard the advice as a load of cobblers, as trying to get an over the top contract and negotiations would fall flat on its face. We cannot expect any commercial service provider to inject large investment capital here to provide the very best service and not get their money back. What they are serving is a small consumer base and an aid dependent territory with no guarantee of growth in the economy. What we will therefore get is a service that will be basic in terms of its profile, which will allow return on capital invested over the seven-year period and seven years in this respect is very short. Given outside, independent advice on what we could have and its capital costs, we could then decide if to sell Plantation House and use that money as a grant to the service provider to use as capital injection enabling realistic pricing for the community across the island. It would be a subsidy well spent. Honourable Members, I ask you to support this Motion and let's see if we can take our communications into the twenty-first century. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Mover. Before I read the Motion and put the question for a debate, I would just like to ask the Honourable Attorney General's advice. I believe that you have stepped slightly out of order. Order 14 (1) (g) No member shall impute improper motives on the part of any member, and when you suggested officials did not wish to see mobile phones brought to the island, you suggested that this was because they wished to retain power. I would personally consider that to be an improper motive. I just will ask the Attorney General's advice.

The Hon. Ken Baddon (Attorney General) –

Madam Speaker, I declare my interest since I am an official. It does seem to me that the paragraph is capable of bearing the interpretation which it wasand this interpretation is a matter for you.

The Speaker –

In which case, I will call upon the Honourable Member concerned to offer an apology to the officials for imputing improper motive.

The Hon. Rodney Buckley –

Thank you, Madam Speaker. I offer that apology. It was no intention to hurt their feelings, it was just a fact of the situation we are in. Madam Speaker, I offer an apology.

The Speaker –

I'm sorry, it's not a fact, you were offering your opinion and imputing an improper motive. I accept your apology on behalf of those officials. I put the question that this Council resolves that in order to provide the island with twenty-first century communications the St. Helena Government considers the possibility of engaging a communications expert to represent the islanders and establish with the communications provider whether public finance to assist with capital investment would be conducive to realistic pricing and proper business returns in the light of the island's small customer base and report to this Council. The question is open for debate. The Honourable Michael Benjamin?

The Hon. Michael Benjamin –

Thank you, Madam Speaker. I support this Motion because as an isolated community we would benefit from a modern communications service. These benefits would be socially, intellectually and economically, especially if we hope to develop a sustainable economy with internet-based activities. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, the existing telecommunications licence will expire in December 2012 and whilst it was initially agreed that any new licenses would be subject to an open invitation to the tendering process, it was subsequently agreed some two years ago, following a number of inquiries, that Cable & Wireless was effectively first in the field of one. However, it was recognised that SHG do not have the necessary skills to negotiate the terms of a new licence and for this reason an expert has already been appointed to advise on the following: telecommunications regulatory matters and telecommunications licensing in relation to granting of a new exclusive licence in St. Helena. The Consultant is in the process of drafting an invitation to tender which will form the basis on which to take forward negotiations with the communications provider, e.g. Cable & Wireless. These negotiations are likely to determine whether there will be a need for public finance to assist with the capital investment. Madam Speaker, the Motion asks that St. Helena Government consider the possibility of engaging a communications expert to represent the island and establish with the communications provider, I can assure this House, Madam Speaker, that that consultant has been employed and is undertaking the required works. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion? The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, maybe because of lack of communications I've not heard of this person who is here, but obviously I'd like to know about his report once it has all been carried out, but it does seem to make a hole in the Motion, because I was actually going to support it. I think we should try to improve what we already have always, so I was going to try to improve it, but it seems I may not even have to do that now. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Chief Secretary, Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, just on a point of information, the expert concerned is not physically on island. He is providing drawdown support from London. He is an internationally well known expert in the telecommunications and broadcasting field, but it is cost effective in the world of modern telecommunications to employ him from London rather than bring him all the way here. Thank you.

The Speaker –

Thank you, Honourable Chief Secretary.

The Hon. Cyril Gunnell –

I thank the Honourable Chief Secretary for that explanation, Madam Speaker, and, yes, they're trying to save some money as well, that's good.

The Speaker –

Does any other Honourable Member wish to speak to the Motion? In which case, I call the Honourable Mover, the Honourable Rodney Buckley, would you like to wind up the debate?

The Hon. Rodney Buckley –

Yes, Madam Speaker, it would have saved this House and a lot of people and my time if we had known about such an appointment, obviously this would not have been brought to the House, so, like my Honourable Friend, Cyril Gunnell, the question of communications really need to be addressed in our system, so Madam Speaker, I am dumbstruck, because not knowing that there was somebody in place, we can go no further, but perhaps we can follow up on that and make sure that we get from this adviser the information that suits us. Thank you, Madam Speaker.

The Hon. Brian Isaac –

Madam Speaker, on a point of information, could I just.....

The Speaker –

The Honourable Brian Isaac.

The Hon. Brian Isaac –

I do share the sentiments of the concern the Honourable Member have. This decision was made by the former outgoing Council and might not have been communicated through to the new Council, but there is always the outlet to communicate such Motions prior to presenting them to the House. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, just on a point of information, I suppose you would call it. Might it be useful for the Honourable Mover of the Motion to consider withdrawing his Motion rather than there be a debate on it?

The Speaker –

Well, we have actually had the debate on it. I will take advice from the Honourable Attorney General whether at the stage the Motion can be withdrawn.

The Hon. Attorney General –

I think I'm right in saying, Madam Speaker, we area Motion can be withdrawn at any time up until the point at which you invite votes.

The Speaker –

Thank you. Well I haven't invited votes, I will ask the Honourable Mover if he wishes to withdraw his Motion in the light of the information that's been provided to this House?

The Hon. Rodney Buckley –

I have to say, Madam Speaker, I'm not absolutely clear that it ought to be withdrawn because if it was withdrawn it just might lie dormant, but

The Speaker –

A suggestion, Madam Speaker, if the Honourable Member wishes to keep it alive perhaps he could move that it be adjourned until the next Sitting.

The Hon. Rodney Buckley –

I think I take that advice, Madam Speaker, yes, I propose that it be adjourned until the next Sitting.

The Speaker –

Thank you. Is there a seconder to that Motion, please?

The Hon. John Cranfield –

I'll second that proposal.

The Speaker –

Thank you. The Honourable John Cranfield has seconded.

Question that Motion be adjourned until the next Session of Council, put and agreed to.

The Motion is carried.

The Speaker –

Thank you, Honourable Members. Next item of business, please?

Motion No. 11 – The Honourable Cyril Gunnell.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Madam Speaker, I beg to move that this Council recommends to His Excellency the Governor that future increases on SHG employee salaries and wages should not be by a percentage whereby the higher a person's salary or wage is the greater amount as an increase will be.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion?

The Hon. Bernice Olsson –

I beg to second, Madam Speaker.

The Speaker –

Thank you, Honourable Bernice Olsson. Honourable Mover?

The Hon. Cyril Gunnell –

Madam Speaker, historically, when Government has been able to give increases on salaries and wages, this has been via a certain percentage. This means that year by year, when there was a pay rise, the lower paid workers received a considerably smaller amount of money in their pay packet as an increase than the higher paid. What this has meant, unfortunately, for the lower paid, that this method of awarding pay rises has resulted in an ever widening gap

between the incomes of the lower paid and the higher paid. The reason why Government awards pay increases to their employees in this way, I feel, is that the differentials they set between the pay grades are protected. In other words, if all employees were to be given the same amount of money across the board as it increased, the differentials between the grades according to Government would be eroded. While this accepted, Government appear not to have noticed the adverse impact that this has had on their lower paid employees. Government appears not to have noticed the low morale or that there is disincentive among the ranks. It does not take a rocket scientist to work out how much extra an employee would receive when they receive the increase by a certain percentage. Take, for example, an increase of 4%. A person on, say, £300.00 per month would receive an increase of £12.00. A person on £500.00 a month would receive an increase of £20.00, a person on £800.00 a month would receive an increase of £32.00, a person on £1200.00 a month would receive £48.00 and a person on £1500.00 a month would receive the massive £60.00. As I said earlier, as you can already see, this method of awarding pay increases widens the gap between the lower paid and the higher paid. Madam Speaker, the Motion is about an increase by a certain percentage on SHG salaries and wages, but let me pause just for a few minutes to reflect that the same situation occurs with SHG pensions. Some people receive a very small pension, because they retired when pays were smaller, whereas people retiring today receive a much bigger pension. The increase by percentage works in the same way. The person, for IRB, on a very small pension has to have their income topped up by an IRB. And just like salaries and wages the gap between the lower paid pensioners and the higher paid pensioners widens every time there is an increase. And just as, say, statistics, Madam Speaker, they're all coming out these days, statistics. A statistic, Madam Speaker, Honourable Members may be interested in, is this; with regard to IRB recipients, a 4% increase means, for the single person, £1.60 a week. For the couple, this means £2.40 a week. This means, for example, that in a quarter, or thirteen weeks, a single person will receive an extra £18.20. This won't even pay for the cost of the amount proposed for drainage, let alone pay for increase in electricity or water; an insult to injury.

