

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 Brian William Isaac
The Honourable Cyril Kenneth Leo
The Honourable Christine Lilian Scipio
The Honourable Derek Franklin Thomas
The Honourable Russell Keith Yon

CLERK OF COUNCILS

Mrs Connie Johnson

PROCEEDINGS OF THE LEGISLATIVE COUNCIL

Friday, 11th December, 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 the listening public, good morning and a very warm welcome to the first sitting of the nineteenth meeting of Legislative Council. Firstly, apologies from the Speaker whose absence is through ill health and to say a very special welcome to Honourable Brian Isaac who recently returned from the United Kingdom having received medical treatment.

I would like to extend my sincere thanks to Deacon Johnny Green for opening the meeting with prayer and to Mr Merlin George for once again his support by being Mace Bearer. Thanks also are extended to the staff at SAMS Radio for providing support to our listening audience and to all of those who have engaged in preparations for this meeting today.

November was a very busy month for virtual conferences. From 23rd to 25th November, a virtual CPA Conference, the 69th Westminster Seminar 2020 was held, the topic being Preparing Parliamentarians for a Changing World which was attended by Councillors Gavin Ellick, Jeffrey Ellick and Russell Yon. This year, the Clerk of Councils and the CPA Branch Secretary also had an opportunity to participate as previously overseas travel was unaffordable. Councillor Russell Yon also participated in the JNCC virtual conference on 27th November and the 7th Greening Island Conference on 24th to 26th November. There was also a Joint Ministerial Conference that was held on 23rd to 26th November; this was attended by Executive Council, but Councillor Derek Thomas was the Territory Lead for St Helena as he is the UK Overseas Territories Association President. We look forward to their reports in due course.

Honourable Members, I have given SAMS Radio only to take photographs. If need be, I will withdraw my consent where necessary. Do the Members have any objections? Thank you.

Could I also ask that everybody switch off their mobile phones before we start the business of today?

Honourable Members, for this session, we have 9 Sessional Papers, 10 Questions and 5 Motions followed by the normal Adjournment Debate, so without further delay, I wish you a successful session and now call upon the Clerk of Councils to announce the next item of business, please.

4. PAPERS

SP 44/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary.

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 44/2020 entitled St Helena Government – A Bill for an Ordinance – the First Supplementary Appropriation (2020/21) Bill, 2020.

Madam Speaker, I also have the authority to proceed from the Governor in accordance with section 73 (2) (a) of the Constitution.

Ordered to lie on the table.

SP 45/2020 - The Honourable Anthony Green.

Deputy Speaker –
The Honourable Anthony Green?

The Hon. Anthony Green –
Madam Speaker, I beg to present Sessional Paper No. 45/2020 – A Bill for an Ordinance – Firearms (Amendment) Bill, 2020. I confirm that I have in my possession a certificate of urgency signed by His Excellency the Governor to enable this Bill to be presented as Government business for today.

Ordered to lie on the table.

SP 46/2020 -The Honourable Anthony Green.

Deputy Speaker –
Honourable Anthony Green?

The Hon. Anthony Green –
Madam Deputy Speaker, I beg to present Sessional Paper No. 46/2020 – A Bill for an Ordinance – Criminal Procedure (Amendment) Bill, 2020 and once again I confirm that I have a certificate of urgency in my possession signed by the Governor to allow under Standing Order 2 for this Bill to be presented as Government business today.

Ordered to lie on the table.

SP 47/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 47/2020 entitled St Helena Government's Response to the Public Accounts Committee Report and Recommendations in SP 5/2020 – November 2020.

Ordered to lie on the table.

SP 48/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 48/2020 entitled St Helena Government's Response to the Public Accounts Committee Report and Recommendations in SP 35/2020 – November 2020.

Ordered to lie on the table.

SP 49/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 49/2020 entitled St Helena Government's Response to the Public Accounts Committee's Report and Recommendations in SP 38/2020 – November 2020.

Ordered to lie on the table.

SP 50/2020 – The Honourable Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 50/2020 entitled St Helena Government's Response to recommendations on the Public Accounts Committee Recommendations and Progress Register as at 30th November 2020.

Ordered to lie on the table.

SP 51/2020 – The Honourable Anthony Green.

Deputy Speaker –
Honourable Anthony Green?

The Hon. Anthony Green –
Madam Speaker, I beg to present Sessional Paper No. 51/2020 – St Helena Government – Equality and Human Rights Commission – Annual Report 2019-20.

Ordered to lie on the table.

SP 52/2020 – The Hon. Financial Secretary.

Deputy Speaker –
The Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I beg to present Sessional Paper 52/2020 entitled St Helena Government – Equality and Human Rights Commission – Financial Statements for the year ended 31st March 2020.

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 –
Madam Deputy Speaker, I first wish to declare my interest as President of the St Helena Chamber of Commerce.
Will the Honourable Financial Secretary tell this Council what action is being taken to enhance and streamline Tender processes and procedures and to provide constructive feedback to unsuccessful bidders for St Helena Government contracts?

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. Tenders are governed by the St Helena Government Procurement Regulations and the risks and complexity dictate the process and procedure adopted. The most complex of tender processes will include instructions to the tenderers, the specification of the requirements, evaluation and scoring, submission requirements and a proposed agreement to be used to contract for the service. The instructions would normally cover the date, time, submissions, methodology and tender procedure terms and conditions. The specification will articulate the

needs of the organisation and if construction related may specifically include a bill of quantities in addition to drawings and any other technical specifications. The evaluation and scoring will dictate the final selection of the successful and unsuccessful bidders. There is often a split between costs and technical and quality, costs being quite self-explanatory, but technical and quality may include such matters as milestone delivery plans, details on methodology to be adopted as well as the experience and resources to be deployed. A supplier questionnaire and undertaking statement needs to be completed, these are essentially to identify risks and cover details on the bidding party and statements on professional and business standing, including meeting banking obligations and statements on fraud, bribery and corruption. The form has been made as simple as possible, but involving tick boxes where appropriate. To help facilitate a smoother procurement process and to get to signature as efficiently as possible, we will usually include a draft agreement in the tender pack where appropriate. These agreements have been pre-approved by the Attorney General's Chambers. We recognise there is always room for improvement, the Procurement Team will continue to review whether and how tender documents can be simplified. Through the introduction of the e-tendering platform in-tend there is an ability to perhaps look at annual questionnaire statements, only asking bidders if their details are up to date. It is planned to host a series of workshops on tendering processes as well as training sessions on the in-tend platform as adoption of the system increases efficiencies in tendering as well as improving the audibility of the tendering processes. All unsuccessful bidders should be given the option for feedback. This is done when requested, either in writing or face to face. Feedback will identify the key reasons the bidder was unsuccessful and will highlight the strengths and weaknesses of their proposals for consideration in future tender processes.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Financial Secretary state if there is a register of approved contractors?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

I can say within the I&T Directorate there is a list of preferred suppliers rather than approved contractors.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Financial Secretary explain why there is not a comprehensive list of approved contractors?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, if there is a approved list of contractors that goes along and precludes anyone else from tendering into their contract who might not normally be on that contract list, so there's no intention of having a approved contractor list.

Deputy Speaker –

Thank you. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

On a point of information, I would hope that if there were an approved contract list it would be open for addition at certain key points. However, my next question is, "Given the reduced amount of construction work that has been available in recent years, will the Honourable Financial Secretary spearhead a review of the requirement for tenderers to supply references relating to works undertaken within the past five years in order that they are not penalised if they cannot produce such references because they have not undertaken relevant works within that period?"

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, I am quite happy to take onboard the comments that the Honourable Member have made, whether I spearhead it myself or I get someone else to do it is something that I will look to resource appropriately.

Deputy Speaker –

Thank you. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you for that assurance, Honourable Financial Secretary. Will the Honourable Financial Secretary tell this Honourable House what training is currently provided to prospective contractors regarding the preparation of tender bids, particularly with regard to aspects such as risk assessment?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

In terms of the level of training that's provided from the Procurement Team, as I mentioned in my exposition, I think that there is more that can be done. We have run a couple of training sessions in the past to help people in terms of the preparation of their tender documents, but as I also mentioned, we intend to expand that training to also include the new E-platform that we use for all of our procurements going forward in terms of the in-tend system.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Does the Honourable Financial Secretary accept that not all contractors have the facilities or ability in terms of computer literacy to necessarily be able to handle the in-tend system?

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –
I accept that, Madam Deputy Speaker, but there are other members of the private sector who could assist those individuals in the preparation of their tenders and who have the ability to be able to use the in-tend system.

Deputy Speaker –
Thank you, Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
Can the Honourable Financial Secretary state if that assistance is likely to come at a cost?

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Speaker, as the private sector, I'm sure there will be a cost associated with preparation of tender documents on behalf of another contractor, yes.

Deputy Speaker –
Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
Does the Honourable Financial Secretary therefore accept that the in-tend option is still possibly going to be beyond the reach of some contractors?

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Speaker, that is the reason why we're intending to also have training sessions on the use of the in-tend system for all types of contractors.

Deputy Speaker –
Thank you. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
Will the Honourable Financial Secretary also give me an assurance that that training will include aspects such as risk assessment and so on which are not necessarily dependent on the in-tend system?

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Deputy Speaker, I will work with the Head of Procurement to address those issues that have been raised by my Honourable Colleague.

Deputy Speaker –

Thank you, Honourable Member.

Question No. 2 – The Honourable Gavin Ellick to ask the Honourable Chief Secretary.

Deputy Speaker –

The Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Madam Speaker. Will the Honourable Chief Secretary tell this Council what is the policy and/or practice of St Helena Government in regard to the length of contracts for senior officials in local employment of St Helena Government?

Deputy Speaker –

Thank you, Honourable Member. Honourable Chief Secretary?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I would like to thank the Honourable Member for his question. There are three types of contracts routinely used for local staff in the Public Service. These are permanent, temporary and fixed term all of which have definitions and obligations under law. Permanent refers to contracts that have no end date. Temporary refer to contracts where there is no fixed end date, but circumstances, including things like the nature of the work or funding constraints mean it is known at the start that the role is not needed on a long-term basis and therefore the role is not part of the ongoing establishment or head count. Fixed term contracts are like temporary, but these last for a specific amount of time, which has been set out and agreed in advance. In some instances, fixed term contracts may not include an exact timeframe but will instead end when a specific task has been completed or fulfilled. The majority of local staff employed in the Public Service are employed on permanent contracts as the posts they are employed into have no end date. Fixed term and temporary contracts are used where appropriate, so to answer your question, senior officials are therefore generally employed on a permanent contract unless the nature of the post requires a temporary or fixed term contract. Thank you.

Deputy Speaker –

Thank you, Honourable Member.

Question No. 3 – The Honourable Christine Scipio to ask the Honourable Chairman of the Public Health Committee.

Deputy Speaker –

The Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker, can you advise about do I need to declare my interest prior to asking this question because it refers to children and, of course, I have children, grateful if you can advise?

Deputy Speaker –

No.

The Hon. Christine Scipio –

Thank you. Deputy Madam Speaker, will the Honourable Chairman of Public Health Committee tell this House what facilities are available for the hospitalisation of children at the General Hospital?

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, I thank the Honourable Member for her question. There are no dedicated facilities at the General Hospital for child care. Instead, when a child has to be admitted to hospital the preferred approach is for a side room to be used. Side rooms are sufficiently large to accommodate the hospital bed for the child, plus a cot, that is a smaller non-hospital bed for the parent. There is, of course, a possibility that a child may need to be admitted to hospital when the side wards are full. In this scenario, the protocol is to move an adult patient from one of the side rooms to the main ward so that the child and parent can be accommodated in the side room. It will only be in the absolute worst case scenario that the child, plus parent, would need to be admitted to the appropriate general ward, that is, female ward for girls and male wards for boys. In this scenario, their beds can be screened to ensure privacy.

Deputy Speaker –

The Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Madam Deputy Chair. Deputy Madam Chair, will the Honourable Chairman of the Public Health tell this House kindly how many children can be accommodated at one time?

Deputy Chair –

The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Deputy Speaker. Currently we have three side wards and in addition to that the male and female ward could be used as well.

Deputy Chair –

Thank you, Honourable Member.

Question No. 4 – The Honourable Cyril Leo to ask the Honourable Chief Secretary.

Deputy Speaker –

The Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Deputy Speaker. Will the Chief Secretary tell this Honourable House if the St Helena Government received a request from Howard University in Washington DC, USA to allow research to be conducted on the human skeletal remains of the Liberated Africans in

order to reconstruct a snapshot of the lives of the mid-19th century individuals originally buried at St Helena?

Deputy Speaker –

Thank you, Honourable Member. Honourable Chief Secretary?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I would like to thank the Honourable Member for his question. I can confirm that at the beginning of 2018 St Helena Government received and approved a request from Howard University to examine the excavated Liberated African remains and extract the petris bone from the skulls of a sample of the remains for further study and DNA analysis. The purpose of the study is to reconstruct a snapshot of the lives and surrounding environment of the mid nineteenth century individuals originally buried on the island. SHG entered into an agreement with Howard University in respect of same. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Will the Chief Secretary say what that agreement included, please?

Deputy Speaker –

Honourable Chief Secretary?

The Hon. Susan O’Bey –

I need to inform the Honourable Member that at present an aspect of this matter is subject to correspondence between Howard University and the AG’s Chambers and in light of this we’re unable to answer further questions until the matter is resolved as doing so could prejudice the interests of SHG.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Will the Chief Secretary say if the Memorandum to ExCo concerning the agreement was discussed in open session of ExCo?

Deputy Speaker –

Honourable Chief Secretary?

The Hon. Susan O’Bey –

I can confirm that it was discussed in an open session of Executive Council.

Deputy Speaker –

Thank you, Honourable Member. The Honourable Cyril Leo?

The Hon. Cyril Leo –

Deputy Speaker, I’d like to thank the Chief Secretary for her responses.

Deputy Speaker –

Thank you.

Question No. 5 – 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 and again I declare my interest as President of the Chamber of Commerce. Will the Honourable Financial Secretary tell this Council what is the current situation regarding the carrying of airfreight from St Helena on the Titan charter flights?

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. Air carriers that fly air cargo or mail into the EU from non EU airports are required to comply with the EU ACC3 programme for inbound cargo and mail. Only carriers that comply with this programme can be designated as an air cargo or mail carrier operating into the Union from a third country airport and that's where the ACC3 designation comes from. This ACC3 designation is required for each non EU airport for which an air carrier flies air cargo or mail to the EU. The ACC3 ensures that all cargo and mail is physically screened according to the EU standards or comes from an EU Aviation Security validated secure supply chain. The EU Aviation Security validation of cargo and mail operations at each airport at each departure airport for EU bound flights has been mandatory since the 1st July 2014. For the first Titan Airways charter flights, SHG applied for an exemption from the ACC3 rules from the UK Civil Aviation Authority and the Department for Transport. This exemption was granted on the basis that only cargo originating from Government bodies could be carried. This exemption was crucial to ensure critical cargo, including mail and medical samples could be sent to the UK on these flights. Following some interest from the private sector to send cargo to the UK, SHG worked with the St Helena Airport Limited and Titan Airways to obtain the ACC3 designation for the route. The majority of the required ACC3 assessment was completed remotely from the UK and involved a thorough review of the airport's procedures. It was not until the remote assessment was completed that an independent validator could travel to complete the mandatory site visit on the October's charter flight. I am pleased to inform you the assessment was successful and the route was granted the ACC3 designation on 27th October. Therefore, it is now possible to send cargo to the UK on the Titan Airways charter flight.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Will the Honourable Financial Secretary confirm that airfreight can also be sent to Ascension Island on the charter flights?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –
Madam Speaker, I can confirm that is the case, yes.

Deputy Speaker –
Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
Will the Honourable Financial Secretary also give an undertaking that the fact that airfreight can now be sent to UK and other destinations will be widely publicised and, in particular, made known to private sector businesses?

