

**10. Emoluments of Members of Tynwald –  
Report of an Independent Panel and proposal –  
Debate commenced –  
Combined vote requested for next sitting**

The Chairman of the Emoluments Committee (Mr Speaker) to move:

*That the Report of an Independent Panel on the Emoluments of Members of Tynwald [\[PP No 2019/0158\]](#) be received and that the necessary action be taken by the Treasury and the Public Sector Pensions Authority to implement the proposal set out at Annex 2A of the Report; and that the proposal should be implemented in accordance with the consultation and transition arrangements outlined at paragraph 55 of the Report.*

**The President:** Having completed the Chief Constable's Report at Item 9 on our Order Paper, we turn now to Item 10, Emoluments of Members of Tynwald, and I call on the Chairman of the Emoluments Committee, Mr Speaker, to move.

15 **The Chairman of the Emoluments Committee (The Speaker):** Gura mie eu, Eaghtyrane.

The question of Tynwald Members' pay was last debated in this Hon. Court in February 2018. On that occasion the Court instructed the Emoluments Committee to establish a review, and that is what we have done.

20 We established the review by inviting three individuals to come together as a panel. They were Ian Cochrane, a former Manx Industrial Relations officer, who chaired the panel; Jennifer Houghton, Chair of the Isle of Man Branch of the Institute of Directors; and Sir Miles Walker, former Chief Minister and a Member of this Court for 25 years. I am sure I speak for everyone in this Court when I say how grateful we are to the panel members for the care and thought they gave to their review. Having thanked the panel for their work, I must also emphasise that they did that work entirely independently. As an Emoluments Committee, we appointed the panel and we gave them their terms of reference as set by Tynwald, but then we let them get on with it. The Report they have come up with is not my Report and it is not the Committee's Report. It is an independent Report. If you don't like it, don't shoot the messengers.

25 Mr President, Tynwald laid down in its resolution of February 2018 certain principles for the review. The panel were made aware of these at an early stage. Those principles were: any change to the structure for pay and allowances must not result in an increase in overall costs of Members' remuneration; the salary and benefits must be sufficient to allow anyone to be able to serve in Tynwald; the salary and benefits must be at a level to attract a diverse collection of community members; enhanced executive and scrutiny roles should be recognised; and the recommendations of the review should maintain the principle of linking Members' basic pay to Civil Service salary levels.

30 As well as sticking to the principles, which we had voted on collectively, the panel also listened to many of us individually, and I am grateful to all the Hon. Members who took the time to write to the panel. The panel also ran a public consultation exercise and I am grateful to the 82 members of the public who responded.

35 Having listened to all those views, the panel have come up with a set of proposals which sticks to the principles we, as a Court, gave them, but also goes a bit further. If the Court supports the panel's proposals, we will see the abolition of the tax-free annual sum for expenses, we will see the introduction of differential pay between the Branches, we will see a reduction in the number of positions where additional pay can be awarded by the Chief Minister or Council of Ministers, and we will move to a system with no financial penalty for Members who choose not to serve on Departments and who instead apply constructive scrutiny within our parliament.

50 Mr President, in any pay reform there are always winners and losers. If everything ended up  
back where it started, we would not have reformed anything. The calculations in Annex 2A make  
it clear that, in terms of gross expenditure from the public purse, the public will be paying out  
less for the Chief Minister. However, these figures take no account of personal income tax, and  
when tax is taken into consideration it is not just our Chief Minister who will take home less. The  
Speaker will take home less. MHKs who are Members of Departments will take home less. MLCs  
55 who are Members of Departments will lose out even more. The main reason for this is that, at  
present, we have a tax-free annual sum for expenses. This will be abolished. It is also worth  
pointing out that these changes will not take effect until after the next election and that it also  
means changes to pensions to ensure cost neutrality.

60 Mr President, I am sure that everyone in this Hon. Court will welcome the abolition of the  
expenses, but I know that some other elements of the package may not suit everyone. I know  
there will be as many views on this Report as there are people in our Island, so I must sound a  
note of warning. Our present pay regime was established in 1997 as what was called at the time  
an 'immediate interim measure'. The regime has been debated many times over the last 23  
years but with no material change, and I sincerely hope that will not happen again. This motion  
65 is an opportunity for us to introduce reforms which have eluded us for nearly a quarter of a  
century. We have agreed previously that there should be an end to anomalies such as the unfair  
tax-free expenses allowance. Accepting this Report makes that happen in a simplified system  
that will not cost the taxpayer any more money. It deserves every Member's support.

I beg to move.

70 **The President:** Hon. Member for Douglas East, Mr Robertshaw.

**Mr Robertshaw:** Thank you, Mr President.

75 I rise to second the motion before you. It had originally been the Hon. Member for Douglas  
North's full intention to second this motion, but in his absence he asked if I would, and I take  
pleasure in doing so. He also asked me if I would express, first of all, his view on the matter,  
which is that there would always be reason to start trying to deconstruct elements of the  
Report, but his view was very firmly that it had to be taken as a whole. If we start to disassemble  
it, it could end up in a lost cause, so he hopes, from his perspective, that Hon. Members will take  
80 it as a whole.

Speaking now on my own behalf, I must emphasise the fact that I will not be here. If and  
when this Hon. Court accepts this Report I will not be a Member, so I hope I can speak with a  
completely independent mind.

85 I do passionately hope that the Court accepts this Report. I have spent the last 10 years one  
way or the other working to try to generate greater respect and development of the policy  
review system, which did not exist prior to the 10 years; all we had were select committees that  
dived into important issues but presented large historical reports which were not often read.  
Select committees remain important, but policy review work is now, I hope, seen as an  
important part of the function of this Hon. Court, that it scrutinises with respect, with challenge  
90 – it agrees where it is appropriate to agree, it challenges and it questions – and it is a terribly  
important part. And yet it gets no recognition in terms of our structure, and, as has been  
articulated by others more eloquently than I, it should be, and so I hope the Hon. Court chooses  
to recognise that important role that policy review work now takes in this Court.

95 I have also promised that, as somebody who is not standing, I will do my level damndest to  
make sure that the misrepresentation in the media which is going on at the moment with regard  
to this adjustment, which suggests somehow we are getting a pay rise, is frankly absolute  
nonsense, and I will take time, if it comes up as an election issue, to put the minds of the public  
right on this matter as somebody who has no personal interest.

100 With those comments, Mr President, I take pleasure in seconding.

**The President:** Hon. Members, please feel free to remove jackets. I should have said that right at the start.

Hon. Member for Ayre and Michael, Mr Cannan?

Hon. Member for Garff, Mrs Caine.

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**Mrs Caine:** Thank you, Mr President.

I rise to confirm my support for the Report and its recommendations. I am grateful to the Committee for commissioning an outside review, and to all three of the independent panel for the thoroughness with which they conducted the review.

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I fully support the findings. They are similar to several points contained in my submission that I feel will be of true benefit to future Members. It equalises reward for Members in scrutiny roles and will remove any suggestion that Members are signing up to the 'one party state by patronage' so much criticised by the former Member for Onchan, Mr Karran.

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The public perception of us voting for a pay rise ignores the fact that, for most, it would result in a reduction in take-home pay, as articulated by the hon. mover, Mr Speaker. Also, the public have forgotten that during the pandemic the majority of us declined to accept the public service pay rise. It is right that we pay tax on all our income, and there is no impact on pension costs as a result of this proposed change.

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Members' remuneration must be at a level to attract a wide range of candidates of suitable calibre to stand to serve in this Hon. Court. I believe his proposal is appropriate and balanced, and I am happy to support it.

Thank you, Mr President.

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**The President:** Hon. Member for Rushen, Mr Skelly.

**Mr Skelly:** Gura mie eu, Eaghtyrane.

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Emoluments: whenever you see that on the Order Paper, you know you are on a hiding to nothing. (**The Speaker:** Hear, hear.) The Loayreyder highlighted, of course, why this is here and it is because of the hangover of Lisvane. We could not decide then, in February 2018. There were a number of amendments and the result is what we have before us. So, first of all, I would like to congratulate the Committee for bringing this on the Order Paper, and hopefully we can deal with this once and for all.

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You are on a hiding to nothing for obvious reasons, and it comes down to are you value for money? For MHKs it is simple: you will find out next year, if you are standing. MLCs find out when they come up for election, based on the value that we believe, as MHKs, you provide to this Tynwald Court. Let's talk about the value, because, going back to Lisvane, the functioning of Tynwald, which we determined pretty much ... I say 'pretty much' because there are still one or two dissenting voices, but the will of Tynwald was determined about the function of Tynwald. This tricameral system, this unique system that we have, is valued by the public, but I found it very interesting, first of all, with regard to the consultation, the few who actually contributed to that consultation – 82, I think it was ... (**The Speaker:** Yes.) That is not entirely the 85,000 people we all represent, is it? So this is a hangover from Lisvane. There is an opportunity to deal with this.

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What I would like to congratulate the Committee on, next stage, is that they had the foresight to have an independent panel. This was the independent panel, as you have heard, that had three well-qualified and well-respected individuals in different disciplines: Mr Cochrane, Manx Industrial Relations, a whole career in that; Mrs Houghton, who is the Chair of the Institute of Directors, which obviously values what we provide in terms of policy and strategy and the role that we have, our function here in Tynwald; then we have Sir Miles Walker, who knows the complete history with regard to the pay structure that we have.

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What we determined in February 2018 when we agreed to this was a number of principles, and those principles need to be understood because they framed the terms of reference that this independent panel had. I am just going to remind Members of those principles:

- The salary and benefits must be sufficient to allow anyone to be able to serve in Tynwald;
- The salary and benefits must be at a level to attract a diverse collection of community members;
- Enhanced executive and scrutiny roles should be recognized;
- Any change to the structure for pay and allowances must not result in an increase in overall costs of Members' remuneration; and
- The recommendations of the review should maintain the principle of linking Members' basic pay to Civil Service salary levels.

155 Frankly, I agree with all those except the last one. However, I accept the will of Tynwald there, and I also accept the fact that we have removed that tax-free expenses anomaly which will be corrected in this recommendation before you here today. So, the independent committee have actually done what we have asked them to do.

160 With that, I do believe that this is workable, this is acceptable, and despite what has already been highlighted – what the media are trying to portray around this – we know the facts, and what you must always do is come back to those facts, that evidence and those principles. So, I will be supporting this, and I urge you all to support it. Let's not kick this into the long grass. Let's make that determination right here today.

165 The last point – sorry – I would like to make is ... and the Hon. Member for Garff highlighted it, is what this does do is ... and Mr Robertshaw highlights the point too, the value of scrutiny roles. This does remove that patronage issue, that perception that is out there – and it is a perception, because I can tell you now that people do work very hard in Departments but people also work very hard with scrutiny. They are two different roles. Again, it comes back to the unique nature of what we have right here in Tynwald. You can be in a Department, you can serve in Government and you can also scrutinise, and that is really very unique. What this  
170 Committee have recommended before you today removes that one last perception.