Back to matters in hand, Honourable Members, the point that will be going through your mind at this time, I am sure, is that there are no shops on the island that sell their goods cheaper to people on low incomes, neither does Government have a special discounted rate on services they provide, like electricity and water, for example. The Standing Charge of £20.00 for electricity and £10.00 for water apply equally to everyone, regardless of their income. The higher paid are able to pay this without too much difficulty, whereas those in the lower income bracket have to struggle. Honourable Members, a system of awarding pay rises by a percentage annually, such as preferred by Government, which results in an ever widening income gap between the higher paid and the lower paid, creates poverty traps. Indeed, it has been said that some people have fallen into the vulnerable people group. Honourable Members, perhaps you will agree with me that Government's actions is not supposed to be the cause of people becoming vulnerable. Honourable Members, whenever Government is able to give a pay rise, why can't the total amount of funding that is available for the pay rise be shared out equally to all employees, whether this be £10.00 or £5.00 or whatever it turns out to be. On the other hand, a preferred method could be that employees below a certain grade could receive a certain fixed amount and employees above that grade could receive a different fixed amount. Honourable Members, I ask that you support a recommendation to His Excellency the Governor that future increases on SHG employee salaries and wages should not be by a percentage whereby the higher a person's salary or wage is the greater the amount as an increase will be. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Mover. I put the question that this Council recommends to His Excellency the Governor that future increases on SHG employee salaries and wages should not be by percentage whereby the higher a person's salary or wage is the greater the amount they receive as an increase will be. The Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. Madam Speaker, in responding to this Motion, I find myself in something of a dilemma. On the one hand, I do strongly support the deep concern yet again being shown by the Honourable Mover for the vulnerable and those in genuine need. On the other hand, I cannot support a proposal, however well intentioned, the effect of which in practice would be to undermine our entire ongoing reform of the Public Service in general and the Public Sector Modernisation Programme in particular. Madam Speaker, it's perhaps one of the most important responsibilities of this, as of any other Government, to improve the economic situation and prospects of the entire population and to attract both investment and high value skills to the island, both in the public and private sectors. The private sector needs to be supported by an efficient, professional and well motivated public service. I would be surprised if anyone in this Honourable House believed that we had already achieved this happy state of affairs or would wish to hinder the hard task that we face in putting this right. Now against this general background, how should we deal with Government pay in the fairest possible manner? I would tentatively suggest full principles in this regard. First, we should try to maintain the real value that is the purchasing power of existing salaries at whatever level in the face of imported or local inflation. Second, the levels that are set for different posts and individuals should accurately reflect the difficulty and responsibility of the post on the one hand and on the other, and very crucially, the performance or non performance of the individual officer. Third, we should encourage the acceptance of a culture in the service of upward mobility, to use an old fashioned word, not heard often enough perhaps today, ambition. Fourth, we should provide a liveable wage for the lowest paid while providing meaningful incentives to attract and retain high quality candidates for professional and senior management posts. Now, let us consider whether the Honourable Member's Motion would achieve these objectives if translated into policy. I fear, Madam Speaker, that taken to its logical conclusion, the implementation of flat rate pay increases would, as the Honourable Member has himself effectively admitted, quickly erode the crucial differentials between very different grades and levels of responsibility, which are already so small in comparison with other countries and jurisdictions as to create constant and severe difficulties with attraction and retention. I am personally unaware of any jurisdiction, with the possible exception of North Korea, that actually awards pay increases to the public service on the basis being proposed. There must be a good reason for this. While, for a single year, such a proposal might temporarily please some junior workers, irrespective, I might add, of their performance, its longer term effect would be to undermine morale and performance throughout the entire service. Honourable Members, you are all aware of the ongoing, comprehensive review of Pay, Grading and Performance Management within SHG. This review will put in place a fair and transparent system of remuneration for all staff. I note here in passing, the important point that unestablished staff will cease to be unestablished. It will give financial recognition to talent, to training and to performance. This reform, for which we have been granted over £1.5m by DfID in the recent DAPM settlement, and which forms an integral part of the Public Sector Modernising Programme, is a crucial step forward for the island. It would seem to me to make little sense, Madam Speaker, to undo this crucial reform and throw away the associated funding. It, of course, may be the case that I have completely misunderstood the purpose of my Honourable Friend's Motion, in which case, I naturally apologise. As I have said, I share to the full his concern for the vulnerable, whether they are

employed by the Government, employed by the private sector, self employed or not employed at all, but we will not address this problem by eliminating all incentives to perform within the Public Sector, but rather through properly targeted benefits and proper pensions for all, public and private sector alike. Madam Speaker, I regret that I cannot support the Motion in its present form, while applauding the sentiments behind it.

The Speaker –

Thank you, Honourable Member. The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Madam Speaker, I have some difficulty with this Motion in that the Honourable Member is aiming to do away with percentage increase. We are finding it difficult now in attracting people into jobs of responsibility. Such a move will certainly deter people from taking on jobs in managerial positions and this in turn will provide the need to import additional expatriate personnel at a much greater cost. Surely this is a move in the wrong direction. What we need to do is provide a better wage structure for all the workers on the island which will encourage them to take pride in their work, strive for better efficiencies and take up senior positions. The current wage structure is far too low. The Motion as it stands will not attract people to take on posts of greater responsibility. With a flat rate, it will mean that the lower wage earner will be getting a greater percentage than the higher wage earner who has greater responsibilities. The Honourable Member is correct in saying there is no cheaper goods and cheaper revenue costs for those on Income Related Benefits and lower wage earners. These are real issues that need to be addressed. Madam Speaker, I do not support the Motion in its current state.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion? The Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, I too have reservations about this Motion. There are two main factors that I feel should be considered: is the increase to take into account inflation or cost of living, in which case it could be across the board; or is it for a wages or salaries review or a pay award, in which case a percentage may be more appropriate. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion, please? Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, it's an ironic situation here, because this argument has been going on, at least I know for the last forty years, but I totally accept and agree with all the reasons that have been presented by the Mover, but I nevertheless can't feel I can agree to the Motion on the basis that I don't think it would be appropriate to commit Government or try to commit Government for the foreseeable future to actually not increase salaries and wages using a percentage. I think he has already articulated the arguments about percentage increases stretching the differentials and across the board increases eroding the differentials and I think whichever way you do it it's going to be difficult, but I understand what he says, I think that we have to bear in mind that if it is a cost of living allowance for that purpose then that may be possible, it may be possible as he also mentions, of having different percentage rates at

different sectors of, say, any key scale, but I feel I can understand what he's trying to get at, but I don't feel that I can actually agree to the Motion as written, because I think it is a commitment beyond which we can't agree to. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak to the Motion? Honourable Ken Baddon?

The Hon. Ken Baddon –

Madam Speaker, so far as the merits are concerned, I don't really want to add anything to what the Honourable Chief Secretary said, say perhaps to clarify or expand to this extent that across the board rises year on year on year eventually lead to the need for yet another pay and grading review, because differentials become so distorted. There is just a technical point, which was my real reason for wishing to catch your eye. The Motion has been very carefully worded as a recommendation to His Excellency the Governor, but I think it is important that the listening public should know that the Motion if passed will not bind the Governor's hands as to how he handles future pay rises.

