

**ST. HELENA**  
**LEGISLATIVE COUNCIL**

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**THE PRESIDENT**

Mrs Margaret Anne Catherine Hopkins MBE

**EX-OFFICIO MEMBERS**

The Honourable Chief Secretary	-	Mr Owen O'Sullivan
The Honourable Financial Secretary	-	Mr Colin Owen
The Honourable Attorney General	-	Mr Kenneth 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 Christine Scipio O’Dean	-	“ “ “
The Honourable Stedson Graham Francis	-	West Electoral Area
The Honourable Anthony Arthur Green	-	“ “ “
The Honourable Earl Hilton Henry	-	“ “ “
The Honourable Derek Franklin Thomas	-	“ “ “
The Honourable Mervyn Yon	-	“ “ “

The Honourable Raymond Kenneth Williams	-	Overseas
The Honourable Bernice Alicia Olsson	-	Overseas

**CLERK OF COUNCILS**

Ms Gina Benjamin

**PROCEEDINGS OF THE LEGISLATIVE COUNCIL**

Monday, 25<sup>th</sup> March, 2013

The Council met at 10.00 am  
in the Court House, Jamestown

(The Deputy Speaker in the Chair)

**ORDER OF THE DAY**

**1. FORMAL ENTRY OF THE PRESIDENT**

**2. PRAYERS**

PLEASE NOTE –

DUE TO TECHNICAL PROBLEMS, THE PRESIDENTS ADDRESS, TWO QUESTIONS FROM COUNCILLOR STEDSON FRANCIS, FOLLOWED BY MOTION NO. 1 - RESUMED DEBATE ON APPROPRIATION BILL, 2013 IS MISSING.

INSERTED HERE IS FINANCIAL SECRETARY'S RESPONSE TO BUDGET DEBATE, AS PER HIS WRITTEN SPEECH.

[Does the Honourable Financial Secretary wish to wind up the debate? )

Thank you, Madam Speaker.

It gives me great pleasure to wind up the debate to my first Budget Speech and may I thank the Honourable Members for their contributions to the debate and I am glad to say that my speech certainly has sparked some good thoughts and commentary.

Madam Speaker, the intent of the budget, is to drive economic growth through investment in St Helena, and it is clear that Members support the need for investment and development. As I stated in my closing remarks on Friday and mentioned by Honourable Member Brain Isaac, it is not just Government but as a Nation that we must strive to invest in the Island and its

people, in order to reap the economic benefits. And I am glad to hear Councillors supporting this and understanding that we cannot be complacent.

Before I respond directly to some of the comments made I wanted to highlight a number of the remarks that I made on Friday, and can I remind everyone that these facts are based on evidence, not hearsay or gossip or rumour, but FACT.

- St Helena has virtually no unemployment
- Over 250 Saints are working on the Airport project
- Population is at its highest since 2008
- Minimum wage will increase the take home pay of the lowest paid people on St Helena
- Primary School results have exceeded targets
- Divestments are going ahead, allowing Government to focus on core services
- P A Y E is up by 35%
- Revenue is exceeding expectations and expenditure in line with expectations
- New investment is being made in Project Management to address weaknesses in Capital spending
- We are moving towards a Minimum Income Standard
- A Major Investment Policy is to be implemented
- Flattening of customs duty will be considered
- A Functional review of Health is to be carried out and further staffing resources allocated to drive health forward.

These are the facts which are supported by evidence and just for clarification:

- Inflation for 2011/12, was 6.8% and is currently running at 4%, the lowest rate since the end of 2007
- A new Dust Cart as I know them or chuck and chew as it is called on St Helena is part of the Solid Waste Management project and will be purchased this year.

It was good to hear Members highlighting the DAPM settlement and the good work that was done by the joint working team of officials and members this February. The significant funding from the UK Government is partly to fund our on-going expenditure but a large proportion is capital projects and improvements in the infrastructure of the island. So I welcome that support and commitment to that process.

The DAPM process is extensive but focuses on key strategic issues not minor detail, it is through a two way discussion that we come to a settlement, it is not predetermined by the UK Government. The budget process is detailed, lengthy, and time consuming, it has to be to ensure that Councillors have the information to make the right decisions.

For clarity, the budgets are pulled together by Accounting Officers in Directorates based on guidance provided by Finance, which should be within the budget ceilings agreed by members in May. The budget then goes to each Committee, where is discussed in detail, which would include the impact on the service and savings. This budget is then provided to Finance and reviewed and challenged, they are pulled together and presented to the Economy

& Finance Committee before being presented to all members in Informal LegCo and ends in the budget book.

As in all processes we can improve and I will seek out member's opinions on the process through Economy & Finance to ensure that we do make year on year improvements in the approach.

Councillors have mentioned development of the private sector and development of local businesses, I can reaffirm that this will be a focus over the coming months of the Tax Reform group and we will be initiating discussion and consultation with businesses as to what is needed.

The speech mentions support to businesses with out of hours support to them, can I personal extend that support to members who require further details around financials or information, please call me any time, day or night – after all we are public servants here to support members.

Health, Education and Economic development have been mentioned and rightly so being the key Government priorities, further reallocation of resources in the future will need to be considered to fund development in these priority areas but this will be difficult and will be the next challenge for members when we start the 2014/15 budget round.

Members mentioned the vulnerable in society and this budget does go to address their needs, a minimum wage is a major step, we will work towards a minimum income standard and we await Professor Roy Sainsbury's report. The Social Policy Plan is being developed with over 200 taking part in consultation to date so far. We are taking a holistic, joined up approach to addressing the needs of the vulnerable in society. Now is not the time to make rash, ad-hoc, uniformed decisions without evidence. SHG is moving on and ensuring decisions made are well informed and based on evidence.

The flattening of Customs, is another area, where we require the evidence to make informed decisions, these are important decisions which will affect all and should not and can not be rushed. Elected members will be provided with the evidence and they will make the decision not Finance.

