

ST. HELENA
LEGISLATIVE COUNCIL

THE PRESIDENT

The Honourable Mrs Maureen Thompson

EX-OFFICIO MEMBERS

The Honourable Chief Secretary	-	Mrs Susan O'Bey
The Honourable Financial Secretary	-	Mr Dax Richards
The Honourable Attorney General	-	Mr Allen Cansick

ELECTED MEMBERS

The Honourable Clint Richard Beard
The Honourable Cruyff Gerard Buckley
The Honourable Gavin George Ellick
The Honourable Jeffrey Robert Ellick
The Honourable Corinda Sebastiana Stuart Essex
The Honourable Anthony Arthur Green
The Honourable Lawson Arthur Henry
The Honourable Cyril Kenneth Leo
The Honourable Christine Lilian Scipio
The Honourable Derek Franklin Thomas
The Honourable Russell Keith Yon

The Honourable Brian William Isaac On sick leave

CLERK OF COUNCILS

Mrs Connie Johnson

PROCEEDINGS OF THE LEGISLATIVE COUNCIL

Friday, 16th October, 2020

The Council met at 10.00 am
in the Council Chamber, Jamestown

(The Deputy Speaker in the Chair)

ORDER OF THE DAY

1. FORMAL ENTRY OF THE PRESIDENT

2. PRAYERS
(Deacon Jonathan Green)

3. ADDRESS BY THE PRESIDENT

Honourable Members, ladies and gentlemen and radio listeners, good morning and a very warm welcome to the first Sitting of the 18th meeting of Legislative Council. Firstly, apologies from The Speaker whose health is improving but he is still unable to negotiate the stairs. There is also another vacant seat as the Honourable Brian Isaac is still overseas receiving medical treatment. He has received confirmation from the Speaker granting him permission for his absence.

I am grateful that Deacon Jonathan Green has once again agreed to open our meeting with prayers and I thank him for his support given to this Council.

It is pleasing that Mr Merlin George, on my left, has responded so willingly once again to perform the ceremonial duties of Mace Bearer and for this I express my thanks, as I do also to all who assisted in making it possible for this meeting to proceed and to Andrew and his team at SAMs for relaying the proceedings of this House.

Before I move on, I would like to apologise for the extraordinary way the process leading up to this meeting progressed resulting in you receiving the Order Paper very late but this was something beyond the control of the Speaker's Office.

I will now speak about the activities that Councillors have taken part in since the last LegCo. Virtual conferences are now being held due to the global pandemic which has impacted on overseas travel: Honourable Christine Scipio and Honourable Jeffrey Ellick attended the (CPA)(BIMR) Conference on Virtual Election Observations Training, on the 10 and 11 September. We will look forward to their reports in due course.

For our radio listeners who don't know what is (CPA) (BIMR) stands for, it is Commonwealth Parliamentary Association for British Islands and Mediterranean Region.

There was an international Virtual Conference on Assisting and Protecting Survivors of Modern Slavery, Human Trafficking and Forced Labour that took place on the 15 and 16

September. However, Honourable Members were unable to attend this conference. Fortunately, representatives from the Attorney's Chambers were able to attend. Honourable Dr Corinda Essex and Honourable Christine Scipio attended the 49th CPA BIMR Annual Conference on the 24 and 25 September. We have received feedback from the Honourable Dr Corinda Essex last Friday and look forward to hearing from the Honourable Christine Scipio for her feedback with regards to the BIMR Commonwealth Women's Parliamentarian Steering Group, of which Councillor Scipio is St. Helena's representative.

I would like to remind Members of the process towards Governance Reform is ongoing; hence a Motion is being presented in the House today. From a presentation given to Members last Friday on the Conflict Stability and Security Fund, it is hoped that next year funding be made available for St Helena to provide training for Councillors should a new system of government be put in place.

Before going on to the matters of today, I would just like to add that I know the past few months have been really hectic on all of your workload; I thank you for your hard work.

Honourable Members, let us turn to the business before this House today. For this session, we have 8 Sessional Papers, 6 Questions, 3 Motions, followed by the traditional Adjournment Debate. I wish all Members a successful session today and without any further delay I shall invite the Clerk to call the next item of business. Clerk?

4. PAPERS

SP 36/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary.

The Hon. Dax Richards –
Thank you, Madam Deputy Speaker. Madam Deputy Speaker, I beg to present Sessional Paper 36/2020 entitled Government of St Helena – Statement of Expenditure in Excess – Financial Year 2019/20.

Ordered to lie on the table.

SP 37/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 37/2020 entitled Government of St Helena – Loan balances recoverable by the St Helena Government as at 30th June 2020.

Ordered to lie on the table.

SP 38/2020 – The Honourable Dr Corinda Essex.

Deputy Speaker –
Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Madam Deputy Speaker, I beg to present Sessional Paper 38/2020 entitled St Helena Public Accounts Committee – Report to Legislative Council on the Formal Session of the Public Accounts Committee held on 3rd August 2020.

Madam Deputy Speaker, before I lay this paper, I would like to make a brief explanatory statement?

Deputy Speaker –
Yes.

The Hon. Dr Corinda Essex –

The formal session of the Public Accounts Committee held on 3rd August 2020 scrutinised St Helena Government Financial Statements for the year 2018/19 and the associated Audit Management Letter. Also, the St Helena Currency Fund financial statements for 2018/19 and it involved the recall of the Honourable Financial Secretary to provide further evidence relating to procurement of the Fuel Management Contractor. The report contains a summary of the key issues into which the Public Accounts Committee enquired and the main conclusions reached. In addition, it states the substantive recommendations made. I urge all Honourable Members not directly involved in Public Accounts hearings to study the report and familiarise themselves with its contents. All sessional papers are also in the public domain and the report would be of use to those within the wider community who have an interest in transparency and accountability. Thank you, Madam Deputy Speaker.

Ordered to lie on the table.

SP 39/2020 – The Honourable Financial Secretary.

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, I beg to present Sessional Paper 39/2020 entitled Government of St Helena – Audit St Helena – Investigation: The Bulk Fuel Installation Project.

Ordered to lie on the table.

SP 40/2020 – The Honourable Chief Secretary.

Deputy Speaker –
The Honourable Chief Secretary?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I beg to present Sessional Paper 40/2020 – Government of St Helena – Proceedings of the Legislative Council, Tuesday, 21st January 2020, First Sitting of the Thirteenth Meeting.

Ordered to lie on the table.

SP 41/2020 – The Honourable Chief Secretary.

Deputy Speaker –
The Honourable Chief Secretary?

The Hon. Susan O’Bey -
Madam Speaker, I beg to present Sessional Paper 41/2020 – Government of St Helena – Proceedings of the Legislative Council, Friday, 28th February 2020, First Sitting of the Fourteenth Meeting.

Ordered to lie on the table.

SP 42/2020 – The Honourable Chief Secretary.

Deputy Speaker –
The Honourable Chief Secretary?

The Hon. Susan O’Bey –
Madam Deputy Speaker, I beg to present Sessional Paper 42/2020 – Government of St Helena, Proceedings of the Legislative Council, Friday 27th March 2020, First Sitting of the Fifteenth Meeting.

Ordered to lie on the table.

SP 43/2020 – The Honourable Chief Secretary.

Deputy Speaker –
The Honourable Chief Secretary?

The Hon. Susan O’Bey –
Madam Deputy Speaker, I beg to present Sessional Paper 43/2020 – Government of St Helena – Public Engagement on Alternative Governance Systems.

Ordered to lie on the table.

5.

QUESTIONS

Question No. 1 – The Honourable Dr Corinda Essex to ask the Honourable Financial Secretary.

Deputy Speaker –
The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
Thank you, Madam Deputy Speaker. Will the Honourable Financial Secretary tell this Council which European Union funding streams St Helena will be eligible to access in 2021/22?

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. I would like to thank the Honourable Member for her question. In short, Madam Deputy Speaker, the answer is we do not know at this time. Until Brexit is completed and whether the UK will be able to strike a deal with the EU to allow UK OTs or Overseas Territories to continue to have access to certain programmes that buying into any such scheme. I can confirm that the funding under the 11th EDF is secured with a variable tranche due in 2022. This is dependent on achieving the milestone set out in the financing agreement and equates to a further €2.35m. To date, we have received three fixed tranches totalling €19.15m. Madam Deputy Speaker, I am pleased to say that we have received confirmation just yesterday that we've been successful in accessing the B Envelope Funding and subject to completing the necessary formalities we are hopeful to get access to an additional €610k in 2021 to complement funding for improving connectivity and accessibility.

Deputy Speaker –

Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Financial Secretary state what action St Helena Government intends to take to ensure that it is kept informed of all potential opportunities for future funding from the European Union?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Financial Secretary –

Madam Deputy Speaker, at this point in time, we're quite fortunate to have the UK Representative representing St Helena on the Executive Committee of OCTO, which actually brings forward all of the proposals that the Overseas Territories can have access to. Through DAVCO we will be able to be kept informed of those activities. However, we would also expect the UK Government to be communicating with us if they're in a position where they decide to buy in on behalf of all of the Overseas Territories to any of the funding programmes that the EU might have available.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Financial Secretary state what is the British Government's current position relating to its assurance that British Overseas Territories would not be financially worse off as a result of Brexit?

Deputy Speaker –

Thank you. Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, I can't give any assurance whatsoever, the only assurance I can provide is that we know the EDF11 funding is secured. Beyond that I have no control and no ability to influence the UK Government in the decision making.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

On a point of clarification, I was not seeking an assurance from the Financial Secretary, I was referring to the earlier assurance provided by the British Government that they would see that the British Overseas Territories were not in a worse financial position following Brexit.

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. In terms of, I thank the Member for her clarification. From a UK Government perspective, there has been a commitment in the past, what that translates to in terms of actual financial support going forward is something that we will have to continue to have dialogue with our partners in the UK Government on.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Financial Secretary undertake to ensure that our representative, Councillor Derek Thomas, at the Joint Ministerial Conference that is to be held shortly, would be fully briefed on the position in relation to EU funding and the Brexit situation?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

I'd be quite happy to discuss with my Honourable Friend.

Deputy Speaker –

Thank you. The Honourable Corinda Essex? That was finished, okay, thank you.

Question No. 2 – The Honourable Jeffrey Ellick to ask the Honourable Chairman, Public Health Committee.

Deputy Speaker –

The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Will the Honourable Chairman of the Public Health Committee tell this Council what is the role of the Public Health Committee in respect of strategic and policy decisions relating to Covid-19?

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Speaker, it is a long-established convention in this Council that members of a specific Council Committee do not ask their respective Committee Chair questions. The reason for this is that as members of the Committee they are able to ask such questions in that particular Committee. Councillor Ellick has chosen not to respect that convention. Although I do not approve of that, as the question is put, but I will, as with other questions, provide an answer. Madam Speaker, Covid-19 is a global pandemic, it has led to over a million deaths worldwide, lockdowns have been imposed across the world, borders have been shut down, the pandemic is undoubtedly an emergency matter for St Helena. The St Helena Government has worked to prevent, as far as possible, the risk to St Helena using the emergency planning structure. IEG, the Incident Executive Group, has been established. IEG and the command structure that feeds into it allows St Helena to address the threat. IEG has to consider numerous subject matters, including those of a health, economy, finance and internal security nature. Relevant decisions still go through the appropriate mechanism where they legally need to do so. Primary legislation still goes to Legislative Council and secondary legislation to Executive Council. In fact, IEG is now made up of the members of Executive Council, which is the highest-level policy making body of elected members. The Public Health Committee continues to carry out a role regarding the threat of Covid-19. As laid out in the Council Committee Order, the Public Health Committee, in addition to the strategic monitoring of Government activities in its subject areas, is also given responsibility for formulation of policy in those areas which include health and disaster management. This, however, is not to be exclusive of Executive Council or the Governor, in fact, that Order makes clear that this is subject to the instruction of policies of Executive Council or the Governor where relevant. The Public Health Committee still plays a role in strategic and policy decisions in relation to Covid-19. Three members of the Public Health Committee sat on the initial setup of IEG. In the current setup of members of Executive Council, the Public Health Chair takes part. The Committee is still able to develop and put forward policy not inconsistent with that of Executive Council. It can still be consulted on matters through the Committee Chair or Executive Council and feed into relevant decisions. Further, it is ideally placed to review and scrutinise the Covid-19 response in terms of disaster management or public health when it needs or chooses to do so. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Can the Honourable Chairman of the Public Health tell this House if he has consulted with his Committee before decisions are made relating to Covid-19 since ExCo have been performing the role?

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I have on occasions when it comes to making regulations. If the member feels that there need to be more consultation with the Committee in certain areas we are in slow time, then I'm quite happy to properly consult with my Committee, but in answer to his question I have, when it comes to formulating regulations.

Deputy Speaker –

Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Mr Speaker, I don't think the Honourable Chairman has actually answered the question which I said was pretty much can he say if decisions relating to Covid-19 has he consulted his Committee since ExCo have been performing the role. Prior to ExCo, yes, it was consultation in terms of the regulations.

Deputy Speaker –

Councillor Derek Thomas?

The Hon. Derek Thomas –

Madam Speaker, I have provided the answer.

Deputy Speaker –

Thank you.

The Hon. Jeffrey Ellick –

Thank you, Mr Speaker.

Deputy Speaker –

Next item, please?

Question No. 3 – The Honourable Dr Corinda Essex to ask the Honourable Financial Secretary.

Deputy Speaker –

The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you. I declare my interest as President of the St Helena Chamber of Commerce. Will the Honourable Financial Secretary tell this Council what is the purpose of publishing the St Helena Government Contract Register and why does it only disclose the value of some of the contracts listed?

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. I'd like to thank the Honourable Member for her question. The Contract Register is a key document that aims to keep track of all public procurements concluded by the St Helena Government in accordance with the Procurement Regulations promoting transparency in public spending. By making this information available online it provides a basis for monitoring the way in which public funds are spent. This is a powerful tool to highlight the way in which taxpayers' money is utilised. The online publication of detailed and regularly updated public procurement data is a key component of an effective monitoring and transparent system. This can benefit a wide range of stakeholders from the public authorities which can use this data to monitor and evaluate their own

purchasing activities to economic operators that can better assess public sector markets. Benefits of the Contracts Register in summary provides increased transparency, increased confidence by suppliers that fair procurement practices are adopted thereby increasing competition and finally increasing accountability and reducing the risk of reputational damage. The Contract Register aims to provide contract life or annual spend data where possible. However, actual commercial pricing remains confidential. In a number of contracts, the spend is either dependent on the usage in terms of the core/call of arrangements or the commercials are based on either contingent liability or a mix of public and private sector use. This is why some of the contracts included on the Contracts Register do not have a value attached and it is important to reiterate the commercial models that sit behind these contracts are commercially confidential. We will continue to strive to improve the usefulness of the information included on the Contracts Register and will look to keep this as up to date as possible, but as a minimum, on a quarterly basis, which is an important part of the good public financial management. Thank you, Madam.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

I thank the Honourable Financial Secretary for his response. Will he consider revising the format of the current register or compiling an additional one to enhance its usefulness to potential bidders and suppliers, etc, as he has indicated, by including upcoming contract opportunities and those currently undergoing the procurement process?