The Speaker –

Thank you, Honourable Member. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Yes, very briefly, this wage increase dilemma is actually a growing problem in many countries with the gap getting bigger and bigger between the high and the low income earners. Our situation here on the island is fast becoming quite serious in this area actually. I fully appreciate the argument that people need to be properly rewarded where there is clear responsibility, but I do feel that our problem here is because of our very low starting rate for the low income earner who starts on £69.00 a week, so a 4% increase is not going to affect the higher wage bracket in that sort of respect, but I do feel, Madam Speaker, that perhaps in the interim period that it would have made a lot more sense to me to have used a cut-off point in this interim period in the middle wage earner's bracket and use the 4% to close the gap a little bit between £69.00 a week and £169.00 a week would make a serious difference and if you go one further you're going on to three or four hundred pounds a week, so the gap is very serious and I do believe that we on St. Helena whilst take account of what happens in the rest of the world do need to address our own situation and perhaps close this gap a bit. However, I can only support the Motion, because the Motion asks His Excellency the Governor to give consideration to it and to use his power that he has, even without a mobile phone. So I'll support the Motion, because it leaves the Governor to make a decision.

The Speaker –

Thank you, Honourable Member. The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I would like to address some of the points that have been raised and perhaps correct one or two possible inaccuracies that are there. First of all, I would like to say that the recent pay and grading review was designed to put the correct level of pay for each job and that having just undertaken that exercise if we were to then apply a flat rate increase it would immediately put all of those pay levels out of kilter again, so we would have scrapped the benefits of that entire exercise. Secondly, I think it's important to identify that if you have a

doubling of prices and you double the wages, i.e. a hundred percent increase in price and a hundred percent increase in wage, you do not affect the differentials between jobs at all, nothing changes, you keep everything the same. And that is why a percentage is the correct way. If you want to keep a wage structure; a percentage change is the correct way to do it, particularly if you are adjusting for cost of living. If, however, you want to reward individuals for harder work, better performance or taking on additional responsibilities, then you promote them up the ladder to a higher paying position and that is perfectly normal. Another thing that is a great problem if you start to apply flat rate increases, is that, of course, SHG is in competition with the rest of the private sector as far as wages go, so if we start applying arbitrary rather than structured pay changes, then you'll find that either half our workforce will migrate to the private sector or the private sector will all leave to come to SHG, i.e. you will upset the market. Finally, the problem of low wages we know is a problem and we know that those on the bottom of the wage ladder have difficulty making ends meet, but the way to correct this is not to distort the wage system, but it's through economic growth and increasing prosperity so that everybody can benefit from it. And if we go back to the earlier Motion to encourage Saints working overseas to return here, the only way to do that is through offering proper, decent wages that reflect the work and the responsibility involved and that if we're going to be able to offer that, economic growth is the way to do it not flat rate changes. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Madam Speaker, I can support this Motion. There is a lot of concern with the working people in certain Departments. They feel that they are not worth anything. They know their Heads of Department get a higher wage, they understand that, but it's like one person said to me, "without us the workers, the Head of Department wouldn't be able to cope". This question and Motion has been up in this House before by an ex Councillor and whenever we had a meeting, informal LegCo, he always brought it up – "please give our people a flat rate." The percentage is causing a lot of discontentment between the worker and the Head of Department. And it is like my Honourable Friend said; we all go to the same shops, you know, for somebody to be taking home £63.00, 4% on that is not going to give him much when you know a loaf of bread is about a £1.00 and a tub of margarine is about £1.15, that's before he decides to put a bit of cheese or ham on his bread and just imagine a man with a family, a wife and two children? It is going to be really tough and I need to support this Motion because I think people should be treated fairly, otherwise we're going to have our boys just looking for jobs down at the Falklands. Thank you, Madam Speaker.

The Speaker –

Thank you. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I would like to thank the Honourable Member for bringing this Motion to the House. The proposed increases in salaries, that's caused quite a bit of upset among people out there and I do share their concerns and not always that I have an answer that I can give them, but by bringing this Motion to the House, it has now aired some of the concerns relating to why it cannot be done, but I feel that we as a Council and representative of the people, can accept that it cannot be done, but we must work towards seeing what we can do to improve the situation that the public feel is not a fair system. So I will support the Motion

as it asks to recommend to His Excellency the Governor that future increases in SHG employee salaries and wages should not be by percentage. This is something we need to explore and maybe we could come up with a better solution, maybe not the solution that people are asking for at the moment and what the Mover is asking for, but a solution that would make the community feel that they have been dealt with fairly. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion? In which case I call upon the Honourable Mover, the Honourable Cyril Gunnell to wind up the debate?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I almost got up there, because I felt that I needed to get up and say something. But I thank the Honourable Members for their very valuable contributions. I didn't believe at all that it would pass this House, but if you look at the wording of the Motion, as the Honourable Rodney Buckley pointed out, you know, it asks for Council to recommend to the Governor, recommend to the Governor, that's what it asks for, so with those words there, really everybody should have been able to support that, that's what it asked for, but people talk about what it would do to this, that and the other and to the Honourable Financial Secretary, the Honourable Bob Perrott, when he was Financial Secretary, one time when this Motion came up in the House, by me, actually, it was supported unanimously in the House at that time, unlike today, supported unanimously, Bob Perrott had a look at it and for the one year he worked it out so that people did get the same rate, it worked well for the one year, because afterwards, as you say, it would work differently otherwise. But I went into Tinkers and listening to the Honourable Bernice Olsson that time she reminded me of her mother when she used to be in this House and talking about the same things, Evie Dover, talking about the price of this, that and the other and what she says is very true of course. But on Saturday, I went into Tinkers, and I'm going to be an Evie Dover now, I went into Tinkers and tried to buy a piece of bacon and it was going to cost £2.90, £2.90, so I said to the Shop Assistant, could you cut it a bit smaller, because I didn't want to pay more than £2.00 and she cut it and actually she made it £2.03, so well done to her, but the thing is that what the, what the, Mr Andrew Wells is shaking his head over there, people can never understand what I'm trying to say sometimes, but what this person said to me, she said, Mr Gunnell you see the difficulties that we have, you can hardly afford to pay for it. And that was the point. I can afford to pay and that person that was selling me the bacon cannot afford to pay and that is the problem we have on St. Helena. Rodney Buckley hit the nail on the head before when he was talking and I think he slipped a note round to me; I think it's his, or maybe somebody else, talking about minimum wages. Well, where is the minimum wage? We need to have minimum wages on St. Helena, I think there is a law that we might be looking at a bit later on that will suggest that there should be minimum wage and that will perhaps bring things into some perspective. A note here from, I'm not certain who it's from, maybe it's the Honourable Chief Secretary, oh no, it says, the Chief Secretary said if we change the system it will damage the morale of the high paid.

The Hon. Andrew Wells (Chief Secretary) –

A point of information, Madam Speaker, I did not say that.

The Hon. Cyril Gunnell –

Yes, but it was implied, or at least.....

The Hon. Andrew Wells –

I said specifically that it could damage the morale of the entire service.

The Hon. Cyril Gunnell –

Or at least that's the way it came over.

The Speaker –

Well, in that case I think I will allow the Honourable Andrew Wells to clarify exactly what he did say as a point of information, please.

The Hon. Andrew Wells –

Thank you, Madam Speaker. What I said, and I'm actually reading from my notes now, so this should be more or less verbatim, would be that the longer term effect i.e. of simplistically adapting a flat rate system of increases would be to undermine morale and performance throughout the entire, emphasis on entire, from low to high paid service.

The Hon. Cyril Gunnell –

So the word 'entire' means something to me, because what about the morale of the lower paid?

The Speaker –

With respect, Honourable Member, with respect, the Honourable Chief Secretary has just read verbatim what was said and he referred from the low to the high, the entire meaning the entire public service.