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –
I'd be quite happy to do that, Madam Deputy Speaker, I'll also encourage the Chairman of the Chamber of Commerce to also let her members know. I would like to just add though that the process of sending a freight to the UK, a freight agent is actually required to undertake that work and at the moment the two recognised freight agents on the island are Solomons and Company and the DHL offered services.

Deputy Speaker –
Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –
I thank the Honourable Financial Secretary for his statement and on a point of clarification I would say that the Chamber of Commerce would have spread the word if we had ourselves been informed. Thank you.

Deputy Speaker –
Thank you, Honourable Member. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –
Thank you, Madam Speaker. Can the Honourable Financial Secretary state what is the going rate for airfreight at the moment?

Deputy Speaker –
Honourable Financial Secretary?

The Hon. Dax Richards –
Thank you, Madam Deputy Speaker. At the moment we charge £4.20 a kilo for the airfreight, however, the freight forwarding agents will probably add their own charges on top of the £4.20.

Deputy Speaker –
Thank you, Honourable Member.

The Hon. Cruyff Buckley –
Thank you, Madam Speaker.

Question No. 6 – The Honourable Jeffrey Ellick to ask the Honourable Chairman of the Public Health Committee.

Deputy Speaker –

The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Will the Honourable Chairman of Public Health Committee tell this Council will the results of Covid-19 testing conducted on St Helena be made public?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, I thank the Honourable Member for his question. The Health Directorate will never convey an individual's test result, this would break confidentiality. However, there are protocols in place in the event that an individual presents with a positive Covid-19 test result. In such a case, whilst the name of the individual will be kept confidential the staff in the Health Directorate, the results will be made known to the public.

Deputy Speaker –

Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Will the Honourable Chairman of Public Health Committee tell this Council when, after testing is conducted, will results be made available to the general public?

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, the information of the test results can be made available within twenty-four hours.

Deputy Speaker –

Thank you. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

I thank the Honourable Chairperson of Public Health.

Deputy Speaker –

Thank you. Oh, sorry. Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Deputy Madam Chair. Deputy Madam Chair, will the Honourable Chairman of Public Health advise the individuals who are tested on arrival at our airport when they advised of the result of their test?

Deputy Speaker –
The Honourable Derek Thomas?

The Hon. Derek Thomas –
Thank you, Madam Deputy Speaker. Within twenty-four hours.

Deputy Speaker –
Thank you. Honourable Christine Scipio?

The Hon. Christine Scipio –
Thank you, Deputy Madam Chair. Can the Honourable Chairman of Public Health advise the date that the individuals, the arrivals who arrived on Monday when were they given the result of their test in writing?

Deputy Speaker –
Thank you. Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Deputy Speaker, the letters were issued on the Tuesday morning.

Deputy Speaker –
Thank you.

The Hon. Christine Scipio –
Can I rise in support of information, Deputy Madam Speaker?

Deputy Speaker –
Go ahead.

The Hon. Christine Scipio –
Thank you, Deputy Madam Speaker. It is my understanding, Honourable Chairman of Public Health that the individuals who were tested on Monday didn't receive a letter until Friday.

Deputy Speaker –
Thank you. Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Deputy Speaker, I've been informed by the Health Directorate that the letters were issued on the Tuesday, however, if the Member have information that certain individuals did not receive their letter until the Friday if that information can be conveyed to the Health Directorate, it would help for future occasions.

Deputy Speaker –
Thank you, Honourable Member.

The Hon. Christine Scipio –
May I rise on a point of information again, Mr Deputy Madam Chair? Deputy Madam Chair, my question was received not issued.

Deputy Speaker –
Sorry, Honourable Brian Isaac?

The Hon. Brian Isaac –
Deputy Madam Speaker, on a point of information, as the Deputy Chairman of the Public Health Committee, I was someone who was in quarantine at Bradleys who did the test at the airport and the results was issued to me by letter on Tuesday morning, this was when I was in quarantine. Thank you, Madam Deputy Speaker.

Deputy Speaker –
Thank you, Honourable Member.

Question No. 7 – The Honourable Gavin Ellick to ask the Honourable Chief Secretary.

Deputy Speaker –
Honourable Gavin Ellick?

The Hon. Gavin Ellick –
Thank you, Madam Deputy Speaker. Will the Honourable Chief Secretary tell this Council if the new Immigration Policy is approved, if it is intended by SHG for those who would have permanent residence to be able to work on Technical Contracts of Assistance?

Deputy Speaker –
Honourable Chief Secretary?

The Hon. Susan O’Bey –
Madam Deputy Speaker, once again I thank the Honourable Member for his question. Madam Deputy Speaker, there is a protocol in place between St Helena Government and the Foreign Commonwealth and Development Office which determines how funding within the TC programme can be used. This is where it is currently stated that “where Technical Cooperation personnel acquire St Helenian status or have been in the same TC post for five years, it is expected that they will be transferred on to a regular SHG staff contract and on to a local salary which is in line with other St Helenian personnel. In exceptional circumstances, exemptions will be considered by the FCDO on a case by case basis. SHG will consult FCDO prior to any exemptions being applied.” This protocol will need to be revisited and re-negotiated under the new Immigration Policy, however, the current principles of the protocol would suggest that where an individual obtains permanent resident status, the post would no longer be funded for them from the TC programme and if they were to continue in role this would be under local terms and conditions.

Deputy Speaker –
Thank you, Honourable Member.

Question No. 8 – The Honourable Cyril Leo to ask the Honourable Chairman of the Public Health Committee.

Deputy Speaker –
Honourable Cyril Leo?

The Hon. Cyril Leo –

Deputy Speaker, for records, I submit the following question to the Clerk of Councils on 14th November.

Deputy Speaker –

Thank you.

The Hon. Cyril Leo –

Will the Chairman of Public Health tell this Honourable House if the expert local medical advice to elected representatives is that quarantining at Bradley's should stop and self-isolating throughout the community is strongly recommended for all new arrivals?

Deputy Speaker –

The Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, I thank the Honourable Member for his question. I can assure the Honourable Member that quarantine at Bradley's will not stop. First and foremost, Madam Speaker, I wish to convey that quarantine remains the primary response to Covid-19. Quarantine does not prevent a person with Covid-19 from arriving on St Helena, but it does act as a barrier to the spread of Covid-19 from that person to the local community. Quarantine allows us to manage potential cases of Covid-19 and to minimise the risk of transmission. There is a clear recommendation from the Health Directorate that arrivals to St Helena should quarantine for 14 days. Bradley's is currently used as the quarantine facility on St Helena. However, recently there has been increasing concern around centralised quarantine at Bradley's. Bradley's has had to accommodate increased numbers. The resulting situation means that it's not possible to effectively social physical distance increasing the risk of spread to multiple residents whilst processes are in place to contract trace within Bradley's should a case be identified. The increased risk of spread now makes this a far more challenging scenario. Madam Deputy Speaker, in the initial stages, Bradley's was seen as the best option at that time, we did not know sufficient about Covid-19. Times have now moved on. At that time, we had no testing availability, did not know how effective control measures would be, would or would not be, plus we still had to build a medical capability in the event people needed medical attention from Covid-19. The world has since moved on within the last six months, things have changed, we now have testing in place, we had additional trained medical staff, we now have protocols in place for the safe movement of people, proper standing operating procedures, appropriate and robust legislation to deal with Covid-19, plus proper protective personal protective equipment. The current situation on practical and evidential grounds at this time does not seem to be the best approach. The professional advice now is to put people into smaller isolating places at home with proper controls in place. The risk of transmission is less than people in close contact at Bradley's. In the event persons are not able to acquire suitable and proper accommodation then Bradley's will still be used for quarantine, plus we have an excellent medical facility at Bradley's which is of national importance to St Helena should we have an outbreak of Covid-19. Thank you, Madam Deputy Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you. Will the Chairman tell this House how much funding, including administration and operational costs has been used to prepare Bradley's as a quarantining facility?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, the Financial Secretary, I don't have exact figures, it might be the Financial Secretary who might be able to assist, but I know a significant proportion was used to establish the hospital, the facility.

The Hon. Dax Richards –

Can I rise on a point of information?

Deputy Speaker –

Yes.

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. I don't have the exact figure in front of me, but we have published that information into the public domain as to what was the latest available funding that we have spent on the establishment. As my Honourable Friend said, the large proportion of those works were actually for the hospital facility rather than the actual quarantine element.

Deputy Speaker –

Thank you.

The Hon. Dax Richards –

I can ensure also that the most up-to-date figures are actually put into the public domain.

Deputy Speaker –

Thank you, Financial Secretary. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Financial Secretary. Will the Chairman say if pressure is being applied by FCDO and SHG officials to stop quarantining at Bradley's because economic considerations are taking precedence over the possible increased health risks to the local population?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

I can assure, thank you, Madam Deputy Speaker, I can assure the Honourable Member that is not the case, what has been presented is medical advice.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Deputy Speaker. Will the Chairman say if he is fully convinced that abandoning Bradley's and consequently the island's first line of defence against Covid-19 is really in the best interests of the local population at this period in time?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Speaker, subject to certain measures being put into place, which will be examined by the Incident Executive Group on Monday.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you. According to a recent report by Amnesty International, the UK has recorded among the highest number of Covid-19 health worker deaths in the world, will the Chairman say if he has been reassured that Public Health that there will be sufficient medical equipment, medical supplies, PPE and trained human resources available to respond to a possible outbreak of Covid-19 in the community?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, I have been assured by the Health Directorate that we do, of course, that is one of the issues that will be addressed with the Incident Executive Group, again, when we meet on Monday.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you. As Bradley's is apparently deemed unfit for purpose by Public Health and therefore should not remain the first line of defence against possible access of the deadly virus into the wider community, will the Chairman say if Bradley's is part of the contingency planning to cope with an outbreak of Covid-19 in St Helena?

The Hon. Derek Thomas –

Madam Deputy Speaker, I can assure the Honourable Member that is the case, I alluded to the fact that we have an excellent medical facility should there be an outbreak of Covid-19, which will be of importance to this island.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you. As ExCo has been advised this self-isolating carries fewer potential risks for the wider community than quarantining at Bradley's, will the Chairman say what information will

be provided to the general public identifying the people who are self-isolating and the location of their accommodation as approved by the Proper Officer?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Deputy Speaker, if it is decided to home quarantine, much information as possible will be made available to the public. Of course, we must be careful in relation to the individual's human rights when we start naming people, but we will take guidance and advice from the Attorney General's Chambers.

Deputy Speaker –
Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –
Can I ask the Public Health Chairman will information include a virtual map of St Helena that can be accessed on the SHG web page identifying where residents are self-isolating and therefore the potential hotspots of Covid-19?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Deputy Speaker, this certainly can be considered.

Deputy Speaker –
Thank you. Honourable Cyril Leo?

The Hon. Cyril Leo –
Will the Chairman confirm that Executive Council has already taken the decision to abandon Bradley's on the advice of Public Health and will now allow all new arrivals to self-isolate throughout the community from January 2021?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Deputy Speaker, like I said earlier, no decision has been taken to abandon Bradley's. Decision regarding home quarantine is subject to a number of measures which will be properly investigated and examined when we meet on Monday.

Deputy Speaker –
Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –
Will the Chairman reassure this Honourable House that leading up to January 2021 precautionary information will be provided to the general public detailing the necessary step by step changes for public restrictions, for systematic closure of establishments, the lockdown

procedures within the community if the ExCo decision is taken to allow self-isolation for all new arrivals and there is a community outbreak of Covid-19?

The Hon. Derek Thomas –

Madam Deputy Speaker, I can assure the Honourable Member that we have already embarked on a communication strategy and if the decision is taken on Monday to home quarantine that that communication will be properly conveyed on a regular basis and regular updates to the general public.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Deputy Speaker. Deputy Speaker, taking into consideration St Helena's current Covid-19-free status, the vulnerability of the local population to the deadly virus, the ongoing technical advances to reliably and speedily test for the Corona virus and the rapid development of effective vaccinations, will the Chairman say if he is willing to request Executive Council re-evaluate whether such a decision to allow all new arrivals to self-isolate from January 2021 is definitely in the best interests of the local population?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Deputy Speaker. Like I said earlier, there are a number of measures that the Executive Committee asked to put in place, I can give the Members assurance here, that unless we are satisfied that these measures are, will be put in place and are satisfactory, then, you know, we wouldn't be supporting home quarantine.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cyril Leo?

The Hon. Cyril Leo –

Deputy Speaker, I want to thank the Chairman of the Public Health for his responses.

Deputy Speaker –

Thank you. Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Madam Deputy Speaker. Will the Chairman state, in the case of a outbreak of Covid-19 at Bradley's, do we have adequate oxygen facilities in place?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, the Health Directorate do have oxygen in place for limited amount of patients, however, I can assure this House now that a full oxygen plant has been procured, ordered.

Deputy Speaker –

Thank you, Honourable Member. Honourable Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker. If the decision is taken on Monday to opt for home quarantine basically for everyone entering the island, what will be done in the instances of those individuals who do not have suitable facilities to quarantine at home?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, those individuals will quarantine at Bradley's.

Deputy Speaker –

Thank you. Honourable Jeffrey Ellick?

Deputy Speaker –

Thank you. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, there will be restrictions as to numbers of people that will be allowed to come to St Helena. At this moment in time, the only people who are allowed to come here is returning Saints and workers and, like I said, in the event that people travelling cannot find suitable home quarantine, then Bradley's is the fall back.

Deputy Speaker –

Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Will the Chairperson of Public Health tell this House why, sorry, lose my train of thought that time, sorry about that. If Bradley's is not suitable at this time and you have about over forty people there, what difference is it going to make if forty people come in and home isolate after you've made a decision on, sorry, made, if they quarantine at Bradley's, what difference this is gonna make on the home quarantine?

The Hon. Derek Thomas –

Madam Speaker, there will be approved facilities as to where they can quarantine. At the moment, the advice we are getting that there are limited numbers that can be accommodated at Bradley's in a safe, to honour all safe requirements and the number that has been produced given the social distances and all of this is twenty-four at Bradley's.

Deputy Speaker –

Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Can the Honourable Chairman of Public Health tell this House what will happen if IEG don't agree on Monday with the conditions that are to be put in place for home quarantine?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
Thank you, Madam Deputy Speaker. If IEG don't agree on Monday for home quarantine, then we remain at Bradley's at a reduced rate.

Deputy Speaker –
Thank you. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –
Can the Chairperson of Public Health tell this Council knowing that there are problems at Bradley's, what was done to rectify this?

Deputy Speaker –
Honourable Derek Thomas

The Hon. Derek Thomas –
I can assure the Honourable Member that the problems that was identified at Bradley's was fed through management to be rectified.

Deputy Speaker –
Thank you. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –
Can the Chairman of Public Health tell this Council if the matters were rectified why are we moving to home isolation then?

Deputy Speaker –
The Honourable Derek Thomas?

The Hon. Derek Thomas –
Madam Deputy Speaker, I have already answered that. Issues that were brought up were rectified. However, with all the measures in place that you put in place, there will be risks associated and I've outlined those risks.

Deputy Speaker –
Thank you. Honourable Christine Scipio?

The Hon. Christine Scipio –
Thank you, Deputy Madam Speaker. Deputy Madam Speaker, will the Honourable Chairman tell this House the Oxygen plant that he referred to previously that's being procured, what is the expected arrival date on St Helena?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
My understanding is it will take probably about three months.

Deputy Speaker –
Thank you.

The Hon. Christine Scipio –
Three months from today or three months from the date it was procured, the procurement was sent?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
Three months from date of procurement, Madam Deputy Speaker.

Deputy Speaker –
Thank you.

The Hon. Christine Scipio –
Can you advise what was the date of procurement?

Deputy Speaker –
Honourable Derek Thomas?

The Hon. Derek Thomas –
My understanding it might have been a week, it might have been two weeks, but the Financial Secretary may be able to give the precise date.

Deputy Speaker –
Yes. Honourable Financial Secretary?

The Hon. Dax Richards –
Thank you, Madam Deputy Speaker. On a point of information, the procurement of the plant happened last week after approval of the finances from the UK Government.

Deputy Speaker –
Okay. Honourable Christine Scipio?