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. I would be happy to consider any amendments that will make this a much more useful document, but I'd like to also draw to the Member's attention that the rolling procurement plan is also published on a regular basis and the information that you requested in the last part of your last statement is actually included in that document, which includes the upcoming contracts as and when they are put on to the rolling procurement plan. I'm quite happy to have a look at the Contract Register to be able to see if it can be improved and I'd be happy to take that conversation offline with the Honourable Member.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

To satisfy public concern, and, indeed, concern expressed to me by members of the Chamber of Commerce, will the Financial Secretary please publish an explanation as to why not all values of contracts are disclosed in the Register?

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Speaker, I've just mentioned in my exposition I am quite happy to have this available for anyone who needs to look at it, but it's quite clear, as I said, that some of the information

will be commercially confidential and we won't be able to publish that information and as I also mentioned, the contracts that you see on the Contract Register that has no value to it, those are of a service nature where we have a call down contract, so it depends very much on the number of hours or the amount of work that is performed, so I'm quite happy for this to be produced, I'm not intending to put together a separate document for publication.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

On a point of clarification, I would respectfully suggest that if some explanation were actually put on the Register itself this would help to reassure the public and make them understand the justification.

Deputy Speaker –

Thank you, Honourable Dr Corinda Essex. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker, I'm quite happy to entertain that and include that on the Contract Register document.

Deputy Speaker –

Next item, please?

Question No. 4 – The Honourable Jeffrey Ellick to ask the Honourable Chairman of the Public Health Committee.

Deputy Speaker –

Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Will the Honourable Chairman of the Public Health Committee tell this Council if there has been twenty-four-hour security around all premises that are used for quarantine of persons arriving from countries which have Covid-19?

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Speaker, before I provide an answer to this question, I was wondering if the Honourable Member need to declare his interest, I am aware he used to run a security firm, I don't know if he still, in actual fact he provide, his company provide security at Bradleys quarantine centre.

Deputy Speaker –

Thank you, Honourable. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

I'm happy to declare my interest, Madam Speaker.

Deputy Speaker –
Sorry?

The Hon. Jeffrey Ellick –
I'm happy to declare my interest, Madam Speaker.

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Speaker, as to the previous question from the Honourable Member, Councillor Jeffrey Ellick, I will not repeat the sentiments about the convention of this House. Madam Speaker, there has not been twenty-four-hour security on all such premises. Premises used for quarantine include Bradleys Camp and in certain circumstances houses outside of the Camp. The relevant regulations make Bradleys Camp the location for quarantine unless a direction otherwise is given by a proper officer. The suitability of alternative premises is considered on a case by case basis by the proper officer. If twenty-four-hour observation or security was required at a premises outside of Bradleys Camp for reasons once an assessment has been made by a proper officer it would clearly be provided. Bradleys Camp is staffed twenty-four hours a day when new arrivals are residing there. Madam Speaker, it is important to note that none of these locations are detention centres. They are used for the purpose of isolation as required by law. Security at Bradleys Camp is there to assist residents, ensure safety and make sure those without permission do not enter the Camp. Madam Speaker, Honourable Members will be aware that the cases that we have had with self-isolation there has been no breaches. Tightening up of standing operation procedures have taken place and in what we do we must be proportionate. Those in self isolation are expected to take responsibility of their actions, we have created strict laws, the most severe laws within the world. Standing operation procedures, like I said, has been strengthened and we expect to see strict compliance. Thank you.

Deputy Speaker –
Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –
Can the Chairperson of the Public Health tell this House what was the security arrangements around all premises when Public Health members were members of the IEG?

Deputy Speaker –
Thank you. Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Speaker, when self-isolation was first created, there was twenty-four-hour security in place. However, like I have alluded to, the standing operation procedures has been strengthened, has been strengthened, the law has been strengthened, it's unfortunate that Covid is going to be around for quite some time. We have to, as a Government, ensure that the funding we have it is spent correctly, and, like I said, proportionate to suit the requirements of St Helena.

Deputy Speaker –
Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Can the Chairperson of the Public Health tell this House who changed the first arrangements?

Deputy Speaker –

Thank you. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Speaker, when the Executive Council took control of the new command structure standing operating orders procedures were strengthened, as I alluded to, Executive Council did not see the need for twenty-four-hour security to be put into place.

Deputy Speaker –

Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Can the Chairperson of the Public Health tell this House if he consulted the Public Health Committee concerning that decision?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

I did not, Madam Speaker, I did not see the need to.

Deputy Speaker –

Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

I'd just like to thank the Honourable Member for answering the questions. Thank you, Madam Speaker.

Deputy Speaker –

Thank you. Next item, please?

Question No. 5 – The Honourable Russell Yon to ask the Honourable Financial Secretary.

Deputy Speaker –

The Honourable Russell Yon?

The Hon. Russell Yon –

Thank you, Madam Deputy Speaker. Will the Honourable Financial Secretary inform this House of the finances available to undertake the maintenance of the sea defences at the wharf in Jamestown and the recently constructed jetty in Ruperts?

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker, I would like to thank the Honourable Member for his question. Madam Deputy Speaker, as it currently stands, there is no specific budget allocation set aside for the maintenance of the sea defences in Jamestown or for the Ruperts jetty. Previously a budget existed within the Roads Section for the maintenance of the Jamestown sea defences, however, this was removed a number of years ago as a result of needing to find savings to balance the budget. Now there is only the Building Maintenance budget which sits within the Infrastructure and Transport Directorate. This year, it totals £543,000 with an additional £60,000 earmarked for Capital Expenditure. Unfortunately, the maintenance needs of the Government Estate far outweigh the resources available and as a result maintenance is largely done on a reactive basis or what is deemed urgent works. In an ideal world, we would be carrying out preventative maintenance, however, the reality is far from it. Madam Deputy Speaker, maintenance is always a key topic of any financial aid mission and has once again been highlighted as part of the annual review of the Economic Development Investment Programme. I'm aware this year the issue will be discussed again at the upcoming Financial Aid Mission. We are hopeful there can be a gradual move to a preventative maintenance model, however, without a significant level of additional resources this will take some time to be achieved. We do recognise that by not investing in preventative maintenance this could shorten the useful economic lives of key infrastructure and other assets or require a significant level of resources when the assets deteriorate over a longer term when required to be continued in use. There are some areas, such as the Transport Division, which has a clear preventative maintenance programme in place for the management of its fleet, however, these maintenance charges are recovered through the charging policy. The St Helena Government will be looking quite closely at a similar model for the rest of the Estate where appropriate in the 2021/22 financial year. However, this means that the users of the Estate will have to contribute to receive the benefits of the key infrastructure and other assets. This could lead to some rationalisation of the Government Estate by Directorates and will need to be balanced against the level of charges that both SHG Directorates and the general public are able to absorb. Thank you, Madam Deputy Speaker.

Deputy Speaker –

Thank you, Honourable Member. The Honourable Russell Yon?

The Hon. Russell Yon –

Thank you, Deputy Madam Speaker. I did have further supplementary questions, but the Financial Secretary has given a full response to the question that I have asked and I would like to take this opportunity to thank him very much for that response.

Deputy Speaker –

Thank you. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker. I would like to ask the Financial Secretary if he is aware that the design for the extension of the wharf area in the Thompson's Crane vicinity is predicated on maintenance of the rock armouring in front of it which was scheduled to be maintained, repaired on not longer than five-year intervals and that if that rock armouring becomes severely eroded that whole structure could become unstable.

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, I'm not aware of the very specifics, but I am aware of the principle of what our Honourable Friend has mentioned. Of course, if this becomes a significant priority, as I mentioned, the £543,000 that is currently allocated for building maintenance will have to be reallocated to those priority areas, especially if it relates to undermining of specific assets on the wharf area.

Deputy Speaker –

Thank you, Honourable Member. Thank you. Next item, please?

Question No. 6 – The Honourable Dr Corinda Essex to ask the Honourable Chairman of the Social and Community Development Committee.

Deputy Speaker –

The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Speaker. Will the Honourable Chairman of the Social and Community Development Committee tell this Council what is the purpose of the Better Life Allowance and how is this accessed by individuals?

Deputy Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker and I thank the Honourable Member for her question. The Better Life Allowance is financial assistance to people who are assessed by the Children and Adults Social Work team as having additional needs arising from disabilities or life changing illnesses. The disparity between people without a disability or life changing illness and those with can result in changes and challenges in relation to accessing services, inclusive of shops, government buildings, health departments, mobility accessible public transportation, employment and other options.

People who have to rely in local shops outside of Jamestown often have to pay higher prices for their groceries on an already limited budget therefore financially impacting on the household or themselves depending upon the circumstances.

Accessing services by means of public transport is not achievable and people with mobility needs tend to have the use of private transport or taxis, which again impacts on the financial position of this vulnerable group.

The disparity between the abled and disabled will not be addressed merely by some financial assistance, but this may help to prevent further disparity with the able bodied on the island. To access BLA, that is the Better Living Allowance, a referral needs to be made to the Directorate and an assessment would then be carried out by a Children and Adults Social Care team. All recipients are assessed under the policy and undergo a social work assessment of need by either the Children or Adults Services Social team. The outcomes and recommendations are then based upon the assessed needs of each individual. The assessment is reviewed annually or at a point of change needs to be ensured that the vulnerable group are supported, but equally if needs reduce so does the financial assistance.

The BLA policy has been updated to inform the assessment process and apply the thresholds outlined with both children and adult social care as part of being a responsible service provider and a wider part of the St Helena Government.

People with additional needs and disabilities should have the same choices and opportunities as those without and who are able to achieve independent lives through paid employment. The BLA support enables the individuals on St Helena the opportunity to be part of an inclusive community with the same opportunities both socially and practically as everyone else, albeit that this may be with additional support. It is really a positive note that St Helena provides an inclusive and accepting response to those with additional needs and disabilities.

Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker and I thank the Chairman for his response. Will the Honourable Chairman state whether there is any means testing element in determining eligibility?

Deputy Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, as I indicated, the way you access a Better Life Allowance is not by application, but is by a referral and when a referral is made the appropriate Children or Adult Services team make an assessment of the needs, because individuals differ with regard to their needs and depending on their needs they will be assessed for what they require and then the financial assessment and what is supported is appropriately apportioned.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Chairman please clarify if it's not by application but by a referral who in fact makes the referral and how the referral system is initiated?

Deputy Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. Just to clarify my other first reply it's just to say it is not means tested, it is about your ability or disability, but a referral, there are referral forms that exist or if, for instance, the Honourable Member were to feel at any point that I would need to be referred because I have a disability or a need then they would merely make contact with the Children and Adult Services Social Care team or the Directorate, the names are always available, or through a Council or Councillors and then the teams would actually go out and assess. There's a very comprehensive form and policy that will guide the Social Team to ask specific questions to assess the individual needs of an individual, but you would have to make a referral, so merely making sure that the Children and Adult Social Care Directorate is aware

that someone is in need of an assessment and their needs will then be assessed and they will then be paid according to what is required.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you. Just for the sake of clarity for the listening public, the referral, if, say, I had a handicapped child and I wished it to be considered for a Better Life Allowance, how would I be able to put forward that request, would that be classed as a referral, can the Honourable Chair please clarify this?

Deputy Speaker –

Thank you. Honourable Tony Green?

The Hon. Anthony Green –

Yes, just to confirm, you simply get in touch and the teams would react to that. So you need the name of the individual, probably the address, the telephone number, other contact details and so you don't need to make an application for me, you just need to make sure that my or some other case are known.

Deputy Speaker –

Thank you, Honourable Member. The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Chairman state the average time taken between the start of the referral process and first receipt of the allowance if the person is classed as being eligible?

Deputy Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Yes, I thank the Honourable Member for that question. There is no one answer to that, it would be anticipated that the Team would actually respond in twenty-four hours, the assessment would then be carried out, but in general one would expect that things would be put in place within four weeks.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Chairman state if it's intended to review any aspects of the Better Life Allowance and associated processes and procedures in the short term?

Deputy Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Yes, thank you very much. The process was recently updated. The Honourable Member might not be aware, but this is a Directorate policy was and was also recently ratified by the Social

and Community Development Committee, but alongside that there is work going on using the services of the Social Policy Adviser to completely look at the whole aspect of BLA and a lot of work has been undertaken by the Social Security Review Working Group and their recommendations together with how things have evolved and cases presented, that work is now ongoing and it is awaited, the recommendations of the Social Policy Adviser, so there will hopefully be an update very soon.

Deputy Speaker –

Thank you, Honourable Member. The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

I am aware that the amount of benefit paid depends on the circumstances of the individual, but what is the maximum?

Deputy Speaker –

Thank you. Honourable Tony Green?

The Hon. Anthony Green -

Thank you, Honourable Member. I don't actually have the figures, but we are aware that probably the maximum at the moment is set at about £70.00 a week.

Deputy Speaker –

Thank you, Honourable Member. Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, I rise on a point of information, it is actually £60.00 a week.

Deputy Speaker –

Thank you, Financial Secretary. Thank you.

Before we go on to our next item on the agenda, I wish to inform you that the Governor wishes to be present for the next Motion. Can you call the Governor, please?

His Excellency the Governor, Dr Philip Rushbrook joins the meeting.

Governor Rushbrook –

Thank you very much, good morning everyone.

Councillors –

Good morning.

Deputy Speaker –

Please be seated. We now call the next item on the agenda, please.

6.

MOTIONS

Motion No. 1 – The Honourable Chief Secretary.

Deputy Speaker –

The Honourable Chief Secretary?

The Hon. Susan O’Bey –

Madam Speaker, I beg to move that the Legislative Council pursuant to Standing Order 10 dispense with the 10-day notice period for the Motion No. 1 detailed on the Order Paper of the first sitting of the 18th meeting of the Legislative Council.

Deputy Speaker –

Is there a seconder, please?

The Hon. Dax Richards –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

Thank you, Honourable Member. The Motion is that Legislative Council, pursuant to Standing Order 10 dispense of the 10-day notice period for the Motion 1 detailed on the Order Paper of the first sitting of the 18th meeting of Legislative Council.

Question on Motion, put and agreed to.

Deputy Speaker –

Honourable Chief Secretary?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I beg to move that that the Legislative Council resolves to consider the report on the public’s response regarding the public consultation on the two alternative systems of Governance and that if the threshold of public interest is considered satisfactory, resolve to establish a Progress Committee comprised in the following manner and with the functions set out as follows - Composition - to be determined from representatives from Elected Members, the office of the Speaker, the St Helena Government, the Attorney General’s Chambers, the Governor’s Office and from the public who are not employed by the St Helena Government. Function - finalise the structural arrangements proposed for a Revised Committee or Ministerial system of governance, instruct the Attorney General’s Chambers regarding the constitutional and any other legislative amendments necessary to effect the two alternative systems of governance, provide considered alternatives for the question regarding the changes to the system of governance in St Helena that could be considered and decided by consultative poll, consider the financial resources necessary in respect of this endeavour, and liaise with the Foreign Commonwealth and Development Office to agree the foregoing.

Deputy Speaker –

Thank you, Honourable Member. Is there a seconder?

The Hon. Da Richards –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

Thank you, Honourable Member. Honourable Mover, you may now speak to the Motion.

The Hon. Susan O’Bey –

Madam Speaker, Standing Order 10 of the Legislative Council requires that ten days clear notice be given for Motions and Rule 2 of Standing Order 10, however, allows for this notice to be dispensed with the following consent of the President and the assent of the majority of the members of Legislative Council.