DFID have committed another £5m, this year but this is based on us getting our house in order, we currently DO NOT have the skills to do this, so we are doing something about it. SHG is constantly criticised for not having project management skills and we are addressing those concerns, the resources are needed and we will see improvements.

Madam Speaker, before I close I would like to acknowledge the tremendous hard work that goes into this budget, especially by the Finance team and I would personal like to thank Dax Richards, Nicholas Yon and Sara Benjamin for all their efforts and long hours, thank you.

Councillors have discussed savings that have been implemented, reductions in staffing and the impact that these changes could have on services, but I still believe that further efficiencies can be made and will need to be made. It should be the aim of every Government to ensure that we spend every penny of Tax Payers money wisely and seek to achieve the best level of service for the Tax Payer, Value for Money is everything.

In summary, the population is up, revenues are up, new business growth is up, jobs are up, wages are up and the airport is on time.

Budgets in their nature will never please everyone, but Government has a duty to do what is best for the Nation and not just for one individual, but all individuals. Members are right WE have a lot to do over the coming months but it is my belief with Officers, Councillors and the public working in partnership that we will succeed and deliver a better, brighter economic future for the Island and all Saints.

**Madam Speaker, I beg to move.]**

**RECORDING FOR SECOND DAY STARTS AS FOLLOWS.**

The Speaker –  
Next item?

***Motion No. 2 (Resumed Debate) - The Honourable Rodney Buckley***

The Speaker –

Honourable Members, I should just like to remind you of where we left the debate on this Motion on Friday. We are resuming the debate on the amendment proposed by the Honourable Brian Isaac. The amendment, if I read the Motion plus the amendment just to refresh the public's memory if nobody else's, "This Council notes the proposals contained in the Discussion Paper entitled ***Improving Democracy and Accountability***, and the views expressed during recent public consultation, and requests Her Majesty's Government to implement the changes set out in that document save that Council does not support the establishment of an office of Chief Councillor and believes that the five Committee Chairmen should be elected by the Legislative Council and should then serve automatically as members of Executive Council." I shall suspend Standing Order 14 (1) (h) which clearly states that any member who has spoken to a proposition may not speak again. I'm suspending that Standing Order in order to allow all Honourable Members who have already spoken to the amendment to speak again if they so wish. There's been a three-week gap since the Motion and the amendment were debated and during that time there has been further consultation and a poll to ascertain further public opinion. I feel it is only correct to allow Honourable Members the opportunity to speak again in the light of that further consultation and poll. The Honourable Rodney Buckley moved to adjourn the debate on the amendment and I will therefore call on him to resume his contribution to the debate on the amendment to the Motion. It is not the original Motion that is under debate, it is the amendment to that Motion and as such the amendment has to be disposed off before anything else. Thank you. The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Thank you, Madam Speaker, Honourable Members. I am more than happy to resume the debate on this issue of national importance, knowing without any doubt whatsoever that the objective has been achieved. The people of St Helena have spoken through a democratic process. Sadly, for me, on my part, it was only 210 people who voted out of an adult population of around 3,600 and with only 2,100 people on the voter's register. Nevertheless, a majority mandate from the people has been issued to this Council through a democratic process not to proceed with the Chief Councillor proposal. For the many hundreds of voters

on the island who did not use their democratic right to vote, let us hope that they respect and live by the political mandate of the 168 voters who did vote not to proceed with the Chief Councillor proposal regardless of whatever course the political governance of our island takes in the years ahead and let us also hope that the same respect is shown to the 42 voters who voted in favour. I extend my personal thanks to the entire 210 voters who cared enough to make the time to turn out and vote; I am indeed grateful. I am also, indeed, very grateful to the Secretariat staff that organised the polls, to the staff who manned the Polling Stations and to the media services. Thank you all.

As the Mover of this Motion, I am totally satisfied knowing that the Motion is lost by order of a democratic mandate from the people, not on assumptions or hearsay, but by secret ballot. I am also totally satisfied knowing that the Motion is lost on paper, but political democracy is the overall winner. May it long continue and may it be the start of a process that takes the people of St Helena and their elected representatives through the democratic loops on issues of national importance.

Honourable Members and members of the listening public, for me to proceed with my original Motion to the final stages of voting, which would obviously mean a 'no vote', could mean closing the door on the island's political advancement for a considerably long period, which could be many years. Further, to proceed also with the amendment proposal put forward by my Honourable Friend, Councillor Isaac, to amend the Motion not to have a Chief Councillor, but to have the twelve elected members vote for the five Executive Council members, could also mean closing the door on the island's political advancement for any future adjustment or review also for a considerably long time, maybe many years. Such a low turnout will likely start alarm bells ringing with Ministers in London and they could well decide against agreeing to this small change on that basis. We know already that the Constitutional lawyer did not see the necessity to change the Constitution to correct the present PAC issue. What we don't want is to do any more damage to the island's political image. It could be interpreted that the low turnout means that the people of St Helena are satisfied with the present system. We know already also that London has made it quite clear any Constitutional changes must have the backing of the majority of the people. Under the circumstances, I think it is prudent for Honourable Members to recap on the wording of the amended Motion. The amended Motion is saying "That this Council does not support" and goes on in saying "that this Council believes". On the back of the consultation poll, will Ministers now see this wording as coming from the Councillors and not with the backing of the people when viewed against the low turnout at the polls? If we go ahead with the amendment, none of us know how many doors will be closed against the island's future, none of us know that. However, what we do know is that if we maintain the status quo we will leave all doors open. I am not able, under Standing Order 11 to withdraw my original Motion and maintain the status quo until the amended Motion has been dealt with. That means it must either be withdrawn or voted upon. If the vote on the amended Motion is in favour then I will not be able to withdraw my Motion. We would then be dealing with the amended Motion. If the vote on the amended Motion is negative then I would be able to withdraw my Motion. This I would do and leave all doors open for the island's political future. At this point, Madam Speaker, I would like to suggest to my Honourable Friend, Councillor Isaac, that if he saw fit to withdraw his amended Motion I will give an undertaking to also withdraw my original Motion and the status quo would then be maintained. Failing that, Members would need to vote on the amended Motion and the outcome would then be decided. Thank you, Madam Speaker, Honourable Members.