The Hon. Cyril Gunnell –

And I just said, Madam, that I accept that, but I'm concerned about the morale of the lower paid, that's what I actually said, making my point very clear. A better pay structure needs to be brought in, as was said, and I really take my hat off to the Honourable Rodney Buckley and the Honourable Bernice Olsson and the Honourable Brian Isaac for being brave enough to say it the way it actually is. But all that was asked for here was that a recommendation be made to the Governor, but then the public has had the chance to hear what everybody else has had to say. I'm not upset about losing the Motion, Madam Speaker, but it is the first time I have put a Motion to the House and I've only had three people actually get up to support it. Thank you very much, Madam Speaker.

The Speaker –

Honourable Mover, we haven't actually yet had the vote, so you're rather presupposing the result of the vote.

The Hon. Cyril Gunnell –

I live in great hope.

Question on Motion put.

The Hon. Brian Isaac –

Division, Madam Speaker?

The Hon. Ken Baddon –

Madam Speaker, on a point of order, a division can only be called after you've announced the result, unless you call it yourself.

The Speaker –

Thank you. I think actually I will call a division simply because it was quite unclear to me as to whether the Ayes had it or the Noes had it.

Division called.

Ayes
 The Hon. Rodney Buckley
 The Hon. John Cranfield
 The Hon. Cyril Gunnell
 The Hon. Brian Isaac
 The Hon. Bernice Olsson
 The Hon. Raymond Williams

Noes
 The Hon. Michael Benjamin
 The Hon. Stedson Francis
 The Hon. Anthony Green
 The Hon. Derek Thomas

Abstentions

The Speaker –

The results of the division, the Ayes 6, Noes 4. The Motion is carried.

The Speaker –

Honourable Members, I think this is an opportune time to take a short break. My apologies for the fact that the Order Paper does not show the final item on the Agenda for today, which is, of course, the Adjournment Debate. However, I move that we adjourn until half past one in order that you can have lunch before we deal with the adjournment debate.

The Hon. John Cranfield –

Thank you very much, Madam Speaker.

Council adjourned.

Council resumed.

The Hon. Andrew Wells (Chief Secretary) –

Madam Speaker, I beg to move that this House do stand adjourned sine die.

The Speaker –

Is there a second to the Motion?

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

The Speaker –

Thank you. I put the question that this House be adjourned sine die. Does any Honourable Member wish to speak? Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Madam Speaker, Honourable Members, thank you. Madam Speaker, my reading of our new Constitution is that it is offering this Council some good moves towards a ministerial form of

government and that it is up to Members to grasp opportunities to move in this direction. This new political structure, I believe, is the way forward to achieve that goal and what the system is bringing out is some fundamental issues that need to be taken onboard at this early stage. I bring to attention, Madam Speaker, the fundamental policy of open and accountable government, micromanagement and de-linking of Committees and Departments and the continuous teaching elected members to suck eggs. This lack of open government was just reinforced in my last Motion. The Honourable Member has since offered his apology, which I accept, but what it demonstrates, Madam Chairman, is that would not open government have said to me when I submitted the Motion that they already have a Communications Adviser in place and I could have the option of withdrawing the Motion, but no, that's not open government. Perhaps somewhere somebody said, no, let's show him up, that's how they know open government. Staying with micromanagement, Madam Speaker, I must turn to shipping. I was personally very disappointed that the responsibility for shipping remained with the Governor's responsibility under the new Constitution. For the benefit of listeners, it is not the person, but the position of Governor that has the responsibility. This situation leaves the island's lifeline in the hands of one person. This is made very clear in the Governor's ExCo report this past week, and I quote, "I must make very clear that at the end of it all, I will have to decide what I feel is best and that may mean change or it may not". Now we are going to spend loads of time, money and energy in seeking the views of the entire island on how the ship, which is their lifeline, should be scheduled and for what. One person to tell the majority no, no, that's not the way it will be done. The island's shipping management structure must be the most flawed structure of any organisation on the planet. We have one person calling the shots, being advised by ancient mariners sitting in St. Helena Line Office in the UK that cost thousands of pounds to run and four and a half thousand miles away. We have managers of the ship who are more than happy to toddle along with the status quo, because they are doing alright thank you, so don't rock my boat. If we must have St. Helena Line to provide cover for the risk of running a government ship and another shipping office here on the island, surely it would make sense for St. Helena Line to be operating from here where all it would require is one shipping person and a computer. This is where the decisions are made, Madam Speaker, so why not look us in the eye or is it just job for the boys. I believe that seeking the views of the people is right, because that is what they put us here for; I also believe that the views of the majority should be adhered to, because that is called democracy.

Following on from yesterday's debate on electricity charges, Madam Speaker, I reiterate that the issue of electricity charges and the island's future electricity supply are not going away and will be scrutinised continuously until there is no more hissing from that goose.

Honourable Members, we have a job to do to take the island forward. We need open government, we need honesty and we need accountability. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, thank you for this opportunity and I promise that I will try to keep within time.

The Speaker –

Honourable Member, you will keep within time.

The Hon. Cyril Gunnell –

The first item I want to mention, Madam Speaker, is the Land Disposal Policy and the pricing matrix. I am pleased that this is to be reviewed and the Chairman, Natural Resources, Development & Environment did give an undertaking yesterday that the review can be supported by public consultation. Like a lot of SHG planning, there were some good policies. The policy for continuing to allow islanders to build their own family homes in the Land Disposal Policy is sound, some adjustment so people who are renting and people who are staying with family, which could be overcrowded or where there is tension. Where the policy fell down was that in 2007, the price of Crown land for house building increased overnight by some two thousand percent, resulting from advice from advisers from overseas. Overnight the price became unaffordable for the majority of Saints earning a living on St. Helena. It makes more people leave; it increases the need for social housing and the cost to SHG and creates a social housing crisis. Before the increase, land was available from Government at £500 an acre. Now priced at £15,000 an acre in the St. Paul's area and Alarm Forest areas and £12,500 in the Half Tree Hollow, New Ground and Longwood areas, the land is below market price, but it is unaffordable. The SDP does say to move towards commercial pricing even for land for commercial use. It did not say overnight. The island wants to continue with a good SHG scheme that allows people to build their own homes. It is central to islanders in so many ways as well as giving support to the island economy with house building supporting a large slice of the private sector. We need to go back to where the price of land was in 2007 for family house building at £500 an acre and, if necessary, increase it, by, say, a hundred percent, but it has to be affordable, that is the key. I understand from building contractors that they would be interested in some of the thirty-seven plots in Half Tree Hollow below the Apostolic Church which have not been taken up, but this will depend on conditions being favourable to them and the price of land, once again, must be affordable.

Madam Speaker, I am still concerned about the present state of the Run in Jamestown. It is a disgrace. Does anyone actually know what is going on? Four different Departments are involved. I am pleased to say that Environmental Health has cleaned out the Run, thus fulfilling their obligation, but then again, the Run is considered as a drain and drains are the responsibility of PW&SD, so is it PW&SD who should be responsible for keeping the Run clean? Then there are the weeds and Acacia trees that makes walking in some places impossible, which Crown Estates or Legal and Lands say that ANRD is responsible for clearing away, but this would have to be done by contract and the last time I checked with A&NRD they had not been requested by Legal and Lands to put the work out to contract, to tender. And then there is the gate at New Bridge Pond which is an apparatus supposed to hold back water that is discharged in the morning to flush the Run, but the gate, although it has been fixed, it allows water to run away. Madam Speaker, someone needs to take ownership of this major asset. There need only to be one Department responsible. The Chief Secretary, I understand, will be allocating that responsibility. Although it is embarrassing to even think of the state of the Run, I mention it here to show how poor we are at middle management.

Next item, Madam Speaker, I can't resist the temptation of venting my frustration about what was happening yesterday during Committee stage looking at the Estimates. Questions were being answered by the Honourable Financial Secretary, Honourable Chief Secretary with the help of the Honourable Attorney General. Expectations were not asked of the Chairmen. Is this an improvement in the system? I don't think so. It didn't seem that way yesterday, but I will bring this up for discussion in another forum.