On 3rd August 2020, the completed report from the Governance Commission was passed to Legislative Council members. That report details the independent work the Commission undertook between May and July to tailor the two alternative governance systems identified by Professor Sarkin. Subsequently, on 28th August, the Legislative Council agreed a resolution to invite the Governance Commission members to undertake a wider ranging public engagement exercise to seek public views and comments on the revised committee system and the ministerial system. Madam Speaker, I can report that this engagement took place between 3rd September and 28th September and included nine evening community meetings and several meetings which took place both with stakeholders in the private sector, meetings, a public meeting at the Governor’s residence and various other engagements that took place and are detailed in the report, which was presented this morning, but also which was shared with all members prior to this morning’s session. Copies of the Governance Commission report and the summary slide presentation are also available on the SHG website. In addition to all of this, a dedicated response e-mail address was advertised for the receipt of written views and observations. The principle findings from this report, turn out at individual community centre meetings varied from many to a few and when taken together the broad range of public engagement events allowed for views to be gathered from a large number of people. A report summarising feedback from the public engagement sessions has been shared with all members. Generally there was a distinct and predominant theme in public opinion to progress ahead with governance reform. The present committee system was not viewed by most participants as operating effectively and only a few believed it was adequate for St Helena in the future. A small number of participants did not believe that the present committee needed to be changed, however, they were of the view that if the wider consensus was that change was necessary then this change should be contemplated over a longer timescale and the timescale suggested varied between six months to two years. Those younger participants who expressed an opinion sought change immediately whilst older participants in some parts of the island were doubtful about the need for change or achieving change quickly. A modest majority of the opinions expressed favoured the ministerial system over a revised committee system. I would caution, however, that this is only a qualitative view, no quantitative information was gathered to support this. A few participants suggested that substantial changes to the Constitution should be undertaken now, they accepted that this may take several years to achieve and this was taken to imply that they would prefer a major constitutional change and not a limited amendment focusing on the system of governance relating to Part IV of the 2009 Constitution. In the revised committee system, it was questioned why the changes had not already been put in place, but some participants expressed a view that giving executive decision-making powers to a committee chair would undermine the committee system. The notion of a Chief Minister in the ministerial system was well understood, although a view of many participants was the public should have an input into the choice rather than the choice being between Legislative Council members alone. There was widespread acknowledgement that the workload of Councillors and Ministers would increase under the alternate governance systems and remuneration levels needed to be greater than the present levels to ensure that they are sufficient to retain effective people and attract new candidates. Many participants viewed the establishment of scrutiny committees for

the Legislative members, sorry, for the Legislative Council members under the ministerial system as an important balance to the increased powers conferred on ministers or chairs. The concept of a manifesto to set out a Chief Minister's objectives for a term of office was seen as a positive feature although there were differing views if a manifesto should be issued before or after a Chief Minister is selected. A huge, a large proportion of participants favoured the Legislative Council agreeing to stage a consultative poll to decide which governance system should be adopted in the future.

Madam Speaker, before I continue, I would just like to give notice that I will be proposing an amendment to this Motion and the amendment is such, in relation to line 4 of the Motion as read which is to "resolve that a progress committee be established" rather than, as currently reads, "resolve to establish a progress committee". The reason for requesting that change, Madam Speaker, is that it is felt that it should not be the Legislative Council establishing the committee but rather that they agree to a committee being established and I will be making that proposed amendment at the end of my exposition.

Deputy Speaker –
Okay.

The Hon. Susan O'Bey –

But in continuing, Madam Speaker, members and yourself will be aware that discussions on political governance reform have been taking place for more than a year. Professor Sarkin's final report shows that from the feedback he received from members of the public there is clear support for change across the island, but concern about what it should be and whether that change could be workable and this feeling has been reinforced by the feedback received during the recent round of consultations.

In summing up, Madam Speaker, the action proposed in this Motion, which is that a progress committee be established, will allow for a greater level of clarity and definition in relation to the two systems so that this level of clarity can be developed and publicised to allow members of the public when participating in a consultative poll to have a much greater understanding of both systems so that they will be better informed to make a decision.

Madam Speaker, in moving on then, I would like to propose that an amendment to the Motion, as stated earlier, and the amendment is that the Legislative Council resolves to consider the report on the public's response regarding the public consultation on the two alternative systems of governance and that if the threshold of public interest is considered satisfactory, resolve that a progress committee be established comprised in the following manner and with the functions set out as follows:- Composition to be determined from representatives from elected members, the Office of the Speaker, the St Helena Government, the Attorney General's Chambers, the Governor's Office and from the public who are not employed by the St Helena Government; Function – to finalise the structural arrangements proposed for a revised Committee or Ministerial system of governance, instruct the Attorney General's Chambers regarding the Constitutional and any other legislative amendments necessary to effect the two alternative systems of governance, provide considered alternatives for the question regarding the changes to the system of governance in St Helena that could be considered and decided by consultative poll, consider the financial resources necessary in respect of this endeavour and liaise with the Foreign Commonwealth and Development Office to agree the foregoing. Madam Speaker, I beg to move.

Deputy Speaker –
Is there a seconder, please?

The Hon. Dax Richards –

Madam Speaker, I beg to second.

Deputy Speaker –

Honourable Members, the amended Motion is that the Legislative Council resolves to consider the report on the public's response regarding the public consultation on the two alternative systems of governance and that if the threshold of public interest is considered satisfactory, resolve that a progress committee be established comprised in the following manner and with the functions set out as follows:- Composition - to be determined from representatives from elected members, the Office of the Speaker, the St Helena Government, the Attorney General's Chambers, the Governor's Office and from the public who are not employed by the St Helena Government; Function – to finalise the structural arrangements proposed for a revised Committee or Ministerial system of governance, instruct the Attorney General's Chambers regarding the constitutional and any other legislative amendments necessary to effect the two alternative systems of governance, provide considered alternatives for the question regarding the changes to the system of governance in St Helena that could be considered and decided by consultative poll, consider the financial resources necessary in respect of this endeavour and liaise with the Foreign Commonwealth and Development Office to agree the foregoing.

Question on amendment, put and agreed to.

Deputy Speaker –

The amended Motion is now open for debate. Anyone? Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Speaker. I rise in support of this important Motion and commend it to the House. I would also like to pay tribute to and thank the Governance Commission for the work they have carried out so far with regard to public engagement on the important issue of governance reform following the work done by Professor Dr Jeremy Sarkin.

I have considered the report and the public response on the two alternative systems of government and believe the threshold of public interest to be satisfactory, although I would have liked to have seen more people attend the public consultation meetings. I strongly believe, however, that there now needs to be a sustained effort to better educate the public in terms of how the current system of governance works and how the proposed new systems would operate so that they can fully understand the implications of any changes be they via a ministerial form of governance or an enhanced committee system. I would propose that further information sessions be undertaken by a release of carefully worded messaging and perhaps talks by both officials and elected members of how the two proposed options could work. This could start soon and in the run up to a consultative poll. I also support the composition of the Progress Committee and its proposed function. I sincerely hope that elected members will put themselves forward for this important piece of work. Perhaps, as constitutional matters fall to the SCDC Committee at least one elected member from that Committee would be appropriate to be part of the Progress Committee's composition, however, the resolution calls for elected members. The importance of participation in the Progress Committee by elected members cannot be understated as the final motion will arise from the Progress Committee work will have to be taken forward by elected members of this House. It is therefore critical that the Council at that stage takes ownership of the process as the people's representatives. I would urge the Mover in her response or the Attorney General to address the House today to talk us through the full process proposed in this Motion and what will follow, not only for the benefit of members, but, more importantly, the listening public.

At the previous sitting of this Honourable House, in responding to that Motion that there be public consultation on the two alternative systems of governance, I made the point about the role of Governor in ExCo should a ministerial system of governance be chosen by the people and asked that this be addressed. This will be an important matter for the Progress Committee to address because I do not believe the status quo on this matter will be acceptable. The Chief Minister must chair Executive Council, not the Governor if the electorate choose a ministerial system of governance. The Progress Committee must therefore take this point onboard and address it and any subsequent amendment to the Constitution must reflect clearly what the role of the Governor will be under a ministerial system of governance.

Finally, I made mention previously too about the dreaded Oath of Confidentiality in the existing Constitution and wish to see this removed from the Constitution and ask that this be included in the list of any constitutional changes that may be put forward to enable governance reform. Madam Speaker, Honourable Members, I beg to move and support the Motion. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex. Oh, sorry, excuse me, Honourable Christine Scipio has got a point of information.

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. I just wondering if you could provide information. I not sure if I fell asleep, so do forgive me, but I thought the amended Motion removed the word Progress Committee and it was amended to Appropriate Committee, I might have got it wrong, because Honourable Lawson Henry continuously mentioned Progress Committee in his exposition, so can you just clarify that for me, please?

Deputy Speaker –

It is Progress Committee.

The Hon. Christine Scipio –

It's still with the Progress then?

Deputy Speaker –

Yes.

The Hon. Christine Scipio –

Obviously, I had fallen asleep and I do apologise and thank you for that clarification.

Deputy Speaker –

Thank you. The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker. I fully support the intention of this Motion as steps should be put in place to enable the public to determine what model of governance they consider should be in place to best meet the needs of St Helena going forward. However, I do have concerns about aspects of the wording and content of the Motion as it stands before us today and I would be grateful if the Honourable Mover or the Honourable Attorney General could provide clarification on the following points: The Motion states that it would be Legislative Council who will consider the report relating to the results of the public consultation exercise and decide whether the threshold of public interest is satisfactory to justify further action. Surely all elected members could be considered conflicted and consequently our impartiality

and objectivity could be challenged? I recognise fully that the key decision regarding the preferred form of governance would follow an expression of public will and something such as a consultative poll, however, if we consider the threshold of public interest shown is not satisfactory the wording of the Motion gives us the power to prevent that action being taken. This situation concerns me greatly as I cannot see how we would be able to demonstrate conclusively that whatever decision we made was not tainted by personal interest. I believe strongly that the current elected members should maintain a neutral position regarding future governance options and the steps to be taken to enable those to be put in place and that they should not be put in a position in which such neutrality will be or perceive to be compromised. I believe when once there has been an expression of will, as my Honourable Friend intimated earlier, it will then be our role to support the rolling out of whatever decision has been taken. Furthermore, I am surprised that the Motion includes quite detailed sections on the composition and function of the proposed Progress Committee. This type of detail could arguably be more appropriate within the terms of reference for the Progress Committee which could be approved by Governor in Council. I seek clarification regarding what action would need to be taken if any amendments to the stated composition and function needed to be made later if the Motion is carried today and the Progress Committee is established. For example, would any change have to come back to the House to be ratified in this forum as it would have formed part of the original Motion. I look forward to explanation on the points that I have raised and will then decide how I will vote or if I will wish to suggest any further amendment to the current wording. In conclusion, I wish to echo my Honourable Friend's commendation for the work undertaken by the Governance Commission and also his plea for further consultation and education in the forthcoming weeks and months to ensure that if there is an expression of public will that can be taken on a fully informed basis. Thank you, Madam Deputy Speaker.

Deputy Speaker –

Thank you, Honourable Member. Anyone else wish to speak? Honourable Councillor Scipio?

The Hon. Christine Scipio –

Madam Deputy Speaker, on 2nd October, Elected Members received a feedback report summarising the public engagement and information sessions held during the month of September on the alternative governance systems. May I ask when it is likely that we will be presented with a full report? It is disappointing that the feedback report is not on the St Helena Government website, if so, I am unable to locate it as one of the six pillars of public administration politics is transparency.

Deputy Madam Speaker, the old lady down the hill is confused as this Motion refers to “if the threshold of public interest is considered satisfactory” – what threshold was established prior to the engagement of the information sessions? My understanding is none. What action was undertaken to establish if these sessions were a resounding success in order for me to consider if it is satisfactory? Deputy Madam Speaker, from speaking with various ages of the community, they have stated that the process is not satisfactory as it is perceived to be rushed, they do not understand the current proposal well enough, questions were raised but no follow up sessions had been undertaken to provide the answers. We seem to be pushing the process forward but not really stopping to check whether there is sufficient public understanding of what is at stake.

Deputy Madam Speaker, we need to identify what is wrong with the present committee system or maybe why it is not working as we would wish and what is necessary to correct it. As the motor mechanic would say we need to find out what is wrong with the car before we can fix it. We need to examine the complete system of governance, that is, the relationship with council and the administration, who lead, who follow and why. It may be the fault of Elected Members

that the current system is not working, are we taking the lead on all occasions? This should be the first priority for the present council to decide on collectively before agreeing on how to proceed with the feedback report of the Governance Commission. There should be no rush for change until the necessary ground work is completed and fully understood.

Deputy Madam Speaker, as stated in this House in August, no member of Legislative Council should be involved with this review. Going forward, there should be independent legal guidance, no representation from the St Helena Government, nor the Attorney General's Chambers, or the Governor's Office. Government should seek expressions of interest from members of the public to form any further committees on this topic.

Deputy Madam Speaker, I urge the Honourable Mover to consider amending the Motion presented today. I beg to move.

Deputy Speaker –

Thank you, Honourable Member. Anyone else wish to speak? Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. Madam Speaker, I rise in support of this Motion, I think it is a first step to establish a way forward for what I see is an important decision for the general public to make and for Members to endorse and respect that decision, but in order to make that decision they need to have the right information available to them and it needs to be done in a timeframe that suits everybody involved. I feel one issue for me, Madam Speaker, is around whether or not we extend the life of this Council to allow that to happen or whether or not we cut short the new venture to bring in a ministerial system, both of which needs serious consideration if we are to attract high calibre individuals to sit around this table, which brings me on to my next point, Madam Speaker, and that is the financial implications surrounding this Motion. I for one am extremely worried that we might not apportion remuneration that is equal to the calibre of individual we hope to attract and if we do that the figure what we might arrive at might be shocking, but it might be the real cost to establish a decent Government and this is where we're gonna have to ask for the support of our friends in FCDO because implications for what is relatively small ..?.. figures for this stretched recurrent budget that is the St Helena Government's will have long-standing ramifications and, in my opinion, will need a decent uplift to achieve our ultimate goal. Mr Speaker, it worries me that in any of these feedback documents I don't see any numbers to how many people actually attended these sessions. I do respect the Chief Secretary's point about being qualitative as opposed to quantitative, but it is of utmost importance that whatever information we put out there it must be viewed by the majority of the St Helena public. Madam Speaker, I do have concerns also about the constitutional arrangements as we know constitutional amendments take time, some of which we don't have, but then again we cannot rush, so I look forward to the AG taking this forward with whatever group, whatever shape or form this group make take and I do feel at least one elected member should be on this composition of this group. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Madam Speaker, I rise in support of the Motion and like my fellow colleagues I commend the Governance Commission for their high level of commitment and dedication shown in leading the public consultation exercise. Leading up to this, we are fully aware that Professor Jeremy Sarkin he came on island and covered a lot of ground in consulting with the public and from his findings it was clear from the public that they wanted

to see elected political leaders taking control, taking leadership of decision making, they wanted to see a quicker decision making process. With this current system, there's no real leadership from what I can see, we need strong leadership, we are moving forward to try and grow our economy, we have plans and to support these plans, strategic plans, in taking the island forward we need strong political leadership. The report on the public response regarding the consultation obviously there's two systems being proposed, one is an improved governance system and the other is a ministerial type system and what this Motion is asking for is for the Progress Committee to be established and their function will be to finalise the structured arrangements proposed for a revised committee system or a ministerial type system of governance. There are still concerns within the public as to their understanding and I do see that the composition of the Progress Committee is there to best inform the public on how the current system work and also providing further clarity around the two proposed systems. In 2005, I am aware that some work was done for a constitutional change towards a ministerial system so we're not starting with a blank piece of paper. If there was the interest shown in the public for the ministerial system, the relevant changes we could draw it from the relevant parts of the work already been done, so I do take the point that, I think, Councillor Henry raised about the Oath of Confidentiality, I'm sure that can be removed in any proposed changes to our Constitution, that has created a lot of concern and rightly so, so Madam Speaker, in supporting this Motion, all we are committing to is a decision to form the composition of the group and will look at the various aspects of both systems, such as the cost of relevant changes and report back to Legislative Council for next steps, so I do give my full support to this Motion. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker, I support the Motion and I will try and briefly explain, based on the feedback that we had from the Governance Commission, why I support the Motion.

