TYNWALD COURT
OFFICIAL REPORT

RECORTYS OIKOIL
QUAIYL TINVAAL

PROCEEDINGS

DAALTYN

HANSARD

Douglas, Tuesday, 20th October 2020

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Volume 138, No. 1

ISSN 1742-2256

Published by the Office of the Clerk of Tynwald, Legislative Buildings,
Finch Road, Douglas, Isle of Man, IM1 3PW. *© High Court of Tynwald, 2020*

Present:

The President of Tynwald (Hon. S C Rodan OBE)

In the Council:
The Lord Bishop of Sodor and Man (The Rt Rev. P A Eagles),
The Attorney General (Mr J L M Quinn QC),
Miss T M August-Hanson, Mr P Greenhill, Mr R W Henderson, Mrs K A Lord-Brennan,
Mrs M M Maska, Mr R J Mercer, Mrs J P Poole-Wilson and Mrs K Sharpe
with Mr J D C King, Deputy Clerk of Tynwald.

In the Keys:
The Speaker (Hon. J P Watterson) (Rushen);
The Chief Minister (Hon. R H Quayle) (Middle);
Mr J R Moorhouse and Hon. G D Cregeen (Arbory, Castletown and Malew);
Hon. A L Cannan and Hon. T S Baker (Ayre and Michael);
Mr C C Thomas and Mrs C A Corlett (Douglas Central);
Mrs C L Barber and Mr C R Robertshaw (Douglas East);
Hon. D J Ashford MBE and Mr G R Peake (Douglas North);
Mrs C S B Christian and Mr S P Quine (Douglas South);
Mr M J Perkins and Mrs D H P Caine (Garff);
Hon. R K Harmer and Hon. G G Boot (Glenfaba and Peel);
Mr W C Shimmins (Middle);
Mr R E Callister and Ms J M Edge (Onchan);
Hon. A J Allinson and Mr L L Hooper (Ramsey);
Hon. L D Skelly (Rushen);
with Mr R I S Phillips, Clerk of Tynwald.

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Tynwald

The Court met at 10.30 a.m.

[MR PRESIDENT *in the Chair*]

The Deputy Clerk: Hon. Members, please rise for the President of Tynwald.

The President: Moghrey mie, good morning, Hon. Members.

Members: Moghrey mie, Mr President.

The President: The Lord Bishop will lead us in prayer.

PRAYERS
The Lord Bishop

Welcome to Members and to
His Excellency the Lieutenant Governor and Lady Gozney

The President: Hon. Members, I would like to welcome you back to this first sitting of what will be the final parliamentary session before the General Election and a busy time is in prospect. You will not be short of things to do.

I would like to extend a particularly warm welcome this morning to His Excellency the Lieutenant Governor and Lady Gozney. You are, as ever, most welcome and we are delighted to have you with us in the Court this morning.

Members: Hear, hear.

Welcome to the new Members for South Douglas,
Mrs Christian and Mr Quine

The President: I would like to extend a warm welcome also to the new Members for South Douglas, Mrs Christian and Mr Quine.

Members: Hear, hear.

The President: You bring with you the confidence of the electorate and your own particular life experience which will stand you in very good stead, I am confident, as you serve the people of the Isle of Man in Tynwald Court and beyond.

This is not the first time we have had a Mrs Christian *(Laughter)* and a Mr Quine as Members of this Court, and just as your namesakes made their own considerable mark, I am sure you will do the same.

Congratulations to Mr Ashford on award of MBE

The President: Particular congratulations also to the Hon. Member for Douglas North, Mr Ashford on his receipt of the MBE in the Queen's Birthday Honours list.

On behalf of Tynwald, many congratulations.

Members: Hear, hear.

Leave of absence granted

The President: As far as leave of absence is concerned, if the Court should be sitting on Thursday, the Lord Bishop has leave of absence for that day.

1. Papers laid before the Court

The President: I call on the Clerk to lay papers.

The Clerk: I lay before the Court the papers listed at Item 1 of the Order Paper.

Emergency Powers Act 1936

Emergency Powers (Coronavirus) (Continuation) (No. 2) (Amendment) (No. 2) Regulations 2020 *[SD No 2020/0412] [MEMO]*

Emergency Powers (Coronavirus) (Continuation) (No. 2) (Amendment) (No. 3) Regulations 2020 *[SD No 2020/0425] [MEMO]*

Emergency Powers (Coronavirus) (Continuation) (No. 2) (Amendment) (No. 4) Regulations 2020 *[SD No 2020/0431] [MEMO]*

Town and Country Planning Act 1999

Town and Country Planning (Area Plan for the East) Order 2020 *[SD No 2020/0430] [MEMO]*

Oil Pollution Act 1986

Merchant Shipping (MARPOL) (Amendments) Order 2020 *[SD No 2020/0427] [MEMO]*

Financial Provisions and Currency Act 2011

Town and Village Regeneration (Amendment) Scheme 2020 *[SD No 2020/0436] [MEMO]*

Coronavirus Fisheries Industry Support (Amendment) Scheme 2020 *[SD No 2020/0433] [MEMO]*

Social Services Act 2011

Adult Social Care Services (Charges) (Amendment) Regulations 2020 *[SD No 2020/0426] [MEMO]*

Government Departments Act 1987

Transfer of Flood Risk Management and Related Functions Order *[SD No 2020/0445] [MEMO]*

Road Traffic Act 1985

Road Vehicles (Maintenance and Use) (Amendment) (No. 2) Regulations 2020 *[SD No 2020/0111] [MEMO]*

Local Government Act 1985

Ramsey Town General Byelaws 2020 *[SD No 2020/0398] [MEMO]*

Ramsey Town Act 1970 and Local Government Act 1985

Ramsey Public Parks and Foreshore Byelaws 2020 *[SD No 2020/0397] [MEMO]*

Housing Act 1955

Braddan Housing Byelaws 2020 *[SD No 2020/0389] [MEMO]*

Customs and Excise Act 1993

Export Control (Somalia) (Amendment) Order 2020 (Application) Order 2020 *[SD No 2020/0362] [MEMO]*

European Communities (Isle of Man) Act 1973

European Union (Terrorism Sanctions and Miscellaneous Amendments) Order 2020 *[SD No 2020/0386] [MEMO]*

Alcoholic Liquor Duties Act 1986 and Customs and Excise Management Act 1986

Alcoholic Liquor Duties Act 1986 (Amendment) Order 2020 *[SD No 2020/0401] [MEMO]*

European Union and Trade Act 2019 and European Union and Trade Act 2019 (Withdrawal Agreement) Regulations 2020

European Union and Trade Act 2019 (Exit Day References) (Customs) Regulations 2020 *[SD No 2020/0403]*

Value Added Tax Act 1996

Value Added Tax Act 1996 (Amendment) Order 2020 *[SD No 2020/0406] [MEMO]*

Social Security Act 2000

Jobseekers Act 1995 (Application) (Amendment) (No. 2) Order 2020 *[SD No 2020/0409] [MEMO]*

Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 11) Order 2020 *[SD No 2020/0410] [MEMO]*

Social Security Legislation (Benefits) (Application) (Amendment) (No. 10) Order 2020 *[SD No 2020/0411] [MEMO]*

Social Security Legislation (Benefits) (Application) (Amendment) (No. 11) Order 2020 *[SD No 2020/0421] [MEMO]*

Social Security Legislation (Credits) (Application) (Amendment) Order 2020 *[SD No 2020/0423] [MEMO]*

Social Security Contributions and Benefits Act 1992

Income Support (General) (Isle of Man) (Amendment) (No. 5) Regulations 2020 *[SD No 2020/0413] [MEMO]*

Income Tax Act 1970

Income Tax (Benefits in Kind) (Exemptions) Order 2020 *[SD No 2020/0429] [MEMO]*

Reports

Programme for Government 2020/2021 *[GD No 2020/0058] [MEMO]*

Council of Ministers' Response and Action Plan in respect of the Independent Review of Management and Governance Arrangements in the Department of Education, Sport and Culture *[GD No 2020/0060]*

Chief Constable's Annual Report 2019-2020 *[GD No 2020/0020]*

The remaining items are not the subject of motions or debates on the Order Paper

Items subject to negative resolution

Immigration Act 2014

Immigration (Fees) (No. 2) (Amendment) Regulations 2020 *[SD No 2020/0298] [MEMO]*

Immigration Act 1971

Immigration (Variation of Leave) (No. 2) (Amendment) (No. 4) Order 2020 *[SD No 2020/0408] [MEMO]*

Value Added Tax 1996

Value Added Tax (Zero-Rating) (Coronavirus) (No. 2) Order 2020 *[SD No 2020/0385] [MEMO]*
Value added Tax (Section 55A) (Specified Services and Excepted Supplies) (Amendment) Order 2020 *[SD No 2020/0391] [MEMO]*
Value Added Tax Act 1996 (Reduced Rate) Order 2020 *[SD No 2020/0392] [MEMO]*
Value Added Tax (Flat Rate Scheme) Regulation 2020 *[SD No 2020/0393] [MEMO]*
Value Added Tax (Amendment) (No. 3) Regulations 2020 *[SD No 2020/0402] [MEMO]*
Value Added Tax (Amendment) (No. 4) Regulations 2020 *[SD No 2020/0407] [MEMO]*