The Hon. Christine Scipio –
Thank you, Deputy Madam Speaker. Deputy Madam Speaker, will the Honourable Chairman of Public Health tell this House the national plan that my Honourable Friend to my left referred to earlier, when is it going to be made public in the event of an outbreak of Covid-19 on St Helena.

The Hon. Allen Cansick (Attorney General) –
....questions.....? (*inaudible*)

Deputy Speaker –
Sorry, can you advise again, Attorney General

The Hon. Allen Cansick –

Madam Speaker, it's a matter for you, but that seems to relate to an earlier question and not this particular question, but it's, of course, a matter for you.

Deputy Speaker –

Thank you. You want to rephrase.....

The Hon. Christine Scipio –

Deputy Madam Speaker, you're inviting me to speak?

Deputy Speaker –

Yes.

The Hon. Christine Scipio –

Okay, so earlier on when the Honourable Member asked about, he gave examples which is likely to be a national plan, and, of course, the Honourable Derek Thomas mentioned that they're gonna meet on Monday, but my question is, where is the national plan, when is that going to be made public. I'm not talking about home quarantine, I'm talking about the national plan in the event if there is an outbreak of Covid 19? My question is, Deputy Madam Speaker, is when is it likely to be published?

The Hon. Allen Cansick –

Madam Speaker, again, it's a matter for you, but that's introducing a new question.

Deputy Speaker –

Alright.

The Hon. Christine Scipio –

Mr, er, Deputy Madam Speaker, if you are inviting me to speak again, it is an event of a question raised in a response that the Honourable Chairman of Public Health mentioned.

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, I've been assured by the Chief of Police here that a plan has already been issued, but it's constantly being updated and what decision is taken on Monday and what information can be made available to the general public will be made available to the general public.

Deputy Speaker –

Thank you. Honourable Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Speaker. Will the decisions to be taken on Monday be informed by a completed risk assessment?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker that is one of the requirements that Members have asked, for a full risk assessment to be co-ordinated and presented.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. Can I ask the Chairman of Public Health what has caused the delay in the ordering and procurement of this oxygen plant, because as far as I'm aware ExCo made this request about six months ago?

Deputy Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, the oxygen plant costs in the region of £350,000, money which St Helena doesn't have. We had to make sure that the right plant was ordered, procured, that we had to get advice from the, expert advice from the United Kingdom, it will be pointless ordering an oxygen plant, investing that amount of money for the pure sake of having an oxygen plant, we need something that is gonna be fit for purpose, it's gonna be fit for St Helena and those skills were not available on St Helena, so we had to procure that advice, we did that, plus we had to then request a business case to Her Majesty's Government for the funding in the region of £350,000.

Deputy Speaker –

Thank you, Honourable Member.

Question No. 9 – The Honourable Dr Corinda Essex to ask the Honourable Financial Secretary.

Deputy Speaker –

The Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Again, I declare my interest as President of the Chamber of Commerce.

Will the Honourable Financial Secretary tell this Council how it is envisaged that financial assistance will be provided to the private sector following the closure of Enterprise St Helena on 31st March 2021?

Deputy Speaker –

The Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. I'd like to thank the Honourable Member for her question. In October, Executive Council decided on the preferred model for the delivery of the island's economic agenda post 2021 in terms of March when the Enterprise St Helena project, funded by Her Majesty's Government, will come to an end. The agreed model sees the closure of Enterprise St Helena at 31st March 2021 and SHG's economic agenda and implementation

of the Sustainable Development Plan being delivered through the proposed Sustainable Development function of the new Treasury and Sustainable Portfolio. The Treasury and Sustainable Development Portfolio will ensure central co-ordination of the functions and activities which are the key facilities. This will include policy and strategy which will facilitate import substitution, promote exports and identify new and sustainable revenue streams. At the same time, the Directorate will work with elected members to implement policies which reduce barriers to investment and private sector growth and will work in partnership with all sectors on the island to implement the SEDP Action Plan and generate wealth and opportunity for all. It is intended that where possible and appropriate, particular activities, such as the Tourism Information Services will be delivered by the private sector on a service level agreement with the St Helena Government. The details are being worked up for the final sign off by Executive Council, however, the option chosen will see functions such as marketing, in this case, Brand St Helena, investment, trade and exports, the digital sector rollout and a revamped Companies Registry function moving into the Treasury and Sustainable Development Portfolio. There is still more work to be done on determining how best to deliver financial assistance currently provided by Enterprise St Helena. The Honourable Member will be aware that initial discussions are being held with stakeholders to get thoughts on what type of support is actually needed and whether there's a greater role for the private sector to play in delivering this agenda. However, Madam Speaker, everyone around this table will be aware of the challenges ahead, and, in particular, for the next year with early indications that there will not be any additional funding from Her Majesty's Government to replace the Enterprise St Helena project funding. This, coupled with the fact that the Chancellor recently announced the proposed cut in the UK Overseas Aid budget from 0.7% to 0.5% of the Gross National Income, both could have significant consequences for St Helena and our financial aid settlement for the next financial year. Therefore, there will be a number of competing priorities for the limited funding next year, no doubt, the Financial Assistance to the private sector is something that will need to be considered carefully to ensure we don't lose the benefits of any investment that has gone before. There is also a greater role for institutions such as the Bank of St Helena to play going forward, particularly in terms of supporting key areas, such as new business start-ups and other high-risk investments. Discussions with the Bank and the Regulator has already commenced to ensure that as much support as possible can be provided to the private sector. Thank you, Madam.

Deputy Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Can the Honourable Financial Secretary, without holding himself a hostage to fortune, give some indication of when he hopes that there'd be more clarity on this issue?

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. In terms of clarity, we will hope to be in a position by no later than the end of February to be able to communicate to all of the key parties what the arrangements will be for the replacement of activities currently undertaken by Enterprise St Helena.

Deputy Speaker –

Thank you, Honourable Financial Secretary.

Question No. 10 – The Honourable Gavin Ellick to ask the Honourable Chief Secretary.

Deputy Speaker –

Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Madam Deputy Speaker. Will the Honourable Chief Secretary tell this Council if a Technical Contract role is localised if that allows for all qualified local people to apply for the role?

Deputy Speaker –

Thank you, Honourable Member. Honourable Chief Secretary?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I thank the Honourable Member for his helpful question. The majority of posts that have been localised are part of succession plans and so in most cases there is already an identified successor or designate who the Public Service is investing training and development in to allow them to take on the role when it becomes local. In this situation, the post would not be advertised at the point of localisation as the successor would then move into that role. Funding from the TC programme is used to recruit internationally where the skills or qualifications are not available on island. Where the skills and qualifications had been developed on island by someone else, perhaps through another employer, then we would be able to advertise the role locally and would only need to recruit internationally if we were unable to fill it locally. Historically, if a role is localised because an individual obtained St Helena status, the individual would stay in that role if the alternative to filling the role would be to recruit from overseas as the skill is still not found elsewhere on the island. If, during the period the post-holder was on island, however, and it was found that others had developed the skill or become qualified in other organisations, and so therefore not a part of the Public Service succession plan, then the post should be advertised.

The Hon. Gavin Ellick –

Thank you, Madam.

Deputy Speaker –

Thank you, Honourable Member.

6.

MOTIONS

Motion No. 1 – The Honourable Financial Secretary.

THE FIRST SUPPLEMENTARY APPROPRIATION (2020/21) BILL, 2020

Deputy Speaker –

The Honourable Financial Secretary?

The Hon. Dax Richards –

Madam Deputy Speaker, I beg to move that the First Appropriation (2020/21) Bill, 2020 be approved in principle and referred to a Committee of the whole Council.

Deputy Speaker –

Do we have a seconder?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

Mover, you may speak to the Motion.

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. The First Supplementary Appropriation Bill seeks to authorise expenditure from the General Reserve of the Consolidated Fund for capital purchases of a new Road Sweeper for the runway at the airport. By way of background, funding earmarked to subsidise the activities of the St Helena Airport Limited now forms part of our financial aid settlement. However, it is ringfenced, meaning it cannot be spent on anything other than for which it was intended without express permission of the Foreign Commonwealth and Development Office. In 2019/20, a budget of £3.5m was approved for SHAL operations and was claimed in full from Her Majesty’s Government. However, actual expenditure for the year amounted to around £3m resulting in an underspend on this ringfenced budget of around £500k. This amount therefore forms part of the balance on the General Reserve as at 31st March 2020 and Her Majesty’s Government have said that this funding should continue to be ringfenced and used for capital expenditure at the airport. A number of business cases were submitted by SHAL for the use of the half a million pounds and the Road Sweeper is the first essential capital expenditure that has been agreed by Her Majesty’s Government. This first Supplementary Appropriation, if approved, authorises the release of these funds from the Consolidated Fund in accordance with the Constitution. In order for the Sweeper to be procured, the funds must first be authorised to be paid out of the Consolidated Fund. The projected balance under the General Reserve as at 31st March 2020 is expected to be £6.4m. Madam Deputy Speaker, I’d be happy to discuss the detailed provisions of the Bill during the Committee stages. I beg to move.

Deputy Speaker –

I put the question that the First Supplementary Appropriation (2020/21) Bill, 2020 be approved in principle and referred to a Committee of the whole Council. The question is now open for debate. Nobody wish to speak? Oh, sorry. Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Deputy Speaker, I rise in support of this Motion. As explained by the Honourable Financial Secretary, this is money that was claimed by SHG to the full amount of the £3.5m referred to and was put into our Consolidated Fund and as directed by our funders it had to be ringfenced for capital expenditure in the airport, so this piece of equipment, as we can see from the business case, is a specialist piece of equipment that is needed for the airport so I fully support the Motion. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Ma'am. While I support the Motion, I find it very irregular that we build an airstrip and we don't have a Road Sweeper to go with it, so was that an oversight on anybody's part, because once you build an airstrip you must have sweepers. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wishes to speak? Honourable Financial Secretary, do you want to say anything?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. I'd just like to thank the Honourable Member who did rise in support of the Motion and in terms of Councillor Ellick's question, I'm sure there were reasons why a road sweeper wasn't procured originally, but now there is a need for a road sweeper because of safety concerns with those issues of not having a road sweeper, so that's why this business case has come forward as a matter of urgency.

Deputy Speaker –

Thank you, Honourable Member.

Question that the First Supplementary Appropriation (2020/21) Bill, 2020 be approved in principle and referred to a Committee of the whole Council, put and agreed to.

Honourable Mover?

The Hon. Dax Richards –

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

Deputy Speaker –

Do we have a seconder, please?

The Hon. Susan O'Bey –

Madam Deputy Speaker, I beg to second.

Question that the Council do resolve itself into a Committee, put and agreed to.

Council in Committee.

Chairman –

We're now in Committee stage. Honourable Members, as this is a supplementary appropriation Bill, the Schedule is considered before the Clauses and that is special rules of the procedure as set out in Order 13, Rule 2. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. In that event then, we'll move directly on to Schedule I which is at the back of the printed Sessional Paper and this Schedule only has one area of expenditure, which is in relation to Access. Access is Head 21 and we currently deal with all Access issues through the Head called Access, Head 21, therefore SHAL expenditure,

expenditure for the St Helena Airport Project and other Access related expenditure all goes through Head 21, so this Schedule I now is for capital expenditure authorised in the sum of £230,000 to be paid out of the General Reserve of the Consolidated Fund.

Deputy Speaker –

I put the question that Schedule I, Head 21 – Access, in the sum of £230,000 do stand part of the Bill. Do we have any questions?

The Hon. Dax Richards –

So, Madam Chair, we would normally have to, in this case, agree the amount and the total as well. In this case though we would only have one amount, so it's the same number.

Deputy Speaker –

Okay. So I put the question that Schedule I, Head 21 – Access, in the sum of £230,000 do stand part of the Bill.

Schedule I – Head 21 – Access (£230,000) –

Question put and agreed to.

Deputy Speaker –

Carry on to the next part then, I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill. Any Member wishes to speak?

The Hon. Dax Richards –

On Clause 1, Madam Deputy Speaker, obviously this is just the Title and Enacting Clause, so there's nothing untoward within this part of the actual Bill itself.

Title, Enacting Clause and Clause 1.

Question put and agreed to.

Deputy Speaker –

We now turn to Clause 2. Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. Clause 2 stipulates the amount that will be withdrawn from the Consolidated Fund, so it talks about £230,000 being appropriated for the purposes of that described in Schedule I which we've already approved.

Clause 2.

Question put and agreed to.

Council Resumed.

Deputy Speaker –

Honourable Financial Secretary?

The Hon. Dax Richards –

Thank you, Madam Deputy Speaker. Madam Deputy Speaker, I beg to report that the First Supplementary Appropriation (2020/21) Bill, 2020 passed the Committee with no amendments and to move that this Council approves the said Bill and recommends to the Governor that it be enacted.

Deputy Speaker –

Do we have a seconder, please?

The Hon. Susan O’Bey –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

Thank you, Honourable Member. Mover, do you wish to speak to the Motion?

The Hon. Dax Richards –

No, nothing further, Madam Deputy Speaker.

Deputy Speaker –

Thank you. I put the question that this Council approves the First Supplementary Appropriation (2020/21) Bill, 2020 and recommends to the Governor that it should be enacted. Any Member wishes to speak? No? Honourable Mover, you wish to.....

The Hon. Dax Richards –

Nothing to respond to, Madam.

Question that the Council approves the First Supplementary Appropriation (2020/21) Bill, 2020 and recommends to the Governor that it should be enacted, put and agreed to.

Motion No. 2 – The Honourable Anthony Green.

THE FIREARMS (AMENDMENT) BILL, 2020

Deputy Speaker –

The Honourable Anthony Green?

The Hon. Anthony Green –

Madam Speaker, I beg to move that the Firearms (Amendment) Bill, 2020 be approved in principle and referred to the Committee of the whole Council.

Deputy Speaker –

Thank you, Honourable Mover. Do we have seconder, please?

The Hon. Cyril Leo –

Madam Deputy Speaker, I beg to second.

Deputy Speaker –

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

The Hon. Anthony Green –

Madam Speaker, the Firearms (Amendment) Bill, 2020 seeks to amend the Firearms Ordinance 1997. The purpose of the Bill is to make provision for the granting of a Firearms Certificate to the Museum of St Helena for the purpose of holding and exhibiting firearms and ammunition of historical interest. Persons responsible for the management of the Museum and its employees may possess, purchase or acquire such firearms, ammunition or prohibited weapons for the purposes of the Museum without being required to hold an individual firearms certificate. The Bill also excludes from the application of the Ordinance all muzzle loading cannons on St Helena which were manufactured before 1900. The initial suggestion arose early this year from the then Director of Police. The Museum of St Helena has a small collection of firearms of historical, cultural value. The island has a long history of being a fortified outpost of the East India Company and the British Empire. Many of the firearms in the Museum were in use by those stationed here as well as local militias. In addition, the island also has a more recent history of excelling in marksmanship, both locally and internationally. Museum staff can better promote this history with the display and information of such firearms in their original condition. In the United Kingdom, the Firearms (Amendment) Act, 1988, provides for a licence to be granted to Museums which wish to exhibit firearms. As such, those employed in the Museum are not required to hold a firearms certificate. Madam Speaker, I beg to move.

Deputy Speaker –

Thank you, Honourable Member. I put the question that the Firearms (Amendment) Bill, 2020 be approved in principle and referred to the Committee of the whole Council. The question is now open for debate. Honourable Derek Thomas?

The Hon. Derek Thomas –

Yes, thank you, Madam Deputy Speaker. I rise in support of this Bill, it is a good move that these weapons be displayed as they have historical nature and interest and it's only right that they be displayed in our Museum, so I give my support to it.

Deputy Speaker –

Thank you, Honourable Member. Any other Member would like to speak? Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Deputy Speaker, I rise in support of this Bill as well. Thank you.

Deputy Speaker –

Thank you very much. Anyone else like to speak? Honourable Brian Isaac?