The Speaker –

Thank you, Honourable Member. Honourable Brian Isaac, if you stand to speak now, you'll not be able to respond to any other Members who speak to the debate, because you will have spoken again. I think, in spite of the fact that I've said everybody can speak again, it would, I think, be wrong to let you speak again and then also wind up the debate. Honourable AG, I just turn to you.....

The Hon. Ken Baddon –

We're in a grey area, Madam Speaker, because of the fact that the matter was adjourned for such a long period of time and I think if the House is content with the way you propose to proceed then you have to exercise your discretion.

The Speaker –

Is that alright? Thank you. Does any other Honourable Member wish to speak to the amendment, please? Honourable Tony Green?

The Hon. Anthony Green –

Yes, thank you, Madam Speaker, I am a little surprised that I do have the opportunity to speak again so I am just taking advantage of that. If I'm just straying out of order please let me know, I believe I'm now speaking to the amended Motion?

The Speaker –

Yes Sir.

The Hon. Anthony Green –

I think, Madam Speaker, I've made it very clear in all the discussions that I've been involved in and in the media services at which I put my views across that it is, in my opinion, that there is a need to move forward politically to have a Chief Councillor, but I have said repeatedly that I think we haven't done sufficient background work and I also think that having a Chief Councillor working within a Committee system would also be inappropriate. What I am surprised of, I only recovered my documents over the last few days in which there is the report by Alison Quentin Baxter of the **2000s** and it exactly says that, that you cannot, if you want to make political progress you have to do certain things altogether, even if it's in a staged process, because it's clearly set out that you cannot work with having committees and then having a Chief Councillor or Chief Minister or whatever you call it. What I am equally surprised of is that this report was actually quoted in some of the media that we had some discussions, but what was not quoted is that we already have constitutional advice exactly what all to do and how to do it if we want to get a Chief Councillor and that is the staged approach I mentioned before, that you have to make individuals accountable for certain subject areas and maybe Directors/Departments and then you have your Chief Councillor, but it will not work with a Committee system, so for me, I would not wish to see us close the door on political advancement, I think that it would send a wrong message out to Ministers whereby we'd have to stay silent for a year or two. I think that perhaps it has taught us a lesson that perhaps we should have looked at it differently; hindsight is a wonderful thing, but let's put that behind us, so for me, we don't really need anybody to tell us the stages to do, it's already written, it's written by a Constitutional Adviser, and I'm surprised we didn't take cognizance of that. I think now, Madam Speaker, my view would be is that if our Honourable Friends both were able to withdraw their Motion it would allow us time, I think we're going to need space between now and taking it up with the public, but it needs a proper documented plan whereby we actually based it on what the Constitutional says and decide whether the target of having a move towards a more Westminster style government, which

would be the first stage of having a Chief Councillor, if we were to do those things that are set out in the report, we need to know whether the destination is right, whether the Councillors agree with that, whether the public agrees with that. If we get the principles on that I think then we can work out the detail. That will take considerable time, but I would have thought that we would need now just a cooling down period, because the public will not want us next week to go out and discuss that again, maybe six months or so, but I do think that we have all the information and I think that we do have to bear in mind that we do want to move on politically. I would like to say that those of you who perhaps know a bit of the history, in 1837/1838, Canada, who was an overseas territory at the time, had an armed uprising because the people were represented by the elected members but the Governor only took advice from his officials and his own appointed supporters and they had an armed uprising and ever since then it is said that you need to make a change if you want a responsible government. We're now what, I'm not sure, a hundred and eighty years later still where Canada was in 1837 so I do think we need to move on politically and I do hope that perhaps my Honourable Friends will perhaps see course, in my own personal view, that actually backtracking on this occasion will not have egg on the face, it will show that we just need to make the appropriate arrangements in the right time to take the island forward politically. Thank you, Madam Speaker.

The Speaker –

Thank you. Any other Honourable Member wishes to speak? Councillor Gunnell, sorry, Councillor Francis afterwards.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, my Honourable Friend, Tony Green, has actually said it all and, of course, he is correct. If the Honourable Brian Isaac is of the view to withdraw his Motion, I would say what I actually wanted to say when we actually get to debating the original Motion. At this time I would, sort of, maybe just if he is able to withdraw his Motion, I think we do need to move forward politically, where there are certain things that are wrong, we know what they are, we don't need to have an amendment of the Constitution to actually put those right and I think we should go forward in that line. At this time, I would just see what it is that Councillor Brian Isaac is hoping to do. Thank you, Madam Speaker.

The Speaker –

Councillor Francis? Sorry, the Honourable Stedson Francis?

The Hon. Stedson Francis –

That's alright. Thank you, Madam Speaker, I speak to the amended Motion. Following the resolution which was passed in this House in September to undertake minor adjustments, the proposal to limit the number of committees from eight to five, I did receive favourable support as did the proposal that members of Executive Council should be ineligible for election to the PAC thus restoring collective responsibility and democratic accountability and no longer be in a position to scrutinise themselves. The result of the consultative poll on Saturday shows that the position of Chief Councillor is no longer to be considered and falls away. There should now be five chairs of Committees elected by the rest of the elected members and will automatically become members of ExCo. Madam Speaker, most of the government business now has political oversight and I would think that the Chairmen of the respective committees would be answerable and responsible and accountable for issues pertaining to his or her portfolio. Thank you, Madam Speaker.



The Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Just to say that I feel that we shouldn't be closing the door on future political advancement, the island is developing and we need to move forward with it. If we abolish the process now, in the long term could clearly prevent the island from going forward. I do believe it will send out, as Councillor Green say, the wrong signal and message to Ministers in London. Personally I feel that perhaps it would be of benefit to allow further time and possibly further work and bring this about again at a later stage when Council feel it's appropriate, with support if need be, so the public perhaps can have a much clearer and better understanding. I know that as a fact, even with the secret ballot and poll, people clearly didn't understand what they were expected to do. I had several calls at home and people were of the view that they had to vote for a Chief Councillor within the existing twelve, so they were not clear, they clearly were not clear, I was approached and had calls and they clearly were not clear what they had to do, so I do believe in leaving this issue for a while and bringing it back at a later date will, at the end of the day, prove to be of great value and benefit to the island as a whole. I do have further issues I'd like to speak about some of the proposed changes; I don't know whether it's appropriate now or later?

The Speaker –

You're on the floor, I suggest you continue to speak because once you've spoken I won't allow you to speak again to the amended Motion.

The Hon. Derek Thomas –

Well, okay, I'll be guided by you, Madam Speaker, I will be guided by you. The poll on Saturday, it was disappointing to see a very low turnout and this obviously could stem from a number of reasons, but I will go with the majority who were not in favour of a Chief Councillor and I will respect their wishes, Madam Speaker, it is my duty to do that, but I do feel it should be brought back at a later date. I do feel within the proposal recommendations for change there is some areas that we should go ahead with in the absence of the Chief Councillor, there is the issue of the Public Accounts Committee where at present members of Executive Council are allowed to put themselves forward to the Public Accounts Committee and that is not right, so I do believe there should be change there. The three members to four is also a sensible move forward and the five members to Executive Council should be appointed by members of Legislative Council and take their respective places, responsibilities on the various Committees, the Committees being reduced from eight to five, those five members would be Committee Chairs and serve as Executive Council. I do believe also, Madam Speaker, that the provision to remove Executive Council after two years and again after one year is not a healthy position and can be disruptive to the business of Executive Council and also can damage progress in terms of taking the island forward to the benefit of the community as a whole. So I do believe those areas would bring about some benefits to the current situation, but I do feel that the issue of the Chief Councillor, there is a lot of merit, in my view, I've always said that, but it's the people's wishes at the end of the day and I think that should be brought back when the time is right and, like I say, with further outside specialist support if need be. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak again to the amended Motion, please? In which case, I invite the Honourable Mover of the amendment, the Honourable Brian Isaac, to respond to the debate.

The Hon. Brian Isaac –

Thank you, Madam Speaker, and thank the members who spoke on the amendment. I have concerns on moving the amended Motion, but from the members who stand up and spoke it would appear that they would be happy for the amended Motion to be removed, but I still have concerns, as Councillor Thomas said, there are other clauses to the amendment, was the ExCo, the ballot paper at the polls was “Do you want a Chief Councillor who elects his own cabinet?” and I think that was the quotation on the ballot paper and people voted for No towards that question, so, again, the people have spoken, that they do not wish for a Chief Councillor who elects his own cabinet. The PAC was mentioned and that is another concern, that has been rightly debated in this House previously and the seats on Executive Council from eight to five, that has also been debated, so those matters are still part of the amended Motion and as other members haven’t spoken and I’ll have to base my decision on the members who did speak towards the amended Motion, I feel that the people have spoken, we’ve asked the people and I do consider the closing of the door to any constitutional reform, it was said, for years to come, approximately within the next six months this Government will be dissolved and we’ll have a new government who will have to decide which would be the future role that the political arena should take. I have some difficulty in making my mind up because there are concerns, there are support from the public who came out to the polls, was asked to come out and make a decision, and there are concerns around this table and I am concerned about the sitting of ExCo members at Executive Council with the mid-term turnaround and that’s in the Constitution at the moment and that still applies. I accept that Councillor Thomas said that we probably need more time and more legal guidance from a Constitutional Adviser and look wider at the whole Constitution, so I’m not clear in my mind to make a decision on the voice of one, two, three, four members. On that note, and in respect of the people who turned out, I would ask that the Motion, I will not withdraw the Motion. Thank you, Madam Speaker.

The Speaker –

You’re not withdrawing the Motion?

The Hon. Brian Isaac –

No.

The Speaker –

Thank you, Honourable Member. I put the question that the amendment to the Motion, which reads, save that Council does not support the establishment of an officer of Chief Councillor and believes that the five Committee Chairmen should be elected by the Legislative Council and should then serve automatically as members of the Executive Council, all those in favour say Aye.

The Hon. Stedson Francis –

Sorry, I didn’t get that.

The Speaker –

So you’re voting on the amendment to the Motion, Honourable Members. Sorry, is there some lack of clarity? Honourable Attorney General?

The Hon. Ken Baddon –

Well, the silence suggests a lack of clarity, Madam Speaker, but the .....

The Speaker –

Maybe nobody wants to vote Aye, that's fine if they don't want to.

The Hon. Ken Baddon –

Maybe everyone wants to .....

The Speaker –

Okay, I call for those of a contrary opinion say No.

Councillors

No, No.

The Speaker –

On the absence of any Ayes, the Noes have it, the amendment falls away. The original Motion comes back to the floor. Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker, thank you Honourable Members, I think that clears the air, we now have, we can get back to status quo and we leave the door open for our island and the people to decide in the future when they want to bring it back to the table. I take the point of the existing wishes of Members so they want the five Executive Council members elected by the twelve people, come the new General Election in six months, eight months down the road, whenever, it might well be that that could be done by agreement with the other people. Also, if five Executive members, sorry, if the Council Committees is reduced to five it then leaves seven members who are being able to select for the PAC and we wouldn't likely have the problem. We have the problem now with the PAC because we have eight committees and we have eight Chairmen, reducing it to five we don't need to change the Constitution, that's the Governor's prerogative so if we do change it to five the PAC issue falls away in my opinion because you have seven people to select from for the PAC. Again, in terms of some other issues on the election of members to Executive Council, if the Council Committees are reduced to five it would send a message for the election of the new Executive Council following the Election that the five members would be, well, the island would be expecting and looking for the five Chairmen to serve on Executive Council. So I think that, Madam Speaker, is the way forward, I certainly appreciate the input from everybody and I don't think, Madam Speaker, there is any need for any further debate. I withdraw my original Motion.