Documents subject to no procedure

Child Custody Act 1987

Child Abduction and Custody (Parties to Conventions) (Amendment) Order 2020 *[SD No 2020/0428] [MEMO]*

Emergency Powers (Coronavirus) (Entry Restrictions) (No. 2) Regulations 2020

COVID-19 Direction Notice to Self-Isolate for Isle of Man Resident Arrivals *[GC No 2020/0040]*
COVID-19 Direction Notice Following Negative Coronavirus Test Result *[GC No 2020/0041]*
Guernsey Air Bridge Direction *[GC No 2020/0038]*
COVID-19 Entry Certificate (Key Worker) *[GC No 2020/0042]*

Agricultural Marketing (No. 2) Act 1948

Milk Prices Order 2020 *[SD No 2020/0189]*

Dormant Assets Act 2019

Dormant Assets (Notices) (Amendment) Order 2020 *[SD No 2020/0415]*

Coronavirus Business Support Scheme 2020

Treasury Notice – Manx Earnings Replacement Allowance *[GC No 2020/0036]*

Coronavirus Business Support (Amendment) Scheme 2020

Notice by Treasury – Coronavirus (COVID-19) – Relevant Sectors for the Purposes of: the Coronavirus Business Support Scheme (Amendment) 2020 *[GC No 2020/0005]*

Harbours Act 2010

Laxey Harbour Temporary Designation Order 2020 *[SD No 2020/0373]*

Appointed Day Orders

Ecclesiastical Jurisdiction and Care of Churches Measure (Isle of Man) 2019

Ecclesiastical Jurisdiction and Care of Churches Measure (Isle of Man) 2019 (Appointed Day) (No. 2) Order 2020 *[SD No 2020/0442]*

Licensing (Amendment) Act 2020

Licensing (Amendment) Act 2020 (Appointed Day) Order 2020 *[SD No 2020/0400]*

Reports

Report of the Police Complaints Commissioner for the year ended 31st March 2020 *[GD No 2020/0034]*

Isle of Man Financial Services Authority Annual Report 2019/20 *[GD No 2020/0039]*

Equality Act 2017 Statutory Code of Practice on Equal Pay *[GD No 2020/0045]*

Safeguarding Board Annual Report 2019-2020 *[GD No 2020/0050]*

Policing Plan 2020-2021 *[GD No 2020/0051]*

Isle of Man National Transport Limited Report and Financial Statements for the year ended 31st March 2020 *[GD No 2020/0052]*

Isle of Man Limited Report and Financial Statements for the year ended 31st March 2020 *[GD No 2020/0053]*

Manx Radio Annual Report 2019/20 *[GD No 2020/0054]*

Isle of Man Gambling Supervision Commission Annual Report 2019/2020 *[GD No 2020/0055]*

Tynwald Policy Decisions Report 2020 *[GD No 2020/0056]*

Combined Action Plan for Children and Young People *[GD No 2020/0057]*

Legislation Programme 2020-2021 *[GD No 2020/0059]*

Standing Committee of Tynwald on Public Accounts: Annual Report covering activity during the session 2019-20 *[PP No 2020/0171]*

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Bills for signature

The President: Hon. Members, I have to announce that the following Bills are ready for signature: the Divorce, Dissolution and Separation Bill 2020; the Registration of Electors Bill 2020; the Elections (Keys and Local Authorities) Bill 2020; the Public Housing Bill 2020; and the Domestic Abuse Bill 2020.

With the consent of the Court I shall circulate the Bills for signing while we deal with other business. Is that agreed?

Members: Agreed.

The President: Thank you, Hon. Members.

Question of Urgent Public Importance

HEALTH AND SOCIAL CARE

Merseyside/NW England hospital trusts –
Intensive care for Manx residents in light of COVID-19

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Health and Social Care:

If he will make a statement on the capacity of Merseyside/NW England hospital trusts to continue to provide intensive care treatment for Manx residents in the light of recent COVID-19 pressure on the NHS in England?

The President: Before we turn to the Question Paper proper, under Standing Order 3.5(4) I have allowed Hon. Member for Onchan, Ms Edge, to ask an Urgent Oral Question, and this was circulated to Members on Thursday last.

I call Ms Edge to ask her Urgent Question, please.

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Health and Social Care if he will make a statement on the capacity of Merseyside and North West England hospital trusts to continue to provide intensive care treatment for Manx residents in the light of recent COVID-19 pressure on the NHS in England?

Thank you, Mr President.

The President: Before I call on the Minister, Hon. Members, you may remove jackets if you wish to be more comfortable.

I call on the Minister for Health and Social Care to reply, Mr Ashford.

The Minister for Health and Social Care (Mr Ashford): Thank you, Mr President.

Merseyside and North West England hospital trusts continue to provide intensive care unit and intensive treatment unit beds as required to Isle of Man patients. Since March 2020 to date and through the first wave of the COVID-19 pandemic this represents a relatively low proportion of activity.

The Department works closely with Merseyside and North West England hospital trusts on a daily basis to accommodate patients based on clinical priority and need, on the same basis as patients resident in England.

Merseyside and North West England hospital trusts have not refused any air ambulance patient transfer which we are aware of since March 2020 requiring off-Island ICU or ITU beds in Merseyside and North West England.

If Merseyside and North West England reach full capacity and were unable to accept a patient requiring an off-Island ICU or ITU bed, contingencies would take effect to strengthen resilience and capacity both on and off-Island. This would involve increasing and expanding ICU capacity on-Island, as happened during the first wave of the COVID-19 pandemic. The Department would also utilise its wider off-Island hospital networks for emergency transfers requiring ICU/ITU beds as appropriate. This would be supported by the Isle of Man air ambulance, which has the ability to transfer patients to any part of the United Kingdom.

Noble's Hospital will continue to work closely with Merseyside and North West England hospital trusts on a daily basis to ensure that ICU and ITU beds are prioritised based on clinical priority and need.

Thank you, Mr President.

The President: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr President, and I thank the Minister for that Answer.

I appreciate that the Minister has advised that there has been no issue and no individual from the Isle of Man has been refused beds. What I did not hear the Minister say is that there is a guaranteed system in place. The Minister said that we work closely and there has not been an issue but is there a contract in place for the people of the Island to receive this critical care when required and what is the capacity within that contract?

Thank you, Mr President.

The President: Minister to reply.

The Minister: Thank you, Mr President.

We can never guarantee anything because the hospitals themselves have to ensure they can treat their own patients. But what we have is a network throughout the entire United Kingdom that we can call on.

I mentioned in the original Answer, Mr President, around the fact that it represents a relatively low proportion of activity. So, for instance, this year so far there have been less than five air ambulance patient transfers and generally for ITU and ICU beds the demand is relatively low that we have to transfer people to the UK, it is only in the more extreme circumstances. And as I stated in the original Answer, Mr President, we can go back to what we did with our COVID regime where we can double our ICU capacity on-Island if required.

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

Dr Allinson: Thank you, Mr President.

Would the Hon. Member agree with me that the decision to admit somebody to an intensive care bed is intrinsically a clinical decision made by doctors on the ground?

And would he also join me in congratulating the staff at Noble's Hospital who during the lockdown and the first wave of the pandemic went above and beyond duty both to increase the capacity but also the skills necessary to look after critically ill patients on-Island?

Thank you.

The President: Minister to reply.

The Minister: Thank you, Mr President.

I fully agree with the Hon. Member for Ramsey, Dr Allinson, it is a clinical decision as to what treatment is required and whether someone is admitted.

Equally, I have got to say the entire staff across DHSC, across all roles, went way beyond what is normally required of them day to day. People were learning new skills very fast, be that in ICU or in fact even in oncology and other areas to ensure that Isle of Man patients did not have to rely on being transferred across but could receive treatments on-Island. So I would like to give a great tribute to all of the staff across DHSC and, of course, wider in the third sector as well who did a lot of our community work, without whom we would not have been able to be in the position that we are today.

The President: Final supplementary, Ms Edge.

Ms Edge: Thank you, Mr President, and I too concur with everything that has been said about our fantastic health service on the Isle of Man.

The Minister did just include in there oncology services and he also said that the numbers are relatively low outside of the five air ambulances. What he did not say is what the numbers are and if you do have that information it would be appreciated.

But with regard to oncology and cancer services there was disruption during COVID the last time, can the Minister assure me that there will be no further disruption or…? I know it will be difficult for the Minister to answer this, but what has he done to ensure that anybody that is requiring treatment for say, cancer, are treated as a priority because some of those will be in need of possible intensive care treatment?

The President: Minister to reply.

The Minister: Thank you, Mr President.

The actual figure the Hon. Member is after is five: I did actually state that the number of patients requiring an ICU/ITU bed that had been transferred this year into the North West of England is five.