The last thing I would add the Emoluments Committee of the future to do is to have an annual review, and I recommend it is done independently once more, because we can revisit those principles and are we really adhering to them.

With that, I shall be supporting the recommendation before us.

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**The President:** Hon. Member for Middle, Mr Shimmins.

**Mr Shimmins:** Thank you, Mr President.

180 I have approached this question differently than other Hon. Members. A number of Members have explained their views on this matter. I am not going to challenge any of those views, some of them undoubtedly have merits, but what I would say is I think that also many of them are pretty subjective, and I have tried to be objective in this matter – that is not to be influenced by personal feelings or opinions whilst considering and representing the facts.

185 The current methodology for linking Members' pay to a Civil Service grade is, of course, incorrect. They are completely different roles with incompatible responsibilities. That is a fact. Hon. Members will see from my submissions to the Committee that I researched what pay and benefits politicians receive in the other Crown Dependencies, the Welsh and Scottish devolved parliaments and also Westminster. My view is that the only way to fairly benchmark pay is to analyse similar political roles elsewhere. Some might say, 'But we are different,' and of course  
190 we are different, I fully accept that. Each of these parliaments is, by its nature, different, but these are the best available comparables to assess Tynwald Members' emoluments. The roles and responsibilities of these roles are much more similar than a Civil Service officer role.

In many ways, the closest match is Jersey and Guernsey, our fellow Crown Dependencies. It is complicated because neither of these islands pay expenses to their elected representatives and

195 there are different numbers of elected representatives. If we just look at the expenses, some  
might say, 'Well, that's because the Channel Islands are smaller than the Isle of Man, so there  
are greater travelling distances here,' and that is absolutely correct. Again, it is more complex  
than that, because expenses do not just cover travelling costs, and in any case half the Members  
of this Hon. Court would have similar travelling distances to their Channel Islands counterparts.  
200 The other factor perhaps that we need to consider is living costs. The living costs in Jersey and  
Guernsey are much higher than in our Island. Some employers here pay people doing the same  
job located in the Channel Islands offices of the same firm up to 20% to 30% higher, to  
compensate for the acknowledged higher cost of living in Jersey and Guernsey than in the Isle of  
Man. So, if you look through this lens, that is another thing to take into account, and overall my  
205 view is that when you weigh up all the different factors the Tynwald Members' remuneration  
and benefits package looks generous in comparison with our Channel Islands counterparts.

I proposed a pay formula, which again you will see from my submissions. There is a  
spreadsheet listing all these different parliaments in submissions. I looked at a basket or an  
index of other politicians' pay in the Crown Dependencies and the devolved assemblies. I left out  
210 Westminster at this point because I felt the differences in scale were really too significant. I was  
also tempted to leave out the devolved assemblies, but I became increasingly concerned about  
having a basket or an index with only three constituent parliaments, because potentially that  
could be subject to quite large fluctuations and, with only a small number of inputs into the  
basket or the index, any Tynwald rise would drive another rise in the next recalculations, so  
215 effectively it would feed on itself, which is why I thought it was sensible to have other integers  
included in the calculation of the index.

Including the Crown Dependencies and the devolved parliaments, as you can see from my  
evidence, and applying some weightings, I arrived at various options which raised the basic pay  
from £42,569 to £58,935, depending on which formula or basket or index you used. My  
220 conclusion would be that we are actually slightly overpaid in comparison to our peers. There is  
an advantage – a very clear advantage, in my view – of agreeing a formula linked to a basket of  
similar parliamentary roles, because that really addresses the damaging perception that  
Members are voting on their own pay rises, so I am very attracted to some form of formula  
which has external input.

225 I really would like to thank the Committee for all their work. It is a controversial task, in many  
ways a thankless task. Regrettably, I cannot support the recommendations, as my research  
shows that the basic pay should really be lower than what is proposed. As I say, there are a  
number of different ways you can look at a basket, but personally I feel the basic pay should  
start with a 5 rather than a 6. As such, I will be voting against the motion, but I would ask that  
230 the Committee do not in any way interpret this as a negative reflection on their work – not at all,  
because the Committee members have tackled the job they were given with a high degree of  
diligence and professionalism. That is my strong view, but also my view is that the Committee's  
brief was flawed when it specified a cost-neutral solution. As I say, based on the parliamentary  
comparisons, I actually feel a cost reduction is more appropriate.

235 Mr President, I understand and I respect that others may well disagree with my conclusions.  
However, I do hope that all Hon. Members will agree that I have tried to apply some logic and  
some rationale to this thorny subject.

Thank you.

240 **The President:** Hon. Member for Douglas South, Mr Quine.

**Mr Quine:** Thank you, Mr President.

May I thank Mr Speaker for his concise speech and the clarity he employed in its delivery.

245 As I am sure the House will know, the Emoluments Committee had already received its  
submissions prior to the election of both myself and Mrs Christian. While being one of the  
newest Members of this Hon. Court, I nevertheless can be assured of my assertion that the issue

of emoluments is something that routinely divides opinion, both inside and outside this place, and is usually without equal in stirring a feeling of vexation within the mind of the man on the Castletown omnibus. The history has given him good reason to be dismissive of any attempts, both within and outside this Hon. Court ... that whenever the issue of Members' pay in particular is discussed, the assumption is made that – for very good reason – skulduggery is afoot.

Notwithstanding that, despite the best intention of the Emoluments Committee to bring transparency and fairness to the issue, I have already been personally subjected to a certain degree of ire and indignation that, having just got my foot in the door, the item at the top of my list was to award myself a nice pay rise – although it will not be coming in the time of the current House, as I am sure we are all aware. However, the word of this is 'perception'. Whilst it is the case that should MHKs' basic salaries be increased only by cost savings made with reference to the pay of departmental Members in general and MLCs and Ministers in particular, I would argue that it is the perception of the man on the Castletown omnibus which must be addressed, (A Member: Hear, hear.) and it is my contention that, no matter how well intentioned the Report of the Independent Panel on the Emoluments of the Members of Tynwald may be, the perception of nest feathering by such a person will still exist and has been referred to me as a back-door method of personal enrichment.

In addition, I do feel that it is only fair that adequate gainful payment, the kind of which is currently afforded, should continue to be offered to those seeking to take on the exciting and challenging but not insignificant burden of that of a Minister.

Whilst I would not wish to challenge the sentiments with which Mr Speaker brings forward this motion, I do, however, feel that we are about to collectively kick a sleeping dog, and that is never the best practice for any Court.

**The President:** Hon. Member for Ayre and Michael, Mr Cannan.

**Mr Cannan:** Thank you, Mr President.

I was enthralled, to some degree, by the comments that we have just received from one of the newest Members of this Hon. Court, where he has just, quite rightly, talked about perception – and perception, as you know, can often be nine tenths of the law. (The Speaker: Possession.) Well, perception, in this particular case, Mr Speaker.

The manner in which this has been reported is indeed most unfortunate. I allude to the comments earlier from my good friend the Member for Douglas East, Mr Robertshaw, and I welcome his commitment to try to explain matters further. Rather than entitle this 'Tynwald to vote for a pay rise', it would better have been interpreted by social media and the media as 'Tynwald to vote for more complex pay reforms' or pay proposals, because the bottom line of this is that while yes, there will be potentially some who would benefit from September 2021 were they to hold the positions that they currently hold, there are many who would actually take a pay cut as a result of these reform proposals. I think some of the complexity around that, including the pensionable pay proposals, are often difficult perhaps to explain that easily, but nevertheless, responsible reporting ought to consider all the factors in these matters.

However, I, too, wish to extend my congratulations to the Committee who brought this Report, even though in the initial debate I was not in favour of the Committee reporting in this way. Indeed, Hon. Members may remember that I did want to have separation between the Legislative Council and the MHKs because of my own personal beliefs that Members', of the Legislative Council, pay should be formatted in a different way.

The bottom line in all this is that it does extend back to actually Lord Lisvane, which really drove a lot of this. Hon. Members will know my view that we have mish-mashed the Lisvane report around, but, interestingly enough, the proposals contained here within this Report almost reflect what Lisvane was saying, albeit we rejected quite a lot of what Lisvane actually said. For example, and just to refresh memories, Lord Lisvane did talk about the separation of MLCs and MHKs in terms of how they voted, particularly when it came to pecuniary matters. He also talked

300 about how MLCs actually should be appointed by an independent panel, or at least by lay  
members who were invited on to appoint MLCs, and not from within what might be regarded as  
'the club' driven by, potentially, public perception. Also, he talked very much about the  
separation of scrutiny from the executive roles. To some extent now, this Report has gone on to  
validate certainly that last part, whereby it is proposing that scrutiny and serving on the  
executive should have no relative difference from a pay perspective. Unfortunately, because  
305 Tynwald perhaps has not grasped the Lisvane report in its entirety, I think that if this Report goes  
through there will need to be work done around who serves in scrutiny and who serves in  
Departments and on what basis, and perhaps potentially on what timeframe, so that some  
Members have an equal opportunity, should they so wish, to go and serve on the executive and  
serve on scrutiny.

310 I want to drive perhaps to the key point of the amendment that I am bringing today, and that  
is to suggest there is a lot of value in this Report. I think there is a lot that is contained within it  
that has been brought to the surface. Of course, as a couple of Hon. Members have alluded to,  
the issue of parliamentary pay is guaranteed to draw a response from the majority of people. It  
was interesting to listen to the Hon. Member for Middle espouse how he felt that, actually, the  
315 Report had not, I think, really gone far enough in terms of benchmarking also parliamentary pay  
against other parliaments, and that is partly because of the way we, Tynwald, determined the  
terms of reference for the Committee. In many ways, although we call this Committee  
independent, we did set very strict terms of reference around what they could and could not do,  
so their independence, arguably, was somewhat restricted in terms of their declaration on  
320 Members' pay, and I, for one, actually support a lot of what the Hon. Member for Middle said, in  
that probably one step more that is required here is benchmarking of Members' pay.