Their feedback says that there was predominantly a theme in public opinion to press ahead with the governance reform. They also mentioned, as we heard, that those who attended the public meetings frequently stated that they did not understand how the present system reaches a decision. Their feedback also concluded that the younger participants sought change immediately. That is very brief summary of what the findings of the Governance Commission were, so there's little doubt that in the general public they see a need for change. I also attended one of those sessions. I therefore conclude that the threshold of public opinion has been met for considering political reform. The numbers in the public consultation process may have been small, but the opportunity to input was provided to the general public. That said, the feedback did indicate a difference in opinion what that change should be. We are told that a minority didn't believe that the present Committee system needed to be changed.

Alongside that, the Commission also reported that a modest majority also favoured a ministerial system. Likewise we're told that a few who fed into the consultation thought that there should be an option to retain the present system, so if we were to agree to accept that on balance there is a wish for change in line with what's been outlined in the motion, as amended, I support the need for a Progress Committee and whatever title it is given to work out – the options for alternative system and the considerable detail; also about the consultative poll; what should be the question; how it can be funded; and, and all related but time consuming and sometimes intricate issues that will need to be dealt with.

The Composition of a Progress Committee seems fairly broad and if the requirement arises for it, let's hope that there will be adequate takers.

There have been calls for broader Constitutional change, we know though that this would take years. To go down that road would mean no change in the political system for quite some time. I would find it difficult to suggest that that would be the best option. I see it as a journey. Do we want to move on, if so, the island needs to ask itself then why not make a start soon? If it is introduced it could take years to fully bed in and while doing so other reforms, like the major Constitutional change, could be looked at.

Madam Speaker, I support the Motion.

Deputy Speaker –

Thank you, Honourable Member. Is there anybody else would like to speak? Councillor Ellick?

The Hon. Gavin Ellick –

Thank you, Ma'am. I stand to talk to the Motion. I can't figure this out because we're trying to have a governance reform, we don't, most of the public don't know how the committee stage works now, Councillor Thomas said before there's no real leadership. I beg to question that there, he is ExCo, so if there is no really, like, leadership, why do we have an ExCo and he sits on ExCo, so, like, that's quite conflicting. As for the timelines, I think it is really, really too fast, we need to slow down. The threshold from the people, we had a petition not so long ago where it had 1,000 signatures asking us to stop something, nobody did, so for me, I'm not quite happy with this at this moment in its entirety and I'm sorry I will not support the Motion. Thank you.

Deputy Speaker –

Thank you, Councillor Ellick. Honourable Councillor Beard?

The Hon. Clint Beard –

Madam Deputy Speaker, I think the work done by the Commission must be thanked and the dedication and the time that they've given up. Reading the reports, I have not seen the numbers who has attended those sessions and I think that is important. There also should be more information released as to really what elected members do at present. Accountability and decision making should be high on all of our list even now and I disagree with my colleague on the right, we all have that role now and that is our duty to perform that for the public. The financial implications are still a key element and this must be looked at as not to become a financial burden to our future of all on the island as this could be an element to hinder service delivery. Independence is also an important element and it would be hoped that this would be seen as a fair process. There is varied opinions within the public, but at the end of the day we need to listen to what the public has to say. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wish to speak? Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Madam Deputy Speaker. I was a strong supporter of a governance review because after a short time serving on this Council, it was clear to me that although we lived in a democratic society, democracy wasn't leading in the governance of this island and the main reasons I asked I support a governance review was to better identify the role of DfID and also

the role SHG officials in our governance system. Now, listening to my colleagues, I can see that as we go forward we will need further improvements to the technicalities of our journey for our journey, but I am somewhat disappointed that elected members is not willing to serve on the Progress Committee and my reason for that is many constituents voice concerns to me that they don't understand the current system and for that matter the ministerial proposal and we, with our experience, and I have limited experience compared to my colleagues, in fact, since joining Council I have nicknamed one of my colleagues, the political encyclopaedia and for me she is, indeed, a walking encyclopaedia, and I have tried to convince even the encyclopaedia to join this Progress Group, but there is a reluctance, so I respect that, but I will put myself forward to serve on it, because I believe that it is important that constituents, the electorate have some sort of political input in there. I know with my experience it will be very limited input, but I support the Motion.

Deputy Speaker –

Thank you, Honourable Member. Alright? Would the Honourable Mover like to respond to the debate?

The Hon. Susan O'Bey –

Madam Speaker, I would like to thank the Members for their contribution to this debate this morning, I think it's been really helpful and it's been useful to hear the views expressed. I think there is an overwhelming view that there is a need for further information to be put out into the public domain in relation to (a) the current system, the current committee system; and, (b) the two alternate systems which are being proposed as a part of the governance review and that's an action that we can take to make that information available. I also respect the points that Members have raised this morning in relation to other things that should be considered as a part of the work of any Progress Committee that is in place, including the points raised in relation to the role of the Governor, the Oath of Confidentiality and so on. Members have also asked to have greater clarity on the process which will follow this Motion. Once the Committee, if the Motion is certainly is agreed and passed in the House today, then it will be necessary for the Committee, once established, to set out a distinct plan of action with timeframes that can be publicly shared and also shared with all Members so that everybody is aware of the time that is being considered for this piece of work. I can also arrange for numbers, I am sure that all of the meetings attended that there were comprehensive records kept, including the numbers who attended and this information can also be made available. What I would like to say, however, that this is not a journey that has started just with the public engagement sessions that took place led by the Governance Commission, this journey started last year with the arrival of Professor Sarkin who made two visits to the island and it was on the basis of his discussions and the public consultations that he held which determined that people were keen to see some change to the current system and that is what started this journey, so this is yet another milestone along that journey, but I would like to remind Members that this is not something that has started just now with the Governance Commission. I will also call on my Honourable Colleague on my right to explain in further detail in relation particularly to the point raised by the Honourable Dr Corinda Essex in relation to conflict of interest so that he can provide some explanation there and also explanation in relation to matters of the Constitution. I know the Honourable Christine Scipio expressed concern about any involvement by Attorney General's Chambers, Governor's Office, the Administration and suggested that the entire process going forward should be done by independent means and I would ask my Honourable Colleague to also address those issues as well. In summing up and before I pass over to my Honourable Friend, I would like to also add my thanks to the Governance Commission who produced, I think, a sterling piece of work in a relatively short

timeframe. I would also like to thank those who supported the process and that is the Governor's Office, the Attorney General's Chambers and to all of those who made the effort to attend the meetings. I think this is a journey that we are all on, we are all keen to see a system that is appropriate and that will help this island to be able to truly move to a state where democracy is seen to be working, where accountability is clear and where those Members who have the accountability vested in them are clear about their roles and what it is that they wish to achieve in their respective roles. So, I would like to just sum up by saying that I thank everybody for their comments and Madam Speaker, I beg to move.

Deputy Speaker –

Thank you. Honourable Attorney General?

The Hon. Allen Cansick –

Yes, Madam Speaker. Dealing first of all with Councillor Essex concerns over the structure and size of the Motion, particularly the details of the composition and functions. The reason for this and the reason we put the functions there is because these were considered the most important next steps for the Progress Committee and to have that actually in the Motion, rather than TORs later on or perhaps specified by ExCo it was felt important that all elected members have given their support to these next steps and it's clear and recorded that that's what elected members have decided to do on this occasion.

In regard to Councillor Essex's other point in regard to the conflict of interest, I'm not quite sure that there is on the information I have or actually I can't see on the information that I have any personal conflict of interest for Members in deciding on this and Members agreed that they should go out for a period of public engagement, the engagement has now taken place and matters have now returned here as to how we should progress and I don't see a conflict on Members reflecting on what's happened and what's been said by the public and looking at what they see as the threshold and if that's satisfactory in making a decision whether we should go forward to the Progress Committee, so, to reiterate, I can't on the information to me see a personal conflict with Members in deciding today.

In regard to the matters raised by Honourable Christine Scipio, I can't see legally any reason in the Constitution that would prevent officials, AG's Chambers working on these steps that are detailed here, liaising with the FCDO and starting to finalise what's going to go forward to the public, if that's going to be the case, on what these reforms are actually going to be, so I can't see a legal reason why it shouldn't be done by the officials, the AG's Chambers and Members of this House. Thank you, Madam Speaker.

Deputy Speaker –

Thank you. Honourable Members, the Motion is that the Legislative Council resolves to consider the report on the public's response regarding the public consultation on the two alternative systems of Governance and that if the threshold of public interest is considered satisfactory, resolve that a Progress Committee is established comprised in the following manner and with the functions set out as follows - Composition - to be determined from representatives from Elected Members, the office of the Speaker, the St Helena Government, the Attorney General's Chambers, the Governor's Office and from the public who are not employed by the St Helena Government. Function - finalise the structural arrangements proposed for a Revised Committee or Ministerial system of governance, instruct the Attorney General's Chambers regarding the constitutional and any other legislative amendments necessary to effect the two alternative systems of governance, provide considered alternatives for the question regarding the changes to the system of governance in St Helena that could be considered and decided by consultative poll, consider the financial resources necessary in

respect of this endeavour, and liaise with the Foreign Commonwealth and Development Office to agree the foregoing.

Question on Motion, put and agreed to.

The Motion is carried.

His Excellency the Governor leaves the meeting.

Deputy Speaker –

We move now to the next item on the Agenda, please.

Motion No. 2 – The Honourable Jeffrey Ellick.

Deputy Speaker –

The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. The Motion is that this House resolves that St Helena Government takes immediate action to consider persons coming to St Helena are tested before departing a country for St Helena, on arrival at St Helena and on the 14th day of quarantine in St Helena.

Deputy Speaker –

Thank you, Honourable Member. Is there a seconder?

The Hon. Gavin Ellick –

I beg to second, Ma'am.

Deputy Speaker –

Thank you, Honourable Member. Honourable Mover, you may speak to the Motion.

The Hon. Jeffrey Ellick –

Madam Speaker, this Government had a process in place, sorry, Madam Speaker. That this Government resolves that St Helena Government takes immediate action to ensure persons coming to St Helena are tested before departing a country for St Helena, on arrival at St Helena and on the 14th day of quarantine in St Helena. Madam Speaker, the St Helena Government received funding for Covid testing equipment when PPE. I understand if we require more we were told to ask for more. The World Health Organisation advised the world that the best way in managing the pandemic is to use testing. The Executive will say that this is resource intensive and there isn't sufficient funding. My argument would be are we really more concerned about the cost than the lives and wellbeing of our people? We should be investing now to save lives as I fear that if we do not have tight measures in place now we could be spending a lot more money later. If we require people to test before coming to the island, like other countries are doing, we reduce the threat of it getting here. There is no financial impact in this or any impact or responsibility on this Government, the responsibility will lie with the individual. Some might argue that it is difficult for persons wanting to come to St Helena to get a test. We have to do what is in the best interests of this island and its people, we have to be proactive. If we agree to test on arrival, we will know individual status and be best placed to manage the risk and deal effectively with individuals in order to prevent transmission into

our community. To ensure the wellbeing of this island and its people, I ask that elected members support this Motion and the advice of the World Health Organisation and test, test, test. Madam Speaker, I beg to move.

Deputy Speaker –

Honourable Members, the Motion is that this House resolves that St Helena Government takes immediate action to consider persons coming to St Helena are tested before departing a country for St Helena, on arrival at St Helena and on the 14th day of quarantine in St Helena. The Motion is now open for debate. Councillor Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Before I respond, I have a Order Paper here, I just want to be clear what the wording of the Motion. My Order Paper, and I know there have been a number of Order Papers, so I apologise if I have the wrong one, but in my Order Paper it says that this House resolves that St Helena Government takes immediate action to consider persons coming to St Helena are tested before departing a country for St Helena, on arrival at St Helena and on the 14th day of quarantine in St Helena. The key part for me on my Order Paper is to consider and I'm asking if this is the correct wording of the Motion before I respond, Madam Speaker?

The Hon. Jeffrey Ellick –

That's the correct wording, Madam Speaker.

Deputy Speaker –

That is the correct wording.

The Hon. Derek Thomas –

That is the correct wording?

Deputy Speaker –

Correct wording, yes.

The Hon. Derek Thomas –

Thank you. Madam Speaker, I acknowledge the importance of robust testing regimes for Covid-19 and I support the intent behind this Motion. The Motion is asking to consider testing. Madam Speaker, the Honourable Member is correct in saying that St Helena Government has received substantial amount of funding from Her Majesty's Government to prepare the measures we have in place for Covid-19 and if we need more, we ask for more. It's not as simple as that. Madam Speaker, we are fortunate that we don't have Covid-19, we are very much in the preventive mode. If we are to continue in the preventive mode, we need to make cases to Her Majesty's Government for additional funding, we clearly have to justify that. Madam Speaker, there are already measures in place to ensure that every person arriving at St Helena is tested for Covid-19 prior to completion of their 14-day quarantine period. This arrangement, as requested by the Honourable Member, is already in place.