Madam Speaker, I am very, very, very, very concerned about what I see is the fact that in St. Helena there is becoming a very poor and a very rich people and I think that that is a recipe

for anarchy if it carries on like that. Government has a big part to play in this and as this morning I said about the way wages are increased. If you do it by a percentage every year, then every year is going to be the same situation where the higher paid will get a bigger increase than the lower paid and the ever widening gap.

I think I said yesterday something that I need to correct, Madam Speaker. I said that in the Bible, Matthew said that “those who have will be given more, but those who do not have even the little they do have will be taken away”. It was actually Jesus who said that and it’s written in the gospel according to Matthew. Well, as you know, Jesus was a very wise man and if he were alive today he would say “I told you so”.

But, Madam Speaker, I remember from my earlier days on Council when DfID or at that time the ODA at that time came to the island to visit us. We were always asking for money obviously, we can’t do without asking for money, but they came here and they said we will squeeze and squeeze until there is nothing left to squeeze and then we will squeeze a little more. And I think this is what is happening today. Why is it that a policy seems to be emerging that if you are poor it is alright. Let’s not try to make you any better off than you are, let’s leave you there. Let’s make certain the rich or better paid are looked after. That is the policy that according to me is emerging.

I look at the clock, Madam Speaker, because I know I only have ten minutes, but perhaps I don’t have time to go on to yet another subject, but Madam Speaker, thank you for this opportunity to be able to say something in adjournment debate. Thank you.

The Speaker –

Thank you, Honourable Member. In fact, according to me, you still had another three minutes to go.

The Hon. Cyril Gunnell –

Thank you, Madam Chairman, I didn’t get the watch correct.

The Speaker –

The Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. This, I must say, is my first meeting since being elected, because I was away when Council first met. I think I’d like to place on record first my thanks to the previous Council, because, although the memories of those Councillors may be lost in the mist of time, I do feel and do know that most of them, how they battled and put in lots of effort and I was pleased to serve with them.

But on to this meeting. I’ve seen this House deliberate over many years. It seemed that the attendance of Heads of Department during the debate on the detail of the budget was somewhat sparse this time and I really would like to say I’m very disappointed in that. What I was very pleased about was about Sue Wardell’s visit, I thought that was a good visit and it was very nice to have someone of her seniority who was able to come here, indulge, debate and through her thoughts placed quite a challenge on us, particularly regarding the RMS.

Pay scales have been mentioned and it’s not a remit of this Council, but I have been approached by the private sector for information. Councillors have heard and seen some information, but the whole pay and grading and Government pay structure is dealt with by the Administration and I would just ask that as these details could impact on the private sector, whether or not more information could be furnished for their purposes.

I do also have a few concerns. We have quite a lot of money which has been approved. The problem as DfID has seen it and I think we see it too, how do we spend it. Much urgent

discussion is now needed, particularly regarding the new Committee setup. The proposals have set us a target of having a better political oversight of the whole spectrum of Government. Good, but concerned any revised particular setup has not yet materialised, particularly with regard to the support of the revised Departmental structure to support the new Committee system. I'm also very concerned of the de-linking proposal that has been proposed by the Administration. This, to my mind, is a very, very serious issue. De-linking, de-link and we Councillors lose touch, we lose control. But to move forward, we have to have a system whereby, in order to spend money and to achieve what we have to achieve during this year, we need to cut down on the many, many meetings that we are having and I do believe, and I call upon everybody to get together, both officials and elected Members, very soon to decide how we can actually spend our time much more productively. Not to address these issues, will, I believe, result in many setbacks and it will be the Councillors who will get the blame. This, I believe, is an urgent matter. I think, Madam Speaker, in this brief adjournment debate, it would be remiss of me not to mention, as my Colleagues have, Desmond Wade, because I do believe that he has put in a sterling service and he has been a previous colleague and I know he supports Councillors with information and has been a tremendous asset to Government, so I do want to place that on record. Madam Speaker, I support the adjournment.

The Speaker –

Thank you. Any other Honourable Member? The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I've been on the Council now for just about four months and wish to speak on some progress and areas where I feel, with support of my colleagues, we've been able to bring about some progress. During my campaign leading up to the elections, I told my constituents that if elected the main issues that I would like to see bring about developments, a better quality of lifestyle for the elderly, people on income related benefits and those receiving low wages and low pension incomes. The public will recall that in December, approval was given by this Council for those persons on the Income Related Benefits system to receive a one-off bonus in addition to what they would normally receive. Madam Speaker, it is pleasing to see that in support of the Income Related Benefits system we have on island a Social Adviser, Alan Thompson, who is conducting a review on the whole of the benefits system and I trust that his report will address the many issues of unfairness we have in the system in providing a better standard of life for the vulnerable, low pensioners and low wage earners. In the interim, Madam Speaker, I'm grateful that £150,000 has been made available from the new financial year to support some of the hardships that these people currently face. I also said, Madam Speaker, in campaigning that I would like to see increase in wages and salaries and it is also, and in addition to the 4% increase it is pleasing to see the sum of £465,000 for the new pay structure. This will not please everyone and a serious look needs to be taken into those people who are on low income wages, Madam Speaker. Development of the private sector, I put a Motion forward in this House for the inspection of Government vehicles to be outsourced to private sector businesses. Madam Speaker, I'm grateful to my colleagues for supporting this Motion, this will lead to strengthen the development of private sector businesses. I also put forward a Motion for legislation to improve the control of dogs. Madam Speaker, over the years, farmers have experienced great difficulty with their livestock, with sheep, destroying over the past three years large numbers of sheep and I feel that if the legislation was strengthened that would encourage people to exercise more control over their dogs. Also, Madam Speaker, I think it is time that dog owners take responsibility of cleaning up mess that their dogs make in the public places,

particularly Jamestown. With the new budget from 1st April, Madam Speaker, there will be some growth to develop the economy to the tourist industry. We need to be doing things ourselves in supporting this initiative, Madam Speaker.contribution of an island wide pension scheme, it is pleasing to see that from 1st April Government will have a defined contribution scheme as a first step towards establishing an island wide scheme. All new entrants to SHG workforce from 1st April will fall into this scheme. It is my understanding that the Pension Task Force will be investigating options of a SHG wide defined contribution scheme with a view that if viable implementation will commence from 1st April 2011. Steps then will be taken to move towards expanding the scheme even further so that we eventually have an island wide scheme. The target, I understand, is for the Pension Task Force to have this island wide pension scheme in place in two to three years time. Madam Speaker, this is very encouraging towards developing the private sector.

Improved opportunities for our youth, Madam Speaker. Again, funding will be made available to develop playgrounds with improved facilities for our youth. It is also encouraging and pleasing to see leisure, sports and recreation as part of the portfolio to Civil Society and Tourism, which means sports now forms part of the island's strategic objectives and strategic goals and will receive some financial support.

Madam Speaker, turning now to some of the issues raised by my constituents when campaigning. They were concerned about doctor call outs, mainly during the evenings and nights and I am pleased to report that the Public Health Department has now in place a policy for doctor call outs and should any person be aggrieved by a doctor not coming out, I have been told that they should see the Head of Department, Mrs Carol George, so it is pleasing to see now that a policy is put in place for doctor call outs.

Road maintenance and repairs was another concern within the community, Madam Speaker, and again it is pleasing to see that there's going to be extra growth in our infrastructure which will include improvements to our roads and I sincerely hope that the policy will be reviewed in good time to take account of the increases in materials and labour costs today, Madam Speaker.

Madam Speaker, the public has also raised concern about the use of Government vehicles and the amount of private sector, vehicles from the private sector and as a member of the Access and Transport Committee, which has oversight of Government transport, I will work with the Committee and the relevant SHG Government staff with a view of introducing a policy to achieve best value for money in relation to the use of Government vehicles and hire vehicles, Madam Speaker. Sticking with the Access and Transport Committee, efforts should be made in rescheduling the shipping schedule with a view of encouraging more tourism to the island. Doing nothing, in my view, is simply not an option, Madam Speaker. We need to act now in trying to develop the tourist industry, we need to be looking at other options and I mentioned earlier in this sitting that we should explore options of other major ports where there might be a greater intake for tourism and also fresh opportunities for our merchants with cheaper food and building materials etc. I will do my best in exploring these options with my Committee, Madam Speaker. Sticking with shipping, Madam Speaker, many Saints have asked if cheaper arrangements could be made for immediate family returning from overseas for family emergencies, e.g. deaths and illness. Again, with my Committee, we will see what can be done. They're asking if cheaper passages could be made available for this very reason, Madam Speaker.