The Hon. Brian Isaac –

Thank you, Madam Speaker, I rise in support of this Bill. This is a tidying up exercise and it's a must and it provides for generations to come to see the exhibits on display. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker, I also rise in support of this Bill and would like to thank Mr Adam Sizeland for coming in to Executive Council and giving the Council a brief history lesson on St Helena's small militia that we used to have back in the day, so I appreciate this Bill going forward. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Anyone else wishes to speak? Honourable Mover, do you wish to respond to the debate?

The Hon. Anthony Green –

Thank you, Madam Speaker. I wish to thank those Honourable Members for their support of this Bill. Thank you very much.

Question that the Firearms (Amendment) Bill, 2020 be approved in principle and referred to the Committee of the whole Council, put and agreed to.

Deputy Speaker –

Honourable Mover?

The Hon. Anthony Green –

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

Deputy Speaker –

Do we have a seconder, please?

The Hon. Cyril Leo –

Deputy Speaker, I beg to second.

Deputy Speaker –

Thank you, Honourable Member.

Question that the Council do resolve itself into a Committee, put and agreed to.

Council in Committee.

Chairman –

Honourable Mover?

The Hon. Anthony Green –

Madam Speaker, may I ask the Attorney General to take us through the details of the Bill? Thank you.

Chairman -

Thank you. So, I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill.

The Hon. Allen Cansick (Attorney General) –

Madam Speaker, there's nothing unusual about the enacting clause or the short title in Clause 1.

Chairman –

Any Member wishes to speak on that Clause?

Title, Enacting Clause and Clause 1.

Question put and agreed to.

Chairman –

Attorney General, Clause 2?

The Hon. Allen Cansick –

Madam Speaker, Clause 2 amends section 3 of the principal Ordinance and it adds in an exemption for the applicability of that Ordinance to muzzle loading Cannons on St Helena which were manufactured before 1900, so any Cannons that haven't been decommissioned would currently require a licence and this amendment means they would in going forward.

Chairman –

Any Member wishes to speak on Clause 2?

Clause 2.

Question put and agreed to.

Chairman –

Clause 3.

The Hon. Allen Cansick –

Yes, Madam Speaker, Clause 3 inserts a new section 14 (a) into the principal Ordinance. The first part of that 14 (a) (i) makes clear that the new inserted section only applies to Museums or other institutions holding weapons or ammunition of historical interest for preservation or to display to the public. The 14 (a) (ii) details that the Director of Police must not grant any such certificates unless he is satisfied that the arrangements for exhibiting and securing the safe custody of the firearms and ammunition in question are such that they won't endanger the public safety or the peace, so this is really important in regard to when any licences to Museums or institutions are given that the assessment has taken place by the Police. Subclause (3) details that where such a licence is granted the person responsible for the management of the Museum or the institution and its employees may without holding a firearms certificate have in their possession, purchase or acquire for the purpose of the Museum or the institution firearms or ammunition. Underneath subclause 3 (a) there's a repeat provision in regard to prohibited weapons, so the subclause ends up including both firearms, ammunition and prohibited weapons and subclause (4) defines what persons responsible for the management are.

Chairman –

Any Honourable Member wishes to speak to Clause 3? Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Just on a point of clarification, Madam Chair. It refers here to the Director of Police, we usually refer to him as the Chief of Police, I just wonder what is his formal title?

The Hon. Allen Cansick –

Yes, Honourable Councillor Buckley, that's because in the Ordinance itself it still refers to Director of Police, Police Directorate.

The Hon. Cruyff Buckley –

Thank you for that clarification.

Chairman –

Anybody else wish to speak to Clause 3?

Clause 3.

Question put and agreed to.

Council Resumed.

Deputy Speaker –

Honourable Mover?

The Hon. Anthony Green –

Madam Speaker, I beg to report that the Firearms (Amendment) Bill, 2020 has passed Committee with no amendments and to move that this Council approves the said Bill and recommends to the Governor that it should be enacted.

Deputy Speaker –

Do we have a seconder, please?

The Hon. Cyril Leo –

Deputy Speaker, I beg to second.

Deputy Speaker –

Thank you, Honourable Member. Honourable Mover, do you wish to speak to the Motion?

The Hon. Anthony Green –

Nothing further, thank you, Madam Speaker.

Deputy Speaker –

Thank you. I put the question that this Council approves the Firearms (Amendment) Bill, 2020 and recommends to the Governor that it should be enacted. Members, you may wish to speak? No? Any Member wishes to speak? No?

Question that the Council approves the Firearms (Amendment) Bill, 2020 and recommends to the Governor that it should be enacted, put and agreed to.

Motion No. 3 – The Honourable Anthony Green.

THE CRIMINAL PROCEDURE (AMENDMENT) BILL, 2020

Deputy Speaker –

The Honourable Anthony Green?

The Hon. Anthony Green –

Madam Speaker, I beg to move that the Criminal Procedure (Amendment) Bill, 2020 be approved in principle and referred to a Committee of the whole Council.

Deputy Speaker –

Do we have a seconder, please?

The Hon. Cyril Leo –

Deputy Speaker, I beg to second.

Deputy Speaker –

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

The Hon. Anthony Green –

Thank you, Madam Speaker. The Criminal Procedure (Amendment) Bill, 2020 seeks to amend section 164 (a) of the Criminal Procedure Ordinance so that the basis upon which an offence is determined to be tried is consistent with that provided in the Magistrates Court Ordinance 2011. Part 6 of the Criminal Procedure Ordinance 1975 sets out the criteria for deciding if criminal matters should be tried in the Magistrates Court or the Supreme Court. Section 164 (a) was added as part of the 2017 law revision. The basis was that it provided clarity to the current practice.

Section 164 as currently enacted states –

“Unless otherwise specified in the provision creating it

(a) an offence for which a person is liable to be sentenced to a term of imprisonment of 14 years or more is triable only on indictment;

(b) an offence for which a person is liable to be sentenced to a term of imprisonment of less than 14 years or to an unlimited fine is triable by either summary or indictment as provided by section 165.”

This contains a drafting error. Section 164 (a) should have stated more than 14 years and not included 14 years. 164 (a) (b) should have included 14 years, not less than. As currently drafted, this is inconsistent with section 19 (1) of the Magistrates Court Ordinance 2011 which was, in effect, before the law revision and states – Subject to subsection 1(a) and any other law in force in St Helena the Court has jurisdiction to try summarily any criminal offence except an offence punishable with imprisonment for a term exceeding 14 years. It also currently is inconsistent with practice in England and Wales where there are offences with sentences of 14 years or less that can be tried in both the Magistrates and the Supreme Court. The Criminal Procedure (Amendment) Bill corrects the drafting error in section 164 (a) and makes it consistent with the Magistrates Court Ordinance. The purpose of this amendment is so that if relevant cases arise they can be sent to what is the correct jurisdiction and the conflict between the two provisions is remedied. Madam Speaker, I beg to move.

Deputy Speaker –

I put the question that the Criminal Procedure (Amendment) Bill, 2020 be approved in principle and referred to a Committee of the whole Council. The question is now open for debate. Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. I rise in support of this Bill. What turns out to be a loose drafting error, Madam Speaker, can have long-standing ramifications, so I'm glad that we can sort this out now. Thank you.

Deputy Speaker –

Any other Member wishes to speak? Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Deputy Speaker, I too rise in support of this minor amendment to the Bill. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Brian Isaac?

The Hon. Brian Isaac –

Thank you, Madam Deputy Speaker, I rise in support of this Bill, it's, again, another piece of tidying exercise which could have long-term implications, so I do thank the Attorney General and the Social and Community Development Committee for their support in bringing it to the House. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wishes to speak? Honourable Mover, I don't know if you've got anything else to add?

The Hon. Anthony Green –

Thank you, Madam Speaker, other than to thank the three Members who spoke in favour. Thank you.

Question that the Criminal Procedure (Amendment) Bill, 2020 be approved in principle and referred to a Committee of the whole Council, put and agreed to.

Deputy Speaker –

Honourable Mover?

The Hon. Anthony Green –

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

Deputy Speaker –

Do we have a seconder, please?

The Hon. Cyril Leo –

Sorry, Deputy Speaker. I beg to second.

Deputy Speaker –

Thank you, Honourable Member.

Question that the Council resolves into a Committee, put and agreed to.

Council in Committee.

Chairman –

I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill.

The Hon. Allen Cansick –

Madam Deputy Speaker, nothing unusual in regard to those clauses, they're all standard, so nothing to add.

Title, Enacting Clause and Clause 1.

Question put and agreed to.

Chairman –

Clause 2.

The Hon. Allen Cansick –

Madam Deputy Speaker, Clause 2 amends section 164 (a) of the Criminal Procedure Ordinance. It amends it in two ways, firstly, in regard to paragraph (a) it deletes the words “14 years or more” and substitutes them with the words “more than 14 years” and, secondly, in regard to paragraph (b) it deletes the words “less than 14 years” and substitutes them with the words “14 years or less”.

Chairman –

Anybody wishes to speak to Clause 2?

Clause 2.

Question put and agreed to.

Council Resumed.

Deputy Speaker –

Honourable Mover?

The Hon. Anthony Green –

Madam Speaker, I beg to report that the Criminal Procedure (Amendment) Bill, 2020 passed Committee with no amendments and to move that this Council approves the said Bill and recommends to the Governor that it should be enacted.

Deputy Speaker –

Do we have a seconder, please?

The Hon. Cyril Leo –

Deputy Speaker, I beg to second.

Deputy Speakers –

Honourable Members, you may speak to the Motion. Sorry, it's Honourable Mover? You don't have anything else to say?

The Hon. Anthony Green –

Madam Speaker, I don't have anything to add. Thank you.

Deputy Speaker –

Thank you. I put the question that this Council approves the Criminal Procedure (Amendment) Bill, 2020 and recommends to the Governor that it should be enacted. Now any Members wish to speak? No? You don't have anything else to say I take it Honourable Anthony Green?

The Hon. Anthony Green –

No, thank you, nothing to respond to, Madam Speaker.

Question that this Council approves the Criminal Procedure (Amendment) Bill, 2020 and recommends to the Governor that it should be enacted, put and agreed to.

Motion No. 4 – The Honourable Jeffrey Ellick.

Deputy Speaker –

The Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. Madam Speaker, I beg to move that decisions/policies made in respect of Covid 19 by Executive Council sitting as the Incident Emergency Group and where it affects the lives, rights and freedoms of individuals, these decisions are taken in an open session for the benefit of transparency and accountability.

Deputy Speaker –

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

The Hon. Christine Scipio –

Thank you, Madam Deputy Speaker, I beg to second.

Deputy Speaker –

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

The Hon. Jeffrey Ellick –

Thank you, Deputy Speaker. Madam Speaker, the Incident Emergency Group is not a constituted body, unlike Committees which are formed under Constitutional Orders, therefore, this Group is not regulated, there is no onus on this group to have open meetings like that of the Committees formed under the Constitutional Orders. All decisions/policies made by this Group has been done so behind closed doors. Their decisions at times have been of national and international importance and at times affected the rights and freedoms and could affect the lives of the people on St Helena. I can understand if meetings are held where there is a need to make fast decisions due to an incident occurring, where actions need to be taken in quick time, however, we are not in that situation. I also understand that meetings where discussions

are held pertaining to matters that are deemed commercial in confidence or it concerns individuals must be held in closed sessions. We simply cannot have all meetings held by ExCo sitting as Incident Emergency Group held behind closed doors. Governments should as far as possible be open and transparent in decision making and all elected members should be pushing and encouraging that this Government supports openness and transparency. Therefore, I ask all Members to support this Motion as this will assist with improving public confidence in St Helena Government and allowing the public to be better informed. Madam Speaker, just to say, should this Motion be passed in the House today and is not acted on, it will be my intention to bring forward a private Member's Bill to regulate the Incident Emergency Group. Madam Speaker, I beg to move.

Deputy Speaker –

Honourable Members, the Motion is that decisions/policies made in respect of Covid 19 by Executive Council sitting as the Incident Emergency Group and where it affects the lives, rights and freedoms of individuals, these decisions are taken in an open session for the benefit of transparency and accountability. The Motion is now open for debate. Honourable Anthony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. I rise to give some of my personal views. IEG, as I see it, is a body that makes strategic and political decisions, that's one reason why Executive Council elected members form a core part of the team. IEG actually collects and collates loads of information. This includes medical, legal and information from many other sources. Information is one thing, it's the data, the facts, that is distilled from it that informs decisions. Some of the information may be of a confidential nature, some information needs to be protected, so decisions can't be reached in an open, round table discussion. It's a live process, it's an iterative process, it's about continuously updating and changing. Often when planning contingency measures have to be identified these cannot be revealed prematurely. More often than not though, the real interest may be in the detail. These are tactical decisions which fall to the Silver Command. Ask them and they will say that these are changing all the time. As the Honourable Mover well knows, the entire process has been carefully set up and procedures are carefully documented to ensure that there is transparency and accountability. Discussions in open session won't achieve that transparency and accountability. Madam Deputy Speaker, I can't support the Motion.

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Deputy Speaker, I have difficulty in supporting this Motion. The Incident Executive Group, IEG, replicates the national level of political oversight applied by a central government in the United Kingdom structure and while its membership is similar it fulfils a completely different role to Executive Council. This is because it is a Command function rather than a Committee and most closely resembles the Cobra and for the listening public, I will explain what Cobra means, it is a Government group specifically formed to manage a crisis. Madam Speaker, whereas Executive Council is closer to the role of the United Kingdom cabinet while many of the decisions of Cobra are made public, for example, during the briefings that we have, or seen on television throughout this year, as well as the media, the decisions and the advice, documentation that led to them are not. This allows Members and their advisers to have full and frank discussions regarding the issues that they are dealing with. These discussions will

almost invariably involve disagreements by all members, except collective responsibility for the eventual decision reached. Collective responsibility is the convention whereby individual members are held accountable for the actions and decisions of group as a whole. It is a constitutional convention that has existed since the 18th century and is considered a cornerstone of cabinet government. It has two main components, first, the principle that members should be able to have free and frank discussions prior to coming to a collective decision and that these discussions should remain confidential; and (2) that once a position has been reached, all members are expected to abide by that position or else resign their position. There is an Executive Group is responsible for defining the strategy, the high level aims and objectives that St Helena will use to respond to and resolve any crisis. As with Cobra, in order for this Group to fulfil its functions it needs to consider the opinions of members and take advice from officials in order to evaluate the options and contingencies available. Some of this advice may well be very sensitive and not suitable for public consumption, for example, because of the need to respect an individual or group's right to privacy and equally some of the options/contingencies that the Group has to consider may not at this stage be suitable for publication. Also, some of the views, advice, may be contradictory and there is unlikely to be one perfect solution to resolve any of the issues considered with most involving some compromise or balance between competing lists and priorities. Holding Incident Executive Group meetings in open session would not allow members to fully consider discussion and resolve any disagreements about these sensitive issues before reaching a position where they can take collective responsibility for the decisions made. One of the key responsibilities of the Incident Executive Group is to ensure that overall public confidence in the ability of St Helena to respond to any crisis is maintained. In order to achieve this, the Incident Executive Group has to ensure that its members all abide by collective responsibility for the decision it makes and supports them when the public are informed. Communications is key to this and the Incident Executive Group has a responsibility to explain the decisions it has made. Incident Executive Group's ability to communicate with the public and to keep them informed is not compromised by its current structure and meeting arrangements, but a move to holding the IEG in open session would compromise its ability to make the best possible decisions to lead St Helena through this and any other future crisis the island may face in the future. I do not support the Motion, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker, at the previous sitting of Legislative Council in October 2020, a Motion was debated in respect of decisions that affects the lives, rights and freedoms of individuals are taken by twelve Elected Members to ensure that there is democracy through proper debate and scrutiny. An undertaking was given at this sitting that discussions will take place with all Elected Members. Meetings have been held behind closed doors where decisions were made allowing Foreign Commonwealth and Development Officers and their families to home quarantine, four French journalists to home quarantine at Longwood House, the public is concerned about what other decisions are being made in respect of Covid 19 that neither I or them, neither I as a representative or them are aware of. Madam Deputy Speaker, it is my understanding that a meeting of the Incident Emergency Group is arranged for Monday, 14th December to discuss Covid 19 related matters. No time has been given; hence one can only assume that once again it is being held behind closed doors. I beg to move.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wishes to speak? Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Deputy Speaker. Although I am fully aware of the needs for transparency and accountability, I think one has to think very carefully about what IEG is actually doing. IEG basically replaces the previous Disaster Management Committee, of which I was a member for a number of years, and it is not just in relation to Covid, it is in relation to any other incident that might occur that will require disaster management intervention. At that level, which is the highest strategic level, it is not, in my opinion, appropriate for initial debates and discussions to take place in a public forum. That said, I emphasise the importance of communication with the public and detailed communication regarding the decisions and the policies that are made and I do think, particularly in relation to policies, when once they've been approved, they should be publicised in full and that the public should be given an opportunity to comment on them, to indicate whether they are in favour of them or whether there are aspects of them which are of concern and that that information then gets fed back to IEG for further consideration. What has happened in a couple of occasions and which I think is part of the cause for public concern is that there have been decisions taken without prompt detailed communication to the public and the public has not been given any opportunity for direct feedback and I think there is a need for the establishment of a direct feedback link either through Silver Command in the relevant parts of the structure or direct to IEG. Because of the nature of the issues that I have myself witnessed being discussed when I was a member of the Disaster Management Committee, I do not think that it is appropriate for more open meetings to be held, however, as my Honourable Colleague on my left has said, I do have some concerns about the fact that there is currently no regulation of IEG, the Disaster Management Structure used to have clear lines of accountability, the IEG appears to be responsible primarily to the Governor, but there is no current real structure to indicate how it's regulated and I would suggest that this is something that needs further work and a more open outcome or more open discussion about it and its role. Thank you.