Madam Speaker, Honourable Members, I would ask that you consider the advice provided by Health Professionals in conjunction with the National Health Organisation to consider the logistical challenges of testing prior to departure for St Helena and on arrival. For example, the NHS in the UK advises individuals not to request a Covid-19 test if they are going abroad and do not have symptoms. That is the current advice, so if we were to go down the road of everyone being tested it will be challenges around this. There are key frontline personnel within the United Kingdom experiencing difficulty at this time to simply have Covid tests

carried out. We need to take into consideration the sheer demand of Covid-19 tests in the UK and that access to such tests is not easy nor tests are inexpensive. Moreover, Mr Speaker, the Health Directorate is aware that in many areas negative test results are not reported. Information is only provided to the individual if they test positive for Covid-19, so even if we go down the road of ensuring tests the results are not always forthcoming, only if it is a positive test, thus we could have a departing passenger who has had a Covid test, but no way of providing that they are tested negative. These defeats the objective of the entire exercise. Madam Speaker, we must also take into account that we have no choice at this moment but to send our medical patients to the United Kingdom because of the challenges around South Africa at this time. The medical services will experience difficulty in having these people tested, it's not just straightforward, the logistics are challenging and we here, we talking about, in most cases, unwell patients. Testing on arrival is done in countries that have a strategy of short quarantine period or no quarantine rule at all. Since we in St Helena are directing everyone in to mandatory quarantine or isolation for 14 days on arrival, that is the rule, testing on arrival is considered by our Health Professionals as a misuse of PPE and equipment and health staff time, besides that, a negative test on Day 1, according to our Health Professionals, will provide a false level of assurance to people that they are Covid free, as it is still possible to present symptoms at a later stage. Madam Speaker, there are different testing regimes around the world, for example, we are aware of recent moves in some territories to test on Day 8. St Helena will keep such advice under review as the situation with Covid-19 evolves. However, it remains the case that the general advice around Covid-19 is that we consider a 14-day period, hence the requirement on St Helena to test again on completion of quarantine at Day 14. Madam Speaker, Honourable Members, our Health Professionals are following Covid on a regular basis, they are seeking advice from our Health Professionals in the United Kingdom and we must be guided by our Health Professionals when it comes to testing. Furthermore, we will, at some stage, mostly likely have to ask Her Majesty's Government for additional funding and as I alluded to, we have to follow the advice from the United Kingdom and when we ask for this additional funding, we must clearly be able to stand up and justify it. Carrying out tests which will have no meaningful end would be seen as a waste of our resources, these tests are not cheap, and, like I say, Madam Speaker, demanding a test from our people in the United Kingdom, we know the Health Service has provided advice on this, it is a real challenge to our people who have to come back to St Helena. Madam Speaker, I'm unable to support the Motion at this time. Thank you.

Deputy Speaker –

Any other Honourable Member wishes to speak? Honourable Lawson Henry?

The Hon. Lawson Henry –

Madam Speaker, I do not support this Motion. For all the reasons outlined by my colleague to the right, I just couldn't imagine. At the moment, the only people who are travelling to and from St Helena is our own people, who my Honourable Colleague said is forced to travel because of medical reasons, secondly, those who wish to visit family and friends, those who is in employment and a few that come on business. Why do we want to impose on those people when they're returning to their home a test that is difficult to get in a country where we know health services and those who carry out the tests is already in high demand? The procedures this Government has in place to detect Covid-19 has been in place since we were able to carry out testing, as my Honourable Colleague said our quarantine and self-isolation is improving all the time and the sheer logistics of asking our people to do this is unreasonable. I think it is more important for us as a Government to be, as I will be saying in my Adjournment Debate, to put out much more information so's that people understand more clearly the risks with

Covid-19. I do not believe it's a simple matter in terms of resources, as my Honourable Colleague has pointed out, to go to the Minister. St Helena is one of three territories that is in receipt of grant-in-aid, the British Government is already providing nearly 70% of aid to balance our budget. At the start of Covid-19, to make us more resilient, there was no hesitation in providing additional funds to support our resilience, that resilience is improving all the time and, yes, the Minister might have said that if we require more funding then we will have to make a case, and that is the prerogative, we will have to make a case. I cannot see how we can justify imposing measures in another country for people to be tested. It is easy to say that the onus of getting that test is on the traveller, but the majority of those travellers is our people, people who we are here to represent. Why do we want to put them through that additional expenditure when they already coming back here to serve out their time in quarantine or self-isolation as agreed by the Committee or the IEG that is responsible for SHG's resilience? I just cannot support this Motion, I believe that more information in the public is so relevant to Covid-19 as we have to live with this disease and there is no justification at this moment in time for people, the limited amount of people that we allow into the island, to be tested because they are coming to the island to serve their quarantine and is being tested before release to the public. Thank you, I do not support this Motion.

Deputy Speaker –

Thank you, Honourable Member. Anyone else wish to speak? Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Ma'am, I stand in support of this Motion. There are a number of countries across the world who require persons to have a Covid test either 72 hours or some 48 hours before entry. In these countries, there are other countries that simply will allow you in. We only have to look at our mother country and France to see by not doing the right thing they now have thousands of people being infected. In the UK, Wales and Scotland have closed their borders and throughout Europe they have done the same, but some of our ExCo members does not want to do this, they think it's a waste of time for these tests. They are more worried about costs and not our people's lives. I was told by the Honourable Chair that if we made a strong enough case Baroness Amos would consider giving us more funding for Covid-19, so why haven't we done this here? I here a rant going on about our people coming back, if we come up with a system where we can test our people over there first then we won't have to put them out Bradleys because we would have had, okay, what I would suggest with this here, that people coming to the island do a 14-day quarantine over in the UK if we don't want to spend money on tests, but for me to allow people to come here, knowing that the world is now more than ever being infected and we don't have no resources, we don't even have some oxygen plants in place, we don't have nothing, but yet we will say, oh, our economics are going down. This is not right, people's lives matter. Before when we were saying we don't have proper leaders in this here, I have to laugh at this here, they are the ExCo, they are the ones who run the island, but we don't have proper leaders and yet we want to let people come in. For me, I check the news out every day, I look at the Health Organisation, I see what they say and they are protesting. It is alright for other people to do this elsewhere in the world because they have the resources, they have the numbers of people, we don't have that there, we have 4,000 people, half the population is old, if it ever gets here they will be affected, we will die out, maybe that's what they want. Myself, I have emphysema, if that disease get to the island, I'd be the first one to die, which I don't mind, but check it out, do we want to put our people in this position? No, so for me, I will support this Motion. Thank you.

Deputy Speaker –
Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
Thank you, Madam Deputy Speaker. I support the concept of having a robust testing regime, but it must be one that is proportionate and appropriate to our conditions on the island and feasible. When we talk about testing before people actually leave the country of origin, that is extremely difficult to institute at this point in time and although I know some countries are saying they'll accept tests in 72 hours prior to departure there is nothing to say that someone who tested negative 72 hours prior to departure isn't positive by the time they get to St Helena, so, therefore, I do have serious concerns about the actual practicality and value of testing people before arrival unless one could do it literally a couple of hours before they stepped on the plane, which just isn't achievable. With regard to on arrival on St Helena, I think that in some circumstances that would be beneficial and with regard to on the 14th day, so if my Honourable Friend were willing to remove the reference to departing the country for St Helena and amend the Motion accordingly I would support it, but I cannot support it with that requirement to say before departing because I do not believe that that is achievable or gives any great added value unless, as I said, it's able to be organised for the last minute. Thank you.

Deputy Speaker –
Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –
Before Members debate further, I've just been advised by the Health Service that, and I think it is important for Members to know this before they contribute further, you can test on Day 1 on arrival, but the reality is you still could present symptoms up to Day 14, so, you know, the point is, if you test on Day 1 what you gonna achieve. Thank you.

Deputy Speaker –
The Honourable Christine Scipio?

The Hon. Christine Scipio –
Thank you, Deputy Madam Speaker. Deputy Madam Speaker, as we don't know what discussions are being held within the new IEG at the moment I'm concerned that we don't know what discussions are being held as to say opening the borders, people arriving from countries that has already been known to have Covid-19 may self-isolate in their home, we don't know what discussions are being held. Do we need to try to ensure that we give the reassurance to the public that we doing everything to provide the comfort, that we're doing everything to stop it from coming to the island, so that we got safeguards in place for the people of St Helena, because when you talk about costs, Honourable Friend earlier on talked about costs, to me a cost of a test would trump the lives of St Helena, because if we've got this virus on the island, like our Honourable Friend said, we'd be wiped out, so, you know, the cost of a test should not be put in the same category as the lives of St Helena, so providing, making sure that tests are carried out will provide the reassurance to our public of St Helena and, Deputy Madam Speaker, the Motion says consider, we're not saying must, so I'm supportive of this Motion, because it's asking St Helena Government to consider and not a must. Thank you, Deputy Madam Speaker.

Deputy Speaker –
Thank you very much, Honourable. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Madam Speaker. I want to thank my colleague for bringing this timely Motion to the table and as it has been pointed out that the key word in the Motion is consider and we will probably know that there are rapid and reliable Covid tests equipment coming out almost by the day and I would therefore support this Motion because I think that the possibilities should be considered. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Anybody else wishes to speak? Councillor Cruyff Buckley?

The Hon. Cruyff Buckley –

Yes, thank you, Madam Speaker. I too, am, I'm in support of this Motion, Madam Speaker, I think it is something that needs to be considered and I think it needs to be financially quantified, even if we don't like the high figure attached to it, but then again, that is the price we pay for safety, we've already paid a hefty price to keep this island safe and I think it could be introduced as an added measure, after all, if we can determine a liability at the opposite end of the airbridge then that goes well for managing the disease, but as ever, it comes with a cost that has to be balanced against other competing priorities within this Government and balanced against the risks that comes with not doing it and the gains that comes with doing it. I believe it should be at least be quantified, Madam Speaker, so this Council can make an informed decision. Thank you.

Deputy Speaker –

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

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. I'd just like to thank Members for their valuable input, let's see what the outcome is. Madam Speaker, thank you.

Deputy Speaker –

Honourable Members, the Motion is that this House resolves that St Helena Government takes immediate action to consider persons coming to St Helena are tested before departing a country for St Helena, on arrival at St Helena and on the 14th day of quarantine in St Helena.

Question on Motion put.

Deputy Speaker –

A show of hands, please?

The Hon. Cruyff Buckley –

Madam Speaker, can we have a division?

The Hon. Christine Scipio –

Deputy Madam Speaker, the listeners won't know who's showing their hands, could we do a division instead? Thank you.

<u>Ayes</u>	<u>Noes</u>	<u>Abstentions</u>
	Hon. Lawson Henry Hon. Clint Beard	
Hon. Cruyff Buckley	Hon. Derek Thomas Hon. Anthony Green	
Hon. Gavin Ellick Hon. Jeffrey Ellick Hon. Cyril Leo Hon. Christine Scipio Hon. Russell Yon		Hon. Dr Corinda Essex

Deputy Speaker –

So we have 6 Yes, 4 Noes and 1 Abstain, so the Ayes have it.
The Motion is carried.

Ladies and gentlemen, I think this is a time we can break for lunch before we go into our next Motion. We'll be back here within an hour. Thank you so much.

Council Adjourned.

Council Resumed.

Motion No. 3 – The Honourable Jeffrey Ellick.

Deputy Speaker –

The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

The Motion is that this House resolves that decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions are taken by the Politicians (12 Elected Members) to ensure there is democracy through proper debate and scrutiny.

Deputy Speaker –

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

The Hon. Gavin Ellick –

I beg to second, Ma'am.

Deputy Speaker –

Thank you, Honourable Member. Honourable Mover, you may now speak to the Motion.

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. Madam Speaker, this Government had a process in place for dealing with matters pertaining to Covid-19 which is in line with Council Committees

Constitution Order 2020. Under such Order, the Public Health Committee has responsibility for government business concerning health, including health services, preventative health services, environmental health and public health, disaster management, health and safety and for policy relating to any legislation relevant to those subjects. The process was done through IEG, a group consisting of three politicians from the Health Committee who made the policy and political decisions on Covid-19 matters. Before decisions were made, caucusing was carried out with the rest of the Elected Members. This Government, Executive Council, has now agreed the suspension of the IEG and escalated the decision making on Covid-19 to Executive Council bypassing the Health Committee. It would appear that the Executive does not wish for due process to be followed and the appropriate Committee to make the political and policy decisions pertaining to Covid-19. Covid-19 is a subject that is very emotive for our people who live in a Covid free island, so when it comes to matters that affects people's lives, rights and freedoms, such as self-isolation, quarantine, testing and conditions surrounding these matters, it should be the politicians, the twelve Elected Members, who are the people's representatives who should be making the decisions. This will ensure that such matters are debated and scrutinised so that we have what we believe to be the best decision for the island and its people. However, what I see is a Government who is heading down the road which could be risking the lives of all on St Helena. If this Motion is not supported, whatever direction this Government decides to take will be passed, endorsed without any opposition. Why? Because this is what the current command structure allows. Just to enlighten Members, a command and control structure is an autocratic structure designed for emergencies and disasters where fast decisions have to be made. St Helena is not in that situation. In fact, we are far from that, we do not have Covid-19 on island and the decisions we are making are slow time as opposed to fast track. All issues that are affected by Covid-19 are now dealt with by the Public Service, headed by the Chief Secretary, the so-called Gold Commander and then presented to ExCo for endorsement, nothing goes through appropriate Committees, therefore, there is no scrutiny or debate and seven Elected Members are cut off from the entire process. The seven Members effectively are the opposition. Political decisions are now being escalated and, in my view, this is unconstitutional. However, if one reads the suspension of IEG, the letter which was circulated to Elected Members, there's a paragraph in there. "The island is now significantly better prepared to deal with Covid-19 and the challenges it brings. Additional Healthcare staff have arrived to support the island, testing capability is available, medical supplies provided, Bradleys Camp is operational and robust and robust quarantine procedures and contact tracing have proven successful for protecting the island. Food and supplies are steadily coming in to the island, despite the challenges. Air access, whilst sporadic, continues to bring residents and essential travellers to and from the island." So, in my opinion, we should be operating more towards normal. The current process is far from satisfactory and we all, as Elected Members, have a duty to our constituents to ensure the Constitution, or, in this case, the Constitution Order, is upheld. Matters of national importance that affect the rights of individuals are scrutinised and debated in a proper manner which include all Elected Members, the opposition. This is called democracy. My Motion will address the aforementioned issues I have raised. My Honourable Colleagues, you will probably have been informed that if you support such a Motion there will be a need for a change in the Constitution as what has been proposed is unconstitutional. What I will tell you is the so-called new command structure that is in place now clearly does not fall in line with our Constitution at this time, so I leave it to you to decide. The Motion allows each of you Elected Members to be part of the decision making but also allows you a say in the way we go forward, the management and prevention of Covid-19 and in line with good governance. The power must be with the people and when I say the people, I mean the twelve Elected Members put there by the people for the people. I look forward to your support. Madam Speaker, I beg to move.

Deputy Speaker –

Honourable Members, the Motion is that this House resolves that decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions are taken by the Politicians (12 Elected Members) to ensure there is democracy through proper debate and scrutiny. The Motion is now open for debate. Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Speaker. I thank the Honourable Mover for his Motion, however, for reasons as already been advised to all Elected Members, this Motion, even if it was approved by the House, can't be carried forward, because it will simply be unconstitutional. I am here to uphold the Constitution, which is the highest law in our land and whilst I respect the sentiments that the Honourable Member put forward, there are ways in which what he is asking can be done that would not be in breach of our Constitution, so, for me, even if this Motion is passed today, it cannot be carried forward because it would be unconstitutional to do so. Thank you.

Deputy Speaker –

Who else, please? Councillor Gavin Ellick?

The Hon. Gavin Ellick –

I rise in support of this Motion. At the moment, we, the non-executive members have no involvement or say in anything to do with Covid-19. There is no consultation or caucusing before, there is no opportunity to debate or scrutinise, so where is democracy in that? When we have sight of the green papers, at least we have a chance on a Friday afternoon to caucus, to say our piece, regardless if ExCo doesn't do it on Tuesday, but we have been picked by the people to represent them, but can't influence anything, we really need to put a stop to this and make sure we do in a democratic society, so therefore I support this Motion. Thank you.