To go back to my critical issue, and indeed my long-held belief that it is actually no longer  
appropriate in this modern day and age for Members of Tynwald to debate and vote on their  
pay, (**Several Members:** Hear, hear.) in fact, when you look around the world today, you will see  
325 increasingly parliaments and parliamentary associations declaring that an independent board or  
panel or remuneration committee is the one that determines what parliamentarians should  
receive. I know the hon. mover of the motion is fully familiar with the Commonwealth  
Parliamentary Association standards and indeed recommended benchmarks for democratic  
legislatures, a fact that he has mentioned to me now on multiple occasions. Of course, part of  
330 that benchmarking calls for independent financial auditing and indeed examination, and the  
Hon. Member may or may not be aware, as indeed other Members may or may not be aware,  
that that benchmarking exercise was recently taken, for example, in Anguilla –

**The Speaker:** It is in the process.

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**Mr Cannan:** – where it recommended that parliamentarians' pay was set independently from  
the parliament to ensure that there was a transparent process of integrity attached to that. And,  
of course, Hon. Members, you will be aware, doubtless, that now, in multiple jurisdictions, as I  
said – New Zealand for example, Australia and states of Australia, Westminster, the Senedd in  
340 Wales ... just to mention multiple jurisdictions which now have parliamentary pay set and judged  
independently by a panel that is appointed to serve on any such committee of willing  
individuals.

345 So, my motion amended today is that now we take this Report forward, we ask for the  
relevant proposals to set up such a committee to be brought forward by February 2021, and we  
go ahead and get on and entrust whoever is appointed to such a panel to get on and determine  
parliamentary pay, and for us to move forward and embrace a more modern world in which we  
live, and to move away from this continued bunfight – if that is the right word, Mr President;  
probably not parliamentary language, but you will excuse me, I am sure – that we have regularly  
when it comes to Members' pay.

350 To pick up my hon. friend the Minister for Enterprise, who felt that this would put the matter  
to bed once and for all, I can pretty much put my own point of view that that indeed will not be  
the case and that this will almost certainly raise its head again, if not within the next two or  
three years, possibly within the next five years – that is if it does not become a matter again at  
the next General Election.

355 On that basis, I hope that Hon. Members will understand why I feel now it is time that this  
matter was brought up to the standards that are required, and that is why I feel the Court  
should now both receive and embrace parts of the Report, because I am sure there are strong  
parts of it that are extremely good and worth considering, but we should now move forward to  
360 formalise this independence, allow such a body to review pay whenever it may see fit – certainly  
annually, maybe every three or four years – and determine such appropriateness, and declare  
what pay therefore should look like. It will be then for parliamentarians to like it or basically  
lump it.

That is it. I beg to move:

*To leave out all the words after 'be received' and add 'and that Tynwald considers it appropriate that Members' salaries, pensions and expenses, as well as Members' Standards, be set and judged independently; and that provision for a body responsible for these matters be brought forward by the Emoluments Committee by February 2021'.*

**The President:** Hon. Member for Douglas North, Mr Peake.

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**Mr Peake:** Thank you very much, Mr President.

I think a lot of good things have been said this morning; a lot of good things actually in this  
Report. I think the three people have done the job that they have been asked to do. So I would  
welcome that. And as my friend and Member for Douglas East said this morning, it really is time  
370 we did it. There are a lot of missed headlines and there is a *great* shame around that. It really  
does muddy the water. Whether we are on the omnibus to Castletown or to Kirk Michael, it  
does not really matter, but it does muddy the water and it is a great shame that happens.

What I have heard this morning is while the pay awards would be better if it was done  
independently, parliament does obviously have the right and would be best placed to sort out  
375 the role of that. As we mentioned before, Lord Lisvane did give us some clear indications on  
that.

One of the most important things, which I think the majority of people do support is that the  
separation of Government work and scrutiny is desirable, and that would certainly help people  
understand in a clearer way what the individual's role is. I would support that as well.

380 So being able to have the parliament work on the roles and have an independent body on the  
roles would be my preference. So I would be happy to second and support the Hon. Member for  
Ayre and Michael's amendment. I think it does enable us then to have an independent body set  
up and to look at this independently. I think the timing is very poor at the moment if we are  
really trying to set our own wages.

385 A lot of people have been mentioning about people having rises. Some roles would actually  
reduce in salary and the Member of the Treasury's role would reduce considerably as well, by  
about £3,000. But again I think it is clear that people want to have a simple structure so we can  
then work on an independent pay review.

Thank you, Mr President.

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**The President:** The Hon. Member for Ramsey, Mr Hooper.

**Mr Hooper:** Thank you very much, Mr President.

395 It has been talked about already that this proposal is designed to recognise I think the value  
of scrutiny, and to get rid of some of the anomalies that we currently see in the system whereby



simply taking one element of the role is entitled to an uplift. But a lot of the work we do actually adds quite a lot of value to this Hon. Court, it just is not recognised in any meaningful way in terms of financial recompense.

400 So back to those principles that the Hon. Member Mr Skelly mentioned. One of the key principles of any pay review is that we have to attract a diverse range of candidates and because the pay review was designed to be cost-neutral this was all about ironing out those anomalies. In fact, the solution that the independent panel has come up with is very similar to the solution I proposed before the election this time round, although in line with Mr Shimmins' comments I actually felt the salary should start with a five rather than a six. But other than that this three-

405 tiered approach seems to make a lot of sense to me.

But actually, that does not matter. What I think of this Report does not matter at all. The reason for that has actually been very well articulated by Mr Shimmins and by the Hon. Treasury Minister: politicians should not be setting their own pay. We should not be deciding on a methodology for how pay is set. Mr Shimmins has walked right into that trap. He said, actually,

410 let's benchmark against other jurisdictions. What he has not looked at is do those pay scales in other jurisdictions deliver the outcomes that we think are important? Do the pay scales in the Channel Islands attract a diverse range of candidates from a diverse range of backgrounds? I do not know the answer to that question.

But it is dangerous to start benchmarking when we do not know actually what those systems we are benchmarking against deliver, and this is exactly why politicians should not be the ones deciding on the appropriate methodology to set our own pay. I know that in Silicon Valley it is now becoming culture and the norm for employees to set their own pay, but that certainly does not apply to us here.

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So I quite like Mr Cannan's amendment that says there should be an independent body that sets our pay. But, unlike Mr Cannan, I am not happy dodging the difficult decision today. (A Member: Hear, hear.) I do not want to push the decision into the long grass. What I would very much like to do is treat this Report as if it were from that independent body and pretend like we have no influence, pretend like we do not get a vote on it and just take it, like it or lump it – that is what the independent body recommends. Then, following that, we should establish

420 Mr Cannan's independent body to say that never again do we have this debate in this Hon. Court deciding on our own pay.

We like or lump this proposal because that is what we have asked this independent panel to do, we treat them as if they are independent; and going forward every future pay review is done by that independent body. That is why I have circulated this amendment, because that is what this aims to achieve, which is to say: I am sorry, Members, what we *think* about this Report

430 actually is not important; we should not be voting on it; we should be accepting what has been recommended by that independent body essentially, because that is what we think should happen anyway. We think that our pay should not be set by us. We think it should be set by an independent panel, so let's treat it as such.

The only thing I would say about Mr Cannan's amendment specifically is that it also includes a reference to Members' standards being set by that independent body. That probably does have some merit to it, but it is slightly outside the scope of an emoluments review. So I would urge Members if you are minded to try and delay any decision and punt it over to a future independent body, I would be very careful with the wording of that amendment because we do

440 not really know what the consequences might be of outsourcing our Members' standards approach at this point.

So, Hon. Members, I would encourage you to take this Report as read; assume, pretend, treat it like we do not have a say; like it or lump it; and then encourage the Emoluments Committee to go away and get an independent pay body set up so that we are never back here in this position

445 again.

Thank you, Mr President; I beg to move the amendment:

*To add at the end the words:*

*'and that Tynwald considers it appropriate that Members' salaries, pensions and expenses be set and judged independently; and that provision for a body responsible for this be brought forward by the Emoluments Committee by February 2021 '.*

**The President:** Hon. Member for Ramsey, Dr Allinson.

**Dr Allinson:** Thank you, Mr President.

450 I rise to second the amendment from my hon. colleague from Ramsey, Mr Hooper. I was not going to speak today, really, because I think actually the debate we have had so far has been extremely constructive. We have talked about perception and unfortunately, although we benchmark with other jurisdictions sometimes, we are also tarred with the same criticisms of this; and unfortunately the expenses so-called 'scandal' in the United Kingdom I think has tarred  
455 every politician in the British Isles over something that they had no part in at all. The criticism of politicians' pay has become a bit of a sport unfortunately throughout our society, and particularly amongst the media whenever it comes up.

But that does not mean to say that we should shy away from the important principles it involves, which is attracting a diverse set of the population to represent them in this Hon. Court.  
460 I look around me and compare what I see now with pictures of 10 or 20 years ago, and we are getting there. There is still a way to go, but we have a diverse group of people from many different backgrounds who I think are representing the population and the communities of our Island extremely well. There is always improvement, but we are getting there.

I actually support the Independent Panel Report. No, it is not perfect, but it is a step in the right direction. It is moving away from non-taxable expenses, which was an interim solution for when everyone claimed expenses for arbitrary figures. I think it is a step in the right direction, but I also do completely agree that we need to draw a line under this and stop having these recurrent conversations, which all seem to come at the wrong time in the electoral cycle and become part of a campaign. We need to nail this down and say what sort of system we think is  
470 appropriate, and then hand that over to an independent body who can actually either agree or disagree with us, but agree with the people of this Island.

So for that, whilst I completely understand the Treasury Minister's amendment and I support it, I also think that we should not throw away the good work that has already been done through this Report, and amalgamate the two together. And for that, Mr President, I would like to  
475 second.

**The President:** Mr Speaker.

**The Speaker:** Thank you, Mr President.

480 I just thought it might be useful at this, I am hoping, halfway point – but that might be optimistic Mr President – *(Laughter)* just to provide some early commentary on the two amendments that have come before us, just so that I can perhaps give my own particular flavour, because when I sum up obviously I would be summing up as the Chairman of the Emoluments Committee rather than my own views.

485 It is a great opportunity, though, for role reversal between me and Mr Cannan, for him to lecture me on the Commonwealth benchmarks, *(Laughter)* and I can lecture him about maybe you should have come to see me in advance about your amendment so that we could have properly talked it through and understood it better.

The real concern I have with the amendment that has been put down by Mr Cannan is that it  
490 *rejects* the work that has gone on so far. It kicks it down the line for another day, despite the fact that this has been created by an independent panel. I think with that I lose the will to live. *(Laughter)* Not to mention the exciting opportunity to discuss this whole thing again in February.

495 What I would say is do not forget, Hon. Members, our pay is already set semi-independently:  
the structure is set by us, and then the increments are set and negotiated by public service,  
which are nothing to do with us. We do not vote on our annual increments, but we do have to  
decide the structure of it. This is where the debate in part here is whether you want to hand that  
structural decision over to an independent body.

500 Now, that has actually got quite a bit of merit to it, as Mr Hooper says, and so I can see the  
genesis of a really good idea in Mr Cannan's amendment. However, I would also say that  
bringing standards into that does give me concerns that that has not been something that has  
been thought through, and that is muddying the waters. I think there is perhaps more we can do  
about how we regulate our own standards, and I think there is a voice for lay people in that way  
of doing it. But to hand it over entirely I am not convinced is the best way. But a good idea  
started off and then refined, in my opinion, by Mr Hooper.