The Speaker –

Thank you, Honourable Member. Next item of business?

## **6. *The Adjournment Debate – The Honourable Chief Secretary.***

The Hon. Owen O'Sullivan –

Madam Speaker, I beg to move that the Council be now adjourned sine die.

The Speaker –

Is there a seconder, please?

The Hon. Colin Owen –  
Madam Speaker, I beg to second.

The Speaker –  
Thank you, Honourable Member. I take it the Honourable Chief Secretary will follow normal practice and not wish to speak to the adjournment debate. The adjournment debate is open, Honourable Members who wish to speak, please? The Honourable Christine Scipio O'Dean?

The Hon. Christine Scipio O'Dean –  
Thank you, Madam Speaker. Madam Speaker, I rise in support of the adjournment debate. I am concerned about the South Atlantic Media Services Limited as it has taken over three months to get the channels up and running and there are many shadowed areas. It is hoped that when this station is fully operational, the BBC World Service streaming will be from the UK and not from the African service. It is a bit distressing to learn of the amount of funding that the station require even at this early stage of the proceedings of their operations. At the February sitting of the Legislative Council, we were advised that £152,000 of public funding was spent in 2011/12 and a further £125,000 for 2012/13, totaling £275,000. Today we have also heard that a further £115,000 will be allocated for the financial year 2013/14. Madam Speaker, the question must be asked is this project value for money and how can SHG afford this astronomical cost? I hope that the Chief Sec can give some reassurance how soon will this station be up and running satisfactorily and how they intend to reduce reliance on the public purse.

Madam Speaker, members were informed also at the February sitting of Legislative Council that the replacement blades for the wind turbines had arrived on the island. From my kitchen window I can see these blades lying on the grass at Deadwood Plain. May I ask, Madam Speaker, why haven't they been installed?

Today we've heard about maintenance of roads earlier on and I'm concerned about the pavements in Jamestown and the reason why I'm concerned, because of the public safety. I've been told this morning that another member of the public has fallen down and was admitted into hospital and was given stitches in her bottom lip. I believe that the pavements in Jamestown will fall under the Jamestown Development Plan and I hope that the pavements are given some sort of priority to make sure they are safe for the members of the public.

Madam Speaker, at last it has been recognised that there is a great need for emergency accommodation for victims of domestic violence. The Women's Issues St Helena Group, a charitable organisation, better known as WISH, which I am a member of, has been approached to manage this accommodation on behalf of St Helena Government. WISH has received a small grant from the Community Grant Scheme, but the main stream of income would be from fundraising. I personally feel that the managing of such property should fall under responsibility of SHG as WISH would not have adequate funding to do so. The main purpose of this charity is to support women with all agenda-based issues affecting them, to develop a community group giving women a voice and also giving women one to one support. I sincerely hope that this matter is given priority so that women are given the reassurance that they do have somewhere else to go and there is no need to suffer in silence. To all the female listeners, if you are over eighteen years old or over and if you would like to support the work of this charity you can apply to the Committee to become a member.

Madam Speaker, I would like to highlight Paul McGinnity's enthusiasm to capture the thoughts and concerns of children and young people as part of the development of St

Helena's Social Policy Plan. It is important that these views are heard and taken forward as children and young people are the future of the island and central to the island's development. On Friday, 22<sup>nd</sup> February, a participation event was held at New Horizons in Jamestown. This event was attended by over thirty children and young people from across the island. A further event was held at Prince Andrew School on Wednesday, 27<sup>th</sup> March where twenty-seven students and three teachers took part. The main concerns voiced here were – we need more youth places for kids, we need a play strategy for young children, the island needs more sporting opportunities, the island needs good shops, we need more money to spend, we need better roads, more job opportunities and Government needs to make decisions quicker. Participation events will continue over the other coming weeks and I hope that I'll be able to report at Info LegCo the outcome of these events. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak? The Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. I'll take the opportunity just to reassure the public that, you know, I'm a member of ExCo and I know that there's been comments that in ExCo there's been no leadership, but I've been sitting on ExCo now for a number of years and I do believe that I can assure the public that there is, indeed, leadership, but what do we need a leader for, the Governor leads, but we actually have wide debate and we discuss and agree on merit. We have advisers to tell us about the professional advice they give us so I do feel that when we talked about leadership, the leadership we need in Executive Council already exists, I'm sure there would be different formats of constitutional setups that would make changes, but I don't feel that we do lack leadership and I want to assure people that we're not headless chickens there and we do take our jobs seriously. We also heard that no account is taken of the views of other elected members. I can assure you that Council, Executive Council, takes the views into account of everybody, but we, as the Government, do have to take account and recognise that we have to make these executive decisions, so we do not ignore anybody, we take it into account, but we do have to act responsibly. We also heard that policies are not supported. Policies are supported because they only reach ExCo after they come through the Committee system normally so every individual Councillor will have participated in that in their Council Committee, they will also have done so when it comes through informal Legislative Council. I just feel that it would be very appropriate for me to reassure the public out there that we, you know, we're not an Executive Council that are led by officials, we do have hefty discussions and we do come up with what we believe is the right solution for St Helena.

I'd like to turn to a comment that my Honourable Colleague mentioned before when she just talked about women, one of the things that I had promised since I came back from Sri Lanka is to look at women in parliament and I've started to contact individual women, just a few, where I can have some preliminary discussions, because I think advancing the position in society of women needs also to be taken seriously and hopefully I'll be able to involve other Councillors later when we look at taking this forward much better.