Deputy Speaker –

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

The Hon. Cyril Leo –

Thank you, Deputy Speaker. I must respect the role of Executive Council according to the Constitution and make the allowance for my Colleagues to discuss matters in closed session, but I also can see the merit in what my Colleague is saying in his Motion, because, for instance, my Colleagues are going to have, er, make a decision on Monday on a crucial matter that the public of St Helena is very concerned about. I don't know what the percentage of the public is for or against self-isolating for all new arrivals, but it concerns me that we lack collaborative working here in Council, because Monday that decisions is gonna be made and we didn't have a caucus session, if you like, on this with our elected members who serve on ExCo, so although I don't support the Motion, it is not to say that we can't improve on the current working relationship.

Deputy Speaker –

Thank you, Honourable Member. Honourable Brian Isaac?

The Hon. Brian Isaac –

Thank you, Madam Deputy Speaker. I would thank my Honourable Friend for bringing this Motion to the House today and I do understand why this Motion has been tabled, I do understand there are concerns from the public on some decisions made and I do respect openness and transparency, I was one of the Members who support openness and transparency in this very House a few years back when work was undertaken to make the public more aware of what is happening. Madam Speaker, I've been out of the loop for some time, as you all understand why, and I haven't been fully up to speed with the workings of all the new groups that has been established, but I do understand that certain matters of government must be dealt within closed doors, because sometimes to come to a consensus arguments have to take place, disagreements has to take place, respecting each other in coming to a fruitful solution at the end of the day. I would support that the group continue to work as they are working at the moment, but with immediate reports to the public, making the public aware or a Press Conference after that, making the public aware of what has been discussed and I do know that as a member of Council, behind closed doors everyone needs to express their views, feelings and everybody feel at time they are right with what they are presenting to the group, but at times in closed sessions once the argument's on the table we do see other ways around coming to a fruitful solution, so on that note I cannot support my Honourable Colleague with his Motion, but I do support more openness and transparency on the decisions made and the public kept informed of what the procedures are as soon as possible settling the unrest in the community at the moment and trying to overcome some of the concerns that the public has. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wishes to speak? Honourable Russell Yon?

The Hon. Russell Yon –

Thank you, Madam Deputy Speaker. At the onset of the Covid-19 pandemic, St Helena Government put in place the IEG to oversee the decision/policy making as to how St Helena would manage this pandemic. The then IEG, consisting of three members of the Public Health Committee, held their meetings behind closed doors and then followed this through with a live broadcast with the media to inform the public of their decisions made and to be questioned by members of the media and public. This was recorded and also given air time on SURE'S TV Information Channel. To me this was an ideal way of communicating with the general public and at the same time informing every one of what procedures were in place or needed to be put in place and how the decisions were made or arrived at.

Although the Island has not been in a state of emergency, and let's hope we do not have to be that, the responsibility of the IEG was placed with our Exco members. I would personally, as a member of Legislative Council, like to be informed of the issues that the now IEG discusses before a decision is made. This will enable me as an Elected member to be informed better and be able to provide constituents with the reasons as to why decisions/policies has been made and then I will fully understand that there are some areas where all information cannot be discussed in open sessions due to confidentiality clauses. It might be best if we could revert back to the earlier process and have a media presentation after the now IEG makes decisions or policy changes. Communication is paramount in any society and an issue as serious as the Covid 19 Pandemic is an Island concern not just SHG, therefore, Madame Deputy Speaker, I wish to inform this House that I do not support the Motion but would request that we as elected members are kept fully abreast of the on goings and decisions made and that the IEG reinstate

the presentation to the media at a convenient time after their meetings as a way of communicating with the general public. Madam Deputy Speaker, I beg to move.

Deputy Speaker –

Thank you, Honourable Member. Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Ma'am. I stand in support of this Motion, the reason being is that we don't have enough input into these things, plus I been telling my colleagues for the last four weeks, we are lousy at communicating, seriously, we do something, we hold it back, when it comes out it feels like cloak and dagger stuff, so all the public now looks at us, like, what the hell they doing, why you withholding information. When we make a decision what will affect everybody's life and it affects everybody in the public. We only have to go back to when we first, sort of, how everybody reacted, now we need to know what's going on, people need to know, so when a decision has been made, please, again I will ask you'll again in this House, please communicate it, because after all, people will say, what you'll bloody well doing, you know what I mean, you'll aint doing nothing down there.....

Deputy Speaker –

Watch your language, Councillor.

The Hon. Gavin Ellick –

Sorry, Ma'am, but that's the way we talk. And for me is that why we keep holding stuff back, it makes the public very nervous, they think that we doing something underhand, no, no, we don't, we try as best to help our people, so, for me again, whatever decisions we make, or whatever we doing, please, please communicate it to the public. Thank you, Madam, and I support the Motion.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wishes to speak? Honourable Cruyff Buckley?

The Hon. Cruyff Buckley -

Thank you, Madam Speaker. I will be interested to see, to hear the AG, the Attorney General's take on this issue with regards to confidentiality, Madam Speaker, and if there's actually a legal reason for if this Motion was passed.

The Hon. Allen Cansick –

I don't really think there's much I can add, Councillor, today to this Motion. If the Motion is passed, that will be the wish that is put forward to IEG, it would then be up to them what they did with that wish.

The Hon. Cruyff Buckley –

Thank you, AG, I just wish to check if there's any legal reason not to approve this Motion.

The Hon. Allen Cansick –

I think I can only reiterate what I've just said, that if the Motion is passed it would then form a resolution which we communicated to IEG and it would be up to them how they reacted on regard to it. There's not much more I can say than that.

The Hon. Cruyff Buckley –

Appreciate that clarification, Madam Speaker, from the AG.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wish to speak? Honourable Mover, you may wish to speak to the Motion, or respond to the Motion, sorry.

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. I'd just like to thank the Honourable Members for their input and those who supported the Motion. Thank you, Madam Speaker.

Deputy Speaker –

Honourable Members, the Motion is that decisions/policies made in respect of Covid 19 by Executive Council sitting as the Incident Emergency Group and where it affects the lives, rights and freedoms of individuals, these decisions are taken in an open session for the benefit of transparency and accountability.

Question on Motion put.

Deputy Speaker –

The Noes have it.

The Motion is not carried.

Council adjourned.

Council Resumed.

Deputy Speaker –

Good afternoon everyone and welcome back to this afternoon's meeting. Before we resume with the last Motion, can I just remind everyone to have their mobile phones switched off if you haven't done so already. Thank you.

The Hon. Lawson Henry –

Madam Deputy, can we indulge and maybe remove our jackets?

Deputy Speaker –

Yes.

The Hon. Lawson Henry –

Thank you.

Motion No. 5 – The Honourable Christine Scipio.

Deputy Speaker –

The Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker, I beg to move that the Legislative Council resolves that the Honourable Clint Beard, the Honourable Cruyff Buckley, the Honourable Anthony Green, the Honourable Lawson Henry and the Honourable Derek Thomas no longer be members of the Executive Council because of the magnitude of dissatisfaction expressed by the public in regard to recent decisions made by the Executive Council and that their election to sit as members of the Executive Council be revoked in accordance with section 37(1)(f) of the Constitution.

Deputy Speaker –

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

The Hon. Jeffrey Ellick –

Madam Speaker, I second the Motion.

Deputy Speaker –

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

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker.....

Deputy Speaker –

Sorry, can you continue, please?

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker, members of the public approached Honourable Gavin and Jeffrey Ellick and myself to arrange a public meeting as they were concerned about the decisions made by elected members of Executive Council, their representatives. A public meeting was arranged at Half Tree Hollow Community Centre on 4th November 2020 where any and everyone had their privilege to attend. People of St Helena are concerned that on 22nd October 2020, St Helena Government publicly advised that there would be no changes to the quarantine arrangements at Bradleys and that passengers arriving on the charter flight from the UK on Monday, 26th October 2020 will quarantine at Bradleys for fourteen days.

Deputy Speaker –

Sorry, excuse me, Honourable...? Oh, sorry. Okay, carry on.

The Hon. Christine Scipio –

You'd like me to continue, Madam Deputy Speaker? But, Madam Deputy Speaker, on 23rd October 2020, Executive Council members Cruyff Buckley, Clint Beard, Tony Green, Lawson Henry and Derek Thomas sitting as the Incident Executive Group, collectively made a decision to support the Chair's request to allow Foreign Commonwealth and Development Officers and their families to home quarantine and not quarantine at Bradleys. By an overwhelming majority of those present at the public meeting of 4th November 2020, a mandate was given to the Councillors present to table a vote of no confidence in the elected members of Executive Council at the next formal sitting of Legislative Council which is today and request them to tender their resignation as members of Executive Council forthwith. People of St Helena felt that allowing Foreign Commonwealth and Development Officers and their families to home isolate and not quarantine at Bradleys demonstrates an unjustified advantage over other arrivals

to St Helena from countries with high incidence of contracting Covid, in their opinion, Madam Deputy Speaker, was unfair. Despite St Helena Government informing the community on 22nd October 2020 that the Incident Executive Group had considered whether there are alternatives to quarantine to Bradleys Camp no changes had been proposed to the Managery requirement. On 3rd November 2020, elected members of Executive Council agreed that four French journalists could quarantine at Longwood House. The request had been received from the French Ambassador to South Africa for media activities to compile footage to be used for coverage of the Bicentenary and this would be an opportunity for St Helena to receive international coverage. May I hasten to add, so will be the first case of Covid 19 on St Helena. Members of the public felt that there were inconsistencies in the decision making of elected members of the Executive Council as arrivals via air who may only be exempted would be arrivals from Ascension Island which is currently Covid 19 free and considered low risk, arrivals with medical conditions whereby Bradleys accommodation would not be appropriate accommodation and arriving families with children aged 10 years or younger. Deputy Madam Speaker, on 24th November 2020, the community was publicly informed by St Helena Government that elected members of Executive Council had agreed to fourteen day home quarantine which will take place from January 2021 for all new arrivals who have pre-approved accommodation, subject to the satisfactory risk assessment and education campaign. At the public meeting of 25th November 2020, members of the public requested elected members of Executive Council to arrange a public meeting to provide an explanation for this decision, but this request has not been entertained. All elected members were voted to be the voices of the people, but clearly this is not happening as the people wanted to be heard, but certain individuals are not listening. The Code of Conduct for members of the Legislative Council, section 4.1 (e) states – Members should act and take decisions in an open and transparent manner. They should give reasons for the decisions and information should not be withheld from the public. Section 5.3 states – Elected members have a special duty to the constituents and should be accessible to the people of their constituency which they had been elected to serve and represent.

Deputy Madam Speaker, the community is concerned about what other decisions are and will be made behind closed doors without wider consultation. Elected members are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office. Madam Deputy Speaker, surely a public meeting requested by their constituents is deemed appropriate. During a recent radio interview, Honourable Lawson Henry stated that – People are in fear and that tells me as a politician that I need to do more to take that fear out of them. He also stated he has a wider duty towards the community of St Helena, we need to work together, but when a meeting was requested by his constituents which demonstrates that people are willing to listen, this was refused.

There has been discussions with the community in respect of the Governance Review and the possibility of a ministerial government. What benefits will be derived from this expense on the public purse? If we want a governance system with improved accountability, openness and transparency, how can this be possible when currently elected members of Executive Council cannot be open and transparent by refusing to meet with their constituents? Who will they be accountable to, open and transparent with in the future?

I want to make it very clear, Deputy Madam Speaker, I bring this Motion to the House today on behalf of the people who elected me and I have a duty to represent and serve as their voice in this House. Much has been said in the past that constituency meetings are poorly attended and what must be done to reach the people. I am appalled that we currently have a situation where the electorate is demanding to be heard, an opportunity for two-way dialogue, but the door to elected members of Executive Council appears to be closed. I beg to move.

Deputy Speaker –

Honourable Members, the Motion is – that the Legislative Council resolves that the Honourable Clint Beard, the Honourable Cruyff Buckley, the Honourable Anthony Green, the Honourable Lawson Henry and the Honourable Derek Thomas no longer be members of the Executive Council because of the magnitude of dissatisfaction expressed by the public in regard to recent decisions made by the Executive Council and that their election to sit as members of the Executive Council be revoked in accordance with section 37 (1) (f) of the Constitution. The Motion is now open to debate. Councillor Isaac?

The Hon. Brian Isaac –

Madam Speaker, Honourable Members, I thank my Honourable Colleague for bringing this Motion to the House, but unfortunately I cannot support this Motion for the following reasons: the Motion before the House seeks the support of the Legislative Council to resolve that elected members of Executive Council no longer be members of the Executive Council. I cannot support this Motion as it states because of the multitude of dissatisfaction expressed by the public in regards to the recent decision made by Executive Council in respect of home isolation. Madam Speaker, the Motion highlight the wording the multitude of dissatisfaction expressed by the public. Is this the majority of the public or the minority as constituents have spoken to me in favour of the decision made by Executive Council in respect of home isolation, but I also have had concerns from constituents who is not in favour of having home isolation. We as Councillors makes decisions at times on information available and sometimes through hindsight new information arises and adjustments has to be made. I can speak for all elected members that when such matters of national importance is tabled Council always makes their decision on what is in the best interests of the island's future and its people. I see that a reshuffle of Council at this time is not in the best interests of the island and its people. If members of the Legislative Council are not happy with the decision of the Executive Council there are procedures that can be followed in house. I do take into consideration the dissatisfaction of the public on this matter, but where are the statistics for and against. We cannot make decisions on one side of the coin only. As a Councillor, before I make decisions, I need to take into account both sides of the argument. I do see a reshuffle of Executive Council at this time, where budget preparations are ongoing, will not look good by the British Government. I have returned recently from the United Kingdom and seen the reality of the financial situation and we as a Government need to stand united if we want to secure a good budget for the next financial year, which is a few months away. If the Governor sees that the Council are dysfunctional, he can call for early elections and Council can go into purdah and officials will undertake the role of Council, which, in my opinion, is not democratic. Having spoken to Members and highlight the possibility of purdah and with respect to some members, they are not clear on the impacts that purdah could have on the island for the future. The public will not have a voice on the affairs of the island and no political representation if purdah is imposed on this Government. I would ask that Members take into consideration the worst case scenario that purdah can be imposed under this current situation. This could happen if the current Council is voted out and a new Executive Council cannot be reinstated. The Governor can appoint members of the Legislative Council, but Legislative Council members can decline that appointment. Please think carefully when casting your vote, I can recall two occasions when Council sat through purdah and Councillors had no say in the affairs of the island and the people had no voice. Madam Speaker, I recently experienced home isolation, lockdown, social distancing and attended a hospital on a daily basis where Covid-19 was at its peak and people were dying from the effects, which was not pleasant. I saw beds in corridors with dead bodies, which I found very disturbing. On my return to the island, I did two weeks in quarantine at Bradleys, which I felt was well catered for by SHG and the British Government, but the

paramount focus on keeping the island safe and Covid free was the main objective, so I do know the reality of the pandemic. I support Members of the Executive Council who have used the media to address the public on the recent decisions they have taken into account and the concerns raised by the public. I understand recent concerns have been made in respect of home isolation and will be further addressed by the Incident Emergency Group on Monday, but I stand to be corrected. But preference would be for everyone arriving on the island to be isolated at Bradleys, but having spent two weeks at Bradleys myself, I realise that this is not suitable for children and medevacs who are still recovering from treatment and on such cases I support home isolation, as long as all security measures and the public are kept fully informed. Madam Speaker, I have one question for all Honourable Members of this Honourable House. Looking at the big picture, is it in the best interests of the people of St Helena to remove all elected members of the Executive Council at this time when the island are facing so much uncertainties or for all elected members.....what we need is for all elected members to work together in overcoming the concerns of some of the members of the public. There is a saying I know, most members have heard before, not to throw out the baby with the bath water.