Madam Speaker, I look forward to the coming financial year where the extra funding will see growth in support of the development of our economy. However, the public will be aware that I am greatly concerned about the vulnerable and poorest of our people. A recent household expenditure survey conducted by Dr Corinda Essex's Department, the Development Department last year, Madam Speaker, showed that in order to have a basic

standard of living, the average household earnings should be £149.00 per week. We all know that many households don't earn that amount of money, somehow households as low as £40 and £60. There will be a 4% increase and low household earners will receive perhaps a small portion of the £150,000 that will be made available. In any event, Madam Speaker, this will not reach the figure of £149.00 a week. This type of evidence, Madam Speaker, we need to use to show DfID that, yes, we will do our part to raise revenue and raise as much as we can, but only in cases where people can simply afford to pay. Madam Speaker, in the Financial Secretary's response to Honourable Members on the budget speech, whereas he covered just about everything Honourable Members raised, I was surprised that he made no mention of efficiency savings through Departments. I will be watching very closely where efficiency savings can be made and I will encourage my colleagues to do likewise in order to avoid where necessary increases to revenue to people who can simply not afford to pay. I am also pleased to report, Madam Speaker, that in our constituency meeting for the Half Tree Hollow West Electoral area, held at the Half Tree Hollow Community Centre in early February, the constituents raised concern about the state of Half Tree Hollow and the fact that it needed a good cleanup. It was suggested as Councillor for the district I should take the lead. The public will be aware that a Working Committee has been established and good progress made. The residents of Half Tree Hollow have been very supportive in taking advantage to do a cleanup of their property and get rid of their rubbish. Fifty-five persons have registered to have their rubbish removed and twenty-two vehicles in Half Tree Hollow and Ladder Hill area. I'm grateful for the support of the constituents in Half Tree Hollow and also for the support from Public Health Department for agreeing to make available labour and their trucks for two weeks to take away the rubbish and the Public Works and Services Department for removing the old vehicles. We are hoping to create some beauty spots at strategic places throughout Half Tree Hollow for future attractions where the community in Half Tree Hollow can feel proud as well as visitors to that area.

Madam Speaker, I've also been asked by the public to follow up on legislation to cover freedom of information. I understand this was a Motion put forward in the House a while ago and accepted, but never followed through. I have given an undertaking to follow up on this matter. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell, did you wish to make a point of information?

The Hon. Cyril Gunnell –

Yes, Madam Chairman. I know I have had the opportunity to speak, but it's just that something that the Honourable Derek Thomas just said about doctors being called out. I am not aware that there is a policy for doctors being called out and I wouldn't want the public to be, to get their hopes up too much about that. I would like to actually qualify that with the Head of Department, and, indeed, with my own Committee and make what is available to be made known publicly myself. Thank you.

The Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

I did, and I think as well as other Members, did receive a policy on doctor callouts some while back, I think the Honourable Member was away from the island at the time, but I raised

the issue in our very first meeting when we were appointed and following which the Head of Department circulated a policy for doctor callouts, Madam Speaker.

The Speaker –

Thank you, Honourable Member.

The Hon. Cyril Gunnell –

Certainly the Head of Department can be contacted at any time, but I don't believe there is any general policy, certainly not one that me and my Committee are aware of.

The Speaker –

I'm sure the Honourable Chairman will wish to follow that up.

The Hon. Cyril Gunnell –

I will, Madam Speaker.

The Speaker –

Thank you. The Honourable Raymond Williams?

The Hon. Raymond Williams –

Thank you, Madam Speaker. I'll keep this short, Madam Speaker. It would appear that as a result of this second meeting of the Legislative Council it is pleasing to note that this Council has acknowledged the facts and findings of the people of this island through their local representation. It has been drawn to the attention of Council how nice it would be if the cost of living was very much lowered, how families in the lower wage bracket are finding it difficult to maintain their home budget, how disappointing it is to purchase land from Government for house building because of extortionate prices and the Land Disposal Policy needs to be reviewed. Again, we are aware of vulnerable people, some of whom are finding it difficult to provide a cooked meal once per day, others whose pockets are stretched to pay their utility bills while others are solely dependent on income related benefits as their only source of income for them to survive. How amazing, there was little or no debate on the scheduling of the RMS St. Helena, possibly due to the uncertainty of the ship's role it will play in the near future. Looking ahead to this next financial year it will be a pleasure to see our infrastructure much improved, an increase in agricultural production, improved financial benefits to those who really need them and because of the increase in funding for medical referrals overseas, we can be given some assurance that we can send those overseas who really have to go, hopefully, on time and in time. And we hope to have more land at reasonable prices to offer for house building. Madam Speaker, the challenges are facing us. It's time to live up to expectations as I'm sure we can develop some measures of improvement this coming year. May I conclude my saying that this session of formal Legislative Council has been a real insight to me, as my first, which I have found to be very informative and have taken me over my learning kerb. Thank you, Madam Speaker for this short adjournment debate.

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Thank you, Madam Speaker. Madam Speaker, part of this debate is what I have had from the public last night, their concerns. Madam Speaker, the other morning watching the news on

television, in Europe there were people in the streets protesting about the increasing price of electricity for heating. I accept that the cause of our high price of electricity is to obey DfID's condition to break even on utilities and services. In this case, electricity, this must be the highest tariff in the world for which some 2,500 households is forced to accept because it was agreed by Government to break even in the cost of utilities. This high cost alone, with freight cost and world purchase prices, filters through the shop tills making life extremely difficult for all, especially the vulnerable and those on lower income bracket. People are most concerned as it is becoming more and more difficult to get food on the table and one of the big causes is the high cost of electricity. Surely we must first identify why electricity expenditure is so high that it warrants the present rates. Instead of taking the easy way out by increasing tariffs incumbent of SHG to ascertain the level of expenditure within the Electricity Department, first, in order to reduce the expenditure; secondly, because fuel is most likely to be a reason given and submit to the island's needs to be aware of what the landing cost of fuel is. This will include fuel brought in by tanker and RMS to St. Helena. The latter is brought ashore to the wharf in containers after being filled by the staff of the RMS. It is then conveyed to Ruperts and emptied into holding tanks at the Fuel Farm. We need to know by way of freedom of information the total cost of getting fuel to the island as all elements that lead to costs of providing the island with fuel must be open and transparent. There should be no secret of providing information as it is often said to be an issue of commercial in confidence. It must, however, be recognised that the whole matter is a threat to people's livelihood and it's the public's right to know how and why they are paying such high prices.

