

**Minutes of the Open Social and Community Development Committee Meeting held on
Wednesday, 14 October 2020 at 9 am in the Council Chamber**

<u>Present:</u>	Chairman: Hon Anthony Green, Chairman (Hon TG)
	Deputy Chairman: Hon Cyril Leo (Hon CL)
	Members: Hon Derek Thomas (Hon DT) Hon Jeffrey Ellick (Hon JE) Hon Gavin Ellick (Hon GE)
	Non-Voting Members: Mrs Tracy Poole-Nandy, Director of Children & Adults Social Care (TPN) Mrs Gillian Francis, Deputy Chief Secretary (GF)
	Secretary: Mrs Nicole Plato, Executive Assistant, Corporate Services (NP)
	Invited: Ms Sarah Lock, Senior Social Worker (Adults) (SL) – <i>for item 2 only</i> Miss Aine Hurley, Solicitor General (AH) – <i>for item 3 only</i> Mr Adam Sizeland, Museum Curator (AS) – <i>for item 3 only</i>
	Apologies: Mrs Carol George, Head of Corporate Support (CG) One member of the public/media was present.

Hon TG welcomed all to the meeting.

1. Declarations of Interest

Hon GE declared his interest for item 6.

Members were reminded to declare their interest when necessary throughout the meeting.

2. Introduction to new Members of staff

SL was welcomed to the meeting. Introductions were made. SL advised that she had been a Social Worker for 12 years and had worked in various areas of adult's social care and was also trained as a social care investigator. She had been in post for two weeks on Island and had received a good induction to the service. SL's first impressions of the island was that it was a small beautiful place with lovely people who made her feel welcome.

TPN advised that SL had also attended the Safeguarding Board meeting which was very good and well attended. TPN was happy that SL had joined the adult's team as an additional asset to the service as she is also a best interest assessor who is able to assess capacity and will sit alongside the public guardian role on Island.

Hon JE and Hon GE felt that SL should be invited back to the Committee in a couple of month's time to see how she is doing in her new role, to raise any concerns etc.

(Action: NP)

The new social worker for Childrens services will be invited to the next SCDC meeting. NP to action.

(Action: NP)

SL was wished well in her new role.

3. Draft Firearms Amendment Bill

AH and AS was welcomed to the meeting. GF advised that she was presenting this bill in the absence of CG.

GF advised that this matter had been previously considered by SCDC in May 2020 relating to the firearms collection held at the Museum and Members agreed to an amendment being made to the Firearms Ordinance to provide for the Museum to be issued with a Licence in order to exhibit its firearms collection, thus enabling those responsible for the management of the Museum to be exempt from the requirement to hold a Firearms Certificate.

AH advised that the amendment bill allows the granting of a firearms certificate to the Museum for purposes of holding and exhibiting firearms and ammunition of historical interest. The Bill also excludes from the application of the Ordinance all muzzle loading cannons on St Helena which were manufactured before 1900.

AS joined the meeting. AS was happy with the bill as drafted.

Comments/questions from the meeting were as follows:

- 3b sounds contradictory. *AH said that 3a would mean that the Museum can have in their possession firearms of historical interest and this is in relation to firearms and ammunition of historical interest but 3b is in relation to prohibited firearms and ammunition which means that the Museum can have both and the ordinance categorises both in the amendment bill. The Museum would have a certificate to hold it. The Director of Police has discretion over how the certificate is worded and section 14a only applies to the Museum, not to individuals.*
- The bill makes reference to muzzle loaded cannons therefore how does this apply to the cannons at Ladder Hill? *AS advised that the cannons at Ladder Hill is not the Museums property and are bridge loaded artillery cannons. AH advised that when this bill was looked at by the Legislative Drafter it was noted that the issue of cannons is something to look further into and that the initial concern was with reference to the cannon's owned by the museum but it was also recognised that some cannons on crown land are owned by SHG and some cannons are owned by other parties but they formed the view that any muzzle loaded cannon before 1900 would be good to include in the responsibility of the Museum but the Police could also be asked if they are content with what the bill covers.*
- If the cannons at Ladder Hill were to come under the responsibility of the Museum then it would be good if they could be added to the ordinance. *AS advised that only if they count as a firearm will they come under the firearms ordinance i.e. if they still are capable of discharge. It was noted that the firearm capability in the Ladder Hill Cannons had been removed.*
- What happens with muzzle loaded cannons that are manufactured after 1900? *AS was unsure if any cannons were manufactured after 1900 but all cannons that the Museum has responsibility for are muzzle loaded cannons manufactured before 1900; the chances of any being made before 1900 are very low.*