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. The way this Motion is worded is obviously and the advice we've been provided with is clearly unconstitutional and I can understand the sentiments that the Member has brought about and it might be we can look at the way we do business around Covid to bring Members onboard in a similar sort of vein like we was initially doing and I did give an assurance that issues that needs to go through Committee, Public Health Committee, will be discussed, but we clearly cannot have twelve Elected Members making decisions, the issues can be discussed, we can listen, like we initially did, we had that sort of partnership approach, but we clearly can't have twelve Elected Members making decisions on Covid related matters when it come to decision making, the process, because it's unconstitutional and we wouldn't be upholding the law, but, you know, I think we can look at how we can inform Members of issues perhaps and so that they are aware of, you know, which way we're going and what we are discussing, but clearly we couldn't be involved in decision making process of all twelve Elected Members, because it goes against the grain of the Constitution of which the advice from the Attorney General's Chambers has been provided, so I can't support the Motion in the way it's been worded here, it would be the wrong thing to do. Madam Speaker.

Deputy Speaker –
Honourable Christine Scipio?

The Hon. Christine Scipio –

Can I just rise on a point of information for the benefit of our listeners, because our listeners are hearing the words “advice from the Attorney General”, but they don’t know what the advice is, so is it possible that we can ask the Attorney General to give the listeners an idea of what advice we are referring to? Thank you.

The Hon. Allen Cansick –

What the Motion proposes would be against the Constitution and if it is carried it can’t be brought into effect. Pursuant to section 34 of the Constitution, Executive authority is vested in Her Majesty and that’s exercised on behalf of Her Majesty by the Governor either directly or through officers subordinate to him. The Constitution further creates an Executive Council and in the exercise of executive authority in certain matters the Governor must consult and in most circumstances act on their advice in exercising his or her authority. Executive Council under the Constitution is made up of five Elected Members all elected by the other Elected Members. The Motion would, in effect, replace the five elected members with all twelve elected members for Covid-19 matters and there is no basis for that under the Constitution. Further, if what is meant by twelve Elected Members is the Legislative Council, the same issues above apply in addition to the fact that the Constitution does not give power to Legislative Council to act in such a way. Section 60 gives the Legislative Council powers to make laws for the peace, order and good governance of St Helena, it does not give Legislative Council executive powers. None of the above should be taken as any criticism of the convention of members of Executive Council caucusing on appropriate matters with all Elected Members or as any criticism of wider Elected Members opposing Government policy; these are different matters from that which is being requested in this Motion. I would again reiterate that if the Motion is passed by LegCo it cannot be actioned for the Constitutional reasons. Thank you.

Deputy Speaker –
The Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. Based on the advice that we’ve had from the Attorney General, I can’t support the Motion. I understand the comments from the Mover in some respects, in others I can’t, because it reads to me as if the issue arises or arose when IEG was actually reconstituted and was formed by ExCo members and he seemed completely satisfied with IEG previously when he sat on it as a member of the Public Health Committee, but the IEG previously was made up of three members of Public Health Committee, it was not made up of the Public Health Committee, because I was not on it and I’m a member of the Public Health Committee, so, in truth, the previous IEG was not the Public Health Committee and I accept that when you have an IEG you need to be very agile on your feet, you have to not only look at the health issues, you have to look at the internal security, the external threats and the people who have the ability to actually trigger anything within society on St Helena, the responsibility and the political authority rests with Executive Council. What I do accept is that there might be room to try and make sure we have robust procedures in place that where it’s not an absolute emergency that the various Committees then feed back information through their relevant Committees. We do often when we can and we have the related papers able to caucus, but those things do happen when that’s possible, but twelve Elected Members, it would be quite unwieldy to be able to make instantaneous decisions, because at the moment we do not have

Covid-19, but if we ever do or had another emergency, you would need instantaneous responsibility and I think Chairmen of Committees do have that ability and as ExCo members able to do that immediately, so based on all those factors, Madam Speaker, I would see that we can look at doing something, I think the Chairman of Public Health has indicated, well, let's have a look at make sure we improve the process, but on the basis of the legal advice, I do not support the Motion.

Deputy Speaker –

Anybody else wish to speak? The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Speaker. I seem to be having difficulty with the wording of a lot of Motions today and I'm beginning to wonder if it's just me or there's something inherently wrong with some of the wordings being presented to us and I cannot support this Motion as it stands, because I accept the ruling of the Attorney General on this matter, but on the other hand, I would not like to see this Motion set aside, because I believe it does have some merit, so I would like to respectfully suggest that an amendment is made. If the Honourable Member doesn't wish to make the amendment himself, I am prepared to make it, but I know that if I make it it then becomes my Motion and I would then have to wind up and so on and I do not want to take that right away from the Honourable Mover, but I wish to propose that he considers amending this as follows: That this House resolves that decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those of an extremely urgent nature are taken following consultation with all elected members to ensure that there is democracy through proper debate and scrutiny. Thank you, Madam Speaker.

Deputy Speaker –

Anybody else? No? Okay. Would the Honourable..... Alright then, you want to come back on that..... Okay....

Inaudible

Deputy Speaker –

No, I talking to Jeff, I think Jeffrey wants to come back on Corinda's suggestion.

Inaudible

Deputy Speaker –

The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Yes, Madam Speaker, I accept the amendment.

Deputy Speaker –

Can we get the, sorry, Honourable Corinda, can you repeat that, please?

The Hon. Dr Corinda Essex –

You accept it as stated. Right.

Inaudible

The Hon. Dr Corinda Essex –

Yes, so you probably won't be able to read my writing, so.....

Inaudible

Deputy Speaker –

Okay, we'll take five minutes for you to sort that out, alright? Thank you.

Council Adjourned

Council Resumed

Deputy Speaker –

Honourable Members, the Motion, as amended, now reads – That this House resolves that strategic decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those in extremely urgent nature are taken following consultation with all elected members to ensure there is democracy through proper debate and scrutiny. Okay?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker, I think I'm supposed to amend my original Motion and the amended version is – That this House resolves that strategic decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those of an extreme urgent nature are taken following consultation with all elected members to ensure there is democracy through proper debate and scrutiny.

Deputy Speaker –

Is there a seconder, please?

The Hon. Dr Corinda Essex –

Madam Deputy Speaker, I beg to second.

The Hon. Anthony Green –

Madam Speaker, I trust I'm not speaking out of turn, but I would ask that before the question is put to us that I would like to have a ruling whether or not this revised Motion is now in order with the Constitution.

The Hon. Allen Cansick –

Madam Speaker, this resolution cannot in any way, if it's passed, fetter those decision-making powers of the Executive, this can't fetter it under the Constitution, we'd need to amend the Constitution again to put in there a obligation to consult and that doesn't exist. This could stand as an expression of the wishes of or the hopes of Legislative Council that such matters will be consulted on by the wider elected members, but it cannot fetter the decision of the Executive.

Deputy Speaker –

Okay.

The Hon. Anthony Green –

So, Madam Speaker, I know we have listeners and everything, so just put simply, it is something that the Executive could support, it wouldn't be non-compliant.

The Hon. Allen Cansick –

No, I've explained that the resolution to come into full effect would place a fetter on the Executive and that can't be done, the Constitution does not allow forced consultation to take place by the Executive. It will just be no more than an expression of people, of the Members of this House that they want to be consulted on such issues.

Deputy Speaker –

Sorry, Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I see that it's just allowing Members for expressing their views, so where there's issues that need to go through Public Health Committee, I take it that will still have to be done in relation to Covid-19?

The Hon. Allen Cansick –

Yes, as I said, the resolution does not change the procedure, it can't change the legal procedure.

The Hon. Anthony Green –

I do apologise, Madam Speaker, but this is quite an important issue, but what I would not wish is to support a Motion that is unconstitutional and I think, I need to break it down in such terms, is this accepted constitutionally or is it an amendment that we could embrace, but will not affect the executive powers of Executive Council nor will require us to always consult twelve people?

The Hon. Allen Cansick –

I think I've explained that if the intention is to fetter the decision making powers of Executive Council this resolution cannot have effect, so if you were to pass it, it can't change the Constitution.

The Hon. Anthony Green –

In terms, we are no further ahead.

Deputy Speaker –

Honourable Attorney General?

The Hon. Anthony Green –

Just in legal terms as been explained by the AG we're no further ahead in terms of the revised wording? Sorry, I just want to be clear, because I think everybody needs to be clear on that?

The Hon. Allen Cansick –

Yes that's correct.

The Hon. Anthony Green –

We cannot do anything unconstitutional and the change proposed does not make it any better?

The Hon. Allen Cansick –
Yes, correct.

The Hon. Anthony Green –
Thank you.

Deputy Speaker –
Honourable Corinda Essex?

The Hon. Dr Corinda Essex –
Can the Honourable Attorney General please explain why this does not make it any better? The original Motion required all twelve members to be involved in taking the decisions. This amendment does not require all twelve members to have the decision-making function.

The Hon. Allen Cansick –
Councillor Essex, as I said, if it places an obligation on the Executive to consult with all the wider members it is adding something which is not in the Constitution, you can't place that obligation on, legally on the Executive, you can say as an expression of will that you would like them to consult and that you even expect them to consult, but you can't place an obligation for them to do so.

Deputy Speaker –
Honourable Corinda Essex?

The Hon. Dr Corinda Essex –
So then can we make a further amendment to give this constitutional effect, perhaps by saying something like, that this House resolves that it is their wish that decisions of policies should be etc?

The Hon. Allen Cansick –
It comes with a similar thing, again that would just be an expression of what this House wants, it can't be anything that changes what is in the Constitution in any sense (or for?) places an obligation on the Executive to do so.

Deputy Speaker –
Honourable Corinda Essex?

The Hon. Dr Corinda Essex –
With all due respect, Honourable Attorney General, I'm not wishing to put any unconstitutional obligations on anyone, all I'm wishing to ensure is that where appropriate, when, except in emergency circumstances, there is consultation with the twelve elected members, that is the spirit in which this Motion was brought to this House and it is a sentiment that I share and that's why I wished to try and find a form of words that will address that issue without putting any unconstitutional obligations on the Executive. I am fully aware of the different roles of Legislative Councillors and Executive Councillors and I would certainly not wish to try and place any unconstitutional obligations on the Executive. Thank you.

Deputy Speaker –
Honourable Attorney General?

The Hon. Allen Cansick –

Perhaps something along the lines of – That this House recognises that it is not an obligation of the Executive to do so, but that it would like for the Executive to consider when making strategic decisions on Covid-19 to consult with all elected Members?

The Hon. Jeffrey Ellick –

Madam Speaker, I think the whole point of this here is to try and get some will from our Executive so that we can be consulted on matters. I know they don't have to consult us on such matters, but it would be useful if they did consult us on such matters, it is actually down to them as a gesture of goodwill to the other elected members and to the public of St Helena, so I think maybe we should just let it play out.

Deputy Speaker –

Play out. Would you want to come back on Jeffrey? Okay. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. Madam Speaker, Councillor Ellick is right in that the Constitutional Order does provide for the Public Health Committee to have responsibility for disaster management. The Constitution also provides that the Executive takes direction and charge in terms of crisis management. The issue is the grey area as to determine what state we're in. However, I am mindful that this Motion proposes to draw in elected members from the twelve whose remit does not cover Public Health matters. My proposal is that a recommendation be brought forward from the Public Health Committee to the Executive as a mechanism to address the Member's concerns. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Alright, the Honourable Cyril Leo, sorry for the wait?

The Hon. Cyril Leo –

It's okay, Madam Speaker.

Honourable Member –

Sorry, Madam Speaker,(*inaudible*)

Deputy Speaker –

The original Motion.

Honourable Member –

I think you need to let Councillor Leo know(*inaudible*).....is it the original Motion or the....

Deputy Speaker –

No, Councillor Ellick said we'd go back to the original Motion, didn't he?

The Hon. Jeffrey Ellick –

Sorry, I do apologise. I think we need to go back to the original Motion, because, as Councillor Buckley just alluded to that time, you know, we got a Constitution Order, we aint in no state of emergency here at the moment, so we should be following the legislation as is and not

coming up with other things like we're in emergency, so I'd like Councillor Leo to address that Motion.

Deputy Speaker –

The original Motion. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. Madam Speaker, may I propose an amendment to the amended Motion, that this.....

Deputy Speaker –

No, no.

The Hon. Cruyff Buckley –

Sorry, complete the process first.

Deputy Speaker –

Honourable Cyril Leo?

Honourable Member –

(inaudible)

The Hon. Cyril Leo –

In fact, we seem to have a blockage with the Motions here today, so I will try and speak to both the Motions, but, Madam Speaker, all twelve elected members are passionate about doing what we believe is in the best interests of protecting the local population against Covid-19. All twelve elected members have been meeting and holding healthy debates and discussions relating to Covid-19 and the protection and safety of the local population. The Covid-19 virus has numerous communicable abilities that often lead to extreme distress and horrible death for its victims. The deadly virus will wreck social norms and ravage even the world's strongest economies. As we can see from the growing political divides in the United Kingdom, Covid-19 is even able to divide the people's political leaders as it penetrates the public's defences. Populations throughout the world are living through unprecedented times with a deadly pandemic. St Helena's Covid-free status cannot be guaranteed. However, local political leaders must ensure that the island's limited defences and preparations are maintained and enhanced. The electorate expect all twelve of their elected representatives to uphold the Constitution and work loyally and constructively on behalf of the whole community. Let us not allow Covid-19 divide our political leadership and consequently confuse the trust of the community and thereby undermine the community's collective resolve to persevere. Madam Speaker, you will know that prior to this formal Legislative Council meeting, there were other informal discussions on the legitimacy of this Motion. Each elected member has an obligation to work according to democratic and constitutional principles. The Attorney General has advised that my colleague's original Motion was not in accordance with the Constitution. Therefore, we must accept that Executive Council is the leading local authority on policy and decisions relating to Covid-19. However, the persistence behind this Covid-related Motion is a crystal-clear message to the five colleagues we selected to serve on Executive Council, so please involve, acquaint and inform your seven Legislative Council colleagues accordingly. It has never been more important for all twelve elected representatives to support the meeting of minds approach. Thank you, Madam Speaker.

Deputy Speaker –
Sorry.

The Hon. Allen Cansick –
(inaudible)

Deputy Speaker –
Okay. Sorry, Honourable Tony Green?

The Hon. Anthony Green –
Madam Deputy Speaker, I rise on a point of order, but in terms of the Standing Orders, if the amended Motion has been seconded then the original Motion falls away until the amendment is debated and voted on, that's in terms of the Standing Orders.

Honourable Members –
Inaudible debate.

Deputy Speaker –
Corinda already seconded it.

Honourable Members –
Inaudible debate continued.

Deputy Speaker –
Okay. So it's been seconded by Honourable Dr Corinda Essex, so is there any more debate on this amendment?

The Hon. Derek Thomas –
Madam Speaker, I got..... I understand that the original Motion fall away and the proposed new one comes in, but I need a proper steer and what I got from the Attorney General that the reworded Motion is still not constitutional.

The Hon. Allen Cansick –
(inaudible)

Deputy Speaker –
Sorry, you want to come into a point ofyeah, Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –
I want to know, Madam Speaker, at what stage in the process can I propose an amendment, a further amendment to the Motion?