In terms of oncology and cancer treatments it is an easy question for me to answer in the fact that I cannot give any guarantee. We are in the middle of a worldwide pandemic, Mr President, and obviously UK hospitals are having to make decisions about what services they can actually offer at any given time. But what I can reassure the Hon. Member on is that we did an excellent job during the pandemic of gearing up our services and being able to try and provide excess services compared to what we normally would on-Island and if that is required we will look to do so again, and I am sure the staff who did an absolutely excellent job across DHSC in that regard will actually step up to the mark again, if required.

Procedural –
Refusal to answer Questions under Standing Order 3.10(1)

The President: Hon. Members, we turn to the Question Paper.

But just a word or two before we go on to Question 1. Under Standing Order 3.10(1):

> At discretion an answer to a Question may, on application to the President, be declined by the Member questioned as being contrary to public interest.

If the Member to whom a tabled Question is addressed wishes to decline to answer then that Member must no later than 24 hours before the sitting confirm in writing to me the reasons for

refusal. I then report to the Court whether I agree that the Answer may be refused and I may give reasons.

In August, the Department for Infrastructure refused to answer Question 60; I received an explanation from the Department afterwards, rather than in advance, about why the document in question is confidential. On the basis that this involved commercially confidential information, I was content that Standing Order 3.10 applied and that it could be declined as being contrary to public interest. The Department, however, was reminded of the need to inform me in advance if there was any difficulty with answering a Question and of the need for Ministers and others answering to seek my permission before withholding information.

In September, the Minister for Infrastructure wrote to me seeking permission not to answer Question 75, on the basis that the Question was too diffuse to be readily answered. I agreed that the cost in officers' time was disproportionate and that it was in the public interest for the answer to be declined. I carefully noted that there was no part of the Question which could reasonably be responded to.

Members therefore should be aware that Questions may be refused under Standing Order 3.10 if, and only if, I am satisfied in advance that they demand a disproportionate amount of officers' time in preparing the answer. That said, the right to hold the Government to account is a core part of the responsibilities of Members of Tynwald, however, such rights must be used with appropriate care.

On today's Question Paper, Question 37, Written, from Mr Speaker to the Minister for the Treasury asks:

> How much debt has been written off by each Department in each year during the course of this administration?

I am satisfied that the Minister may decline to answer the part of the Question which is commercially sensitive, and I have accordingly given permission for him to do so.

Questions for Oral Answer

CHIEF MINISTER

1. Five-stage borders plan –
Assessment and communication

The Hon. Member for Douglas East (Mr Robertshaw) to ask the Chief Minister:

What assessment or advice he sought from (a) the Public Health Directorate; and (b) the Medical Directorate; to inform decisions regarding the development and implementation of the five-stage borders plan; and how this has informed his strategy for communicating his policy to the public?

The President: That said, Hon. Members, I call on the Hon. Member for Douglas East, Mr Robertshaw, to ask Question 1.

Mr Robertshaw: Thank you very much, Mr President.

I wish to ask the Chief Minister what assessment or advice he sought from (a) the Public Health Directorate; and (b) the Medical Directorate; to inform decisions regarding the development and

implementation of the five-stage borders plan; and how this has informed his strategy for communicating his policy to the public?

Thank you, Mr President.

The President: I call on the Chief Minister to reply, Hon. Member for Middle, Mr Quayle.

The Chief Minister (Mr Quayle): Thank you very much, Mr President.

The five-stage borders framework was developed from a briefing paper submitted to the Council of Ministers in early June. A range of different areas were asked to provide input to the framework. This included medical professionals, the Director of Public Health and other senior officers from across Government.

The plan has been continually reviewed in respect of the developments in the United Kingdom and informed by the data produced locally in respect of infection rates, local test and trace capacity and hospital capacity. Most recently, the Council of Ministers revisited the framework on 1st October to consider whether the current levels were appropriate.

The communications policy is constantly reviewed and aims to provide clarity to on- and off-Island residents in respect of the current restrictions at our borders.

Thank you, Mr President.

The President: Supplementary question, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President, and I thank the Chief Minister for his reply.

Could we therefore go a little bit more specific? What advice did he receive from the Public Health Directorate when he first went into adopting the seven-day test regime and what advice he received from the Public Health Directorate when he moved out of that regime?

The second question that I have, if I may, Mr President, relating to the five-stage border plan, relates to the fact that it was developed some time back now, and the concept of shielding does not appear in that plan. Could he tell us whether it is likely that shielding will soon play part of that plan, and will he communicate that to the public?

Thank you, Mr President.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

As I said – just for part two first, if I may, Mr President – the Council of Ministers regularly reviews all the evidence and the data. Nothing is set in tablets of stone because things move fast. So when we initially made the decision, for example, on the seven-day testing and then allowing people to move around the border, I think the infection rate in the United Kingdom was 70 or 80 cases per 100,000, and I do not need to tell this Hon. Court where we are now with that. So things move quickly, we have discussions on a regular basis, and I know we have another paper coming for this Thursday for a full debate to review, Mr President.

Regarding the publishing of advice, I think as the Hon. Member will know from his time as a Minister, Mr President, the Council of Ministers and their advisers should be free to make policy in a safe space and to ensure that the integrity of the policymaking process is maintained. It is important that this process is not undermined, which may result in less robust or well-considered policy. Obviously we share as much as we can with Hon. Members, we give briefings, and I am more than happy to give Members an update, whenever we are making changes, to advise as to why. If the Hon. Member would like to speak to any of the officers, they are more than happy to have a chat.

The President: Mr Robertshaw, supplementary.

Mr Robertshaw: Thank you, Mr President.

I appreciate the Chief Minister's sentiment, but the question with regard to the Director of Public Health was quite specific, and considering that Guernsey put their Director of Public Health front and centre in communicating with the public, why is it that we cannot know what our Public Health Director is saying to you, the Council of Ministers?

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I think we have had our Director of Public Health give talks to the public in general, giving their views on and interpretations of the problems that we are facing. That is something we have done, not recently I admit, but it is something we have there.

If the Director of Public Health is happy for information that they have given us to be shared, and I am not breaking any rules, then I see no reason why I cannot share it with the Hon. Member.

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

Mrs Barber: Thank you, Mr President.

The Chief Minister stated that Public Health were part of the group involved in developing the borders framework. Yet in an email that I received from the Director of Public Health relating specifically to Stage 4 of the borders plan, she stated that the Public Health Directorate was not asked to provide any assessment or advice to inform the decision regarding the borders plan.

Could the Chief Minister confirm just how involved Public Health have been and are in developing our pandemic plans?

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I would like the Hon. Member, if they want to share that statement, I will have it looked into. The Director of Public Health sits, not in the Chamber, but is online, to discuss with the Council of Ministers, along with the Director of Health and Social Care to give us an update and information, and answer any questions we may have during the Council of Ministers meetings. So I am highly surprised that the Director of Public Health should say that they have had no involvement when they actually sit in the Council of Ministers – live, I hasten to add – and give us advice. So it would be interesting to see the information.

The President: I have eight supplementary questions on my list. I trust the subject will have been well aired by the time we get to the last one.

Hon. Member of Council, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

The Chief Minister mentions another paper for helping make decisions in terms of what will happen next to do with seven-day testing. Could he confirm what sort of information he would require such a paper, or any other previous paper, to contain for the Council of Ministers to make a decision?

Thank you, Mr President.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I am more than happy to share that information with the Hon. Member. Mr President, as set out in the borders framework, the Council of Ministers considers a wide range of factors to help

inform any change to the current framework and the level at which it believes will protect our people. This includes infection rates elsewhere, the ability of our health service to cope with increased demand and the potential economic impact of any change.

I would also like to point out that not only, when we came up with our borders framework, was it from a health point of view. Workshops were led by the Department for Enterprise, and they were held on 14th April, on 3rd June, in which both the silver command groups and the clinical advisory groups were in attendance, which led to the combined input that formed part of the final plan recommended to the Council of Ministers on 4th June 2020.

The President: Hon. Member of Council, Mr Henderson.

Mr Henderson: No, I do not wish to ask a –

The President: Oh, I thought you had indicated.
Hon. Member, Mrs Corlett.

Mrs Corlett: Thank you, Mr President.

I would just like to ask the Chief Minister if he could clarify the clinical reasons around the ending of the seven-day test. I agree that the 14 day gold standard approach is correct, providing it can be adhered to properly. Would he agree that this is actually extremely difficult for some people who are self-isolating at home with the rest of their family?

What I would like to ask is, are we missing something here? A negative result at seven days still placed considerable restrictions on a person, but a positive test after seven days, when isolating with your household, must be hugely beneficial for contact tracing and lessening the spread of the virus. If a positive result is picked up at seven days, then the whole household isolates for a further 14 days. But if the positive test is undetected because there is no ability to test, the rest of the household is in the community, unrestricted, and quite possibly spreading the virus to who knows how many other people.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I thank the Hon. Member for Douglas Central for her comments, because she raises exactly my concerns and why we are having a review of this policy on Thursday, why I have asked for a paper from our medics.