The final point I'd like to mention, Madam Speaker, is that I'm a little sad that we've actually lost off the radar the Youth Parliament and I don't have the solution at the moment, but I just wish that if we could actually put our minds together to look at how we could integrate the Youth Parliament activities with ours because they're the people who won't be long will be sitting here, not us, and I think we've got a wonderful setup, we were very enthusiastic when we started, but I know we're very busy, I think it's about time we bring that back into sight. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell? Well, you were indicating at the same time as the Honourable Tony Green and I picked on the Honourable Tony Green first.

The Hon. Cyril Gunnell –

Always glad to speak, Madam Speaker. Madam Speaker, I would first of all, as Chairman of Health and Social Welfare Committee, and on their behalf, like to publicly thank the Chairman and Members of the Cancer Awareness Group for their donation of £20,000 towards the procurement of a Laproscopic Camera. They also gave a further £5,000 for the purchase of much needed equipment. Thanks also to the many great people who give so freely, Madam Speaker.

Madam Speaker, it is somewhat disappointing that a Councillor from St Helena is not able to attend the CPA Seminar and Public Accounts Committee Workshop scheduled for June in London this year. This is due, in large part, to St Helena not being able to put forward nominations for attendance at an early stage; we were trying to do it at the very last moment. A PAC Workshop in London would have benefited St Helena immensely, Madam Speaker. We need to know how to get the best out of the PAC and how the system in St Helena can be improved so that PAC has more clout and can be more effective as a scrutiny body set up under the 2009 Constitution Order, section 69 and Standing Order 23.

We spoke about Roy Sainsbury this morning, Madam Speaker, that is the Consultant from York University, about his report that is, I understand, due to be received in the next two weeks and I will make every possible attempt to make certain that Roy's report is discussed by Councillors at a very early stage, Madam Speaker, and I wouldn't want it to be going round the houses before it came to Councillors to have a look at. My view is that benefits are still too low and I am hoping that Mr Sainsbury's report will reflect this. What I am anxious to see is the outcome of his work on minimum income standard. With regard to an incremental increase in benefit levels prior to considering Mr Sainsbury's report, it would have been good to have something in place for 1<sup>st</sup> April this year. However, Health and Social Welfare were informed that a recommendation for 1<sup>st</sup> April was not appropriate. We were of the mind to put this forward. An incremental increase can be applied for once Roy's report is considered and that can be done early.

The competition for SHG properties is fierce, especially for Government Landlord Houses and now, as we heard this morning, to re-house occupants from Ladder Hill Complex and the RE Yard, and, of course, there are another fifty people on the waiting list apart from them, but I would like to bring to the attention of Honourable Members that there is a desperate need for emergency shelter, as my Honourable Friend, Christine Scipio O'Dean spoke about just now, especially for women who suffer violent abuse. I don't think it is right that people should fund this, I think this is a Government issue and I think we should get all the stakeholders together to talk about it and see how we can go forward with that. Funding would need to be found and will have to find a way of being able to do that. I am reminded that once you do fundraise for property, you know, only on Friday when we were listening at... that came out of the questions, you know, there is no right by the public to anything once people have fundraised, because you would need to be registered and that kind of a thing, so Government, I think, must find the money to do this. It would be competing though with Government Landlord Houses and Prisons and everything else, but we would need to prioritise.

And Madam Speaker, in Executive Council, I do think that there is an issue. There may well be leaders, but there is an issue, Madam Speaker, with collective responsibility, I am very

certain about that, because following Executive Council members meetings you only have to listen to what people say afterwards and you have to just realise that sometimes there is not collective responsibility and here, of course, is a problem. And when the people voted no for a Chief Councillor they didn't say no to better democracy and accountability, they didn't say that at all. They said no to having a Chief Councillor, so we have to try to see what is possible, to talk with His Excellency the Governor at an early stage, I would say, to see how any of this, how some good can come out of all that has been happening in the last weeks about should we have a Chief Councillor or not, but we must.....bring some good out of it and I do believe the way to do that is to speak with His Excellency and see what can be improved, Madam Speaker, within our present Constitution. Thank you very much.

The Speaker –

Thank you, Honourable Member. The Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, having been a Councillor for the past sixteen consecutive years I was very disappointed to hear how we were degraded by one of our fellow colleagues when discussing the Chief Councillor in his radio talk and the exposition in the House on the Motion “improving democracy and accountability”, who said that we were not suitable to be members of the Governor’s cabinet, in other words, members of the Executive Council. Let me remind the Honourable Member that I have served on Executive Council for twelve years and I can assure him that I have taken collective responsibility on many an occasion and made some very hard decisions that I knew would not go down well with the public, but to get where we are today those decisions had to be made. A typical example, how does one think that we got an airport? It was not by sitting around and twiddling our thumbs. I also believe that as a member of the Executive Council I have made some very difficult decisions in our partnership with Her Majesty’s Government whilst equally important ensuring that the electorate benefited from these decisions and I understand that our decisions do not sometimes please all. Madam Speaker, comments were also made on one of the radio debates that Alison Quentin Baxter said that a Chief Councillor is the only way to go under the Constitution in a change to the present system. If it was believed that this would have improved democracy and accountability then why was it not included in some of the relevant documentation? Comments were also made prior to during the visit of Dr Peter Hayes and afterwards that the electorate have lost credibility with the electorate. Would it be agreed that credibility needs to be evident that it exists within the elected members first? Can anyone say when this credibility was lost by elected members and can it be said when collective decision making was lost by elected members? It was also made clear by the members that the Chief Councillor and the expectations of his or her leadership would enhance the vehicle for democracy and accountability. Was it revealed that the MOU to attain certainty and comfort for Her Majesty’s Government to commit £235m to an airport to stimulate economic growth on St Helena was not a collective decision? And what about the other reforms linked to the MOU, was that also collective decisions? Madam Speaker, over the past few months I resent the comments made by fellow members that elected members of ExCo are not performing as they should and that they have lost credibility with the electorate and that there is a buddy election system within the Executive Council. What I said is often said is that if the coat fits you then wear it or if you are guilty one should comment to justify. This is not so and it needs to be addressed. It is, in my view, that these comments regarding elected members have done nothing else but bring this House into disrepute. Honourable Members, albeit, I am aware that not all in this House voted me into Executive Council during the both opportunities available to them to do so which

demonstrates to me that there was collective decision making in this process. I have been re-elected into Council for the fourth time on behalf of the people last election day, therefore, this demonstrates to me that the electorate from my electoral area must have had confidence in that I will be accountable to them and represent them correctly. In addition to one to one decisions and discussions with constituents in the past, the In Focus programme that Councillor Gunnell and I hosted on key subjects, which included Consultants terms of reference and a lot more that reached a wide range of constituents as well as others, with all of that, I struggle to understand why was the accusation made about credibility and collective decisions within Executive Council.