In conclusion, Madam Speaker, I would wish to say that the Executive Council have worked hard and approved many good proposals for the island during their term in office and this was also during the time the Honourable Mover of this Motion sat on the Executive Council. Madam Speaker, I cannot support this Motion for the betterment of the island. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker. Madam Speaker, I rise in support of the Motion. Madam Speaker, you will recall that a Motion was put in the House and passed by elected members whereby Executive Council/Incident Emergency Group would consult with the non-executive members. Initially this happened. When there was a paper presented on home isolation from the Health Directorate, members of the IEG did not agree to home isolations. A Press Release was given on 22nd October entitled “No changes to Quarantine Arrangements”. On 21st October, IEG received a mail from FC..., ExCo received a mail from FCDO requesting exemption from quarantine at Bradleys for Foreign and Commonwealth Development Officers. On 23rd October, ExCo/IEG supported the request. However, members of Legislative Council were not consulted despite ExCo/IEG agreeing in the last formal LegCo to do this. On 25th October, an e-mail from ExCo/IEG’s decision was sent to non-executive members of Council. On 26th October, I sent an e-mail questioning the decision and asking when the public will be informed. On 2nd November, nine days later, I received a response to my mail, but there was no response in relation to informing the public. It begs the question why would you hide a decision like that from the public. No other Press Release was given concerning the changes to quarantine arrangements despite ExCo/IEG agreeing a change. I also pointed out to ExCo/IEG that they had a duty to follow our Constitution and in this case the protection afforded to people from discrimination. The response I received was to the effect that they did not see it as discrimination. By characteristics and in general, FCDO are no different to any other group and should be treated as such. ExCo/IEG had a duty to ensure that decisions of such nature should not be happening in today’s society. As people who pass legislation, we have a duty to ensure the legislation complies with the Constitution of which the fundamental rights, freedoms and protections of the individual are embedded, likewise, other decisions we take. In my view, ExCo/IEG failed their constituents and the general population of St Helena by failing to follow their own Constitution, the primary law of the land which overrides any other law, policy of St

Helena or goodwill gesture one wishes to give. In effect, they put one group above others, which goes against equality. My colleagues might say this decision was not acted upon. I would ask you to bear this in mind. As it stands, this decision is still policy as it has not been rescinded and it matters not whether this decision was acted on or not. The public understandably were angry and annoyed with the decision and at a public meeting, the majority of people in attendance gave a mandate to put forward a vote of no confidence in Executive Council. People at this meeting went on to say we need to remove them before they make other decisions that will affect the people negatively, or words to that effect. A similar decision was made concerning four French journalists sometime later. Two occasions, in my opinion, ExCo acted immorally and unethically. After the public meeting held on 4th November concerning the decision for FCO to be allowed to home quarantine and within twenty-four hours of such meeting ExCo/IEG were asked by FCDO to reconsider their decision on home quarantine for all arrivals. Non-executive members asked if any new information was to be presented in writing to allow members to reconsider the decision, but none was given. Executive Council then agreed to home isolations, sorry. Ten days after making the decision, Executive Council/IEG chose to inform the public. There was no consultation on the matter, ExCo/IEG chose not to discuss an important matter such as this with their own people, the very people that put them on Council and have refused to discuss this matter with the people despite being requested to do so by the people. So, information given to ExCo/IEG to consider home isolation decision, no home isolation. FCDO then asked the decision be reconsidered, no different information presented, ExCo/IEG said yes to home isolation and during this process, two groups were given special treatment. Again, this has caused concern and anger amongst constituents. To my Executive Council colleagues, you are there because you were put there by your constituents and it is clear to me that you do not have their best interests at heart as you have not been upfront with them and in a nutshell you have sold out your own people, thus affording others special privileges, so from me, this is my view. This is my view, it's not ethical, I will support the mandate of my constituents. To the non-executive members of Council, you also have a responsibility to your constituents to ensure our executive members are held to account and when they overstep the mark you have to make the difficult decisions to prevent them from further destroying the relationship with the people we are here to represent as well as the credibility of the Government of this island. This decision should not be about personalities, but matters of principle and in this case failing to afford people protection from discrimination. Madam Speaker, I beg to move.

Deputy Speaker –

Any other Member wishes to speak? The Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker. In starting, Madam Speaker, I'd just like to say I fully concur with the Honourable Friend across the table here, Brian Isaac, for his sentiments.

Mr Speaker, if we were to react on every dissatisfaction from the public, we would be changing Executive Council every two weeks. For me, I think it is certain wording of this Motion that to me is not entirely correct. The word "magnitude" of dissatisfaction. If we talk strictly with numbers, Madam Speaker, a hundred people versus four thousand five hundred on the island is just around two percent. This is not to say dissatisfaction is irrelevant, it is indeed a consideration and a human right to protest. Some of the issues the Honourable Scipio O'Dean pointed out around some of the exemptions that were allowed through Executive Council, I can say now that these were made on a case by case basis and each individual case was very different from each other. An example of this is an exemption to allow the air calibration crew to come here and calibrate our airport, Madam Speaker, which is absolutely vital to maintain

the connection to the outside world, least not for medical referrals. I have a question, Mr Speaker, Madam Speaker, if current members step down, who will be willing to step up? The timing couldn't be more disruptive, we have had key budget discussions formed on a long-standing relationship with Her Majesty's Government, the Honourable Derek Thomas was instrumental in dialogue with the Minister to acquiring £2.5m of Covid 19 support, this dialogue has not ended and is likely to continue. ExCo has also been instrumental at the Joint Ministerial Conference which in the forum of high level Ministers we discussed environmental matters, health matters, education, economic and social matters, all of extreme relevance to St Helena and topics which are set to benefit the island, are all now in jeopardy. Madam Speaker, is this in the best interests of St Helena? Thank you.

Deputy Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Madam Speaker. First, I would like to thank all those members of the public who have expressed their differing views about recent Executive Council decisions. On hot topics there is always going to be a very wide range of opinions and responses and it is important that elected members and, indeed, officials, know the range of feelings of constituents and the reasons underpinning these and we cannot do so if the public does not speak out. It is clear that there is dissatisfaction regarding some recent decisions and this should not be ignored. As always, when there is dissatisfaction, there is usually some genuine root cause. However, I consider that dissolving Executive Council would be extreme and a very high-risk strategy for reasons that I will now share.

If I were writing a school report on Executive Council's performance at the decision making level, I would write "Needs some improvement, could do better, but there is no justification to expel them". Overall performance must be taken into account, not just a few isolated incidents.

(Hear Hear)

A key issue, which does need improving at all levels is communication. I will not be as blunt as my Honourable brother was this morning, but it is a real problem. If the public were provided with more information, they would have a better understanding of the reasons behind decisions taken and the conditions attached to them. At times, what most might think the best decision is in actual fact not workable or achievable and to try to take it forward would be as futile as crying for the moon. When the situation arises, however, it should be explained fully to the public so that they know and understand why it could not be done. Although some Executive Council business must be kept confidential, more openness and transparency should exist, but this would require the approval of the Governor, because of the Oath of Confidentiality contained within the 2009 Constitution Order. For the information of the public, both the previous Council and the current one have objected to this Oath and elected members of Executive Council continue to press for it to be removed as they believe that it hinders them from providing the level of feedback to constituents that they think desirable. There are other improvements that would enhance the performance of Executive Council, but the other side of the coin is that the elected members of Executive Council have stood their ground on many issues that were of key importance to the wellbeing of St Helena; pressing for a capital programme and obtaining additional funding for top priority areas of service delivery are key examples. As an elected member, I witness first-hand how current members of Executive Council work to try to move forward issues that will benefit St Helena and how

tirelessly some of them pressed to get problems raised by individual constituents resolved at Executive Council level. One such example was the excision of land at Blueman's Field from the Green Heartland to enable it to be developed as was originally being intended. The Motion before the House today does not appear to recognise the good work and the achievements of Executive Council.

(Hear Hear)

Yes, we must hold those responsible to account and make them aware if we are dissatisfied by some of their actions, I do not dispute that in any way, but we must also be fair and even handed, give credit where it is due and think deeply about the likely consequences of our actions. As all of us who have served on Executive Council know very well, members of Executive Council do not have a free hand to decide whatever they like. One of the reasons why I have avoided serving on Executive Council is because I find having the power to make executive decisions and at the same time having my hands tied by so many constraints, particularly with regard to funding, is too frustrating and disheartening. Unfortunately, these obstacles will not disappear if a new Executive Council is elected, so although the public may hope that new members would have a magic wand to wave and solve out key problems, this expectation I regret to say is not realistic.

Madam Deputy Speaker, if this Motion is passed today, I have serious concerns as to its consequences as I doubt if five of the current non-executive Council elected members will be willing and able to stand and if an Executive Council cannot be formed from the present Legislative Council, then the alternative is a General Election. If Executive Council were dissolved by resolution of this Honourable House, calling a General Election would mean that for a number of weeks until a new Legislative Council has been sworn in and a new Executive Council elected, urgent decisions would have to be taken by the Governor without any political input. I consider such a situation to be undemocratic and definitely not in the best interests of St Helena. I do not believe the public would like key decisions to be taken by one person without any involvement from the people's representatives. The budget settlement for 2021/22 and beyond is just one example of an upcoming issue that would almost certainly be classed as urgent, so the Governor would have the power to make decisions relating to this without political advice. Is this what the public would really want to happen? I don't think so. An additional problem is that non-essential decisions would be delayed until the new Legislative Council was in place. This also would not be in the best interests of St Helena as we all know that there are extremely important issues to be decided in the near future that cannot be delayed without having very negative results. Furthermore, a new Executive Council following a General Election would need time to get into its stride and familiarise itself with its roles and responsibilities. During this period, there would be a risk of further delay or errors occurring. There are critical issues that elected members will be bringing to a conclusion in the next few months with which all current members are fully familiar and regarding which momentum cannot be lost without negative impacts occurring, which would be very detrimental to St Helena. Madam Deputy Speaker, I do understand the concerns of some members of the public regarding some recent issues concerning decisions taken by Executive Council and the way in which these were handled, there are definitely lessons to be learned, however, I firmly believe the dissolution of Executive Council would be an overreaction and very unlikely to improve the general situation. Indeed, we could well find that we have jumped out of the frying pan straight into the fire, therefore, I regret that I cannot support this Motion.

Deputy Speaker –

Thank you, Honourable Member. Honourable Russell Yon?

The Hon. Russell Yon –

Madam Deputy Speaker, I rise to speak to the motion tabled by my Colleague. I do not have a long exposition as I personally feel that if the Mover of this Motion felt that the current members of ExCo were not performing the duties required of them as expected by members of the public then the correct place to discuss this first would have been at an informal LegCo session. This was not the path chosen and the Mover has deemed it a matter to be tabled at this formal session of LegCo. I consciously believe that the current members of ExCo with whom this house nominated are undertaking their roles within their remit and to the best of their ability. All decisions made by ExCo are contentious and no decision will appease all of us elected members or everyone on the island, however, they do so with the advice provided by officials, officers and those with the technical ability. If we are to request a resolution on every decision that ExCo makes then we will have a different ExCo membership almost every month. Therefore, I cannot support the Motion. Deputy Speaker, I beg to move.

Deputy Speaker –

Any other Member? The Honourable Clint Beard?

The Hon. Clint Beard –

Madam Deputy Speaker, I cannot support this Motion. Magnitude of dissatisfaction, what does that mean? I believe there needs to be improvements, the consistency of decision making, improved communication, but we as a Council cannot pick and choose different issues, we need to deal with it in its entirety. Has everyone been reached in this community, has our youth been spoken to, has their opinions been asked for? Scrutiny is vitally important. As political leaders, we need to communicate better with this community and I believe on this topic this has begun. St Helena has many issues to deal with and together we can alleviate and build confidence in the community that we have their best interests at heart. Not everyone will be happy with the eventual outcomes of decisions made, but you, as a previous Executive member, will know, we all try our best around the table. There's always been the comments raised that we need to work closer together and it seems this is not the case at all times of this Council's tenant, it seem divide has taken a serious toll on all of us, we need a strong partnership to deliver matters that affects this island, a strong Council will make sure we deliver services that the island needs and will keep on addressing issues raised, improve what we can and, of course, within limitations. This Motion in the House today, I would hope that you see this as a fair and transparent approach to dealing with your concerns and those of some of the constituents, although I would have liked to see a possible different approach and, of course, this being the final procedure, as not this being the final procedure you would have looked at. The Motion in question will be open and allow views to be heard, I for one am not happy with the dealing of some of the matters, for example, the communication, as I mentioned before, the response periods, but this is being addressed and we are working on a ongoing communication where the engagement with the community as a whole needs to be taken into account and by doing that, decisions can be made in the best interests of St Helena and its people. If you use a democratic system appropriately, how will the march which is envisaged for tomorrow, have any viable outcome? You're looking to remove Executive Council, so who will be accepting this petition? A divided Government is not beneficial for St Helena. As it stands, we need to step up and all of us need to work together to show and prove to our constituents that we want what is best for them. Although we will have disagreements and lengthy debates and discussions, the best outcome we want is for St Helena and the community which we all are a part of. Remember, outside Council, we are also the members of the community. We all have a part to play in addressing our national goals, which we have all signed up to do, cohesion and

tolerance within our Council is the only resolve that will benefit this island. We are a team, we have a contract to the peoples, to be the people's voice for a four-year term, so I would hope that we can achieve this and allow our community to be confident in our ability to carry out decisions on their behalf. None of us wishes bad on anyone and our decisions are never made to harm anyone in our community. I believe it is still all our objectives that this is what I truly believe and our intentions are to keep St Helena safe, but we need to make this happen now and make decisions by listening to everyone in the community. We are here to offer protection to everyone in all our decisions we make, we make these decisions by taking into account all the information, the facts and expert advice to us at the time, so if some of the constituents out there have voiced their concerns, there's the other group, and I hope I can use this, they've been saying, not in my name lovey.

Deputy Speaker –

Thank you, Honourable Member. Any other Member wishes to speak? Councillor, oh, which one of you are going first? Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Deputy Speaker. With respect to what the Mover believes is her genuine reasons for creating her Motion relating to the dispute between elected representatives regarding self-isolation, my preferred option of working on the matter has already been established according to my supplementary question to Councillor Thomas and he's allowed me to remind ourselves what was said earlier, taking into consideration St Helena's current Covid 19 free status, the vulnerability of the local population to the deadly virus, the ongoing technical advances to reliably and speedily test for the Coronavirus and the rapid development of effective vaccinations, I asked, will the Chairman say if he is willing to request Executive Council re-evaluate whether such a decision to allow all new arrivals to self-isolate from January 2021 is definitely in the best interests of the local population and my Honourable Colleague has agreed to my request.