Madam Speaker, another concern I've had from the public. Knowing that we're not going to have an airport yet and as Chairperson of Civil Society, Tourism and Leisure, there is a big concern of our Jamestown, that is like our front door. Over the weekends, our town is littered with these polystyrene takeaway boxes. I was called to our Castle Gardens a couple of weeks ago and you could not believe what was floating in our fish pond. There were polystyrene, there were cans and there was everything and it is appalling and I would like to see these polystyrene things banned from St. Helena, because even if you put them in litter bins, Madam Speaker, it's like the public are saying they filled the litter bins and you can put nothing else in, the public is very, very concerned. You only got to look at No. 1, No. 2 and No. 3 on a Saturday morning and a Sunday morning and you see they are all chucked in there. The people who live in town notice it. People who go for their early morning walk at 5 o'clock, they say it is disgusting. I don't know if the Police have any authority to fine people when they see them throwing litter, I don't know, but something has got to be done and the other thing I would like to stress, Madam Speaker, I would like every Department to work together to make St. Helena a nice place for tourism to come, not only for tourists, but for our own people who live here. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I would like to thank the Honourable Members for their questions and motions and support presented in this House and in respect there will be a lot of follow-up work at Committee stage. There will also be a lot of work now that the budget has been passed, we must be careful how we go about the implementation of policies and enact amendments. I am concerned of the new arrangements planned for the RMS. Although this could be a good idea and as a Member said, doing nothing is not the answer, I support that all aspects of consultation is taken to the public and the current contracts are carefully reviewed

and considered. One concern which we must be given careful consideration is the agreement with Andrew Weir that if and at the time the RMS is taken out of commission and unable to deliver cargo and passengers to the island, Andrew Weir would be responsible of chartering a ship for the island. We must understand that it guarantees delivery of cargo to the island and if there are dramatic changes within the movements of the RMS and chartered cargo, who will underwrite that agreement for the benefit of St. Helena? I feel that although this is a good idea for the island, I'm not sure if DfID has given very much thought to this or they see it as a way out for the future in connection with air access and the overall picture is we are forced to rush this within a year. I fear that in time we will lose one of our treasures we have that attracts the outside world and that is the Saint community spirit on the RMS and I see that if the A and B decks are to be utilised for high value tourists it will only leave C decks for the Saints and that will cause concerns. I am not happy with the DfID proposal to develop Ruperts for cargo handling and I understand this is in respect of air access. I support the proposal, but in my opinion, the timing is wrong. The Wharf and breakwater proposal would be most welcomed by Saints as there is potential if we have safe landing at Jamestown, but again, DfID has overruled what we as Saints wish and against one expert advice, but the way that DfID have presented their case it's hard to go against it, but often we are forced into these situations and this is sometimes where St. Helena falls foul of conditions. We must push on with our Infrastructure Plan, we now have the expertise on island and the funding available, but overall we must strive for a better and stronger economy. Madam Speaker, I support the adjournment.

The Speaker –

Thank you, Honourable Member. The Honourable John Cranfield?

The Hon. John Cranfield –

Thank you, Madam Speaker. For me this has been a very interesting Legislative Council meeting, it covered a wide range of issues that I feel are very important to taking the island forward. The budget brought out issues which were debated and some issues were resolved, however, there is still a long way to go before we can say that we have finally got it right. We now have our budget approved so let's deliver realistically. One issue of concern is the fact that DfID indicated that they have given Councillors more flexibility in the handling of our financial affairs. However, when I asked the question yesterday whether the monies agreed for the construction of a jetty in Ruperts could be used elsewhere should the decision for an airport be negative, I was informed that DfID would not allow this money to be used for other budget lines. Do we still have that flexibility, Madam Speaker? Most of the issues discussed can be sorted in the various Committees and I hope that my colleagues will take these issues onboard and make every effort to resolve them. I also await in anticipation DfID's decision on the proposed development of an airport on the island. This decision will determine the fate of this island. However, according to the BBC recently, Britain is going further into recession, so I am not optimistic with hearing positive decision given. If we are to see economic growth, then tourism is the way forward, but we have a lot of work to do locally to achieve this. First and foremost is safe landing to enable travel agents to include St. Helena in their travel itinerary with confidence. DfID has given money to the island for a Tourism Development Programme, but what is the point in preparing for tourism on island if we are not geared to landing them on the island safely. It would appear once again that we are putting the cart before the horse. Tourism is our only hope for economic growth so let's look at this realistically to achieve this. The RMS is another issue that needs to be addressed, but I am pleased to say that the wheels are turning in the right direction with radio talks and

public consultations to take place shortly as recommended by colleagues in the last informal LegCo. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, just one point of information for the Honourable Councillor. Although DfID won't allow us to move money from a project which they've approved and use it to one that they haven't approved, one of the things that the recent settlement does allow, which wasn't the case before, is that if you are underspending against one project in a year, you can then use that money to go against another approved project instead of losing the money as the case had been before, so we do have some greater flexibility in the use of DfID funding than we had before this latest settlement.

The Speaker –

Thank you, Honourable Member.

The Hon. John Cranfield –

I'm sorry, Madam Speaker, thank you very much for that information, Madam Speaker, but I was referring to my statement yesterday when I asked whether that money could be used for the Jamestown Jetty and I was told, no, it couldn't be used.

The Speaker –

I think the Honourable Blessington has clarified that, yes, but he has also pointed out that, well, I won't repeat what he's said. Any other Honourable Member wishes to speak to the Motion? You've got a point of information, sorry, the Honourable Andrew Wells?

The Hon. Andrew Wells –

Just a follow-up point of information, thank you, Madam Speaker. In the case of DfID's approach to the two wharf projects, in order to get approval internally within their own Department, they have to undertake a Cost Benefit Analysis for the project concerned. Now, I'm not commenting here on whether I agree with this or not, but this is part of their internal procedures. The reason that they give for being unable to transfer money from the Ruperts project to the James Bay project, irrespective of their access, is that the Cost Benefit Analysis, with or without the airport, for the James Bay project does not work it out with a positive return, so you can see from that the European Union have a slightly different way of doing their Cost Benefit Analysis, which has, in this case, worked to our advantage. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, I support the adjournment and in doing so and with your permission I would just like to say that I feel that a lot of ground has been covered in this budget session, a lot of important issues dealt with and a lot of money made available to us by DfID, European Development Fund and United Nations Development Programme.

Madam Speaker, I would just like to say also that we have waited a long time for this building to be completed here to serve the dual purpose of a Court House and a Council

Chamber, but unfortunately it was probably one of the most uncomfortable meetings I've attended in my eight years on Council and hope that by the next meeting adequate ventilation or air conditioning will have been installed, although having said that, I think it's a bit cooler today.

Madam Speaker, it might not be strategic issues, but we are all aware of the difficulty in transferring passengers from the wharf on to the boats and then the transfer from the boats to the platform alongside of the ship and then on to the gangplank. This was made much easier many years ago when the air taxi came into operation and many of our infirm or immobile or medivac passengers could use this facility, which was very much safer, particularly in the rough seas. Now I understand that unless you have a doctor's certificate no-one is allowed to use the air taxi, but have to revert to the dangerous and unsafe way of getting out to the ship. I would hope that this arrangement could be urgently looked at before a serious accident occurs.

Also, Madam Speaker, following the closure of Guinea Grass Clinic, it has become very difficult for residents in that area to source their medical prescriptions and to find a way of getting them from the Dispensary or from, I believe, the CCC as many of the folks in that area are elderly and do not have their own transport and would appreciate if a monthly visit could be made by the Dispensary Bus.

Finally, Madam Speaker, I am concerned too about the de-linking process that has been suggested, de-linking Committees from Departments and as has been said, is a serious issue. I will ensure that this issue will be discussed at another forum at another time. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the Motion? The Honourable Ken Baddon?

The Hon. Ken Baddon –

Thank you, Madam Speaker. There are just two or three points which Members have raised on which I might be able to contribute, either because of legal or because of institutional knowledge. The Honourable Cyril Gunnell raised a question of the Land Disposal Policy. I'm not for a moment going to do anything which might pre-empt the review which has been promised of that Policy, a review, which, in fact, in my opinion, is overdue in any event, but the Honourable Member referred to the fact that when the prices were last reviewed there had been substantial increase. There was, of course, a background to that. The prices had not been increased for as long as anyone could remember, so there was a backlog of catching up. That's not necessarily to say that the prices in the present matrix are right and I'm sure they will be reconsidered. The other thing that the Honourable Member mentioned on the question of the Land Disposal Policy and on which I think some statistics ought to be gathered as part of the review, is that the Honourable Member suggested that the current prices are unaffordable. In my capacity as Registrar of Lands, Madam Speaker, I see a steady flow of leases and transfers, both residential and business, under that Policy, so it's clear that some people can afford, it may be that perhaps it's necessary for more people to be able to afford, but I think there ought to be some data as part of the review, rather than relying on apocryphal, I'm not sure that's quite the right word, but there are questions of what people have rather than statistics, is what I'm trying to convey. The Honourable Derek Thomas mentioned Freedom of Information and it's worth reminding Honourable Members that the current policy position as presented to the previous Legislative Council was that the Government is committed to observing the principles of the English Freedom of Information legislation without introducing the bureaucracy that goes with it and not from my own part

aware of any recent occasion when information has been requested and refused, and, of course, were that to happen, the aggrieved person would be able to approach either the Chief Secretary or myself to raise the question whether the relevant Department had or had not acted in accordance with the relevant policies and practices. And the Honourable Bernice Olsson asked the question, perhaps rhetorically, but I'll answer it anyway, whether the Police have power to fine people for dropping litter. The Police in St. Helena, Madam Speaker, have no power to impose on the spot penalties for any offence known to the law, but we do have a Litter Ordinance which prescribes penalties to be imposed by the Court, but, of course, as in the case of the dog issue, which we touched upon this morning, one can only get people into Court if they are caught committing the offence. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? In which case, I think we will adjourn until half past two at which point I will invite the Honourable Mover to wind up the debate.