If I can expand on her concerns, we initially moved to seven-day testing, Mr President, based on infection rates, etc. and capacity in the United Kingdom. Since then, sadly, the United Kingdom infection rate has gone significantly higher than it was when we moved to the seven-day testing, and it was felt that the gold standard is 14 days of isolation. That is the best standard, because if you allow people to be tested on day seven, you will catch the vast majority of people who have COVID, there is no denying that, but some will slip the net. A very small percentage, we think maybe about 6%. However, when you have a low infection rate, say of 40 cases per 100,000, then that mathematically it is quite a low risk to the population of the Isle of Man that they may spread, anyone who has had the test and then goes out would spread it in the community.

However, when you get to a tenfold increase of where we are now, then allowing people to go out of the household once they have had a negative test after seven days means that the chances of them having been negative but then going on to shed and have COVID, that percentage increases. So we made a decision to move to the 14 days.

Now, obviously that begs the question, should we shut down the whole household? Should we continue testing on day seven, even if we are asking people to stay in for 14 days? And these are questions that the Council of Ministers is reviewing, given our concerns about the high infection increase throughout the United Kingdom, Mr President.

The President: Supplementary, Mr Speaker.

The Speaker: Thank you, Mr President.

A three-part question, if I might. As part of the move to stage 4, people were allowed to go off the Island and return and self-isolate. Now, according to the law, only those people who are returning had to self-isolate, not the whole household that they were returning into. It was guidance, but it was not the law. What medical advice was sought and given in respect of that from the Public Health Directorate and the Medical Directorate?

The second part of the question is: is the Chief Minister aware that I have been trying to get an answer to that question since 30th July and that I have not been able to get one, despite contacting the Medical Director, and I had a letter from the Chief Secretary about it?

Thirdly, would he agree that whilst there is absolutely a right for a safe space for policy development, once the policy is made, that excuse then falls away and the advice and information that Ministers have rested on at that point should be made public?

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President, and I thank the Hon. Member, Mr Speaker, for his three points.

If we ask officers, and you have been a Minister yourself of Home Affairs, to give us information that is detailed and may be confidential, if they think that is then going to be shared all over the Island, will they be as frank and honest with us in their views when giving us their best advice? Now, historically, the Council of Ministers has never shared papers with anyone. It remains confidential. That is not something I have implemented. That is something that was there in your time, Mr Speaker.

You have been asking for information since 30th July. I know nothing about that, but I am more than happy, if the Hon. Member would like to forward that email on to me, then I personally will look into it and ensure that you do get an answer to your first part, which was regarding whole households having to isolate.

I think in the early days we did ask whole households to isolate. We did amend it then to allow people to exercise if they were not the person affected. Again, all this is based around risk, and we, the Council of Ministers, do take on board advice from medics, but we also take on board advice from Department for Enterprise, the business community and across Government, Home Affairs, to make sure that when we make a decision we try to do our very best.

We are spinning a lot of plates, Mr President, trying to get it right, and we continue to do our best. That is all we can do.

The President: Hon. Member for Douglas South, Mrs Christian.

Mrs Christian: Thank you, Mr President.

Would the Chief Minister confirm what our border strategy will be in reaction to (a) the increasing number of areas in the UK, especially in the north, going to level 3; (b) should the UK go into a similar lockdown as Ireland are doing on midnight on Wednesday; and (c) what will that possibly mean for our repatriation of Manx residents?

Thank you, Mr President.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

Obviously the increase in infection rates has caused us great alarm, Mr President, and I sincerely hope our colleagues in the UK, our friends, and especially our colleagues in the North

West are able to bring down their infection rates. I know our good friend Mark Drakeford, First Minister of Wales, has had to order a lockdown in Wales.

So yes, we do take this on board. It is one of the reasons why we are having a review, because we have to decide, given the situation the United Kingdom and Ireland, and Northern Ireland, find themselves in, that we may have to make changes. We are waiting for that report, but I am more than happy to confirm that those changes that may be made will be the whole household having to lock down, but we will have to wait until we get the evidence. But yes, it is something we constantly look at.

I have written down here 'Ireland'. Could the Hon. Member remind me what the question was regarding Ireland?

Mrs Christian: It was that they are going into lockdown, and if the UK went into a similar lockdown.

The Chief Minister: Right, yes. Well, obviously if our residents want to come back, when we had a problem that the UK was insisting that people flying into the UK had to quarantine for 14 days, we clarified that Manx residents would not be impacted by that. They would be able to go to Heysham or the plane as long as they had leave to come to the Island and as long as they went straight there to get back to the Island. They would not be forced to stay there for 14 days before they came back.

So, obviously, if the United Kingdom decided to go into full lockdown … which may happen, who knows? I would have thought half term when the schools are shut might be the time they do it, if they do it – and I am not privy to any knowledge, I hasten to add, but obviously I would be contacting my UK counterparts to ensure that Manx residents were not trapped there, as long as there was a clear undertaking that the Manx resident came straight home and did not go viewing castles or tourist hotspots.

Thank you.

The President: Hon. Member, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

My final question; in the light of the very concerning email that my colleague and friend in Douglas East alluded to with regard to the communication between the Directorate of Public Health and the Council of Ministers, and also in the light of his previous answer to me, can he absolutely assure me now that we will be able to access the Director of Public Health's opinion, both on shielding and seven days, and that there is nothing secretive about this? The clue is in the name, the title 'Public' Health. The public need to know these things. Can he assure me that Members will have full access to the advice that the Director of Public Health is giving to the Council of Ministers?

Thank you, Mr President.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

I will obviously have to take advice on this, that I can share the information. If that is something I can do then, yes, I will do.

Mr Robertshaw: You can do, it is advice.

The Chief Minister: I also hope to see the email, if the Hon. Member from Douglas East will share the email with me, because I am rather surprised to hear that the Director of Public Health has said they have had no impact when they sit in the Council of Ministers giving advice and

answering questions, and they have attended all the meetings, so I find that very strange and whether it is just a simple misunderstanding between the two email writers, we will have to see.

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

Mr Thomas: Thank you, Mr President.

In response to Mrs Corlett's question, the Chief Minister referenced the fact that a policy paper was being received after the decision in respect of seven-day testing. Given the explanation that the Chief Minister has given, why wasn't there a policy paper before the decision was made about seven-day testing? People are saying, and I would like the Chief Minister to answer this please, that the Chief Minister made that decision, it was not the Council of Ministers.

The second question is: building on Mr Robertshaw's question, Public Health advice is for the public, (**A Member:** Hear, hear.) the Public Health Director exists for the public, not to provide advice to the Council of Ministers, to nine people – can the Chief Minister comment on that?

And thirdly, does the Chief Minister disagree with the explanation by the Minister for Health and Social Care, in August, in a Written Answer to me, that in actual fact the advice given by the Senior Clinical and Public Health Advisory Group is passed up and discussed in a variety of different groups through the command structure in the Department, and then only the final departmental position is presented to the Chief Minister of Council of Ministers via the Chief Executive for the Department, which seems to be in contradiction to what the Chief Minister is outlining today?

The President: Chief Minister.

The Chief Minister: Thank you, Mr President, I will try and cover all those.

I think I have already indicated to the Hon. Member for Douglas East that if I am advised there is no reason why I cannot share then, of course, I will share, so I have already given that. But when you are sharing Council of Ministers' information I have to just put that caveat in that there is nothing I cannot do there.

Regarding seven-day testing, I think I have said we moved … and I would love to think that the Chief Minister can dictate to the Council of Ministers what to do, there are many things I would have got my way in; sadly I have not always, and it is a majority decision that works in the Council of Ministers, it will always work. The vast majority of the time, I hasten to add, we are totally united but from time to time we do have differences of opinion, as all Members in this Hon. Court do – we are, after all, independent.

So no, there is nothing that I personally can change. I have to debate it in the Council of Ministers and if enough Ministers agree with my view on certain things then that is what goes forward, Mr President. If they do not, it does not go forward.

And, as I say, we are having a paper to decide whether we need to amend our borders or the rules and regulations regarding our own people going off-Island and coming back, given the seriousness of the increase in the United Kingdom.

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

Ms Edge: Thank you, Mr President.

I have got three questions for the Chief Minister with regard to medical advice to patients who have a COVID test prior to going into Noble's Hospital. The advice is that they have to isolate but they mix with their families and their families can go out to work. Can the Chief Minister comment on this and what the recommendation from Public Health is? Is this putting the NHS at risk, the fact that somebody that has had a COVID test prior to go into Noble's can continue to mix with their family and go out into the community?

My second question for the Chief Minister is: he stated that discussions take place with regard to the potential economic impact so do his plans get discussed with the Economic Recovery Group and what are their views?

And finally, the Chief Minister has just said that he is receiving a paper on Thursday, I am just wondering is the Chief Minister aware of who has been involved in the writing of that paper?