505 I think it has taken the good idea from Mr Cannan and developed it. I think the really  
important distinction we have got here is that we take the Report from the independent panel,  
which *is* an independent panel, and we accept it. They have done that work; they have done it  
independently of us. Your Committee has presented that work entirely unabridged and  
unchanged to you, and we should take that. That builds on the comments that previous  
510 speakers have taken. This takes us an extra step down the road. It also means that this problem  
is not our problem going forward.

Okay. We are going to have a debate in February about what remit we give them, how they  
would be set up and of course who is going to appoint them. Because that is the first problem,  
isn't it? Are we going to appoint them? Because in that case, in terms of the conspiracy theorists  
515 out there, we are going to be back to square one. But I think it does make it an extra step  
removed and it is progress at that point to put a bit of a firebreak in between the way it works at  
the moment, which is entirely in the hands of the Emoluments Committee to come forward with  
recommendations and for the Court to debate and approve them – which is unsatisfactory.

520 So I concur again with the Hon. Member for Ramsey in terms of the dangers of  
benchmarking, and they were comments built on by Dr Allinson about what are we actually  
trying to seek in terms of an outcome? Yes, I mean, having been a Member of this Court now for  
14 years, I have seen that impact on diversity real and up-close, and I think that we are a far  
stronger institution for it. We are far less in a sense of 'group-think' than we were 15 years ago.  
The challenges that come are far more constructive than destructive than they were 15 years  
525 ago.

When I joined this Court in 2006, there was one female MHK. Scrutiny in this place was a  
basket case. It lacked the big picture and it was *ad hoc*. It was little issues and it was lots of little  
select committees, and then one so-called scrutiny committee that really was wholly ineffective.  
I was the only Member under the age of 40, and I am no longer in that club, but it is great to see  
530 Members that still are, and there are far more people with professional backgrounds in this  
place than there were 14 years ago.

So I think we have done a great deal for diversity and long may that continue. However, when  
we come to the amendments – and these are just my views, these are not the Committee's  
views, the Committee has not seen either of these two amendments, and so obviously it is  
535 entirely down to Members as to how they vote. But I see the good idea perfected in Mr  
Hooper's amendment. I thought that was well worth supporting. It takes us further. It takes us  
forward. It gives us a structure going forward to hand over our pay structure and the  
Emoluments Committee can potentially then come back with how that might work. We can no  
doubt have a bunfight about how *that* works in February, but I think that is taking us at least a  
540 step further away from the constant accusation of voting for our own pay, and I think that is  
most helpful.

So they would be my remarks at this stage, Mr President. Thank you.

**The President:** Thank you, Mr Speaker.

545 Hon. Member for Douglas Central, Mrs Corlett.

**Mrs Corlett:** Thank you, Mr President.

Firstly, could I just check that Mr Cannan's amendment was seconded?

550 **The President:** Just for the avoidance of doubt, there are two amendments, both have been proposed and seconded. Mr Peake seconded Mr Cannan's amendment.

**Mrs Corlett:** Thank you, Mr President.

555 You really cannot win with this. *(Laughter)* Agree, and you are portrayed as voting yourself a pay increase; vote against and then you are agreeing to tax-free expenses. That, for me, is the problem with the proposal: expenses. I do not agree that Members should receive expenses that cannot be accounted for; and rolling expenses into salary for me simply inflates the salary.

Within the Report the Committee states:

While some Tynwald Members undoubtedly incur some expenditure which might qualify as a business expense in other environments, we do not think any Member incurs as much as £7,400 per year in expenditure of this type.

560 I am in total agreement with that statement, and I am therefore of the opinion that expenses should be removed and replaced with a claim system whereby claims can be made on a yearly basis in a clearly defined, open and transparent way. In the current unpredictable financial climate we will be looking for savings, and perhaps we should look to ourselves. Take out the expenses and it saves almost a quarter of a million pounds a year.

565 I may be in the minority in my opinion here, but we have to be prepared to get up and state our individual opinion and stay true to what we believe is right. A large part of the Committee proposals are fair and transparent, but the Hon. Member for Ayre and Michael is absolutely correct when he says it is wholly inappropriate for Tynwald Members to debate and vote on their own pay. We have to separate Members from the process.

570 Both amendments before us allow for this, and actually we simply have to decide for ourselves which will work best.

Thank you.

**The President:** Hon. Member for Douglas Central, Mr Thomas.

575 **Mr Thomas:** I thank you, Mr President.

Just two small points, given that Mr Speaker has said that the independent Report was unabridged and unchanged. Just a couple of small corrections for the future.

580 The first one is that Culture Vannin is mentioned in the Report. Culture Vannin is neither a Tynwald body nor a Government body, it is an entity set up by a statute as an independent body. So for posterity, that is there.

The second one is the Public Services Commission is described in the independent Report as a Statutory Board, which I do not believe it is. So that is a couple of corrections just for the record.

585 In terms of my position on this motion before us today and the Report, beyond commending it, I just wanted to remind everybody that in June 2016, Lord Lisvane wrote very clearly that we should have an independent review of pay and allowances, including assessing relative comparators, as Mr Shimmins suggested, and it needed to be undertaken *urgently*. What a shame that we got lulled into that *cul-de-sac* with a couple of Committees and a couple of panels, and we still are here four and a half years later, rather than being decisive by just voting at that time, as I think quite a number of us did. In fact we never actually got to thinking about it,  
590 we never actually even got to vote on that amendment because another amendment had been approved before we got to our one because of the order of the votes that were taken that day. So we have to move forward from where we are.

595 I just wanted to put one other point in. Relative comparators is one point ... The Committee did a great job, but they did dodge the question of job evaluation and grading, and so on. They really did not try to come to terms with the job. I am not going to go down that track. There are lots of things I am not going to go down in terms of my real view of Tynwald and its organisation of Members' expenses, but quite blatantly in the Report they said, 'We can't actually evaluate and grade this role because it is so unclear what the role is'. That is something that we could ask an independent review body to do in the future.

600 So with that in mind I just wanted to put on record my submissions to this process over the last seven or eight years. I have stopped submitting in the last couple of times, because most recently I asked would the previous submissions be taken into account and I was told they would not, we are starting *de novo*; and that cannot be helpful. But just two points I wanted to make before sitting down.

605 The first one is that my proposal for this last independent review was that we sought to get perhaps the Northern Ireland Independent Financial Review Panel to do the review that was taken, because that was set up in statute in 2011 to do exactly what is proposed. I think it would have been great to get them to do it. If they can do it in Northern Ireland, with all the political controversies, I am sure they could have helped us come to a solution quite quickly. They look  
610 to:

... secure for the members of the Assembly a level of remuneration which:

- fairly reflects the complexity and importance of their functions as members of the Assembly; and
- does not, on financial grounds, deter people with the necessary commitment and ability from seeking election to the Assembly;
- secure for members of the Assembly adequate resources to enable them to exercise their functions as members of the Assembly,

The second point I wanted to make is to remind people of a risk that Lord Lisvane identified with his independent review, so that risk is on the table. We did have an independent review of Members' salaries some 15 or 20 years ago, which was carried out by the Commonwealth Parliamentary Association. Differently from what Mr Shimmins *imagines* might happen, the  
615 Commonwealth Parliamentary Association-organised review actually recommended quite a substantial *pay rise* to Tynwald Members (*Interjections*) relative to other parliaments. That was politically unacceptable at the time, so that independent review panel was ignored politically. I just wanted that on the table.

I am a passionate believer in having this set independently by an independent review panel.  
620 I believe the mechanism is there in statute through an amendment to the Payment of Members' Expenses Act that has been in Government's legislative programme for years. I have been trying to get it into place every time I was responsible for the legislative programme, every year, but it has been resisted because it was caught up in so many things. I do think somebody like the Northern Ireland Independent Financial Review Panel provides a model; because if they can sort it there, they can sort it anywhere.

625 Thank you very much, Mr President.

**The President:** Hon. Member for Ayre and Michael, Mr Cannan.

630 **Mr Cannan:** Thank you, Mr President.

I welcome the move to get behind my amendment, at least the core emphasis of it. The issue that I have, obviously, with the Member for Ramsey's amendment, is that what he is effectively saying is, 'Yes, let's set it up and let's determine it independently, but I'll tell you what – before they do that let's actually make the decision ourselves about what we think Members' pay should be.' What I am saying is let's take this now forward to its next relevant conclusion, set up  
635 properly an independent pay panel and let them make a proper and final judgement, which we just come to accept.

640 The problem that I outlined was that actually it was not an independent pay review as Lord  
Lisvane wanted; it was an 'independent' pay review along the strict parameters that Tynwald  
had set out, automatically restricting the recommendations of that body and not allowing it, for  
example, the ability to do a proper reflection on other benchmarks around the world, for  
example, or to draw other conclusions around the structure of pay, other than what Tynwald  
itself had determined. So, in many ways we have already determined partly what the outcome  
of that report should be. My proposal is now effectively that we do move to what Lisvane has  
645 said. We seem to be moving the whole time back to this vein, and it is so unfortunate, as my  
Hon. Member and good friend Mr Thomas has just alluded to, that we rushed off ... Many new  
Members at the time effectively were bounced into muddled thinking, I believe, by clever  
politicking that was going on at the time around Lisvane, and we are actually finally starting to  
get back to that, and that is why we should grasp the nettle and let this be set independently  
650 without predetermining what an independent pay panel is going to make in terms of a  
judgement, which I hope would come indeed before the next election.

So, whilst acknowledging the intent from the Member from Ramsey, I still believe we take  
the good work that has been done – I hope – from this Report and not pre-empt what an  
independent panel would ultimately judge, a set panel for the future, every year for review, or  
655 every five years, depending on how they wanted to work. Without wanting to pre-empt that,  
let's give them now the option just to get on and determine that without restrictions from  
Tynwald.

**The President:** Hon. Member for Douglas East, Mrs Barber.  
660

**Mrs Barber:** Thank you, Mr President.

I would like to thank the independent panel for their work and also the two Members who  
have put amendments today, because I think it is really important that we do have a  
comprehensive discussion around what is, long term, something that can come back again and  
665 again, like a revolving door.

I absolutely get the point around the independent body. However, I would just highlight one  
concern, which my hon. colleague Mr Thomas touched on. Just a week ago, the UK independent  
panel IPSA recommended a £3,500 pay increase, and they are now in a bit of a fix. They are  
doing interviews, saying it is the wrong time, it is inappropriate. That is an independent panel.  
670 So, for me, if we go down the route of an independent panel, which I absolutely think is where  
we need to get to, there has to be a framework around it that looks at a budget that is assigned  
to the independent panel, which is the absolute maximum to which they can go, because  
although I do not think we should interfere with the pay, I think we would end up in an  
impossible position if they came back and said, 'Actually, we think you should be paid more.'