Council adjourned.

Council resumed.

The Speaker –

Please be seated, Honourable Members. I now invite the Honourable Mover of the Adjournment Debate to wind up the debate.

The Hon. Andrew Wells (Chief Secretary) –

Thank you, Madam Speaker. Madam Speaker, Honourable Members, it has, indeed, been a very interesting meeting. I'm certain that the public listening will fully share my feelings of the quality of the debate, not only today, but also during the passing of my Honourable Friend's budget. I'd like to respond to just a few of the important issues raised by Honourable Members.

I turn first to the seemingly unrelated questions of open government and the RMS, both of which were raised by the Honourable Rodney Buckley, amongst others. The Honourable Rodney Buckley appeared to imply that we lacked sufficient open government on St. Helena. There is a saying that "the innocent are always suspicious". I am not suggesting that the Honourable Member is innocent, but I am suggesting that it is unnecessary to be suspicious that we're not being as open as we can be and I think that accounts perhaps for the extraordinary large number of meetings to which the Honourable Tony Green referred. Rather than lack of openness, I think, perhaps, if we're honest, there is more of a lack of co-ordination and prioritisation and I'm sure that officers would like to work together closely with Councillors to address that. The RMS is a case in point and was raised, indeed, by the same Honourable Member. As he rightly said, the responsibility for the shipping service ultimately remains with the Governor. There are good reasons for this, although I'm pretty sure that on a personal level, His Excellency would be quite happy to hand it over to some other poor individual. One of the reasons is that it is difficult, in fact, to ascertain the views of the majority on such a complex issue. The fact is, that, to translate from a Latin expression, there are as many opinions as there are people, and if you ask four hundred or even four thousand people on the island to write their ideal schedule for the RMS, I'm prepared to bet that you would get almost as many different variations. But in taking decisions on the shipping, the Governor has consistently been extremely open and

transparent, transparent and open with Councillors, with the public and with stakeholders and I know that he will continue to be so. Some of the ideas raised this afternoon by the Honourable Derek Thomas and the Honourable Brian Isaac will be just some of those that will be fully taken into account.

If I can turn now, Madam Speaker, to the question raised by the Honourable Tony Green of the reorganisation of departmental structure within SHG that is taking place this year, and, indeed, has already begun with the establishment of the Strategic Policy Unit, the implication of some Members remarks was that this had something to do with the de-linking of departments from Committee, Council Committee responsibilities. Now, I should just like to emphasise here that the so-called de-linking is not a new proposal, but it was part of the original Constitutional Reform put forward and accepted last year. What it does is to widen the responsibility of Honourable Members so that they cover far more areas of the Government than they were able to do before, so that they are able to focus on strategic, big ticket issues, so that they can take the responsibility and the decisions for important policy matters, so that they are not bogged down with operational detail or individual cases, which should, in truth, rightly be sorted out by any halfway efficient Administration. How will this work in practice? I think we'll see this working out in practice with a little bit of trial and error over the course of the next year as we roll forward the Strategic Planning and Budget process. That new process, or that extension of the existing process, will begin almost as soon as this meeting has come to an end and Members of the newly-elected Council or relatively newly-elected Council, will now be involved right from the beginning of that process as we look to the three-year period 2011/12 to 2013/14.

Very briefly, Madam Speaker, I would also like to touch on the economic issues that Honourable Members have raised. The Honourable Derek Thomas emphasised the importance of strengthening the private sector. I totally agree. Strengthening the private sector is not only one of the important tasks we have, but it is absolutely the only conceivable way forward for this island other than stagnation and ultimate social and economic collapse. Looking at some of the details of how we do that is, of course, not easy and Members have expressed understandable concern that in moving forward we do not leave the vulnerable behind, but the Honourable Cyril Gunnell evoked biblical authority in support of his position that the poor are getting poorer and the rich richer. I agree with him entirely that Our Saviour was a wise man, and he did, indeed, say that the poor would be with us always. We should not be complacent about this. While on the one hand it is true that the absolute differences between poverty and wealth that exist on this island are very, very low compared with almost any developed country in Europe or any undeveloped country in the third world, that is not to say that in a civilized community such as this we should forget about it, not at all. So, does that mean that we should make certain that the rich and not the poor are looked after, as the Honourable Member suggested? No. It means that we should make certain that everybody has the chance to look after themselves in a growing and healthy business environment. If we have that, then the majority of individuals and families will neither need to nor want to turn to the Government for help.

One or two specifics, Madam Speaker, if I may. The question of electricity supply was not unsurprisingly raised, notably by the Honourable Bernice Olsson. Here, as with so many other issues on island, we have many factors to balance. We need not to aim necessarily for full cost recovery under the present circumstances, indeed, that policy was explicitly rejected by the Executive Council last year, but we do need to try to pay our way to show that we are not entirely dependent on outside help. At the same time, we need to protect the most poor in our society, but we need also not to penalise investors and entrepreneurs who consume a lot of electricity, if we are to encourage investment. Yet again, Members have rightly said that the absolute cost of electricity is higher in St. Helena than in other jurisdictions, some other

jurisdictions; this is true, and therefore we need to look for as many ways as we can to save energy and to use renewable sources of energy. How all these factors are to be balanced would be a headache for anyone. Luckily, we have the Committee, chaired by the Honourable Mervyn Yon and in his absence by the Honourable Brian Isaac who will be wrestling over the next few months with the priorities that they wish to see us have.

Madam Speaker, a quick word on the Public Service also. I don't wish to repeat in detail the arguments that I've set out in an earlier context today over the Pay and Grading exercise and the different possibilities for increasing the pay of our civil servants. However, I would say that going down the road of across the board, flat rate increases will definitely undermine the integrity of the Pay and Grading system by which I mean in simple language, that it isn't sustainable in the long run. I would also like to add that a percentage increase, as my Honourable Friend the Financial Secretary pointed out this morning, does not increase differentials between different levels or different grades, because it simply matches or should match the cost of living. It maintains those differentials at what they are. Now, whether they should be where they are is another matter.

Before leaving the subject of Public Service, I should also like to thank the Honourable Derek Thomas for his remarks on the Pension Scheme. It is, indeed, our intention in the long-term to move towards an island-wide scheme. I don't think anyone in this Honourable House will underestimate the practical difficulties of that, but as has been said earlier, we should have started many decades ago and better late than never. The Honourable Tony Green also made a plea that more information should be made available, especially so that the private sector could take into account in its own calculations the possible impact of Public Sector pay increases. I think that a most reasonable request and, again, in the spirit of open government, will see the best way in which that can be done.

Finally, Madam Speaker, I return to the subject of the vulnerable or those in genuine need. I and my senior colleagues have emphasised during the budget debate and subsequently the overwhelming importance of growing the economy. We have said that the economy comes first, we have said that we want rich tourists, we have said that we want investors from outside, we have said that we want policies that are friendly to business. But there will always be those who fall through even the best designed safety net. We need to look after those people and we look forward to working with both the Health and Social Welfare Committee and senior officers and also with Mr Alan Thompson, now on island, as we indeed do with all elected Members, to ensure that no-one on the island, no-one, need feel left out in the economic prosperity that we are all so anxious and determined to achieve. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member.

Question that the House do stand adjourned sine die, put and agreed to.

Council is adjourned sine die.

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