Deputy Speaker, during this very challenging, demanding and difficult period in time, I will encourage my colleagues to work together, in Council forums, to solve complex disagreements between elected members; and thereby work through our differences of opinions, at Council level, in the best interests of the community.

So, accordingly, I have decided not to support the motion to stop my honourable colleagues from serving on Executive Council. Thank you, Deputy Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Gavin Ellick?

The Hon. Gavin Ellick –

I stand in support of the Motion, I don't have nothing write up, but during the last few months when we were asked questions do we have home isolations or do we allow people, we all said, no, and then a few weeks later we saying yes. It went down to 11th November when we sat in this House, the meeting where I allegedly not supposed to been there, but I was here, when this question was asked, about home isolation, everybody in this room said, no, we keep saying, no. and then two meetings later we got home isolation, so I can't understand how can the Executive Council change their minds so quick when knowing that everybody in this room here have a underlying disease or sickness, which makes us very vulnerable to anything, so, for me, while I do not complain that during the last few years we have made decisions collectively together, but on this decision, this is the one, this is the burning question and for me, I will support my colleagues and their Motion. Thank you.

Deputy Speaker –

Thank you so much. Any other Member wishes to speak? Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Deputy Speaker. I will not be supporting this Motion. Divided we fall, united we will progress and stand. The Honourable Mover of this Motion mentioned the magnitude of dissatisfaction. She will be in receipt of a number of messages of support to home isolation from young St Helenians living here on the island. She talked about her constituents, those are her constituents as well and I haven't seen any response or support from her to those young constituents, those St Helenians are our future. The decisions that I make as an Executive Council member are for everybody on St Helena, no particular group or those who can shout the loudest, in whatever decisions we make, so if you're reading the code to me then you have to abide by that code too, because I take it very, very seriously, I have not breached my Code of Conduct, but from what I have seen, some people is coming very, very close to that, so if you think I have, provide the evidence and there is a process from which you can undertake to actually do that. You have been challenged by one of your young constituents over the magnitude of satisfaction you purport that exists in the public out there and as you were told there are some four thousand five hundred people who live on this island against one hundred people, so if that is magnitude perhaps you can explain to you young constituents how you define that.

Madam Deputy Speaker, one of the problems we have when we live in a small community like this here is the emotion that we put and that is by our very culture, but if you imagine when we're being asked to make these very, very difficult decisions, if we allow those emotions to get in the way, disregard evidence to make decisions, because we want to please all of our constituents, I believe that I was elected by the people who choose to elect me to make decisions on their behalf and they will know and often they challenge me about why did you do that. I take time to explain to them why, this was the evidence, this is what I done, I am sorry if you didn't agree with it, but that is why you elected me, to make those decisions on your behalf. If we are to consult our electorate, just imagine every time we have to make a decision, there is a pandemic happening now, that is why we have an IEG, all elected members were privy to a very, very good presentation a week ago at Plantation House about the evolving decision making in when you're dealing with decisions like this here. Are we then to stop and go and ask our constituents can we do that? It will be too late and that is why we got that, and, look, Honourable Colleagues, that is what you should be teaching your constituents as well, we all should be doing that, because we cannot make decisions or consult on every decision we got to make, no other government do that, you know, this is nothing to do with openness and transparency, but it's to take those difficult decisions on your behalf and as my Honourable Colleague quite rightly put it there, would I or would any of us be making those decisions when we ourselves living on this island, so if Covid do come here, then is it not going to affect us? Why would you think that? So, you got a duty as much as we do to be explaining that to your constituents, yeah? And I hope that today will be a turning point for the kinda division that we find ourselves in in this Council at this moment in time, because, you know, you feel that we're not taking decisions in the best interests of this island. My Honourable Friend over there talked about the consequences. It is at a poignant time at the moment that whoever stands on Executive Council got to negotiate a deal for this island for the next year. My Honourable Colleague fresh back from the UK, good to see you back here today, explained his first-hand knowledge of the situation in the UK. We already know, you know, that there is likely to be a reduction in the grant-in-aid because of the severe financial situation that is in the UK, so you want the continuity for the negotiations that's going to start next week. I will happily step

down from this post if the twelve of you or the eleven of you tell me to do so, yeah, and if you think that is in the best interests of this island, because it is not about those, the magnitude of dissatisfaction, it is about what is best for this island and all the people, not because some people can shout a little bit louder than the rest, but I make my decisions for all the people on this island because that's what they elect me to do, so Madam Deputy Speaker, I don't support this Motion, it is brought for the right reasons and I smell something fishy. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Anybody else wish to speak? Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. Just to say I don't support the Motion, I've decided that silence is the most powerful thing in this situation, I'll respect the democratic process, I trust that other people will.

Deputy Speaker –

Thank you ever so much. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Deputy Speaker. I didn't prepare to speak here, I was elected to make decisions in the best interests of St Helena and its people and not just a chosen few, we have to do what is right and based on the evidence that has been provided. We are facing critical times, and I don't want to repeat what is going on, and in terms of the partnership with Her Majesty's Government we had a Joint Ministerial Conference for three days and that was high level discussions and I firmly believe that if Executive Council were to stand down at this critical time the island certainly, in my view, would be worse off, they certainly will be worse off and we have lot of pressing legislation lined up, like the Immigration, which I have been leading on, which will benefit this island, we have a provision to make provisions in respect of our elderly people, all of that will fall through and it will be, you know, so we'll have to do what is best, but, you know, if like Councillor Henry say, if the majority feel that Executive Council should stand down I'd be quite happy to stand down and I will have a Merry Christmas. Thank you.

Deputy Speaker –

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

The Hon. Christine Scipio –

Yes, Deputy Speaker, Madam Speaker, if I may. Firstly, Deputy Madam Speaker, I'd like to thank all Members who stood up and shared their opinions about the Motion today, but Madam Deputy Speaker, could I ask if you could ask Honourable Cruyff Buckley to refrain from using Scipio O'Dean, my name is Scipio, please?

Deputy Speaker –

You hear that?

The Hon. Cruyff Buckley –

Oh, thank you, Madam Speaker, I apologise for getting your name wrong.

The Hon. Christine Scipio –

Thank you. So, Madam Deputy Speaker, I'm going to take the opportunity to provide some information on some things that has been said here this afternoon. So what is disappointing for me, Madam Deputy Speaker, because in my exposition I made it very clear that I brought this Motion to the House today because of the people who I represent asked me to. There's been reference made that my concerns, I've been accused of creating a dispute, so I have no intention of causing a dispute among elected members, I wasn't here elected to do that, so Honourable Brian Isaac talked about people have approached him in favour of home quarantine. Two public meetings were held, the 4th and 25th November and it's disappointing that those individuals who have, feels that home quarantine is the best way to go, that they didn't take the opportunity to attend those two public meetings, because they were encouraged to attend, the meeting wasn't just for people who were in favour of home quarantine. If they had attended, a more balanced view would have been portrayed at those public meetings. Honourable Cruyff Buckley talked about the magnitude of numbers, 113 members of the public attended the first meeting and 121 attended the second meeting. I would just like to remind members around this table and our listeners that during a period of weeks with the Governance Review only 77 members of the public attended those information sessions and with the views of those 77 people we are progressing with the Governance Review. I totally agree with Honourable Corinda Essex, Dr Corinda Essex I must say, that the key issue is communication, because that is what the members of public have been saying, the communication is, the information that they're receiving now is too late, it should have happened a while ago. Honourable Clint Beard talked about the youth, youth did attend the public meeting, I'm certain that Honourable Clint Beard did listen to the recordings of those public meetings where a youth member did speak up and share her views. He also spoke about demonstration tomorrow and who will receive the petition. I'm not aware that a petition is being presented tomorrow, it was never mentioned in the letter that was written to members of Governor in Council. What is disappointing that while we were in sitting in session today, I received a correspondence from the Clerk of Council who said that the Executive Council members would be more happy to receive a written concerns so I'm assuming that they will not be present tomorrow to receive the demonstrators. The Honourable Lawson Henry talked about messages received. Yes, messages were received yesterday, I don't know why only yesterday, but I think it may have been five, but there's a convention between elected members that whoever is the Chairperson of the month they will respond to correspondence sent to all elected members to acknowledge it. I haven't said in my exposition that there is a breach, what I was referring to, what was actually said in the public, and I make reference to the Code of Conduct, because the people have asked for a meeting to be heard and to be given the opportunity to discuss this important issue. Both Councillor Russell Yon and Honourable Cruyff Buckley talked about if we react to every decision that is not pleasing to the public that we won't have an ExCo in going forward. The elected members of Executive Council has the opportunity to talk to the people. There was mention about who is going to step up, it's down to the Council if this Motion is approved and supported today, it is down to us who decide who steps up. Members of the public have asked about a general election, members of the public have spoken to me about the general election, so I think they were prepared for a general election, I'm not sure if the public purse would be prepared for a general election at this time.

Madam Deputy Chair, the Honourable Brian Isaac talked about purdah. I've been a member of Legislative Council since 2012 and I have also experienced purdah, so if the Motion was supported, it is hoped that people, other members, would be prepared to step up, but there is no guarantee for this. I think I've addressed everything, because I've got lots of scribbles here, while everyone was talking, but I'd just like to say again that this Motion was tabled today because it was requested by the people for whom I represent. Thank you.

Deputy Speaker –

Thank you. Honourable Members, the Motion is that the Legislative Council resolves that the Honourable Clint Beard, the Honourable Cruyff Buckley, the Honourable Anthony Green, the Honourable Lawson Henry and the Honourable Derek Thomas no longer be members of the Executive Council because of the magnitude of dissatisfaction expressed by the public in regard to recent decisions made by the Executive Council and that their election to sit as members of Executive Council be revoked in accordance with section 37 (1) (f) of the Constitution.

Question on Motion put.

Deputy Speaker –

The Noes have it.

The Hon. Jeffrey Ellick –
Division.

Deputy Speaker –

No, we don't need it. Honourable Scipio says No. The Mover, sorry. No.

The Motion is not carried.

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 until 10.00 am on Friday, 15th January 2021.

Deputy Speaker –

Thank you, Honourable Member. 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 Council do now adjourn until Friday, can we have your attention, please. The Motion is that this Council do now adjourn until Friday, 15th January 2021. The Motion is now open for debate. Any Members wish to speak?
Honourable Cruyff Buckley?

The Hon. Cruyff Buckley –

Thank you, Madam Speaker, I rise in support of the Adjournment Debate. There's been a lot of talk of the pandemic around this table today, Madam Speaker, and we all know this decision surrounding home quarantine will be taken on Monday at the Incident Executive Group. During this deliberation, Madam Speaker, there are many issues to consider, legal, economic, social, medical and political considerations will all have to be taken into account and it's going to be a tough time trying to balance what I see as personal liberty versus health and security of

a nation. This decision obviously will have to be proportionate with respect to both sides. Questions I ask myself surrounding home quarantine, can I, should I, will I, trust my own St Helenians to play their own part in protecting our island. This issue of trust is an overriding factor. We've had a good education campaign surrounding this issue and it's been of tremendous benefit to the community who are now better placed and have had time to reflect and balance their arguments with one another and now appreciate the difficult decisions that the elected leaders have to make. Nevertheless, a decision has to be made and therein lies a responsibility in accepting that decision. Madam Speaker, it is a test of our politicians' fortitude during difficult times, none more challenging than the current pandemic at hand. I would urge the public to please be careful who they vote for at the next general election. When the going gets tough, the tough get going. Thank you, Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Anybody else, oh, Honourable Cyril Leo?

The Hon. Cyril Leo –

Thank you, Madam Deputy Speaker. Throughout the world, Covid-19 still has the ability to create serious health issues and numerous deaths, subject communities to overwhelming economic frustrations and cause deep political divisions and challenges for those in ultimate authority.

Leading up to the November's flight from the United Kingdom to St Helena, Councillor Thomas informed elected members that Executive Council took the decision not to allow some Saints to return home. The disappointing news had to be conveyed to 28 Saint Helenians: 15 Saints on the Falklands and 13 in the United Kingdom and I know my colleagues who serve on the Executive Council would have agonised over the decision to restrict Saints from returning to St Helena. Elected members were told that responses from the disappointed Saints included: "Why can you not trust us to self-isolate in St Helena" and "We are Saint Helenians who just want to return home to our family and our friends".

The local population of St Helena is still managing to maintain its fragile Covid-free status. To maintain that status, elected representatives have an obligation to remain vigilant in our efforts to prevent any potential breach of our defence measures by the deadly virus. People who are self-isolating have an obligation also to fully abide by the rules and regulations as set out by the St Helena Government and the failure to do so will be the worst form of irresponsibility.

Exercising the highest vigilance to keep the deadly virus at bay must be the principle objective of those with ultimate responsibility for the safety and protection of the local population. Important as it is for a functioning community, economic considerations must not have precedence over safeguarding and protecting the local population. The large elderly and vulnerable demographic makeup of the local population of St Helena is at the greatest risk if exposed to the deadly Corona 19 virus. This is an exceptionally difficult and challenging period in time where taking measures to safeguard our local community from Covid-19 is of paramount importance.

Normally, leading up to Christmas, numerous Saints return to St Helena. Indeed, in 2019, 780 visitors arrived during the months of November and December and of that 780, there were 550 Saints visiting family and friends. This year many of our Saints abroad could not travel home to share Christmas celebrations with loved ones in person.

To those Saints who were forced to miss their planned homecoming and reunion with family and friends, I ask, take some small consolation from the knowledge that your understanding, your sacrifices and your patience are acknowledged here on behalf of the whole population of St Helena, and in particular our elderly and vulnerable residents.

These are challenging and demanding times that we can all do without, but let us keep the faith that the silver lining to this dark cloud, will have already arrived by this time next year. On behalf of this Council and the local community, I wish Saint Helenians throughout the world a happy and blessed Christmas. Thank you.

Deputy Speaker –

Thank you. Honourable Dr Corinda Essex? Sorry, you want to go first?

The Hon. Dr Corinda Essex –

Thank you, Madam Speaker. Madam Speaker, I'm afraid, once again the scratchy record is going to have to kick off on things that have not yet been done that have been promised year after year and I would like to start today by quoting from something that I said in 2016, nearly five years ago." As we adjourn this current sitting, I am very mindful of outstanding issues that are of considerable importance to the public, but which still remain unresolved. A number of these relate to legislation and regulation and pertain to matters such as enabling enforcement of fixed penalties, for example, for parking offences and amendment of the Road Traffic Ordinance. These have been under discussion for years in some cases " , that means pre-2016. I do fully understand that the Attorney General's Chambers have been swamped with other issues resulting from Covid-19 and also the Governance Reform measures, however, I will again repeat what I said in 2016, "I plead for commitment from all involved in all parts of Government to move these matters forward. Public patience is becoming exhausted and there is great disappointment that these could not be addressed as part of the business within this sitting." Public patience was becoming exhausted in 2016, and to be quite frank, public patience is now pretty well exhausted. I had representations, particularly, for example, from individuals who are over 70 who would like to see the new regime with regard to medical tests for driving licences being put in place; I have representations from the public about individuals parking causing obstructions which really will only be eliminated when fixed penalties come into being and generally, particularly at this time of year, these issues are at the forefront of everyone's mind, so I would again plead that they get resolved as speedily as is possible.

I will now raise an issue that is of great concern to the Chamber of Commerce, and I again declare my interest as President of that body, and that relates to legal assistance to private sector businesses. There is an increasing trend for Government to require qualified, legal input on what were basically fairly simple land transactions, for example. That qualified legal assistance presents two challenges, one is availability and the other is cost and these are in particular causing problems for start-up and smaller businesses, and, unfortunately, particularly in the case of start-up businesses that's frequently where the legal advice and input is most needed. This has been exacerbated by the current economic climate inasmuch as that, basically, most businesses are finding it quite hard to keep their heads above water anyway, so this issue needs to be addressed or. it will have very negative impact upon the growth of the private sector. I am aware that the Public Solicitor's Office is currently understaffed, I hope very much that the staffing complement will be brought up to strength very shortly and when once that is the case I know that the Chamber of Commerce is planning to engage with the Public Solicitor with regard to support for private businesses and how this could perhaps be best effected, but also there are issues relating to qualification for legal aid and that sort of thing as well which will need to be given some thought.