675 I think actually, although Mrs Corlett said there are two outcomes today, I would say there  
are two slightly different outcomes. If we support the Report, there will be a perception that we  
have accepted a pay rise. That is what has been widely and incorrectly reported in the media. If  
we decline it, we have all stood here and said it is actually a pay cut, so we will now be declining  
a pay cut. So we cannot win either way. We are in an absolutely impossible position here.

680 What I am really nervous about is I would not want us to end up in a position where we go to  
an independent panel, but then we have people declining it. That is something that happened in  
one of the Welsh cases. There was a recommendation for an increase in Members' pay. They  
were not able to vote to say no, but they were able to individually say 'I am not taking it.' What  
you then end up with is what we actually already have now, that the public cannot see: (**Two**  
685 **Members:** Yes.) some people do not take expenses, some people do not take the pay rises, and  
some people do not take the pay rises on some elements of our pay. In fact, if we started to  
really get down into the detail of what we are all taking home, I would argue that none of us are  
on the same page here (**Several Members:** Hear, hear.) because this has been going on for so  
many years, where people have tried to resolve the problems themselves.

690 I can confidently tell you that when I first got in, I phoned up to try to pay tax on my expenses because I thought the whole thing was a farce, and I was told I could not do that. But there are other mechanisms people are using. There are things we can do around giving money to charity, but we are all trying to manage this situation in our own ways, and it is a mess. That, I think, is clear to all.

695 I agree that an independent panel is the way forward, but I suppose what I want to do is give a real word of caution around how that mechanism works to ensure we do not end up with a bigger basket case than we have already got.

Thank you.

700 **A Member:** Hear, hear.

**The President:** Hon. Member for Douglas East, Mr Robertshaw.

**Mr Robertshaw:** Thank you, Mr President.

705 I speak to the two amendments before us as they stand. I congratulate the Treasury Minister for bringing forward his thoughtful amendment, but I am strongly inclined to feel that the amendment in the name of the Hon. Member for Ramsey takes us that extra step forward that was important.

710 I just want to make a couple of comments with regard to those two. I think this Hon. Court did its best to deal with the matter when, after – and it is the favourite phrase now – the original bunfight that we had up in the Barrool Suite, we ultimately then said no, it has to be independent, but we put constraints on it. Today, we have heard wise words again from my fellow Member for Douglas East that suggest that, in future, any independent review must have some constraints on it. Every time the Treasury Minister considers everything and anything  
715 within his remit, it always has a budget attached. It cannot be free rein for any future independent review to simply do and say what it wants, simply because it is independent. We, this Hon. Court, have to put constraints on it. So, we put constraints on our first independent report and, I think as my friend Mrs Barber suggests, we need to put constraints on a future independent review so that any outcome is sensible and we do not find ourselves, as she says,  
720 having to refute it. So, I do encourage Hon. Members to consider the amendment in the name of Mr Hooper very carefully indeed.

Thank you, Mr President.

**The President:** Hon. Member for Onchan, Ms Edge.

725

**Ms Edge:** Thank you, Mr President.

I do not think I heard any of us say we are conflicted here, but we are very conflicted voting on our own pay and discussing it! But anyway.

730 As a Member of the Emoluments Committee, throughout the process I have said that there were various parts of this that I was not happy with. Obviously, the MLC differential I was not happy with and I am not happy with the link to the Civil Service.

735 The reason I am not happy with that, and I will tell Hon. Members: when that link took place and was voted on within this Hon. Court, it was like, I have never seen civil servants so happy, because they knew that whenever a pay award was going to be awarded, the people that would get slated in the media and the press would be the politicians because they were getting the same pay award. So I have always been very against linking it with the Civil Service. I know why it was done and it was to make it a process, but I do not believe it should be linked to the Civil Service at all.

740 But I just want to concur with a lot of what the hon. colleague for Middle said, Mr Shimmins, with regard to this and I think the Hon. Member for Ayre and Michael's amendment actually would make sure that Mr Shimmins' concerns were addressed. I did notice during the Hon.

Member for Ayre and Michael, Mr Cannan's speech that people seemed concerned that Members' standards was in his amendment. So, therefore, there is an amendment in front of you now taking Members' standards out.

745 However, why would we not want Members' standards set independently and scrutinised independently? That is scrutinised by us as well. But I have taken it out, and I feel, therefore, that the amendment before you in my name is basically the Treasury Minister's, Hon. Member for Ayre and Michael, to make it completely independent but to take Members' standards away because there is a Tynwald process currently in place for that. I hope that Members will consider supporting that.

750 The reason that I put the amendment forward is because the hon. colleague for Ramsey, Mr Hooper, on his amendment, he stood up and he said we should not be voting on our own pay and he is very against us voting on our own pay. But then he moves an amendment saying, 'We'll vote on what we've got in front of us today, so vote on your own pay today, but I'm amending it to say come back with something else'.

755 So I am sorry, I could not support that amendment, because basically he is asking us to support this Report in front of us, which is saying vote on what is there and the pay ... *(Interjection)* Vote on what has come forward from the Committee, but we will review it.

760 No, let's go for the complete, clean break. Let's be completely transparent, independent with our pay and for the public. I concur with the Hon. Member for Douglas East that has just said whatever comes back from a completely independent body, I do believe that we should accept it at that point. I do not believe the public of the Isle of Man, the perception on the pay has been reported in the press, and I understand why people have got that perception, but I think there is a bigger issue. The perception is it has been done by people in the Island. Very commendable, with good reputations, but it has been done on Island and it needs to be completely independent and separated away from the Isle of Man so that the public can identify that we are all honourable in here and acting in the right manner, and accepting independence for our pay, and we should not be voting on it ourselves.

765 I hope that people will support this amendment before you because it is the Hon. Member for Ayre and Michael's amendment, but I have taken Members' standards out of it.

770 Thank you, Mr President. I move:

*To leave out all the words after 'be received' and add 'and that Tynwald considers it appropriate that Members' salaries, pensions and expenses, be set and judged independently; and that provision for a body responsible for these matters be brought forward by the Emoluments Committee by February 2021'.*

**The President:** Hon. Members, at this point I would just like to invite the Deputy Clerk to clarify wording on this amendment that has been moved.

775 **The Deputy Clerk:** Thank you, Mr President.

On the piece of paper which has gone around the Chamber, there is an error, for which I apologise. Where it says:

The Hon Member for Onchan, Ms Edge, to move –

– the next line should be omitted and it should continue:

To leave out all the words after "be received" and add ...

So the words 'To add at the end of the words:' are erroneous, Mr President.

780 **The President:** Thank you. Is that clear, Hon. Members? (**Members:** Yes.) Thank you very much.



Hon. Member for Ayre and Michael, Mr –

785 **Mrs Christian:** I would like to second Ms Edge. Thank you.

**The President:** I beg your pardon?

790 **Mrs Christian:** I would like to second the amendment, thank you.

**The President:** You must rise, Hon. Member.

**Mrs Christian:** I would like to second the amendment.

795 **The President:** Thank you very much. I was about to call Mr Baker to do so. I was halfway doing that and in fact, in fairness to him, I will call on him.  
Thank you.

800 **Mr Baker:** Thank you very much. And I do note the support from my hon. friend from Douglas South, and I would not like to step in front of a lady (*Laughter*) – particularly one that is in my own Department, I must say – but I am going to stand and second the amendment from the Hon. Member for Onchan, Ms Edge, because I think it is the best blend of what we have got in front of us, and it very much does reflect the spirit of my hon. colleague from Ayre and Michael, Mr Cannan’s amendment, but removes the Members’ standards element, which I think is just  
805 potentially clouding the issue and may cause some Members to perhaps not support what I believe is otherwise the right element. So I do wish to second Ms Edge’s amendment.

I would like to give full marks to Mr Hooper for his brave effort to combine the principles that Mr Cannan brought forward together with the original motion. But to me it does not quite work, and it is a little bit like saying we want to have our remuneration determined independently, but  
810 before we let the independent people have a go at it, we are just going to do one last go ourselves. It is a bit like saying, ‘I’m going to start the diet tomorrow’, as I tuck into a great big chocolate cake (*Laughter*) for one last indulgence before I do that. I think that would be fine if we felt that the principles that the Committee had adopted and the outcome that they had concluded was a very solid base that would see us for several years before the independent  
815 panel needed to revisit this issue. However, that is not going to be the case, in my view.

We are going to come back to this because once we have set the independent panel up by February 2021, it would be wrong for us not to ask them to come forward with a relatively early view, and I think it would be foolish to institute one change now and effectively fetter their discretion to then make changes quite quickly. So whilst I think the intentions were appropriate,  
820 I think we are better off letting this independent panel have their heads and move forward at pace.

I think part of that for me is that the existing proposal from the Committee, I do have some concerns with it. I would just like to place on record. I have shared these concerns with the Chair of the Committee. There is a fundamental error in the Committee’s recommendation, which was  
825 acknowledged and became very clear when the Panel presented to Hon. Members informally, and that was the exclusion of the Planning Committee Chair role from the roles that add value to the Island. They acknowledged in that conversation that they had just not quite understood the scope of that role. I have raised that at least three times with Mr Speaker, and I understand why he chose not to address it, but that was an error and that does need to be reflected. If we have a political Chair, they need to be treated accordingly with the other adding value roles.  
830

I also, from a personal point of view, welcome the fact that there is a differentiation between Members of Legislative Council, who I do believe add value, and Keys Members to reflect the constituency element of the work. I believe it is right that Legislative Council Members are discounted because they do not have constituents in the sense that Keys Members do. I

835 personally do not believe that the Committee went far enough in that discount and I think that it should be much more significant.

I also would endorse the comments that have been made by a number of Hon. Members already, that perceptions are *really* important here, and I believe that there is a perception that this proposal that is on the table over rewards scrutiny, and the facts are that those who really win out of this proposal are those who are not in Departments. And whilst many Hon. Members provide a very valuable role in scrutiny, that scrutiny role is not well understood by the public. I was challenged by a constituent and they said, 'So it's those who aren't doing anything who are getting big pay rises'. Now, that is perception. I am not saying I endorse those comments, but we need to be very mindful of that. I think scrutiny is very important, but we need to have that balance and it needs to pass that sense test of the man on the, whichever of our very valuable Bus Vannin services (*Laughter*) he wishes to ride.