Thank you, Mr President.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

Regarding the last point first, I should imagine it would be the usual group of people who advise the Council of Ministers on making changes: the Director of Public Health, the executive team in Health and Social Care, medical advice, our Police on their capacity, etc. It is the standard team that will give us advice.

Regarding the Department, whether committees on the Department for Enterprise are involved, I think I mentioned that workshops were led by the Department for Enterprise, in which both the silver command groups and clinical advisory groups were in attendance. I was not in that workshop, and therefore I cannot tell the Hon. Member who else from the Department for Enterprise was involved, but again I will ask to see what the full attendance was of that meeting.

Regarding COVID tests through the Hospital, if memory serves me correct, and I do stand to be corrected, I think it was the General Medical Council who insisted that tests had to be done prior to anyone going into Noble's Hospital; even though we do not have any COVID cases in the community, that was their request. I am led to believe, because I have not had a complaint from anyone to the contrary, that what we are doing is complying with the General Medical Council's request to protect their members.

Thank you, Mr President.

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

Mrs Lord-Brennan: Thank you, Mr President.

I think what Members are trying to get to is how is Council of Ministers making their decisions, so would the Chief Minister still attach importance to the Sir Jonathan Michael review, which specifically cautions against political interference, raises the importance of data and emphasises the importance of public health? Does he still see those conclusions in that report as being relevant in this pandemic? (**Mr Thomas and Mr Robertshaw:** Hear, hear.)

Why has the pandemic influenza plan, that was updated in February 2020, been dropped, which emphasises that Cabinet Office will work with Public Health to decide and deliver key messages and communications?

And in light of the number of questions, does the Minister think it would be helpful, in the interests of transparency and confidence, to revisit the structure in terms of the COVID response from Government?

Thank you, Mr President.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

Some unusual points there, I am surprised that the Hon. Member feels that politicians should not have any input in dealing with a national crisis; that it should be purely medical, that is what the Hon. Member raised as there should be political interference with the Sir Jonathan Michael's… that is what you have just read out. That is not the case with COVID. This is a crisis where the Council of Ministers, as Government, has to make decisions based on the evidence from our medics, from our Public Health but also from members of the public, the Police and the business

community. Because at the end of the day, we have to steer our Island through this dreadful pandemic to ensure that the protection of life is number one, obviously, but equally, we cannot have a situation where we have protected everyone's lives but we have allowed the economy to tank.

These are all really tough decisions that the Council of Ministers takes, based on the evidence from a number of areas. I have already read out some of the items that we consider, the wide range of factors that help us inform any decision going forward.

Public Health will lead. Public Health has given video interviews with the public, statements and advice. Public Health is involved in Council of Ministers discussions where the Council of Ministers are able to ask the Director of Public Health and Public Health is part of the process of building up the papers towards the advice given to the Council of Ministers, so I really am at a loss to see why Hon. Members are going down this route that they feel Public Health has not been involved in going forward with COVID-19, where clearly in their advice to Hon. Members they have played a key part.

The President: Hon. Members, I am taking two further supplementary questions, first from Mrs Barber and then the final question from Mr Shimmins.

Mrs Barber.

Mrs Barber: Thank you, Mr President.

I wonder if the Chief Minister could advise us what the UK infection rate per 100,000 was when the decision was made to permit a swab at day seven of isolation and what the UK infection rate per 100,000 was when the decision was made to withdraw that option?

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I have not got the exact figures with me, I am more than happy to get the exact figures and share that with Hon. Members. I am pretty certain it would be around 70 or 80, as I mentioned earlier, when we made that decision and now, when we changed it … If you look at our friends and colleagues in Guernsey, their area that they travel through is 10 times less the infection rate than the area that our people are going through in the North West, Liverpool and Manchester. So it was circa 460 cases per 100,000 recently and before it would be about 70, but I will get the exact figures for the Hon. Member.

The President: Hon. Member, Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

I am sure the Chief Minister will be aware that yesterday Sir Patrick Vallance, the UK Government's Chief Scientific Adviser, advised that any vaccine was unlikely to eradicate COVID and it was likely to become endemic in the population. Will the Chief Minister take account of this expert advice when considering the Isle of Man border strategy?

A Member: Hear, hear.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

We take on lots of information and I am sure, Sir Patrick Vallance's comments will be factored in by our medics when they are giving us the advice.

No one, with maybe the exception of Dr Allinson, is medically qualified on the Council of Ministers, and therefore we do rely heavily on the advice given to us by our medics. But Sir Patrick

Vallance's comments and the quality of the vaccine when it appears – I do not think personally we will see much of it before April of next year – but we are going to be living with COVID-19 and if it mutates for a long time, it is not something that is going to go away. We will be living with this for years and we will have to base our policies going forward on that factor and, as I am saying at a later date, without giving too much of my speech away, we cannot keep our borders closed forever, Mr President. But I think for the time being whilst the vaccines are being developed and we gain a greater knowledge we stay on the course where we are at this moment in time.

The President: I will call Miss August-Hanson, who had caught my eye earlier – Hon. Member of Council, supplementary.

Miss August-Hanson: Thank you, Mr President.

Noticing that obviously there is more than just me in this Court that is concerned and would like to see more information that is prompting the Council of Ministers' decisions and understanding the Chief Minister's position in that, would he consider committing to have a look at what advice that is provided to the Council of Ministers may become available to Members, and what may or may not become available to Members, and have a review of that? Just in that understanding that obviously Tynwald also has decisions to make in this Court regarding legislation and such like to do with COVID-19 and our approach to it and that, of course, steering the Island, as he described it, and he is quite right to, this dreadful pandemic, is not just the responsibility of the Council of Ministers, but the responsibility of every Member of this Court.

Thank you, Mr President.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

Yes, I have always said I am trying to be as open and frank with Hon. Members as possible and any information I can share I am more than happy to share, but equally I have to respect that when officers write a paper, if they think they can do it without it being shared everywhere then they may be more candid with us, so it is getting that balance right.

I would also like to point out that the Director of Public Health gave evidence to two or three Committees regarding the outcome and advice etc. on COVID-19, Mr President, a few months ago so they have also had impact to Tynwald Members there with their views as well as to the Council of Ministers.

But yes, if I can share information I am more than happy to.

2. UK EU exit –
IoM contingency plans

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Chief Minister:

What contingency plans have been put in place to ensure food supplies and other essential products reach the Island following the UK's exit from the European Union?

The President: Now, Hon. Members, Question 1 took 40 minutes – of necessity, it was a matter of wide interest to the Court. But we do have quite a few Questions to get through and I trust we will pick up the pace somewhat.

Question 2, Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Chief Minister what contingency plans have been put in place to ensure food supplies and other essential products reach the Island following the UK's exit from the European Union?

The President: Chief Minister to reply.

The Chief Minister (Mr Quayle): Thank you, Mr President.

The United Kingdom left the European Union on 31st January this year, but the EU law continued to apply to the UK during what is known as the transition period. However, at 11 p.m. on 31st December 2020, the transition period will end and EU law will no longer apply to the United Kingdom or to the Isle of Man.

I will cover this subject in more detail in my Statement later, but briefly, I can confirm that we are revisiting our no-deal planning, to ensure that we have the right plans and structures in place to deal with the changes that will come into effect at the end of the transition period, and also any new trading agreements or arrangements between the United Kingdom, the Isle of Man and the European Union.

In relation to food supplies, this is an area which lies in the hands of the retailers and private business, but we are working with them to understand their concerns and address any issues they may have.

It is important to say at this point that neither we, nor the UK, envisage a shortage of food, but the predictions are that there will be a reduced flow of freight at the Channel ports, which could mean certain types of fresh food are in shorter supply. For other essential products, such as medicines, fuel and energy, where Government bodies have a direct involvement, we are also working to ensure that there is a continuity of supply and we have a high degree of assurance that we will not see shortages or disruptions to those supplies.

I will have much more to say on this subject in my Statement, which appears later on the Order Paper.

The President: Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Chief Minister.

The British Isles will potentially still be in the midst of a COVID crisis when Brexit happens. It could be a very stressed and delicate situation there. Given our strategic links with Ireland, will the Chief Minister be prepared to meet with local representatives of food retailers and the Steam Packet to ensure the Island's contingency planning is adequate and contains clear options to the challenges ahead?

Thank you, Mr President.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

And our Department for Enterprise and the Department of Environment, Food and Agriculture are already in touch with a wide range of businesses involved in the supply chain of our food and other essential goods. At the end of the day, it will be a commercial decision for them as to where they source their products.

It is worth remembering that for most large food retailers to source their products from Ireland would mean their entire supply chain would have to be totally changed, and that would be a significant challenge. It is also worth remembering that much of Ireland's food will be routed via the United Kingdom, i.e., through Northern Ireland, from the European Union, and so there could be a potential disruption to their supply as well.

Now, obviously the next couple of weeks will be key, where we will be able to base a decision. But please rest assured that we will not stop working with the food retailing industry to ensure,

and with the United Kingdom government when it comes to the supply of medicines etc., Mr President, to ensure that the Isle of Man is well protected.