Madam Speaker, in closing, I would like to say that I believe we had a very successful two days of discussion and can I say now that we have had a democratic outcome resulting from the poll on the issue of a Chief Councillor. I trust that the issue will be put to bed for a period of time when it can be revived again, but it will be interesting to know or see who will be running for seats at the next election knowing that they will not have any captain to lead the team on to the playing field, no captain to control the ship and no leader to lead Executive Council.

Finally, Madam Speaker, there is a saying, God works in mysterious ways, maybe it was a blessing that the Chief Councillor was not given a yes vote. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I support the adjournment debate and with your permission I would speak? Thank you.

Madam Speaker, I would just like to take this opportunity to thank the 210 people who came out on Saturday to the consultative poll and cast their democratic votes, it was a very low turnout but it was better than no turnout at all and with reference to my, the Motion, or the comments by the Mover to withdraw the amended Motion, I did have some difficulty with it, because we did go out to the public and ask them to vote and on that grounds I did not withdraw the amended Motion, but members in this House today have made it clear that they will not proceed in that corridors and that we will give it some time to be able to assess it, probably when the new Government come in. Once again, I thank all those who came out to vote.

I would just like to say that I supported my colleague, Christine Scipio O'Dean, on the need for a refuge for women of circumstances and I think that it should be the role of Government to provide that accommodation. That has been talked about for many, many years during my time in Social Services and I know that there is a need to have that sort of accommodation available and managed by a group of people who cares for others.

Madam Speaker, I think that's all at this particular time and once again I thank Members and I also again would like to thank the support in the House today for the budget. I think that we are now moving in the right direction, but there is a lot of work to do to achieve all that we wish to. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I had no intention of doing adjournment debate, but I feel I ought to clarify and raise some issues of concern.



I was concerned to hear the Chairman of the Health and Social Welfare Committee say that his Committee was advised that it's inappropriate to produce a paper on interim measures to be put in place for those persons on Income Related Benefit and the Basic Island Pension. He was advised it was inappropriate. I am concerned about that, Madam Speaker. As a member of Executive Council I have been pushing hard for weeks now, knowing that there will be increases from April, for such measures to be put into place and the Deputy Chair, some weeks ago, of the Health and Social Welfare, gave an undertaking to go away, submit a proposal from the Committee leading up to an Executive Council memo, so as a member of Executive Council I was expecting for that to happen, so I am concerned is who is leading the process, is the administration more superior than Executive Council? I am deeply concerned about this and I will be raising the issue at Executive Council level. Executive Council gave a direction and it would appear that some underbody has stepped in and said it's not appropriate. I will be following that through, Madam Speaker.

The other issue that members of the public are greatly concerned about is the garbage and rubbish that's being left around in the built up areas, including Jamestown. I understand that on many occasions it was unforeseen due to breakdowns of the garbage truck. Only Friday garbage was left outside of public buildings in Jamestown, pubs, shops and this is very unpleasant indeed. There were buzzing flies all about, the smells were strong and people were complaining left, right and centre. Now, some while ago I did suggest that the services of the private sector could be sourced and when we get cases like this a truck from the private sector be allowed to take the rubbish away with a proper cover, proper tarpaulin fastened so that the rubbish is not allowed to come out of the truck and I was advised that this was not healthy, the rubbish must only be disposed off in the garbage truck. Now what is much more healthy, having the rubbish removed immediately, the proper secure measures or having it left around, and in my case up in Half Tree Hollow, being left there for more than one day, several days? Now I know that adverts go on the radio, the public are advised not to put their garbage out, but they don't have a choice, they don't have a facility to keep their garbage indoors, again, a health issue, this is a health issue, so I will ask the Public Health and Social Welfare Committee if they will revisit this issue with a view of sourcing, engaging the services of the private sector that when there are cases of breakdowns the private sector be contracted to immediately take this rubbish away. We do not have the facilities, the proper, large skip bins in the community at this moment in time where people can store the rubbish, they don't have the facilities and what is very disappointing and annoying to see the domestic animals, birds and pigeons, destroying the litter bags and it's been left to blow all around and like I say, in Jamestown it is a total disgrace so I will ask for some urgent action to be taken there.

The other issue, Madam Speaker, at the last sitting of Legislative Council the Council gave a commitment to address the issue as a matter of priority provided some funding could be sourced to carry out some immediate repairs to the road at Unity Cottage. Winter is coming upon us and that road is in a dangerous condition and if it is left like it is with winter coming on us it only gonna get worse and I am concerned about the people who live, handicapped people, elderly people, who live in Unity Cottage road at Sandy Bay, so again I will ask the Infrastructure Utility Committee if they will make a recommendation following an assessment of what funds is needed for immediate repairs and Council be allowed to look at it and address it, because it simply cannot be left undone, it simply cannot be left undone, Madam Speaker.