I would also highlight that the outcome from the committee, the independent committee, was quite heavily influenced by the very prescriptive terms of reference that they were given, and I would like to see much broader scope for a new committee, an independent panel, to operate. So I did have some concerns with what was in front of us, I equally recognise we cannot stay where we are. I fully support the tax treatment of expenses and bringing that into the remuneration package. Of course, a clearer structure is beneficial and at least a cost neutral, if not a cost saving, was the right parameter.

I would caution against us dismantling the simplicity of the scheme and building in a complex, bureaucratic process around claiming of expenses. The whole debate that the Committee recognised was the issue of expenses is extremely complex. One of the attractions of what we have at the moment is it is simple and does not carry a bureaucratic cost to administer it. I think we need to reflect on that before we start building lots of complicated processes for expense claims and receipts, and those other things that would inevitably follow.

860 So with that, Mr President, I will sit down and I commend Ms Edge's amendment to this Hon. Court.

**The President:** Now, Hon. Members, we have three amendments duly proposed and seconded.

865 Hon. Member for Onchan, Mr Callister to speak.

**Mr Callister:** Thank you, Mr President.

Just a couple of points from me, if possible. I thank the Committee for their Report, but as I raised during the briefing, I do have some serious concerns on the pay structure that is being offered to Members today in that Report.

I think when I looked through the Report, and I look through these amendments this morning, Mr Hooper's actually does raise the right tone with me, because my concern is what will happen in 2021 when this new pay structure is rolled out. How will it actually transform into the Members themselves? Those who could take a scrutiny role, those who take a backbench role and those who actually are in Departments?

I think when I look through the amendment here from Mr Hooper, it does actually give us an opportunity to look again maybe in 2022 or 2023, to have a look at the pay structure, find out what did not actually work when this new pay structure is rolled out. I think when we look at the current Court today, and the Court over the last few years, we definitely have had a diverse background of Members coming forward, standing for election and then being elected. I think we should never forget that. So that is reflected within the pay. Those people who come forward and put themselves up for election, there is a diverse section of our community represented.

I also will be *very* glad to get rid of the expenses. (**The Speaker:** Hear, hear.) (*Laughter*) It is the one thing that I think anyone who actually knows me ... that I have always felt uncomfortable, every month I would open my payslip and I see Members' expenses there as a line within the payslip. It does not feel like it is mine, but I have tried to explain it, I have tried to

justify it, and I know I have been criticised by my colleagues in here for trying to explain it every year, rightfully or wrongly, and I think it is absolutely right that even if when we looked at that, it does not matter what you put down as an expense or what is considered an expense, we have never been able to really to account for those funds. So to actually have that removed from our pay would be a welcome sort of move.

I also want to pick up a point from Mr Shimmins, if possible, Mr President, because I was very fortunate in 2018 to go to Jersey and to speak to newly elected Members. I remember talking to them about the pay and conditions here in the Isle of Man, talking about the offices that we provide, the office facilities that we have, the backroom support that we have from our officers and the pay, conditions, pensions, etc., and a lot of them were very envious. And very envious not for the fact that we were being overpaid, but they actually felt that our pay structures and terms and conditions, and the support that we get from officers behind the scenes is where they should be.

And if Mr Shimmins reckons that our pay should reflect their sort of jurisdictions, I think Mr Shimmins should go and actually speak with parliamentary members in Guernsey and Jersey, because a lot of them are still part-time. A lot of them are retired. A lot of them are still having second jobs. And I think the one thing that anybody in this Court, either today or in 2021 will understand, this is a full-time job, and it is very hard even to do this job within 40 hours. I think if you can get this job done any particular week within 40 hours, you are doing very well.

So I really do think Mr Shimmins needs to do some more research on that, because I was surprised when I spoke to members and I actually went away feeling a lot more humble, that we actually have it right here in the Isle of Man. So I hope he looks at that.

In respect to the amendment, I will be supporting Mr Hooper. Thank you, Mr President.

**The President:** Hon. Member, Mr Cannan, to speak on Ms Edge's amendment.

**Mr Cannan:** Thank you, Mr President.

I welcome the amendment from my good friend, Ms Edge, and I think clearly it has become apparent that my foresight and vision for independence on Members' standards is potentially either not shared by some Members, proving too difficult to grasp or being flatly rejected. Therefore, Mr President, in a second or two I will ask with your permission and with that of the Court, to actually withdraw my amendment and allow Ms Edge's to stand effectively in its place so as to provide absolute clarity and to avoid the situation being muddled.

I thought actually Ms Edge spoke incredibly well and put forward a very clear argument as to the amendment that I had initially proposed. She has clarified and perhaps simplified the amendment. Indeed when such a body is formed I hope, depending on what is accepted or not accepted today of course, it could also potentially consider whether or not there may be an option within a pay scale for a Member to serve as a part-time Member and to continue their business interests. If so, one would expect any potential Keys candidate as it stands to declare to their electorate that they intended to serve purely on a scrutiny position, and as such would also continue with their business interests. I see no reason why parliament has to remain in this fixed particular structure and parliamentarians cannot serve the people of this Island on a more flexible basis should they choose to do so.

But with your permission, Mr President, and that of the Court, I would like to withdraw my amendment.

**The President:** Now, Hon. Members, Mr Cannan has indicated he wishes to withdraw his amendment, which he may do under Standing Order 3.13(1) with the leave of Tynwald. So I will seek Tynwald's view. Those in favour of Mr Cannan's amendment being withdrawn, say aye; against, no. The ayes have it. The ayes have it. Mr Cannan's amendment has therefore been withdrawn.

I call on Mr Hooper to speak to Ms Edge's amendment.

940 **Mr Hooper:** Thank you very much, Mr President.

For me, this amendment has the same problem that Mr Cannan's does, it punts any decision into the long grass. But really I wanted to just try and explain a little bit better as to why I do not think that works. Two things are coming across. People seem to be saying they like the idea of an independent report but when the independent report does not do what they want, they do not want to accept the independent report. So I think with the exception of Mr Cannan, who has spoken against the amendment, nearly everyone else has said: 'Actually it does not benchmark, it still ties us to the Civil Service. I didn't like the principles; I didn't like the outcome. The Committee did not change the independent Report's recommendations around the Planning Chair'.

950 There are lots of comments that have been made and actually what I am hearing is that it is not about the independent nature of the Report, it is that Members do not like the Report. That is what I am hearing. I am not hearing that the Report itself is bad, I am hearing, 'We don't like it actually, and because we don't like it, we don't like the process, so we want a different process. We want to have another go to get the outcome that we want'.

955 So, rather than saying 'We have an independent report that maybe is not perfect and it has not given us everything we wanted, we should accept that and move on', we are saying, 'It doesn't do quite what I want, let's have another punt'.

So when we set up an independent body in February and they would produce a report which again we do not like the answers to, what do we do then? You say 'Actually that didn't work, let's try again, let's try a different independent body; maybe a different statutory board could do it, or maybe we should just benchmark. Let's go back to base principles again and have this discussion again and again and again'.

So I think either we accept that independent reports on our pay should be accepted ... Because actually we should not be having a debate about this. We should have been presented with this Report as a *fait accompli* and told, 'That's what's going to happen'. That is the way we should treat this, because that is exactly how we should treat any eventual independent body that is being set up in the future. (**The Speaker:** Hear, hear.) We should not be receiving a report from this independent body in February or March, or whenever it is, and then having a debate about whether we accept that report or not – that is just perpetuating the madness that we are already in. (**The Speaker:** Hear, hear.)

970 So Hon. Members, I think the decision in front of us really is very clear: do we genuinely believe that pay should be set independently and, if it should, then you disregard the content of the Report and accept it for what it is? Because that is really what we are talking about when we are talking about an independent report. Or, if you do not really think it should be set independently, if your issue is you do not like *this* Report, then by all means vote against it. Vote against this Report and come back in February and we will have this debate all over again about setting the principles and the framework for this independent body, which I am sure will again be challenged when they produce a report that we do not all agree with.

980 So really, Members, this is a plea just to say let's just accept the amendment that I have tabled, put this issue to bed, get a proper independent body set up and move on from this whole debate.

**The Speaker and another Member:** Hear, hear.

985 **The President:** The Hon. Member of Council, Mrs Poole Wilson.

**Mrs Poole-Wilson:** Thank you, Mr President.

I almost just want to say: 'What *he* said'! (*Laughter*) (**The Speaker:** Hear, hear.)

990 We have had a *really* good, constructive debate but the truth is the wise words from Mrs Barber nailed it: an independent body is where we should be. We will have to put

constraints on it. We cannot be in the position where we are perennially having to disagree with whatever we ask an independent body to come up with, (*Laughter*) otherwise we are doing it.

I fully support Mr Hooper's amendment for all the reasons that he has so eloquently just described.

995 Thank you, Mr President.

**A Member:** Hear, hear.

**The President:** Hon. Member, Mr Thomas.

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**Mr Thomas:** Thank you, Mr President.

I will limit my second speech, not using it as a second opportunity to have a second go. I will limit it to the pure matter of Members' interests. I think Mr Hooper was very eloquent but he went a bit beyond that, and I will make sure I do not.

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All I would say is it is a good idea to exclude Members' standards and Members' interests more generally from this review. However, in the long term, as they do in Northern Ireland, to me they should come back together again and the same independent review panel should consider that issue, in my humble opinion.

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I also wanted just to put on the record that what Lord Lisvane recommended in terms of Members' standards was that there *should* be a degree of independence in that process. He actually recommended that there should be a minority of lay members on it, and he also said that people other than Members should be able to bring complaints to the body that had a minority of independent people on it. That is all very good and this was all discussed and considered in this Hon. Court in June 2016. Then again in July 2016 I actually moved a motion and the result of that was another Committee that reported back a couple of years later. And we are where we are.

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So this is about the time in the Court when we revisit this issue, because I revisited a report that was five years previously from Mr Speaker about Members' standards and Members' interests. I think that is for another day, but I would encourage whoever it is to bring back this time the idea of perhaps linking Members' standards to that.

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In terms of Members' standards and Members' interests I also want to say that it is not only the Planning Committee Chair that has to record those interests and so on, on the document. There are all sorts of other roles that are not remunerated: there are champions, which is a huge job, one of which Mr Baker also did as Children's Champion; there is the Equality Champion and there are the Transformation Board members. There are all sorts of bodies like the Meat body, (**The Speaker:** Armed Forces Champion.) and so on, and so on, that are unrewarded. The only reason none of us mentioned the Planning Committee is it was ridiculous to start going into any of these things, because that is a whole body of work that this independent review panel can now review when the time is right.

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Mr Baker makes a really good point that the Planning Committee role is difficult, but there are so many other roles that people do around this Court that are not remunerated in the same way that the few are that are mentioned in the Report.

**The President:** The Hon. Member of Council, Mrs Maska.

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**Mrs Maska:** Thank you, Mr President.