Moving now on to a general topic, we are likely, in fact, almost certainly to be entering into a period of economic hardship. What we've heard around this table this morning about possibilities of funding from the UK Government, for example, is realistic, but also depressing and we will only be able to move through this difficult period if we all work together, so I would now like to make another plea, not just for fixed penalties for parking offences, but also for

unity within this Council and, indeed, unity within the population of St Helena. We all have different opinions, we all have different ideas and as I said earlier, that is something that I fully support, it would be a very dull world if we all thought the same and had the same priorities, but we have to be prepared to accept that other people have different opinions, to try and understand their perspective, but still to cooperate together and work to move on and that is the message that I would like to leave with this Council this afternoon.

Thank you, Madam Deputy Speaker.

Deputy Speaker –

Thank you, Honourable Member. Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Madam Deputy Speaker, I rise in support of this Adjournment Debate. Madam Deputy Speaker, as we approach the end of another year, I would like to take this opportunity to reflect on the last twelve months and to also mention the opportunities for the future. We all know what a difficult year 2020 has been globally as a result of the Coronavirus pandemic, I doubt whether there is anybody on this island who has not had concerns about the wellbeing of family and friends overseas as the dreaded virus spread throughout so many countries. Likewise, there have been fears for the wellbeing of friends and relatives on island, but thankfully we have so far remained Covid free. This, in itself, is due in no small part to the hard work and dedication of so many people and has been no mean feat when taking into account many of the obstacles that have had to be overcome. I would like to thank all involved in keeping St Helena a safe place to live during 2020. I would equally like to thank Her Majesty's Government for the financial support given to the island during this difficult period. Madam Deputy Speaker, looking to 2021, I would like to focus on the opportunities that may present themselves. We can but hope to see progress in the development of our renewable energy resources. We can hope to see further developments to support and improve our cargo handling operations, bringing much needed work to our private sector. We can hope to be able to have successful bicentenary celebrations in May. We can hope to see response, progress in achieving the milestones related to the sub sea cable which once operational in 2022 offers the opportunity to transform so much about the way we live and work. We can hope to re-invigorate our fishing industry. We can look forward to the possibility of having different form of governance, maybe it is time for the general election. Most importantly, we can hope to receive free of charge, courtesy of Her Majesty's Government, vaccines for Covid 19. All of these are important developments, but of those I have listed, the last one, is, of course, the most significant as it will mean that St Helena can potentially re-open for business and we can recommence building of our economy.

In February 2021, a Population and Housing Census will be undertaken, this will be an opportunity to have accurate population data which will greatly assist politicians with the allocation of resources in the short to medium term where the greatest need is demonstrated. Madam Deputy Speaker, in difficult times we need unity, not division. Next week, we will commence discussions with our UK funders, FCDO, on the budget allocation for 2021/2022 financial year. We already know that the UK overseas aid budget has been reduced. As yet, we do not know how that might impact on St Helena, we will just have to wait and see. However, we are already being faced with difficult choices in arriving at the budget submission we have sent to FCDO. I truly hope that we will not be faced with more difficult decisions in our budget discussions in the coming week.

Madam Deputy Speaker, in concluding, I would like to wish everyone on St Helena a Happy, Covid-free Christmas and hope that all of the opportunities that 2021 may bring come to fruition. I beg to move and support the Adjournment Debate. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Clint Beard?

The Hon. Clint Beard –

Madam Deputy Speaker, I just want to give a brief update on Education as Chair of Education. I'd like to say that the St Helena Research Institute that hosted the Virtual Island Summit and 1st Anniversary, St Helena Research Conference - Discovery to Discovery. The schools, they're still for me one of the positive aspects. I've attended three Advent Services as well as I went over to Prince Andrew to see the Athletics Day and I can tell you I had a good time at all four events and that is really what we need to see, that's real positive news for this island. Going on to other items of business, the Public Library is still being used by the public, it's still being, you know, the activities within the holidays will continue. The Community College is another aspect that we need to start utilising a bit more. We have got some support from SURE with regards to getting some more, because there's a lot of online courses that's been requested, so we've got the support from SURE and I think we're going to increase our line, so that those requirements can be met.

As for teacher training, we're talking about succession and local posts and the need for that is, I think, a major achievement where staff that are moving towards their qualifications, where six more staff members who are at the submission stage of their studies, which is brilliant, we also have a successful completion of training for three teacher trainees, so for me, I'd like to just end off by saying that, you know, I'd like to thank the Education Directorate, the team, I'd like to also thank our teachers, our staff, our parents and our students for their hard work over the three months or so and they're going to a break today, so that I think they virtually ending off. I just feel that we need to really, if we're talking about the younger generation and St Helena I think these are the elements that we need to really look at and hopefully these are elements that we will look at when we prioritise our budget and the facility of funding, so on another note, I'd just like to say that through all the hardship over this period in time, I think the private sector has also been astounding, they're gonna become the real base in next year and the years to come for economic as well as social balancing and I think, you know, the recovery plan should be based around the private sector, because I think that's the way things need to move on, I think they have the President here of the Chamber, only declare my interest because the lady's sitting across the way, but I think that's the driving force and I think within that organisation I think 2021 can really be a year that they can really stand out, because some of the private sector really have become very innovative, they have diversified and they haven't, some of them have not come to Government and said, hands up, we need, they've gone out, they've seen avenues of opportunity and they've used that to enhance their business, allow for people to move weight and an economy to move around, you know, they're keeping families going here and I commend them.

So, in finality, I just want to say I wish everyone a Happy and Safe Festive period. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Honourable Christine Scipio?

The Hon. Christine Scipio –

Thank you, Deputy Madam Speaker. Deputy Madam Speaker, today the Honourable Dr Corinda Essex brought a question to the House regarding the carrying of air freight from St Helena, but there was no mention of letters and packages to St Helena, so I'm going to take this opportunity, Deputy Madam Speaker, to ask the Chief Secretary what progress has been made to improve the international mail system that is recognised by the United Kingdom Post

Office which will allow timely delivery of letters and small packages to St Helena. I'm aware that cheques are arriving on the island outdated, which cause unnecessary loss, we cannot afford to lose any money that could support our struggling economy. I have earlier today mentioned the words accountability, openness, communication and transparency. I honestly believe that the lack of accountability, openness and transparency is the root of the discontent and division within the community at this present time. It's often said that knowledge is power and I will go on record to say that this power has been used by a few to divide the community. Honourable Henry and Thomas has stated in a radio interview that we need to work together, how can this be achieved when information and facts are not shared with the public in a timely manner? It should be the primary objective of elected members to unite this Council and the community in an effort to stand together to keep St Helena Covid free and I will urge Members of Governor in Council to reconsider the decision not to be present tomorrow morning at 11 o'clock at the entrance of the Castle to acknowledge the demonstrators, this is an opportunity to unite the community. So, as I said earlier, Deputy Madam Speaker, I only received this letter whilst we were in session today, but the procession will continue tomorrow, because that is what the people who attended the public meeting on 24th November, to go ahead, 25th November, to go ahead, so if you are listening and you are worrying because I've mentioned a letter which has just been received today, the procession will take place and I urge Governor and Council members to reconsider the decision just to be present in front of the entrance of the Castle tomorrow morning at 11 o'clock.

Deputy Madam Speaker, while the Colony Coat of Arms display the words Loyal and Unshakeable, we will always be loyal to the Crown, I will encourage Saints to align themselves with Americans and say In God we Trust, because trust in our St Helena Government due to lack of communication has been broken.

Deputy Madam Speaker, I am alarmed that the Honourable Derek Thomas earlier today, who is also the Children's Champion, has indicated that young people, it is appropriate for young people to be accommodated at the General Hospital with adults in the Female and Male ward when the role of the Children's Champion is to safeguard the rights of all children.

As we prepare to celebrate the birth of Christ, which is a time to spread joy and cheer, appreciate our blessings and honour traditions like opening presents, decorating the Christmas tree or setting aside a few cookies for Santa, we will find strength in our differences and celebrate everything we have in common. I take this opportunity in wishing the entire community a Happy, Peaceful Christmas. Thank you, Deputy Madam Speaker.

Deputy Speaker –

Thank you, Honourable Member. Do we have any... Honourable Jeffrey Ellick?

The Hon. Jeffrey Ellick –

Thank you, Madam Speaker, I rise in support of the Adjournment and I think some people have actually taken some things I wanted to say actually, so just, want to just put it up on and reiterate what my Honourable Councillor Scipio said before, I heard my Members discuss communications before and some ExCo Members stood here today and said there needs to be better communication and agreed more should be done, so if they feel that way, why not meet with the constituents who requested a meeting or is it a case all talk no action. I would ask ExCo reconsider the request and also reconsider the request from the people involved with the protest tomorrow and I would say to my colleagues, rise above the issues and do the right thing. Be present for our people, because they're our people and, you know, I think you'll get a lot of respect when you come to see your own people.

And just too lastly say, Madam Deputy Speaker, I'd like to wish all a Merry Christmas. Thank you.

Deputy Speaker –

Thank you. Honourable Gavin Ellick?

The Hon. Gavin Ellick –

Thank you, Madam. I rise in the Adjournment Debate. I'd just like to say to all elected members that if we had debated and worked this hard for the last three weeks maybe we would have been in a better place over the last couple of years, but we choose to do it in the last couple of weeks. Working together, open and transparency, I've heard this since 2012. For me, we need to be committed to these things, not just words no more, we are divided of our own common good or knowledge, holding our ExCo and Administration to account is one of the things we have not done well in the past and maybe hopefully this will change and we will get together. Getting the vaccine here is a must, so I wish everybody would do everything in their power to get the vaccine here as soon as possible and, of course, as usual, to wish everybody a Merry Christmas. Thank you, Madam.

Deputy Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Deputy Speaker. A lot has been said about ExCo refusing to have the public meeting as requested by the people who attended Half Tree Hollow, the hundred or hundred and odd people. When ExCo took the decision to communicate to the public they thought, they were certainly of the view that their duty is to inform all of the community and the radio would be the better place to do this, so that is simply why ExCo took that decision; all of the community should be informed, we have a duty to inform all of the public of decision making and that was carried out. However, I did, yesterday, I think it was, yes, yesterday when we went on the radio I did explain that, but I also gave an undertaking that if certain members of the public wish, certain constituents wish to see me I will always make myself available, so I just want to clarify that position in relation to the refusing to go up to Half Tree Hollow, but communicating it via both radios to reach the entire community. I also, Madam Deputy Speaker, take this opportunity to wish everybody a Happy Christmas and a Prosperous New Year. Thank you.

Deputy Speaker –

Thank you, Honourable Member. Oh, Cyril?

The Hon. Cyril Leo –

Deputy Speaker, my colleague saying I already speak, but I will stand up anyway.

Deputy Speaker –

You asked permission if you could come in.

The Hon. Cyril Leo –

Yes. Deputy Speaker, on behalf of this Council, will you kindly wish His Excellency Governor Rushbrook and Mrs Rushbrook a Happy and Blessed Christmas.

Deputy Speaker –

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

The Hon. Susan O'Bey –

Madam Deputy Speaker, thank you very much. I'd like to thank all Members this afternoon for your contribution. As you were talking, there were so many common themes coming through and I've jotted them down, circled them and I've heard almost everybody repeat these themes, but I'm actually going to start with Honourable Dr Corinda Essex and her plea, which goes back to 2016, thankfully pre-dating my time, Dr Essex, but what I will ask you if would you kindly forward to me your list of issues. I've managed to jot down some of them as you were talking, but I didn't get them all, I am aware that some of them are being worked on, but it will be useful to see what those are, so that we can actually, I can then make sure that they're allocated to the appropriate groups and follow through.

I'm gonna jump around a little bit now, because I think today has been a really helpful day. I hope today has also been a little bit of, erm, it's like when you have a boil and you lance it, you give it an opportunity to perhaps open up a bit, hear other views, share those views and whether we still agree or disagree at the end of it at least people have had an opportunity to hear what other people want to say.

I'd like to focus on some of the words that I've heard around here, I've heard words – trust, communication, evidence-based decision making, personal responsibility, unity, these are all words that underpin not just good governance, but it underpins relationships in all aspects of the word and I think what has been demonstrated here today, at least what I've picked up from this, and other people might disagree, is that irrespective of what stance people have adopted or where they have come from in terms of putting forward their views, it was very clear to me today that everybody is acting in what they feel is in the best interest of this little tiny island that we all call home and that we all love so very much and that was very apparent to me today, that people are acting in what they consider to be in the best interest of St Helena and I think that's an important point to remember, because it is very easy sometimes to feel that there is one side that is right and the other side that is wrong and today the debate that came through very clearly showed that there is no right or wrong. Covid 19 has created not just a medical pandemic across the world, it has also turned on its head the way in which people try to deal with situations like this. Governments with far greater resources, far greater expertise, far greater experience than St Helena have grappled with the issues that Covid 19 has presented and one of the things that I have noticed, because I listen obviously here, I am very much involved with all of you, I listen to the community debate, I watch what's happening on social media and I watch the world news on a regular basis and one of the common things that's coming through is the fact that it is very difficult to take a decision in what is seen as a moving train, it is not remaining static, it doesn't allow you to be able to take a decision this month and expect that decision to still be applicable in some cases next month or even next week or even tomorrow, because it is changing all the time. We're getting new evidence coming forward every day, we're hearing new stories, we're hearing about how it affects countries in the Northern Hemisphere, how it affects countries in the Southern Hemisphere, but one thing is certain and that is that it is not certain. We don't know what's happening, because it changes so constantly. We have got hope on the horizon with the vaccine and I think we all hope that by this time next year the world might be starting to return to some form of normalcy, we can't guarantee that though, because at the moment there is still far too many unknowns out there. But the other words that I want to also put out here are two words which have almost become, if you like, the informal motto of this year 2020 and those two words are – be kind. You hear it all the time, be kind, because it is not easy when you're making decisions and I know because I sit in with Executive Council members and I sit in with yourselves in this sort of forum, it's not easy to make decisions and it is far more difficult to make decisions as well when you know that somebody is going to be calling you into account or is going to be saying to you, if you

make that decision and somebody in my family dies, I'm going to hold you personally responsible, and I've actually seen that, I've seen elected members receive e-mails such as that and trying to make a decision against that kind of backdrop is extremely difficult and this doesn't just apply on St Helena, this applies across the world, so as we go forward into 2021, what I would ask everybody to do is to just be aware that nobody here wants to see anybody hurt, anybody affected in any negative way, my experience is that everybody wants what's best for St Helena, it might not be what you think is the best thing, but people who are making the decisions are genuinely doing that with that in mind and all I will ask for 2021 is for everybody to bear that in mind and to be kind and to remember that sometimes the words that are said that you then can't take back has an impact on other people.

So I'd like to add my thanks to everybody for this year, it has been in my, all the years that I have been working, it has probably been the most difficult year and I say that because, you know, I've been around for a long time, I've been in Prince Andrew School where we were losing teachers left, right and centre, but nothing has compared to this year and yet, if I look back, we've achieved some pretty amazing stuff. Touch wood, I don't know if this is wood, I'll touch the Financial Secretary's head, (*Laughter*) touch wood, we will end this year Covid free and long may St Helena remain that way. So, I'd also like to wish you all a very Happy Christmas, but more importantly I'd like to wish you a Peaceful, Prosperous and very, very Happy 2021. Madam Speaker, thank you.

Deputy Speaker –

Thank you, Honourable Member. Thank you, Honourable Members. That concludes our business for today. I now put the question that this Council do adjourn until 15th January 2021.

Question put and agreed to.

Deputy Speaker –

The Ayes have it. I wish you all a very good weekend. Thank you.

Council Adjourned until 15th January 2021.

Honourable Speaker

Date