Finally, I would just raise the concern from the public that there are young people out there wanting to build homes. They are not able to acquire land and this is very frustrating, unable to acquire land. I am aware that there is soon to be launched the comprehensive development area above Harlyn where it is hoped to have sixty to seventy house plots and I do hope that

these plots will be made available to local Saints, first time builders, to enable them to get on the property market and relatively cheap cost. This was an undertaking given by this Council when we went out to public consultation with the Lands that people were frustrated. That is still the case, they're not able, with all the land available on island they're not able to secure land. They have their own money to build and not able to build, so that is frustrating and I do hope that the comprehensive development area at Harlyn takes account of that. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? You wish to rise on a point of information, Honourable Member? You may do so.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Just to say to the Honourable Member who just spoke, Councillor Derek Thomas, that I will give an undertaking to take forward with regards to rubbish collection, that we ought to be looking to engaging the private sector, at least it will go the Committee to be discussed there, but as we heard this morning, Madam Speaker, we heard that a new refuse collection vehicle will be purchased under the Waste Management Project this year, let us hope that it is not going to be too long before we actually receive one. Thank you.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? Honourable Mervyn Yon, you want to rise on a point of information?

The Hon. Mervyn Yon –

A point of information, Madam Speaker. Just to answer Councillor Derek Thomas's plea for some funding for Unity Cottage, Madam Speaker, just to say that His Excellency the Governor, the Roads Manager, Dave Malpas and myself went there a couple of Thursdays ago and Dave Malpas has now been told by His Excellency the Governor to seek an option then come back with the option and a costing and providing costing is available the road will be taken care of.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? In which case, do you wish to have a few minutes to gather your thoughts? I will suspend the sitting for five minutes.

**Council suspended.**

**Council resumed.**

*Adjournment Debate – resumed debate.*

The Speaker –

The Honourable Chief Secretary?

The Hon. Owen O'Sullivan –

Madam Speaker, thank you for allowing me to respond in the adjournment debate. It has been a busy two days of questions and motions with the obvious highlight being the budget. I would like to thank the Honourable Financial Secretary and all his staff for all the hard work they have undertaken over the last ten months to get us to this point. I welcome the Honourable Financial Secretary's speech which reminded us of the efforts being made to make St Helena a better place to live, a better place to work and a better place to raise a family. It is obvious that we are laying the foundations for the future and progress on the island is bucking the trend of the rest of the developed world. We have virtually no unemployment, we are introducing the minimum wage, revenues are increasing, we are seeing great advancements and improvements in our education system and we have introduced the Basic Island Pension and many people are benefiting from it. Compare this to the events in the rest of the world, including recent events in Cyprus, where bank depositors are losing thirty percent of their money, hospitals are shutting down, government departments are shrinking and unemployment is catastrophically high in countries such as Ireland, the UK and Spain and the youth between sixteen and twenty-five. St Helena is at a crucial crossroads in its history with the development of the airport and momentous changes that are likely to take place. We need to seize the opportunity and we need to seize it now. This is a once in a lifetime opportunity for St Helena to earn money from the outside world through tourism. I must ask the question though, what is in it for Saints? The recent Social Policy consultation made it clear that all sections of the community want the same things. All sections of the community wanted a better standard of living and security for vulnerable groups. They wanted protection of the island's rich culture and history, a prosperous future for young people and enjoyable retirement for those who have worked hard to make the island what it is today. All sections of the community want a better St Helena. Through economic development, effective environmental management and proactive social planning the island can move forward to improve the quality of life for Saints, this is achievable. However, this is only achievable if people work together, people .....future are properly addressed and the island unites to take opportunity of air access and all of the subsequent benefits that will come as a result. These benefits will include – better services for Saints on island as revenues continue to increase, better jobs and business opportunities for Saints across a range of industries, better living standards as wages increase, better infrastructure as we move forward and better leisure activities for families to enjoy. We have learned lessons in the past twelve months which we will take forward. As a responsible Government we have had our welfare system independently reviewed, which has been mentioned a few times in the adjournment debate, I will look forward to Professor Sainsbury's report. We will work to enhance Government communications and engagement with the public. Further delivery of urgent infrastructure will continue for the island, in particular, focusing on the hospital refurbishment and, of course, the delivery of a Social Plan which will seek to address the concerns of the community. This island is in a unique position in the world, this island now has the opportunity to set the course for the future generations, it can be a better place to live, a better place to work and a better place to raise a family, we have to make it happen now and seize the opportunity.

I will now address some of the points raised by the Honourable Members in the adjournment debate. I note Christine O'Dean's comments about South Atlantic Media Services. It is a important, it's a independent commercial enterprise, separate from Government, even though I understand it is making great progress in rolling out the radio stations. Christine talked about £115,000; this was approved as part of the budget process under payments on behalf of Crown based on the business plan provided by SAMS which indicates a number of improvements in service for 2013/14.

The Speaker –

Honourable Chief Secretary, just to remind you that please address members as Honourable, Councillor or Honourable.

The Hon. Owen O'Sullivan –

Sorry, I apologise. I also agree with the importance of a women's refuge. Obviously it will be up to Health and Social Welfare Committee to look at what funding can be provided. I now move on to the Honourable Tony Green's comments and the Honourable Mervyn Yon. I would agree with the Honourable Tony Green and the Honourable Mervyn Yon's comments that ExCo has comprehensive debates about issues and consideration is taken of all angles and it is definitely not a rubber stamping committee. I then move on to the Honourable Cyril Gunnell. He talked about the PAC and I would welcome development of the PAC in the scrutiny of Government business. A well functioning Government has a strong scrutiny element. I then would also like to comment about the Honourable Derek Thomas and the garbage and rubbish in Jamestown. Obviously we have to look at what can be done to improve the situation, but as the Honourable Cyril Gunnell said or updated Legislative Council, they expect a new garbage truck as part of the Solid Waste Management Project and hopefully that will come soon. So I've touched on a few of the things that Honourable Members have mentioned. I thank all Councillors for their input into the adjournment debate and Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. I put the question that the Council be now adjourned sine die.

Question on adjournment, put and agreed to.

The Speaker –

Council is adjourned. Thank you, Honourable Members.

**Council adjourned sine die.**