The Hon. Allen Cansick –
Deal with the first.....?.....

Deputy Speaker –
So, we'll deal with this first amendment. The Motion is that this House resolves that strategic decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those of an extremely urgent nature are taken following consultation with all elected members to ensure there is democracy through proper debate and scrutiny.

Question on amended Motion put.

Division Claimed.

<u>Ayes</u>	<u>Noes</u>	<u>Abstentions</u>
	Hon. Lawson Henry	
	Hon. Clint Beard	
	Hon. Cruyff Buckley	
	Hon. Derek Thomas	
	Hon. Anthony Green	
Hon. Gavin Ellick		
Hon. Jeffrey Ellick		
Hon. Dr Essex		
Hon. Cyril Leo		
Hon. Christine Scipio		
Hon. Russell Yon		

Deputy Speaker –

We have 6 Yes and 5 Noes, so the Ayes have it.

(Inaudible)

Deputy Speaker –

Okay, any of the Honourable Members wish to debate the amended Motion? Councillor Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. As alluded to before, this Motion, by virtue of the fact drawing in all elected members has now brought Public Health Disaster Management remit across the board and to members who it wasn't originally part of that remit. I would see a more refined version of this Motion which seeks to ascertain the same type of spirit in decision making would be that in terms of non-urgent climate that members of the Public Health Committee be consulted before it progresses to Executive Council.

Deputy Speaker –

Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Just to say, on the back of what my Honourable Colleague has said, that is already in the law, Madam Speaker. There's a Constitutional Order that says everything should go through the Public Health Committee. If there's emergency, then I think ExCo needs to deal with the matter.

The Hon. Allen Cansick –

As a point of information, that's incorrect, you even addressed earlier on today by the Chair of the Public Health Committee on the role of the Public Health Committee.

Deputy Chair –

Anybody else wish to speak to the amendment?

The Hon. Jeffrey Ellick –

Madam Speaker, I thought we've just had the first Motion and I think we managed to get that through, I don't think we should proceed with the next one. Thank you.

Deputy Speaker –

I don't understand. Sorry, we're debating the amendment. Anybody wishes to say anything on the amendment? Honourable Derek Thomas?

The Hon. Derek Thomas –

So, Madam Speaker, I mean, this amended Motion was sprung on us and I got no difficulty in supporting, but it must be constitutional and right for us to do so and we've heard from the Attorney General that even with this re-worded Motion it still not constitutionally correct, so that's hence the reason I didn't support this re-worded Motion. We are now debating a re-worded Motion which doesn't take us any further from where we was with the original Motion, because we now got a Motion on the table which is still not constitutional and even if it, well, it has met the majority support, but it's something that we cannot progress, because it's not in accordance with the Constitution. So, that's my concern.

Deputy Speaker –

Anybody else wishes to speak on the amendment? Dr Corinda Essex?

The Hon. Dr Corinda Essex –

On a point of information, I'm not sure whether it's procedurally correct for us to be speaking to the amendment now, because as far as I'm aware, the old Motion falls away until the amendment has been voted on and as far as I'm aware we've just voted on the amendment.

The Hon. Allen Cansick –

I know you're debating on the amended Motion; the amendment's been decided, the amendment has been passed and now you're debating the new put forward Motion.

The Hon. Dr Corinda Essex –

So we all have a right to speak again then?

Deputy Speaker –

Yes.

The Hon. Dr Corinda Essex –

Right, thank you.

Deputy Speaker –

So, Honourable Dr Corinda Essex, do you wish to speak?

The Hon. Dr Corinda Essex –

Yes. I find this extremely disheartening, because I think what we're all trying to do is what is best for St Helena at the end of the day and as I said earlier, I have no desire to do anything that is unconstitutional, but there must be a way in which we can ensure that there is adequate involvement of all elected members on strategic Covid-19 related issues, which is not contrary

to the Constitution. As I said earlier, I am not asking for non-Executive Councillors to be taking executive decisions, all we are asking for is for them to consult with their colleagues, except in essential emergency situations where there is extreme urgency. Quite frankly, I do not see that that request is totally contrary to the requirements set in the Constitution. We caucus on Executive Council papers, that convention has been established for years. As the Honourable Cruyff Buckley has said, quite correctly, members of the Public Health Committee have a role to play with regard to health-related issues and I don't think anyone could argue that Covid-19 is not a health related issue, so I do not accept that we cannot find a form of words that will ensure that where possible, except in cases of extreme emergency, Executive Council members consult with non-Executive Council members and I do not understand the reluctance for them to do so because I think that is a perfectly reasonable request. I'm fully aware, as I've already stated, that we can't force them to do it, they're not obligated to do it, but I do not see why in this Honourable House we cannot resolve that that is a step that should be taken, except under exceptional circumstances. Thank you, Madam Speaker.

Deputy Speaker –

Honourable Members, we'll take a five-minute break so that we can get this wording right.

Council adjourned.

Council resumed.

Deputy Speaker –

Honourable Members, it's unfortunate that this issue was not considered prior to today when there were ample opportunities for Members to agree a way forward amongst themselves. I'll now call on the Honourable Jeffrey Ellick for the amended Motion.

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. The amended Motion reads – that this House resolves that it's wish is acknowledged that strategic decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those of an extreme urgent nature, are taken following consultation with all elected members to ensure there is democracy through proper debate and scrutiny.

Deputy Speaker –

Is there a seconder, please?

The Hon. Dr Corinda Essex –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

The amended Motion now is, that this House resolves that it's wish is acknowledged that strategic decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those of an extreme urgent nature, are taken following consultation with all elected members to ensure there is democracy through proper debate and scrutiny.

Question on amended Motion put.

Deputy Speaker –

The Motion is now open for debate. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. Madam Speaker, regardless of what happens today with regard to this Motion, I think we all get the gist of it, that we would like to see as wide a consultation as possible with all members of Legislative Council, members of the public and whoever else I can gather to give me some up to date information on Covid-19. I will take them all into account to ensure that I make the right decisions with respect to Covid-19. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Clint Beard?

The Hon. Clint Beard –

Madam Speaker, it is very unfortunate that we're going down lots of amendments, but I feel everybody, it shouldn't be a gesture of goodwill, it should be our responsibility to make decisions that protects this island that is what we're here to do, so the only question I've got is for the AG reading that. How does that amendment constitutionally look, please?

The Hon. Allen Cansick –

Yes, the Motion now expresses the wish of, would express the wish of Legislative Council, however, it wouldn't place any suggestion of an obligation for the Executive to carry it out, so I see nothing wrong with this draft Motion at all.

Deputy Speaker –

Honourable Lawson Henry?

The Hon. Lawson Henry –

Madam Speaker, I rise to address the House. I just feel this afternoon we have demonstrated very poor judgement in terms of dealing with this matter. There were opportunities to deal with this before bringing it to the House. This Honourable House is not the place to hold these types of debate and I feel that we have in some way brought the House into disrespect, disrepute. I wish to acknowledge and will give an undertaking as a member of Executive Council, that Legislative Council will be consulted. What I will not do is to support a Motion that is unconstitutional. What we have demonstrated here today, that if you have twelve people having to make these decisions, this is what you end up with. That is why our forefathers divided it to be an Executive and a Legislator, but we learn as we go along and I sincerely hope that all members have learnt something from this today, because, as I said before, this matter, there was opportunity upon opportunity to sort it out, the correct wording, before it come to this House, so I acknowledge that I will, as an Executive Council member, ensure that other members, Legislative Council members is consulted in relation to Covid-19 issues, but I am still not supporting this Motion. Thank you.

Deputy Speaker –

Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Madam Speaker. Someone said that the Motion has brought this Honourable House into disrepute, I don't believe it has and I thank the Mover for his persistence. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Anybody else wishes to speak? The Honourable Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker. I am extremely relieved that we have now reached a version of this Motion which the Attorney General has indicated is not unconstitutional and I appreciate the sentiments of members of Executive Council that have expressed, who have spoken with regard to the latest amendment, and I have no doubt that they will intend to consult as widely as possible as is appropriate and as is required through channels such as the Public Health Committee, for example. I agree that it is a pity that this wasn't sorted out before it came to the floor of this House, however, I believe that it says a lot for democracy that it has been sorted out this afternoon and that the original Motion was not just passed possibly and then discarded because it did not meet the constitutional requirements. I said earlier that I was having a lot of problem with the wording of Motions that were coming before this House today and I think there is a general point to be learnt about the fact that I think more care and attention needs to be given to wording before it's brought to the House and that hurdles like issues of conflict with the Constitution are addressed at an earlier point in time, but I do not regret the debate this afternoon, I believe it showed the sentiments of members, I think it reflected the fact that, as my Honourable Colleague on my right said, we are all passionate about doing the best we can for St Helena and I hope that the final vote will be in favour of the third version of the Motion. Thank you, Madam Deputy Speaker.

Deputy Speaker –

Anyone else wishes to speak to the Motion? Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker, I'm certain that the old lady down the hill listening to her radio this afternoon must be wondering what is happening in the House today, but it does show that we do debate. Talking to a colleague earlier on while we had a five-minute break, he said we need to see a lot of debate, so hopefully that was demonstrated today. I know that the Honourable Lawson Henry mentioned that he would endeavour to consult with elected members and I hope that Executive Council members will share with us in due course the decisions that they have made recently in relate to Covid-19. Of course, we don't expect to change your decisions, but I hope that the decisions that you have made recently will be shared with us. Thank you.

Deputy Speaker –

Anyone else wishes to speak? Sorry, Honourable Clint Beard?

The Hon. Clint Beard –

Sorry, Madam Deputy Speaker, just to make sure with the AG, so the third version is fine?

The Hon. Allen Cansick –

Councillor, I think I've already said this, that I have no issues constitutionally with this Motion now, it expresses what the wish, if it's passed, of elected members is, but it doesn't place any obligation on the Executive, so I don't have an issue constitutionally with this Motion being brought into effect.

Deputy Speaker –

Alright. Does the Mover wish to respond to the debate?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. Just to say thanks for the input, I think we've made a move forward and I hope it's in the right direction. Thank you, Madam Speaker.

Deputy Speaker –

Honourable Members, the Motion is that it's wish is acknowledged that strategic decisions/policies made in respect of Covid-19 where it affects the lives, rights and freedoms of individuals, decisions, except those of an extremely urgent nature, are taken following consultation with all elected members to ensure there is democracy through proper debate and scrutiny.

Question on Motion, put and agreed to.

The Motion is carried.

Deputy Speaker –

Next item on the agenda, please?

7.

ADJOURNMENT DEBATE

Deputy Speaker –

The Honourable Chief Secretary?

The Hon. Susan O'Bey –

Madam Deputy Speaker, I beg to move that this House do now adjourn sine die.

Deputy Speaker –

Thank you, Honourable Chief Secretary. Is there a seconder, please?

The Hon. Dax Richards –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

Thank you, Honourable Member. The Motion is that this Council do adjourn sine die. The Motion is now open to debate. Alright. Honourable Cyril Leo?

The Hon. Cyril Leo –

Madame Deputy Speaker, Covid-19 is a deadly virus; let us not underestimate what the silent killer is potentially capable of inflicting on the people of St Helena. Socially and economically

the Pandemic is having unprecedented and overwhelming detrimental impacts on populations throughout the world. Populations, large and small, are being forced to live with the deadly Coronavirus. Communities directly impacted by the presence and destruction of Covid-19 have now adopted the conceding term “new normal”.

So far, St Helena’s geographical isolation has proved to be her population’s greatest protection against the deadly Covid-19 Pandemic. Throughout the Pandemic, “normal” for the community of St Helena continues to be life without Covid-19.

If there is to be a “new normal” for the people of St Helena, it will include Covid-19 and let us not underestimate what the deadly virus will do to our community in the new normal.

The public have been told by one of those tasked with protecting the local population that they would love to be able to say that St Helena will maintain its Covid-free status but we must accept the reality that Covid-19 will very likely gain access to St Helena.

Madam Speaker, exercising the highest vigilance to keep the deadly virus at bay must be the principle objective of those with ultimate responsibility for the protection of the local population. St Helena is not equipped to cope with the deadly destructive forces that Covid-19 will bring to bear, without mercy, on the local population and in particular on our elderly and our vulnerable residents. The large elderly and vulnerable demographic makeup of the local population of St Helena is at the greatest risk to the deadly Covid-19 virus. Let us therefore plead with those who are ultimately responsible for the safety and welfare of the people of St Helena, please do not take ill-judged risks with Covid-19, especially for short-term economic gains, and thereby subject the community to the dire consequences of recklessness. By comparison to any short-term economic gains, Covid-19 will leave unimaginable social and economic aftershocks in its tracks.

In reference to Covid-19, one member of the Executive Council recently said, and I quote, “the biggest risk to the island is the economic impact.” (Unquote)

The biggest risk to the island population is Covid-19. If Executive Council is ultimately responsible for protecting life and public safety in St Helena then its primary objective must be to keep the local population free of Covid -19.

Local residents have voiced grave concerns that SHG will promote overriding economic reasons for the community to support “opening up the island”. Constituents believe that local authorities will gradually apply calculating pressure on the community to take its chances with the lethal Covid-19.

Many constituents have made it quite clear to me that they would rather continue to make sacrifices and endure the lesser adversity than support moves to “open up the island” in the short term, for short-term economic gain, and thereafter force their elderly loved ones, in particular, to struggle with Covid-19.

Complacency and lowering the determination to remain Covid-19-free will be condemning many of the local population, in particular our elderly and vulnerable residents, to a life of extreme distress or, in the worst case scenario, death. The social ramifications for the community will be incomprehensible by comparison to all the challenges the community has had to contend with in the past.

One senior medical officer recently told elected members that as the number of people arriving in St Helena and self-isolating throughout the community increases, the potential number of local residents at risk to Covid-19 will increase.

Persons currently residing in communities with Covid-19 and contemplating travelling to St Helena, may want to seriously consider sacrificing their short-term travel plans and, under the current conditions, help keep the residents of St Helena free of the aggressive virus.

Armed with numerous contagious abilities, Covid-19 is a highly infectious killer. St Helena is not equipped to cope with a community outbreak of Covid-19.

Madam Speaker, I beg to move.

Deputy Speaker –

Thank you, Honourable Member. Anyone else wishes to....Honourable Russell Yon?

The Hon. Russell Yon –

Madam Deputy Speaker I rise in support of the Adjournment Debate.

Madam Deputy Speaker, I will not take long as I merely would like to take this opportunity to inform all here and those listening via the radio on the progress of some of the work I have been undertaking in the last few months with various working groups or committees.

As a member of the Working Group, I would like to inform all that the work continues in formalising the final draft of the water strategy and this should be presented to the ENRC and Elected Members in the next few weeks. We recently held a meeting with SHG officials to address water efficiency in Government buildings and how this can be progressed through future planning of newly build facilities and homes. At present, one of the KPI's for the I&T Directorate is water and electricity efficiency. The water efficiency is currently being addressed by staff from that Directorate being instructed to place a small brick or block within the water closet tanks to displace some of the water required during the flushing process. Work is also ongoing to look at the physical replacement of some toilet systems when appropriate to be replaced with the full flush system with the twin system. SHG is doing their part to address water efficiency.