I want to say what Mrs Poole-Wilson said and what she referred to in Mr Hooper's speech. I am a member of the Emoluments Committee and I also want to thank the panel for their independent Report, which is so important today when we consider what is before us. I have been very privileged to sit on Scrutiny Committees and Select Committees. I miss that work, having moved into Department roles, but I am scrutinising from within those Departments and I am proud to be able to do that as well.

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As a personal view, I think that the reward for scrutiny has not been recognised and I think it is a role that the public maybe do not understand as well as they might; but I also agree that it would be absolutely the right step to go forward and have an arm's length, off-Island view.

What we have today is an independent report which has been adopted or recommended in its entirety, and as a Member of the Emoluments Committee I commend that Report to you, but I would like to support Mr Hooper's amendment.

Thank you very much.

**The President:** Hon. Member, Mr Cregeen.

**Mr Cregeen:** Thank you, Mr President.

I think when Hon. Members either decide to go for Legislative Council or the House of Keys, as soon as you get into this job, it is not what you think it is from outside. *(Laughter)* **(The Speaker:** Hear, hear.)

How many people as soon as they got here said, 'Oh, I didn't realise we had to do all this!' That is the perception that unfortunately some of the media put over. I saw the headline as if Tynwald and the House of Keys have only just come back *this* month. It is like there has been this void since July that we have been doing nothing. How do they think Departments and things go on if we all suddenly went away – which we cannot – from July through to October?

For most Members of the House of Keys it is the time that you can do some more of that constituency work because you have not got a sitting of Keys or Tynwald. You have still got departmental work, you have still got scrutiny work. It is that perception that the public have got that unfortunately goes out which is, 'Oh, the summer recess' and 'Oh, there is only turning up on a Tuesday morning' or 'There is only this ...'

Mr President, we also had the debate in the last administration regarding constituencies where they decided to go from three seats to two seats, or one seat to two seats, everywhere. One of my thoughts was what they actually did was they decided to go for two seats because the vast majority of Keys was two-seat constituencies. So the easiest thing to get through was trying to appease the majority of people who were there wanting two seats and there were I think two constituencies – it was Middle and Peel – that had had a large number of properties built, and they made those two-seat constituencies.

Going back to the Report, Mr President, I remember when I first was lucky enough to be elected to the House of Keys, that you were the Speaker. The number of Committees that you yourself were on, it was like at every sitting Mr Speaker got a Committee –

**The President:** It was deliberate! *(Laughter)*

**Mr Cregeen:** A willing volunteer. It was amazing, the amount of Select Committees that Members were on. Now we have got the Scrutiny Committees, so things have changed and roles have changed. I do not think, Mr Speaker, you are on anywhere near the number of Committees that Mr President was in his time.

**The Speaker:** I believe that Mr President peaked out at 17. I am lucky enough I think to have only about nine, but I will have to check! *(Laughter)*

**Mr Cregeen:** Hon. Members, that is the change that has happened, and I do not think members of the public realise that the roles have changed over those years.

I have concerns over the Emoluments Report and my good friend, Mr Hooper, with his amendment saying, 'Well, let's accept this one here and it will put it to bed. Let's put it to bed now, and then in a few years' time we will look at it again with the new independent body'.

Are we afraid, by trying to ensure this new independent body that the amendment from Ms Edge would bring in, we will have another debate? How many debates have we had for the

1095 Steam Packet, the Post Office, the perennial things – Planning? (**The Speaker:** Manx Radio!) We continue to go round in these circles all the time. Are we afraid to have that debate again?

I think part of what we need to do is inform possibly the media and the public about the responsibilities and the amount of hours that Hon. Members put into this work. I do not think it is appreciated by some people out there, the amount of work that goes into it; and how it actually takes over your life. I would like to take a poll, Mr President, about how many people think they have a really good work-life balance in this Hon. Court, because I for one think the vast majority is work and a very small amount is that you get a life outside it. Even when you go out at night people will come up to you and ask you questions. I have no problem with that because part of what I think our role is, is to try and *advise* the public what we are doing. Scrutiny is very important. When I was first elected I was told that your parliamentary pay, so that £40,000 of what you were getting paid, was for your parliamentary duty which was scrutiny, and then there was departmental pay.

1100 I can understand when we went from the board structure to the ministerial structure why Treasury Members were given that uplift. There was a maximum amount that they could earn because they were only allowed to be in Treasury; whereas if you were on a board you could get another board and another amount of money. Some of the public still think that when you go into one Department, two Departments, three Departments you still get these additional uplifts. Well you do not! I think this is what we have to do: try to get over to the public that the amount of money that you are paid is capped at a certain level.

1110 Mr President, I will be supporting the amendment from Ms Edge. I think if we do have this new independent body which everybody is saying that we should have, let's have one proper debate (**The Speaker:** Do nothing ... ) because the thing that you will have now is let's have this interim for now and then you will have another one in a couple of years' time and go through this whole thing again. Let's just, as we are ... Because quite frankly, at the moment this is not going to affect any Members until after the next election, so whatever your position is now and whatever your pay is now it is not going to be affected by the motion in front of you today.

1120 So I would urge Hon. Members to support the amendment from Ms Edge, because let's do it properly in one go, not take this bit now because it is going to be a small fix for a short period and then look at it again. Let's do it properly.

1125 Thank you, Mr President.

**The President:** Hon. Member of Council, Mrs Lord-Brennan.

**Mrs Lord-Brennan:** Thank you, Mr President.

1130 I was just going to sit here and listen, and I have been doing that. I have just been looking at the wording now from Ms Edge's amendment to the amendment and also considering what the Hon. Member Mr Cregeen has been saying.

1135 I do not think that, in my view, the very good work that was done by the Emoluments Committee and the Independent Review Committee is lost by the amendment that Ms Edge is going to be moving, because it still gives the chance for this Court to receive that Report. Looking at the timescale of it, though, you have got then that the Emoluments Committee set out the provision for a body responsible for these matters to be brought forward by February 2021.

1140 So my reading of this really is that we have had the chance to talk about the issues around the Reports. There does seem to be this wish to go back to actually was there too much constraint around that, as well as have the independent validation. So in my mind it would be: we have all this work that has been done by the independent committee and then the next step would be bolted on to that but within the timescale. So I would think that if this was accepted then it would neatly tie together as an additional validation, but then to set in place for the longer term the independent body.

1145 That is my view of it and I am just looking at the 'received' and 'provision for a body responsible' and the date there of February 2021. I think Minister Cregeen has picked up on that.

1150 The other point, since it has been raised: I absolutely agree that most people do not know at all what this job entails. You do not know really until you end up doing it. I think Mr President said very early on that it is not a job, it is a role and it is a full-time role. I think that certainly from the Legislative Council's point of view you are doing stuff in the background, because actually you are very conscious that the upfront stuff that is going on there by the House of Keys is so important that you are just kind of cracking on behind the scenes.

1155 So I am going to support Ms Edge's amendment. I hope I have brought some kind of perspective on how it ties it together without taking away the importance of the work that is already done by the Emoluments Committee and the independent review.

Thank you, Mr President.

**The President:** I call on Mr Speaker to reply.

1160 **The Speaker:** Wow. Thank you, Mr President. How many pages have I got to skip back to get to the start of this debate?

Firstly, as is traditional, I would like to thank my seconder, both the one that should be here and the one that is.

1165 I would also like to thank Mrs Caine for her support, and it is reassuring that she sees some of her own suggestions in the Report. Although, like many, not all of their suggestions are in the Report. The difference I think being for her and Mr Skelly who followed on that there was enough in the Report that you could hang your hat on to move us forward. And Mr Skelly interestingly moved the debate from what is the cost of Members of Tynwald to what is the value of Members of Tynwald. That has been really the fundamental change that has inspired a lot of the changes that we have seen in this Report by the Independent Panel.

1170 It was reassuring to hear comments, not just from Mr Skelly but other Ministers, and indeed Mr Cregeen as well and Dr Allinson, who have ... and certainly in terms of Mr Cregeen is a longstanding Member of the House of Keys, he has done many of the jobs in Tynwald and Government, but to see the value of scrutiny being reflected by both the executive as well as by backbenchers I think adds a lot of weight and a lot of strength. I did just tot up, while the Minister was going through, I have got 10 Committees, in addition to the occasional job of Speaker-ing and being an MHK and an Armed Forces Champion. (*Interjection*) So yes. So what is this? This is not so much a job as a way of life for a five-year stint.

1180 We then move on to Mr Shimmins, who wanted to pick apart at the foundations of this thing, move away from the process of where we have got to where we are, in order to open it all up again and say that the Committee should have done more external benchmarking. I am not aware that the Committee was barred from doing any external benchmarking, but I think, like so many others have pointed out, it is hard to find a direct comparator to what we do here in the Isle of Man. The point was made, I think by Mr Callister, when he said in terms of our colleagues in the Channel Islands, there are far more part-time members, there are far more retired members, that may not reflect the diversity and the level of time commitment that Manx people have sought from their elected representatives. I think that point, certainly from my experience of going to the Channel Islands, was well made.

1190 The point was also made about the correlation to the Civil Service pay, which I think both Mr Shimmins was not a fan of and Ms Edge was also not a fan of that. But I have to say that has been a great protection to Members, the fact that we do not have to come here every year and vote on our own pay, as many other parliaments do, because it is dealt with elsewhere. We do not negotiate the annual pay increases for public servants, with the possible exception of those who sit on the Public Services Commission, but I am not too sure about the inner workings of that. But generally we as Tynwald Members have nothing to do with it. But yet we get the flak



for whatever the public service get because it is ‘MHKs get pay rises – oh and by the way, so do 8,000 other public sector workers’. So that has been a great defence: that we do not set our annual increments. I think that is something that is actually quite useful.

1200 The independent body may choose to look at differently, I do not know, but I think that has been the reason that we have not had this debate year after year. I have spoken to other Commonwealth parliamentarians, who on the basis of this alone have not had a pay rise in 17 years because it is never the right time to discuss members’ pay, and it is never the right time to give yourself a pay rise, and so it just never happened. Certainly speaking to some of our  
1205 equivalents and colleagues from the Caribbean especially, if your economy has had a bumpy ride pretty much continuously for the last 20 years, there is absolutely no way that anyone is voting for a pay rise.

So being a step detached from the pay that we get is absolutely important. I think it has been really helpful to have that connection to the Civil Service pay and that was obviously part of the  
1210 terms of reference that the Committee were given. But it is not something that they would necessarily be bound by going forward if there is a new way of doing things.

Mr Quine said that the Committee might have kicked the sleeping dog. I might argue that whoever asked for Lisvane to come here and look at it kicked the sleeping dog. (*Laughter*) We  
1215 are still trying to get it back to sleep. (*Laughter*) But equally, this is one dog that will not lie. This is something that is going to keep going and keep going, and no matter whether we are arm’s length or not, this issue is just not going to go away.