AS advised that he had produced a register of all cannons on St Helena if anyone would like to view it at any time.

SCDC agreed the draft Firearms Amendment bill to be submitted to ExCo for onward transmission to LegCo. The Committee agreed for some publicity to be given on this amendment bill to raise awareness in the public. The Museum Director is also happy to be involved in this.

(Action: Hon TG/CG)

4. Confirmation of open minutes from the meeting held on 9 September 2020

The open minutes of the meeting held on 9 September 2020 was confirmed.

5. Matters Arising

5.1 Equality & Human Rights Update

Data Protection - GF advised that she had met with the Attorney General earlier on in the week and had agreed to seek some assistance outside of the AG's Chambers and GF is now

developing a business case to be submitted as part of the MTEF process for expert advice on data protection. Members also requested GF to check with Hon Lawson Henry to ensure that there is no duplications of this work-stream with the St Helena Connected group.

(Action: GF)

The letter to HE from the EHRC setting out their concerns on the Governance reform process had been copied to the Committee.

The EHRC annual report had been completed but the accounts was still to be audited following which it will be presented to LegCo.

5.2 SCDC Work-Plan update

Hon TG gave the following update on the SCDC work-plan:

- *Fixed Penalty Notices* – SCDC still awaits draft legislation from the AG’s Chambers. Public information/education sessions will also be held. Some of the road signs and markings still needs to be completed. NP agreed to check with the small FPN’s action group for a progress update. It was noted that this work had slipped in terms of the schedule which means that we need to ensure that realistic timelines are set as there are so many competing priorities.

(Action: NP)

Hon CL said that the FPN’s is also reliant on the finalisation of the road traffic ordinance which has been ongoing for a while. The regulations will also set out the offences under the FPN’s and the Attorney General is doing this piece of work, based on the UK as a starting point. Hon DT reported that the FPN’s will kick in for the smoking element from January 2021.

- *Adult’s legislation* – TPN reported that he had met with the AG’s Chambers to discuss this legislation and as a result they now have a plan to take forward the drafting of legislation. TPN had updated the policy document which has been simplified compared to the previous one and TPN agreed to send via NP the draft policy to Committee to agree via email for onward transmission to the AG’s Chambers to take forward.

(Action: TPN/NP)

TPN said that the legislation will also include the merged Children & Adults Safeguarding board as well as disabilities. The Equality & Human Rights Commission (EHRC) is aware that TPN is working with the AG’s Chambers on this legislation and TPN will liaise with the CEO/EHRC to make her aware of the policy that has been drafted.

- *Liquor Amendment Ordinance* - Hon TG had met with the Chief Magistrate and others to discuss the occasional liquor licence as there was one operator who had advised that the liquor licence did not cater for his business therefore the Attorney General and the Chief Magistrate will now put forward suggestions for any possible changes.

In 2018, the ordinance was amended to allow for less applications to the Court and therefore less cost to the applicant but one business now intends to extend their operation so that they can set up their business in locations beyond Francis Plain. Currently the 26 occasions only can be utilised for Francis Plain during the football and cricket seasons. NP agreed to check on behalf of Hon GE whether the past minutes on this subject matter also included the need for all of the locations i.e. Francis Plain, the Wharf and locations outside of this to also be covered on the application.

(Action: NP)

Hon TG agreed to keep members updated.

(Action: Hon TG)