The draft Water Strategy once finalised and approved will pave the way for Connect St Helena to commence work on the Water Resources Management Plan which will provide a way forward in managing our islands water systems and water delivery for the next twenty years with the potential of the plan being reviewed every five years.

Madam Deputy Speaker, as Chairman of the Employment Rights Committee, this Committee is currently reviewing the minimum wage structure and possible increase. All will be aware that an increase to the current minimum wage would be impending for the next financial year. However, at our last meeting members felt that the on-going work by the SHG social review Consultant, Ms Anne Muir with regards to the contents and cost implications of the so called basket, it would be prudent to await this work to be concluded so that this to can be factored into any increase in the minimum wage. We have been informed by Ms Muir and her working group that this work should be completed by the end of this year and in order for the Employment Rights Committee to then complete the process to include a consultation period with stakeholders this will incur a 3-month delay in any possible increase to the minimum wage. Once confirmed a press release will be issued to inform the public.

This committee has also been tasked with reviewing two new conventions from the International Labour Organisation (ILO).

1. **Giving consideration to the introduction of Regulations to prescribe for rest periods and the maximum number of weekly working hours (Convention C14 Weekly Rest)**
2. **Giving consideration to increasing the amount prescribed for compensation in the Employees Compensation Ordinance (Convention C17 Workmen's Compensation (Accidents) Convention**

Both of these documents are with the AG's office at this moment and time for legal advice and support.

The International Labour Organization (ILO) is a UN Agency that brings together governments, employers and workers of 187 member States, to set labour standards, develop

policies and devise programmes promoting decent work for all women and men. As you may be aware, the United Kingdom Government and the Overseas Territories and Crown Dependencies are required under Article 22 of the International Labour Organization's (ILO) Constitution to submit reports on the application of various ratified ILO Conventions.

Moving on Madam Deputy Speaker, I have grave concerns about last week's press release with regards to the financial support some businesses received from SHG and ESH during the economic decline brought on by the Covid-19 pandemic. To me it appears that some businesses are simply milking the system whilst others, as we would say, have found their way through the cracks. I would strongly advocate for the criteria currently being used in the assessment process to be reviewed and strengthened. There will come a time when this type of funding will be required and there will be none left in the coffers.

Madam Deputy Speaker, today I asked a question in this house about the financial support for the preventive maintenance of the Wharf and the Jetty. Both pieces of infrastructure are valuable assets to our livelihood yet it comes as no surprise that no funds are available to provide for their sound upkeep. Recent rough seas have dislodged several large boulders that were placed immaculately during the early 90's as part of the revamp and safety of the Wharf. It is now at a stage where the smaller material is also being dislodged and eventually this will lead to under-mining of the stellar work carried out by the contractor. If left to the continued movement of the natural environment then this will have a huge financial impact and ramifications in years to come, would it be best to spend now to save later?

This is not all the requirements of the sea defences that I am concerned about, the concrete access to the lower wharf area is showing signs of wear and the damage caused by the movement of large vehicles is now appearing in the concrete pavement. I'm led to believe that a Senior Port Authority staff member has been requesting the I&T Directorate to undertake some repairs but alas there is no money in that budget. The safety rails are also in need of dire replacement or repair likewise the whole safety walls need repairing and could do with a lick of paint. I know we are not receiving tourists through this avenue at this present time but it is one of our gateways to the rest of the world. Surely we can provide it with a face lift and give those who use this avenue a pleasing welcome or send off. The Jetty at Rupert's although a new construction will require preventive maintenance soon and a programme should also be in place now to avoid large financial cost in the future. Simple issues like sand extraction from the interior boundaries within this area should be closely monitored to avoid this sediment build up which will have impacts on ships berthing at the jetty.

Madam Deputy Speaker, this December will mark the death of a world-renowned singer, songwriter and peace activist. He was taken from us so soon, assassinated on December 8, 1980, at Dakota, New York, United States. In 1971 he penned the famous lyrics for the song 'Imagine'. By now you all will have guessed that I'm talking about John Lennon, member of the Beatles and a solo performer. If he was still alive today, I wonder how John would have penned the words for that beautiful famous song whilst reflecting on the world we now live in. One will never know but at least we can continue to listen to his famous music and his everlasting words. **'A dream you dream alone is only a dream. A dream you dream together is reality'**.

Madam Deputy Speaker, I beg to move.

Deputy Speaker –

Thank you, Honourable Member. Anyone else wishes to speak? Honourable Christine Scipio.

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker.

Deputy Madam Speaker, it is disappointing that the public was given less than 24 hours notice of today's meeting; what is happening to our standards? Does this mean that formal sittings of Council are not seen as important or valued? In your opening speech, Deputy Madam Speaker, you stated that it was beyond the Speaker's Office for the late circulation of this Order Paper. My understanding that any Government business is the responsibility of the Chief Secretary, I'd like to be corrected if that is not correct and I'd like the Chief Secretary to say in her summing up as to why the Order Paper was circulated so late.

At the end of August, Deputy Madam Speaker, a petition from the St Helena Commercial Fishermen's Association was presented to Governor in Council that included 1,191 signatures from our community. As a member of this community, I also signed this petition. At the launch of this petition, the Chair of the St Helena Commercial Fishermen's Association warmly suggested a meeting with Governor in Council to enable them to fully understand the concerns of our local fishers and the people of St Helena; this was not entertained. I attended a meeting, an open meeting of Governor in Council on Tuesday of this week and was appalled that it was stated that no evidence had been presented in respect of the concerns of our community. I am trying to comprehend as to why our leaders who were elected by the people, for the people did not reach out to the community to obtain the information to gain a better understanding of their worries. I understand that they reached out to a preferred bidder. At every constituent meeting that I had attended in August, the fishing industry was a hot topic with questions "not answered" despite continuous correspondence.

Deputy Madam Speaker, a few months ago, a formal inquiry into an apparent leak of information contained in confidential Executive Council closed agenda items to the media was undertaken. Since this inquiry, all Elected Members do not receive all documentation on topics that is being discussed by our Government. When questioned why there is missing documentation, I was advised that the Chair of Executive Council meetings stated that neither the documents nor the topic headings are to be shared with non-Executive Council elected members. Are Elected Members of Executive Council content with this arrangement? Deputy Madam Speaker, it makes my job extremely difficult when I do not know what is going on and being told by the old lady down the hill about what I should know, is an embarrassment.

I have written to Elected Members of Executive Council in respect of various topics, I do not get a response or verbally they give an undertaking to follow up queries but it doesn't happen. No formal report of Executive Council meetings are published hence the public are not aware of what decisions are made. Recently, I have been receiving the minutes of Executive Council meetings which is too late for me to scrutinize a decision for example, minutes of meeting held on 15 September was received by myself on 12 October – almost a month later.

Deputy Madam Speaker, if we want a governance system with improved openness and transparency, it would demonstrate our commitment to change, if we start being open and transparent, now.

St Helena Government highlighted that 9 October was World Post Day and the public was informed of the services offered by the St Helena Post Office. What they failed to do was update the public on what is being done to improve St Helena's inward mail connection with the outside world.

It is pleasing to see some movement in connection with the new Bulk Fuel Installation and I hope that St Helena will soon see some benefit from this huge investment of £78m. Since January, I have asked to sight a copy of the independent report of this project which has fallen on deaf ears.

I beg to move. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Clint Beard?

The Hon. Clint Beard –

Madam Deputy Speaker, the only thing I want to say is that there was a Press Release out yesterday regarding the Geosearcher and I am very glad to know that all the crew is safe. So, thank you.

Deputy Speaker –

Thank you, Honourable Member. Anyone else? Honourable Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker. I rise to support the adjournment and I make no apology for rising to speak on the topic that I know will be focused upon by Honourable Members and the fact has already been mentioned by my Honourable Friend to my immediate right.

This is the implication of Covid-19 upon St Helena's economy and even more importantly upon our quality of life and survival. We are all aware that our economy is suffering and that the present levels of support will decrease further if the current situation continues resulting in increased hardship, particularly for some of those in the private sector. However, all Chamber of Commerce members, and I declare my interest as President of the Chamber, who have approached me on this topic, have stated very much the same as the constituents that spoke to the Honourable Cyril Leo, that they would prefer to face financial hardship than risk the virus reaching St Helena.

We owe a huge debt of gratitude to the British Government for the additional Covid-related funding received which has enabled invaluable assistance to be provided to the most heavily impacted sectors, as was published in last week's newspaper. It is a pity that the spreadsheet was so small that many constituents have complained to me that they couldn't read it, which partly defeats the purpose of making the information public. I am not suggesting that current travel restrictions should not be reduced over time, but this should be a gradual process when greater, enforceable safety measures are in place and the rate of infection in the relevant countries of origin has reduced. We need to learn from the mistakes made by other Governments in terms of relaxing too much too early and our focus must remain on prevention rather than containment. We had some heated debate earlier in this House this afternoon, but it was not half as heated as that between the Prime Minister and the Leader of the Opposition in recent debates in the House of Commons in UK when they have really been attacking each other verbally regarding the actions that they think should or could have been taken with regard to Covid-19. Even looking solely from the economic perspective, the impact of the virus reaching St Helena would be devastating. We know the knock-on effects that occurred when there was a possible case identified here at a very early stage of the pandemic. These were just a little taste of what we would face if we were to have a real case. Economic hardship could easily turn into long-term economic disaster. We cannot play Russian roulette with Covid-19, the stakes are way too high. It would be bad enough having to look someone in the eye and admit that the decisions taken by SHG have caused their business to collapse or for them to lose their job, but have to admit that decisions taken have caused the loss of lives would be unbearable and the damage would be irretrievable. Every possible step must be taken to ensure that this situation does not arise. That said, there is need for greater public education and engagement relating to Covid-19 and we can't bury our heads in the sand and assume that we can carry on as we are doing at the present indefinitely. We need to be aware of opportunities that arise that do not present unacceptable risk levels and which may enable us to gradually

open our economy. We need to not take a blinkered approach and be open to safe options as they materialise, but at the same time we cannot repeat the follies that have occurred in other jurisdictions for which they are paying heavily now. Thank you, Madam Deputy Speaker.

Deputy Speaker –

Thank you. Is that the conclusion? Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker, I rise in support of the adjournment, I won't be too long. Madam Speaker, today I put forward two questions and two Motions today about what action this Government is taking or not taking when it comes to the global pandemic, Covid-19. Constituents are worried and concerned. Hopefully they are a bit better informed and can make some assessment on whether this Government is really concerned about their wellbeing or not. Also, I would just like to clear something up my Honourable Friend, the Chair of Public Health raised concerning the convention relating to Members asking their own Chairpersons questions. If he had meetings or consulted his Committee on such matters, I would have not been answering questions of him in the House. Until there is a change, he can expect me to question and hold him to account. However, going forward, I hope we can work a little bit closer and for the betterment of St Helena. Madam Speaker, I support the adjournment.

Deputy Speaker –

Thank you. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Deputy Speaker. The Member raised concerns that if hadn't, that if these issues had been addressed in Public Health it wouldn't be here today. The issues he raised, what he brought here today, was never ignored. In actual fact, he will be aware that I wrote to the Attorney General, we met with the Attorney General, so it wasn't a question of he raising issues and I as the Chairman ignoring the issues he's raised, that was never the case, but in going forward, I will continue and endeavour my utmost to work with the Committee and brief them where it is necessary, because I wouldn't want the listening public to get the wrong message here. Thank you.

Deputy Speaker –

Thank you. No-one else wishes to speak? Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Madam Chair, I rise in the Adjournment Debate. I'd just like to say something. The Motion that was tabled from Jeffrey Ellick and the Motion amended from Dr Essex today, it seems that there is a division amongst my peers and I was told we made a laughing stock of the House and ourselves for the listening public. That may be so, but if it means that ruffling a few feathers to ensure the safety of our people, then so be it. Having no involvement in Covid-19 related issues is not in my gene pool. One were elected by the people to try to do the best for them, so I will endeavour to do so. Madam, I beg to move.

Deputy Speaker –

Thank you. No one else? The Honourable Mover, do you wish to respond to the debate?

The Hon. Susan O'Bey –

Thank you, Madam Speaker and I thank Members who supported the Adjournment Debate this afternoon. It's been a long day, there's been a lot of words said and I won't try to increase that number of words now by keeping you here much longer on a Friday afternoon when I know everybody is keen to enjoy the sunshine that has been missing for a number of weeks, a number of months, yes.

However, I just want to touch on just a few points made this afternoon. Covid-19 or Coronavirus, whatever we call it, is obviously uppermost in everybody's mind, in fact, it's very difficult not to have it uppermost, it's front and centre of everything that we're doing and it could be implied, listening to the debate today, that there are some people who are keen to ensure that the island remains Covid-free whilst there might be others who would take risks and gambles and I've been working with both the previous IEG membership and the current IEG membership and I have no recollection of anybody wanting to be reckless in any way, everybody I've worked with is keen to maintain the impeccable record that we have at the moment, we're one of the few countries in the world that's Covid-free and we all want to ensure that it remains that way. We all know that if and when Covid presents itself on the island that there will be additional work and responsibilities that will impact on everybody, so I think, I'd just like to reassure members of the public who might be listening that we are keen to maintain the island's status as a Covid-free island for as long as we possibly can. Of course education and information is important, and that was also highlighted today, and Members and the listeners will be pleased to know that there is a renewed and re-invigorated public information programme which has started and will ramp up over the coming weeks to get the facts and the evidence that's guiding decision making, not just on St Helena, but all across the world, in relation to how we deal with this particular virus. This is a changing landscape all the time, countries with far greater resources that we have are having to adjust, readjust and readjust and that will continue to be the case until we're able to find a vaccination that will bring the virus under control across the world. However, we all know that this is not something that's going to happen overnight. What is important, however, is that we continue to work together and it is important that everybody feels a part of the process, everybody feels that they have ownership for the decisions which are made, but also recognising that it's important to be able to respond both swiftly and nimbly when so required and this is one of the reasons why the command structure is in place so that we are able to do just that.

I thank the Honourable Russell Yon for his update on the workstream, I found that really helpful, in particular, the workstream in relation to the Water Strategy. There's been quite a significant amount of work that's happened in regard to that and we hope that that will soon be brought to all Members for final clarification and endorsement, sorry, for final clarification before it's signed off by the relevant Committee.

In response to Councillor Scipio's question about why there was such late notice, I think today summed up the reason why, part of the reason was because the Order Paper couldn't be finalised because there was still concerns around the wording of some of the Motions. Members will recall that when we had the last Adjournment Debate the original timing for Legislative Council was actually on 9th October and the reason why that was moved was because of the consultation that was still taking place on the Governance Reform, that consultation didn't come to an end until after that date would have passed and it would have been unfair not to have taken those views into account and Members would not have had the full rounded feedback, so that was another reason. However, we will endeavour as always to try to address timings and to make sure in future that we give adequate notice of all that is due to take place.

As I said, it's been a long session, there's been some useful airings of views and some useful debate, but on this issue, I think we have, I have no further comments to make, Madam Chair, so therefore I would beg to move. Thank you.

Deputy Chair –

Thank you, Honourable Members. That concludes our business for today. I thank you for your assistance and contributions. I'll now put the question that this Council do adjourn sine die.

Question that Council do adjourn sine die, put and agreed to.

Council adjourned sine die.

Honourable Speaker

Date