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

Mr Quine: Thank you, Mr President.

Would the Chief Minister agree with me that no specific foodstuff imported from the EU could be defined as essential?

The President: Chief Minister to reply.

The Chief Minister: Thank you.

I think the Hon. Member makes a very valid point. It would be remiss of me, as the ex-President of the Farmers' Union, and patron, not to put forward the fact that if the great Manx public continue to support our local producers and buy local, (**Mr Quine:** Hear, hear.) then we will have our daily bread, our milk, our cheese, our meat etc., and all our vegetables, which are more than capable of being grown in our Island if the Manx public continue to shop local, think local and buy local.

3. UK Digital Services Tax –
Government intentions

The Hon. Member for Rushen (Mr Speaker) to ask the Chief Minister:

Whether the Government intends to bring the UK's Digital Services Tax within the scope of the Common Purse Agreement?

The President: Question 3, Hon. Member for Rushen, Mr Speaker.

The Speaker: Thank you, Mr President.

To ask the Chief Minister whether the Government intends to bring the UK's Digital Services Tax within the scope of the Common Purse Agreement?

The President: Chief Minister to reply.

The Chief Minister (Mr Quayle): Thank you, Mr President.

In order for the United Kingdom's Digital Services Tax to be considered as a shared tax under the Customs and Excise Agreement Common Purse Agreement, the Isle of Man would need to introduce a digital services tax on the same basis as that introduced in the United Kingdom and have responsibility for collecting such taxes on the same basis as the United Kingdom and reach agreement with the United Kingdom that the revenues generated would be shared. There is currently no intention for the Isle of Man Government to introduce a digital services tax on the same basis as that introduced into the United Kingdom.

The President: Supplementary, Mr Speaker.

The Speaker: Thank you.

Has the Chief Minister asked for an impact assessment on this tax? I appreciate it is only going to cover very large businesses in the first instance. And whether it will be something that needs to be covered in double taxation agreements or enforcement measures going forward?

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

This is, Hon. Members, seen as a complex tax that is potentially difficult to administer, as it is collected from companies that may be physically located in other countries. Additionally, the UK government is openly committed to disapplying the Digital Services Tax once an appropriate international solution is in place.

The tax is applicable to services provided where the revenue generated from UK users is over £25 million. Given the relatively small population in the Isle of Man, the application of the 2% tax would not be expected to generate substantial revenues for the Island, particularly if it was in place for a relatively short period, which is what has been indicated by the United Kingdom government, and therefore it is not something … and that is the reason why we do not feel at this moment in time it is worth us going down this road.

The President: Supplementary, Mr Speaker.

The Speaker: I thank the Chief Minister for his answer to the question; it just was not the question I asked him. Will this be something that has to fit into double taxation agreements and enforcement measures, lest we be accused of acting as a safe haven for digital tax dodgers?

The President: Chief Minister.

The Chief Minister: Thank you, Mr Speaker.

From that point of view, we would have to comply with international law but, more important, we would have to comply with the United Kingdom because it is a customs agreement. So whatever the UK ask us to do from a customs point of view, or be compliant with, we would have to do, with potentially double taxation if that is the case. I cannot give a total confirmation that that is the case to the Hon. Member, but I will ensure that he gets one before the end of the week, copied in to all Hon. Members.

TREASURY

4. Treasury budget savings – Target and strategies

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Treasury:

How Treasury has reviewed its strategies to address a budget savings target; what the revised target is; and where the savings are coming from?

The President: Question 4, Mr Speaker.

The Speaker: Thank you, Mr President.

If I could ask the Minister for the Treasury how Treasury has reviewed its strategies to address a budget savings target; what the revised target is; and where the savings are coming from?

The President: Call on the Treasury Minister, Mr Cannan, to reply.

The Minister for the Treasury (Mr Cannan): Mr President, the Treasury has in each year since 2017 provided a five-year financial plan, which has included savings targets. The ultimate objective

of this has been to allow Government to reach a position where the budget structural deficit could be addressed and a sustainable financial position achieved. This strategy has included the suppression of expenditure through two methods. One, through savings initiatives, including the SAVE Programme and, secondly, through caps on expenditure growth over the period.

I refer Mr Speaker to his previous Question to this Court in September of this year. In this Answer, I set out how this strategy has generated an estimated recurring saving of £25 million through caps on inflationary budgetary rises, notably on salary costs, with all Departments being challenged to find any excess spending cost pressures beyond these caps from within their existing budgets.

All Departments, Boards and Offices of Government also have an ongoing remit and responsibility to review their service delivery and governance to improve and deliver value for money, and I would also refer the Hon. Member to the SAVE reports from June 2018 and June 2019. Our five-year strategy has been clearly laid out in the Pink Book each year and, as Members will be fully aware, the last Pink Book was approved by this Hon. Court in February this year.

Clearly, Hon. Members, Government's finances have changed since the publication of the Pink Book, as recognised by the publication in July this year of the Purple Book. The Treasury is in the middle of the process to prepare the budget for next year. This process will include considerations of the opportunities for cost controls, savings and efficiencies.

The President: Supplementary question, Mr Speaker.

The Speaker: Thank you.

Could the Treasury Minister just refresh our memories about the total cost and the total amount of savings identified by the SAVE Programme, and could he also advise what processes there are to ensure value for money, other than just capping the amount of increase in the budgets for Departments? What work is going on that he is aware of, either within Treasury or within other Departments, to actually identify that work rather than just sort of cap the budget and hope for the best?

The President: Treasury Minister to reply.

The Minister: Well, thank you indeed, Mr President.

I think, in answer to the Hon. Member, he indeed will recall that we set out an ambitious target of savings right at the very beginning of this administration, a five-year financial plan that clearly and transparently laid out how we were going to overcome the problem, the deficit that we were facing, and Hon. Members will know that the primary sort of driver of that deficit was the public sector pensions issue and the black hole effectively that that was creating. We very transparently laid out how pensions were to be paid for and, indeed, how we were going to draw down from the pensions reserve throughout that five-year programme, and at the same time deliver up to £50 million in additional savings effectively from the budget.

So let me point out to the Hon. Member how successful in fact we have been. He looks specifically at savings targets, but of course the Hon. Member will recognise, as will this Hon. Court, that in 2017-18 we set out to achieve a budget surplus of £2.8 million and, of course, delivered a budget surplus of £23 million. In 2018-19 the Pink Book said we should deliver a surplus of £10 million. We delivered a surplus of £30 million – an actual surplus. In 2019-20 the Pink Book says £8 million. The final Government accounts of course have to be published, but I can tell Hon. Members the surplus for last year will be well in excess of the £8 million that we set out. (**A Member:** Hear, hear.)

And, of course, Hon. Members will recognise that the situation has changed. But we have driven a strategic plan to address the deficit through a savings and cost-efficiency programme, but have also sought to increase the revenues coming into Government, increase the economy, reduce unemployment, increase benefits for our working families, and the Hon. Member will of

course recognise that when driving savings, of course, and efficiencies, we also must invest in the right areas, which we have successfully done.

I will though acknowledge to the Hon. Member that there is an absolute need always for value for money to be achieved, and a lot of that responsibility lies both with Treasury, but also with Departments, Hon. Members in this Court, Chief Executives and the Departments themselves, to ensure that when they are delivering their projects, their bids that come into Treasury, their business as usual, their vital public services that they are seeking to achieve as much value for money as possible. And we have driven that process by strong cost controls.

Finally, Mr President, to give the Hon. Member some reassurance that I do not take this issue lightly, I will acknowledge to him that particularly in capital expenditure, there has been an Achilles' heel, both of this Government and of previous Governments, and we are currently looking at a way to try and increase the value for money that we are getting from our projects, our major capital projects, acknowledging, Mr President, that that process at the moment is far from perfect, and I hope to report to this Court before the end of this parliamentary year as to what proposals this Treasury board will have to improve that particular process for the future.

The President: Supplementary, Mr Speaker.

The Speaker: Thank you.

When will the 2020 year-end accounts be published? Would the Minister accept that the budget surpluses that he has just quoted there represent cash income terms, and actually the £30 million that he reflected on last year's accounts, when actually done and audited and looked at by professional auditors, turned into a £117 million loss? So would he confirm that? When will the accounts be published?

And I think he also missed the answer to the question about the costs and benefits of the SAVE Programme, if he has those numbers.

The President: Minister to reply.

The Minister: Well, I cannot acknowledge that statement about the technical figures, and I look forward to the Hon. Member, I am sure, producing the accountancy evidence that we had a £117 million loss. (**The Speaker:** Page 23 …)

We set out a clear and transparent financial plan, Mr President, that did involve the use of reserves in an open, transparent way, but also involved significant cost controls, as I have already said, and an expenditure programme which has been tightly controlled and brought significant value for money when you look at it in terms of the infrastructure improvements that this Government has made and also, the by-product of that, the opportunities that have been presented to the private sector.