I think I mentioned a lot in my earlier contribution about where I saw Mr Cannan’s amendment, and now that that has been withdrawn, I will not revisit that ground because others have reflected on it later on.

1220 I do, having heard the contributions from all Members, *strongly* commend Mr Hooper’s amendment, because it does take us forward. What I think perhaps has been something of a misunderstanding about it is that it might bind the hands of this independent body at a future date. Well, I do not see that. I do not see that there is necessarily anything in there that binds anyone’s hands at a future date, but it does solve a lot of our immediate problems in terms of  
1225 moving us out of the archaic system that we have and setting us going forward into a new system that we can debate.

But let’s be quite clear. We have heard quite a few different ways of doing this thing just around this Chamber for this independent review body, so I do not believe that that is going to be an easy ride in February either – and I might just touch on that a bit more. But it does accept  
1230 the structure of an independent panel. It does hand future problems on to an independent body rather than the Emoluments Committee.

I would agree about the comments that Mr Hooper made about the dangers of benchmarking for something that we do not wish to emulate and treat this Report as what it is. This is a point for where we are now, not a point for when, by the time that the legislation which  
1235 may be required delivers a body, people are appointed to it, start looking at it. That is going to be a few years away. We have got a few opportunities to start now and we are going to miss the September 2021 deadline to implement this as a window of opportunity to move us forward.

Now, of course, if you fundamentally do not like it, there are plenty of ways of kicking the can down the line. But I would say that that is exactly what is happening if you vote for Ms Edge’s  
1240 amendment because it delivers no change at all now. It is the hope for a mythical tomorrow that, actually, we have not heard crystallised and formed into any solid ideas as to how this would work.

I have also reflected on Dr Allinson’s comments on diversity, and I think that Tynwald is a far more diverse place now looking round than it was 15 years ago.

1245 Mrs Corlett talked about inflating the salary – yes, the expenses thing. Ever since I got in here I never really appreciated what this expense sum was. I knew I did not have to fill in paperwork for it or whatever, and frankly, long before I became a Member of this Court, it was very much: if

it looks like pay and it sounds like pay, then it is pay. I do not think it has been treated any differently by people for a long time.

1250 I would say that when I did join there was a claims system, for on-Island mileage, I think some Members also got given a fax machine – this is 2006, ladies and gentlemen – other Members even got financial assistance putting in a broadband connection to their house so that they could access this wonderful internet thingymajiggy, but equally I am pretty sure that there were also Members, and I do remember when I arrived there was one Member who had a typewriter on  
1255 his desk and I wonder if he claimed for the typewriter ribbons. (*Laughter*) But that was abolished, and it was abolished rightly so because we got this theoretical round sum expense allowance. So we have abolished the claiming element because we got that, and I think the time has come to change again.

I was interested to hear Mr Thomas's suggestion of the Northern Irish independent pay panel. It is not someone whose work I am greatly familiar with, and I am sure that if either amendment is taken forward that the Emoluments Committee can look at that model going forward. And I completely share his concerns, and those of Mrs Barber and others, who raised the spectre of creating an independent body and then interfering with it every time we disagree with it, because I think that is exactly where some Members have set themselves up for this  
1265 debate: 'I kind of agree that this should be independently done, but this independent group haven't come up with the right answer and so we shouldn't agree with it, and we should override it'. And that is, I think Mr Hooper called it madness, and I cannot really disagree with him. (*Interjection*)

In terms of – moving on – Mrs Barber also raised the point about Members declining increments and declining elements of pay, and of course there would be nothing to stop that going forward. I have had representations in the past about how difficult that is for OHR to administer, but frankly, that is their problem, not ours. Members can take up to the pay that is awarded, but certainly no more. I think we do move forward with caution because, as I have said, many different ways of creating an independent body.

1275 So Ms Edge's amendment really does, in my view, kick this can down the line. It is a variation on Mr Cannan's amendment, and it takes us no further forward. It is 'Hope that we can find another system when we look at it again next time, and a different way of putting together an independent panel'. I think Ms Edge also mentioned, 'Well, this should be a panel from off-Island people'. Well, I am not sure whether that was something that got wide support around  
1280 this place, because that was exactly part of the problem that we had with Lord Lisvane when he came here, wrote a report after two weeks in the Isle of Man professing to know the ins and outs of our constitution and what Members did and what Members did not. I would say that the Panel at least took the time to take a far fuller understanding of the particular remit that they faced.

1285 Mr Baker, I would certainly say yes. Mr Baker and I have had many fruitful discussions about the Chair of Planning and I can completely understand and in many ways have sympathy for the pay increments for the Chairman of Planning. I have been there, I have done the job myself, I know what is involved. And as he will be aware, the Committee resolved to deliver the Report as was, because the Committee did feel that if you start taking this apart, this is an independent  
1290 report, from an independent group, and you start picking it apart in one area, it starts unravelling in others and it becomes increasingly complex. It falls victim to exactly those things that we tried to discourage in the debate today.

Again, I appreciate his points. I may not agree with them, but I appreciate his point about the Report over-rewards scrutiny, and again, that is a judgement call. That is a point where he has  
1295 looked at this, I have looked at this, and we have come to different conclusions. The Independent Panel has made a view on this, but I worry about his conclusion that because he disagrees with the views of the Independent Panel that we reject the work of the Independent Panel. I think, again, we are setting ourselves up to fail even when we do get an independent panel, because I can then see an independent panel being created and deciding something, and

1300 then Tynwald putting a declaratory motion down that we do not accept the work of the independent panel or that we do not have a pay change or structure change. So I can see that coming in the future.

Mr Callister: I have reflected on his contribution and welcome the point that he makes about the opportunity to adjust this going forward after the next Election to see if ... because one of the points that has been raised has been about the fear that, 'Ooh, actually, if you raise the base pay, it might be difficult to recruit people to Government Departments', and I think we will get that experience after 2021, if this is approved, and we can see if there is any merit in that.

1310 What is interesting is that proponents of Lisvane of course have said that there are too many people in Government Departments already and Lord Lisvane himself called it not 'remotely sustainable', I think it was. But it is something that has been embedded in our system since the ministerial system was created and is a hangover from the board system. I am not saying we should not look at that, but this is where our structure and our pay start to intermingle. And Members are going to have to be very clear as to what responsibilities they *are* and are *not* handing over to an independent body. Are they going to hand over the systemic elements, because if we say cap the number of people in the executive, then that will obviously have an impact on the overall pay budget. Likewise with the amount that you pay for scrutiny.

1320 So moving on to Mr Cregeen, again, I agree with an awful lot of what he said, apart from his conclusion. (*Laughter*) I think the job is a multifaceted one, it is complex, it was great to hear him refer to the value of scrutiny, but the conclusion was: do nothing now, hope we can agree on the structure for an independent panel. We certainly miss the September 2021 window for changing Members' pay by then and so when do you then implement it afterwards?

1325 Mrs Lord-Brennan mentioned that she felt that the work would not be lost if we voted for Ms Edge's amendment. I would disagree with that. What would be happening if we passed Ms Edge's amendment is that we would only receive the Report. That does not imply any agreement with it. So the motion as drafted would effectively mean that we had rejected the independent report. That again is a judgement call for individuals.

1330 So to try and pull together what has been a fascinating debate covering a lot of ground, the Court seems to have split down two lines here. There are those who want to start again with yet another independent panel, or those who would like to bank the changes in this independent report and then move on to an independent panel. There are those who want to deal with some of these anomalies that we all recognise exist and think that they are a priority to get rid of and then hand it on for the future. I am in that camp and I strongly suggest supporting Mr Hooper's amendment, which in no way ties the hands of any future independent pay body to throw it up in the air. To add the Chairman of the Planning Committee. To rebalance how scrutiny and executive government rates of pay are done. But these are decisions for next time, and I do not see next time being really soon, whichever way we go today.

1340 So again, let's not take for granted that there will be ... there is no clear agreement in the Court today that there will be agreement on the structure of the independent panel in February. How big it will be, who will appoint it, what limits will it have placed on it, what budget will it have, will it be from on Island or off Island. If that fails in February, what then? What then?

So Mr President, this is a Report that this Court itself has asked for. The proposals in this Report do not cost the taxpayer a penny. There are winners and losers amongst the Members, but the main winner is the public. We all know that there are issues and anomalies in the existing system that we cannot justify. None of us would start from here.

1345 You have a choice, though: what we have or what is in the Report. And if we implement this Report, we abolish the tax-free annual sum for expenses, we will introduce lower pay for the Legislative Council, we will acknowledge the value of parliamentary scrutiny, and we will reform the system of political patronage. This Report is not perfect, but it is an improvement on the *status quo*, and I hope Hon. Members can support it, ideally with Mr Hooper's amendment.

1350 I beg to move.

1355

**The President:** Now, Hon. Members, the motion is at Item 10 and two amendments have been moved to it. I intend to take first the amendment in the name of Ms Edge. If that is passed, that becomes the substantive motion which will be voted on. If that fails to pass, I will then put the amendment in the name of Mr Hooper to be considered.

So I first put to the Court that the amendment in the name of Ms Edge be agreed to. Those in favour, say aye; against, no.

*A division was called for and electronic voting resulted as follows:*

*In the Keys – Ayes 13, Noes 10*

**FOR**

Mr Moorhouse  
Mr Baker  
Mr Boot  
Mr Cannan  
Mrs Christian  
Mrs Corlett  
Mr Cregeen  
Ms Edge  
Mr Peake  
Mr Quayle  
Mr Quine  
Mr Shimmins  
Mr Thomas

**AGAINST**

Dr Allinson  
Mrs Barber  
Mrs Caine  
Mr Callister  
Mr Harmer  
Mr Hooper  
Mr Perkins  
Mr Robertshaw  
Mr Skelly  
Mr Speaker

**The Speaker:** Mr President, in the Keys, 13 for, 10 against.

*In the Council – Ayes 3, Noes 6*

**FOR**

Mr Henderson  
The Lord Bishop  
Mrs Lord-Brennan

**AGAINST**

Miss August-Hanson  
Mr Greenhill  
Mrs Maska  
Mr Mercer  
Mrs Poole-Wilson  
Mrs Sharpe

1360 **The President:** And in Council, 3 for and 6 against. (*Interjection*) The Branches are in disagreement. The amendment therefore fails to carry.

**Ms Edge:** Mr President, is it possible to go for a combined vote?

1365 **The President:** You are indeed entitled to request a combined vote, which will be at the next sitting. No further voting today, and Item 10 is thus paused and held over, to conclude voting at the next sitting.

**The Speaker:** Sixteen all. Welcome back, Mr Ashford! (*Laughter and interjections*)

1370 **The President:** Thank you, Hon. Members.