In terms of the SAVE Programme, Mr President, that has not been a perfect project, but it has delivered. It has delivered areas for improvement. That has been well and truly aired. That is a very transparent process. And indeed, I look forward to the Hon. Member picking up on further aspects from the SAVE Programme as they continue to be delivered, both through this parliamentary year and possibly beyond.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Would the Treasury Minister agree to circulate, because they are not yet published, the figures for the structural financial deficit, building on Mr Speaker's question? I would hope that would have already been published, as it is one of the top six indicators for this Government's Programme for Government.

So if he has not got it to hand, would he circulate the structural financial deficit for each of the last four years? Could the Minister confirm that the last lot, the last Government, was into balancing the budget; this Government is into reducing the structural financial deficit?

The President: Minister to reply.

The Minister: Well, I would suggest, Mr President, that I believe the answer to that question has been very clearly laid out in our accounts, but for the purposes of clarity, I will be very happy to circulate that to Hon. Members.

Also, just to pick up on the final point, I believe that, actually, we have set out to primarily achieve both, and I believe that the financial plan, as it stood previously, and the Hon. Member who asked that question will of course acknowledge that there will clearly have to be now a new financial plan emerging from the back of the pandemic, but actually we did set out to address the structural deficit, and we also set out to provide a balanced budget.

5. Bereavement payments –
Eligibility criteria

The Hon. Member for Douglas Central (Mrs Corlett) to ask the Minister for the Treasury:

If he will review the eligibility criteria for bereavement payments?

The President: Question 5. The Hon. Member for Douglas Central, Mrs Corlett.

Mrs Corlett: Thank you, Mr President.

Could I ask the Minister for the Treasury if he will review the eligibility criteria for bereavement payments?

The President: Treasury Minister to reply, Mr Cannan.

The Minister for the Treasury (Mr Cannan): Mr President, aside from the Funeral Payment which is available to certain people getting income-related benefits who have taken responsibility for the payment of funeral expenses, Bereavement Support Payment is the only state bereavement payment which is, and has been since 6th April 2017, available to surviving spouses and civil partners who are below state pension age.

As stated in my Written Answer to the Hon. Member's Question in another place last Tuesday, we still pay previous forms of bereavement benefits to a number of surviving spouses who were bereaved before 6th April 2017, but who continue to qualify for those benefits under transitional provisions.

So, Mr President, in answering this Question from the Hon. Member for Douglas, I assume that she is seeking a review of the eligibility criteria for Bereavement Support Payments. At the last sitting of this Hon. Court in answering a Question from the Hon. Member of Council, Mrs Lord-Brennan, I stated that the issue she had raised with me about Bereavement Support Payment would be considered in the autumn of this year.

I would extend an invitation to the Hon. Member who has asked those Questions to engage in that process, informing me of the specific concerns she has in order that Treasury can indeed consider those at the same time that it considers those that have been raised to us by the Hon. Member of Council.

The President: Hon. Member, Mrs Corlett.

Mrs Corlett: Thank you, Mr President.

My concerns are really quite clear. I would like to ask the Minister would he agree with me that the eligibility criteria for bereavement payments should be changed to include cohabiting couples?

Would he agree that it is neither fair nor equitable when, for example, a couple can share decades of their life together, buy a home, have a family, pay their Income Tax jointly as a cohabiting couple with children and, when the worst thing imaginable happens, the surviving partner is refused bereavement support because they are not legally married or in a civil partnership?

How must it feel to lose the love of your life, the person you plan to grow old with, and have that relationship considered as nothing more than boyfriend and girlfriend?

A Member: Hear, hear.

The President: The Minister.

The Minister: Thank you, Mr President.

I acknowledge the Hon. Member's concerns and indeed I hopefully will have some good news for her in that respect in that the ineligibility of surviving cohabitees with children for Bereavement Support Payment was successfully challenged earlier this year. The High Court of England and Wales ruled in the Jackson case that the Bereavement Support Payment eligibility criteria, which excludes cohabiting parents from entitlement, is incompatible with human rights law.

To cut a long story short, following this ruling the UK Department for Work and Pensions has advised that they intend to make a remedial order which would change the extant provisions so as to make them compatible with human rights provision. That Order would need to be laid in Parliament for two 60-day periods, during which there would be a detailed consultation. It is expected that would be debated and potentially become law in 2021, possibly the latter part of that year.

We would intend to follow these provisions that have been made in the United Kingdom, given that Bereavement Support Payment is within the scope of the Reciprocal Agreement.

The President: Supplementary, Mrs Corlett.

Mrs Corlett: Thank you, Mr President.

I am very glad to hear the Minister's answer that this will be reviewed. I would also go a step further to say: would the Minister agree with me that there is a level of unfairness in the eligibility criteria as it stands, not only for what I have just said, but a married couple or those in civil partnerships are still eligible for bereavement payments even if they are separated. As long as they have not divorced or dissolved the partnership they do not actually have to be together.

Would he also agree that the regulation is contradictory at present in that it states that if you are receiving bereavement payments your BSP will not stop if you remarry, you form a new civil partnership *or* you live with another person as if you were married or civil partners?

Thank you.

The President: Mr Cannan to reply.

The Minister: I think, Mr President, I have said and made the commitment that we will be looking at this and we are looking at it. I am very happy to take these points away and discuss

them with officers and come back and report back to the Hon. Member, and indeed the Hon. Court, in terms of where we stand in respect of those questions.

HEALTH AND SOCIAL CARE

**6. Integrated health and social care –
Provision via Western Wellbeing Partnership**

The Hon. Member of the Council, Mrs Lord-Brennan, to ask the Minister for Health and Social Care:

In what ways the Western Wellbeing Partnership is the blueprint for the provision of integrated health and social care since the pilot project commenced in April 2018?

The President: Question 6. Hon. Member of Council, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

I would like to ask the Minister for Health and Social Care: in what ways is the Western Wellbeing Partnership the blueprint for the provision of integrated health and social care since the pilot project commenced in April 2018?

The President: I call on the Minister for Health and Social Care to reply. Mr Ashford.

The Minister for Health and Social Care (Mr Ashford): Thank you, Mr President.

The integrated care pilot project in the west commenced in April 2018. The goal of the first year of the project was to research and construct an integrated care strategy for the west. This would be based on the feedback of the local population, as well as the existing clinical evidence and experiences of other rural and remote populations from across the world who have also implemented similar integrated care systems. The project team developed a model of integrated care that ensures that service users referred into the service have a single point of access for all community-delivered services; enhanced communication between professionals involved in a service user's care – this includes service users only telling their story once and shared record-keeping; improved co-ordination between professionals providing care in the home environment, which includes shared care and treatment planning and improved planning around home visits to avoid multiple services visiting on the same day. The second year of the pilot was about turning the strategy into an operational model and implementing it to meet the aims of the project, namely improving the health of people in the local population, improving people's experience of receiving support and care, improving the cost effectiveness of service delivery and improving the wellbeing and satisfaction of staff.

During 2019-20, several milestones have been achieved, not least turning plans into reality, launching the Western Wellbeing Partnership, opening the Western Wellbeing Centre in Peel on 24th February and commencing the core business of the Western Wellbeing Partnership, namely regular multidisciplinary team meetings attended by partnership stakeholders, which includes both statutory and third sector services.

The integrated care project team has also commenced the development of the Wellbeing Partnership model in the south of the Island. Although the principles of the integrated model remain the same as the west, namely single point of access and improved communications and co-ordination between practitioners, the Southern Wellbeing Partnership will be tailored to meet the needs of the southern population. Consultation is ongoing to gain feedback from the residents of the south of the Island, as well as statutory and third sector partners, which will influence the

implementation plan for integrated care in the south. So far, over 150 residents have attended public engagement sessions across the south and 350 have responded to a service user survey, with responses still coming in each day. The project team aims to have the Southern Wellbeing Partnership model rolled out by 31st March 2021, after which the team will move to the north of the Island and begin the process there.

The President: Supplementary, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

I am glad, in particular, to hear the Minister talk about improving the health of people across the local community.

When asked, communities in the west do not seem to know what the Western Wellbeing Partnership is, or the Western Wellbeing Centre – even some who work in healthcare. What does the Minister say in response to that?

The President: Minister to reply.

The Minister: Thank you, Mr President.

I say in response that I am quite surprised because the partnership has been very active in the west. It has pulled together the district nursing teams, the community adult therapy teams, the community support services, the re-enablement services, social work, Hospice Isle of Man, Live at Home schemes, and the Peel GPs have been very involved as well.

One of the things I would say, though, is perhaps one of the changes people have found is the fact that they do not have to go to several teams anymore, so they are actually finding that the system … Certainly from the survey we had of the 247 referrals that have been made so far, the feedback that has come back is people are finding that rather than having to tell their story to about three or four different teams, they tell their story once and they are being automatically referred across the different teams. So, while they may not know which teams are involved, that is because it is more seamless than it was before, when they were having to go from pillar to post to different teams.

The President: Supplementary, Mr Speaker.

The Speaker: Thank you. Those with long memories may recall there was a similar project – certainly in the south of the Island; I cannot speak for the rest of the Island – tried in 2010 under the banner of multi-agency teams. I suppose the reassurance I would seek from Ministers before we go through this again in the south is what lessons were learnt from that experience, as well as from Peel, as to why it did not come together that time. I believe that one of the significant areas was about co-location and was about data sharing and making sure that that has been properly done. What other lessons have been learned from that earlier project that means we will not go through the same pain of abandoning it this time?

The President: Minister to reply.

The Minister: An excellent question from Mr Speaker, Mr President. I have looked at the 2010 scheme and one of the big issues – and it is something I have raised in this Hon. Court before – is we were asking people to do it within the day-to-day of their existing jobs; we were not giving them the resources behind the scenes to be able to pull everything together. That is one of the things that is fundamentally different.

Mr Speaker is quite correct that data-sharing issues came up as well in relation to 2010. We have been in contact with the Information Commissioner's office and we have been working with them around what we would do with data sharing and we have got reassurance around that, so

we have been taking a much more collaborative approach with this. But the main point of the 2010 … certainly from my personal point of view when I look at it, and the lessons to be learned, is the fact it was not resourced properly to get off the ground in the first place.

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

Mr Robertshaw: Thank you, Mr President.

As somebody who has followed the whole process of these regional partnerships for a long time in various forms as alluded to by Mr Speaker, I recall very well the engagement at that time between the Public Accounts Committee and the then leadership in the Department of Health, where we, the Public Accounts Committee, expressed real concern about the lack of an integrated IT system. The response that we got was that it would take years and years to bring it in and that in the interim period it would be an expensive process. Where are we now?

The President: Minister to reply.

The Minister: Thank you, Mr President.

I thank the Hon. Member for Douglas East for that question. He knows how digitally minded I am. We are looking to bring the IT infrastructure together. Again, that is being resourced and it is work that is ongoing. It is not a simple process, because I think, as the Hon. Member will know from all his time on Public Accounts, there is a multitude of different systems out, there but the key point is that it is not just reliant on IT; it is also the fact that we can share information and the multidisciplinary teams meet face to face, so they actually discuss the cases face to face with all of the teams present. What that actually does is it allows them to decide the route for the person there and then, rather than people having to be passed from pillar to post. But the IT side of it we are looking to advance, to have a single system, or at least a single front end for the various systems, so that people have one record that they can go to.

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

Mr Hooper: Thank you very much, Mr President.

In his answers so far the Minister has set out quite a lot of figures, a lot of milestones, a lot of outcomes that he has talked about. Is he intending, at some point, to bring a report back to this Hon. Court, to actually inform us on the detail of what has been going on? For example, I have had concerns raised with me of a low number of patient interactions as a result of the Western Wellbeing Partnership. The Minister mentioned, in one of his answers, 247 referrals. I am assuming that is since February 2019, when the partnership was up and running. That seems like a very low number of patient interactions, to me, in a year and a half's worth of work, so if the Minister could please update us on when he intends to bring a full report back to this Hon. Court?

The President: Minister to reply.

The Minister: Thank you, Mr President.

I think one of the things I need to point out to the Hon. Member, in the mention of 247 … Let's not forget previously people would have been referred to the services individually, so when referrals have been reported on in the past it would potentially have been something like a thousand referrals because you would have the same person being referred to four different services, so we do need to bear that in mind.

But yes, I fully agree with the Hon. Member, I think it is important we will be giving an update report to this Hon. Court before we go for the roll-out in the south, so that we can show what we have actually achieved in the west, and obviously we will also give an update to this Hon. Court about how we will be looking to do the roll-out in the south as well.

The President: Supplementary question, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Three or four years ago, the integrated care record was a very important part, and that has been hinted at. Can the Minister outline the timetable for the integrated care record, the delivery of it and who is responsible for that integrated care record programme?

Secondly, can the Minister confirm that multidisciplinary teams, multi-agency teams, are not new? When we arrived in the Island in 2000 they existed. In fact, Manx-style, you had to go to lots of them because each silo Department wanted its own Manx integrated multidisciplinary panel.

The President: Reply, sir.

The Minister: Thank you, Mr President.

Could I thank the Hon. Member for Douglas Central, because I think in the last part has answered his own question about why previous multidisciplinary teams have not worked. When you have to go to several multidisciplinary teams, to me that immediately suggests there is something fundamentally wrong and the system is not working.

In relation to the integrated care record, work is still ongoing on that. GTS, as the Hon. Member will know from his time in the Cabinet Office, has been working on building a front end so that all the multitude of systems out there can be pulled together. That work is ongoing. I do not have a set timescale at the moment, but it is an essential part and the project for that rests with the Integrated Care team.

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

Mrs Lord-Brennan: Thank you, Mr President.

I would be interested to know … what about younger people and families and their health needs, and not the example services perhaps about the older population. But perhaps just as importantly, how will the Minister find out if there are any areas of concern? And how is impact and effectiveness assessed? How do we know? How do you review if we are getting the service right – for example, that funding or resource is going to the right areas and that health promotion focuses on the whole person, the balance is right and it is not just layers and layers of meetings and management getting in the way, so that we can have the focus on what needs to be maintained?

Thank you.

The President: Minister to reply.

The Minister: Thank you, Mr President.

The biggest thing, just taking the last point first, is around feedback from the users, because that is what is absolutely critical in this. There is no point in designing a system if the feedback from the users is not good. I have got some of the feedback in front of me, not just from actual users but also from people who were involved in the system – such as the third sector, who are heavily involved.

For instance, there has been a handwritten note received from someone who has received support from the partnership, saying, 'Excellent service from the Western Wellbeing Partnership being able to pull together the social work team referral co-ordinator. I felt comfortable going through the service, and it sped things up at what was a very difficult time for me.'

There was also another user who sent a quick note to say, 'Thank you to the members of the Wester Wellbeing Partnership for the help that they gave to the family. Previously they would have been going round the houses via different organisations and it has pulled it all together.'

I also have one from a CEO in the third sector who has been involved, who, from the third sector point of view, said they 'Just wanted to drop a line to say really well done. You have been an amazing team and it has been a privilege working with you over the past few months. You should be very proud. You are definitely the A team. I believe we have shown everyone how to do it, and the success cannot be argued with. Fantastic.'

Turning to the Hon. Member's comments about young people, I fully agree, integrated care is not about just focusing on those in the older age brackets. It is important that it crosses over all the age groups and that is why, like I say, we pulled together things such as social work and re-enablement services, the Peel GPs as well. Again, I have feedback from people in the younger age group who view these services and actually feel that it has sped things up for them.

So, for me, the key measure is the users themselves, because there is no point having a great integrated care system if the service users themselves are not happy with it. And as for how seriously the Department takes integrated care, the fact is I actually have two of my Department Members involved in integrated care – Mrs Corlett, who has been leading it, and also Mrs Barber has it as part of her delegation as well.

The President: I am taking two more supplementary questions. The first of those is Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

I really come to my feet in response to the Minister's answer to Mr Speaker's question about that which went on down in the south. I find his reply concerning, as somebody who supports the principles of this wholeheartedly, that we are covering or making up for a lack of a good IT integrated system with physical meetings of very expensive professionals; I find that chilling, and that he cannot answer the question about how long it will take. Do we assume that, as a consequence of that, we are going to roll out elsewhere with the expensive stand-in process of expensive physical meetings in the absence of a proper IT system? How long before he can stand up in this Court and tell us how long the new system, the integrated IT system, will take to be introduced?

Thank you, Mr President.

The President: Minister to reply.

The Minister: Thank you, Mr President.

I hope to do so before the roll-out in the south in March, because obviously while we have been doing the Western Wellbeing Partnership we have been developing what sort of IT system is required.

I do apologise if I was not clear in the Hon. Court, Mr President: I am not trying to say that multidisciplinary teams are the substitute for the IT system. Multidisciplinary meetings and teams are fundamental to integrated care, because if you do not have that, with the actual different areas sat round a table discussing individual cases, you run the risk of developing the silo mentality, particularly as the Hon. Member for Douglas Central, Mr Thomas referred to, where you end up with several multidisciplinary teams. So, that IT system is not a substitute for the multidisciplinary teams; the IT system helps facilitate that.

The President: Supplementary question, Miss August-Hanson.

Miss August-Hanson: Thank you, Mr President.

I would just like to ask the Minister … because I think that what my colleague in Council was alluding to was a level of market research. To an extent I think we have talked about … and I appreciate, actually, the Minister has feedback from those who are contacting the DHSC, which is marvellous and fantastic. However, I think that this is more about measuring outcomes, and

particularly when you have a very capable review body, in terms of your political membership on the DHSC, I think it would be very valuable for them to perhaps be able to have something like this in front of them before things move forward and progress and continue to progress, having measurable outcomes.

Thank you, Mr President.

The President: I am not quite sure what the question was, but to do with outcomes.

Miss August-Hanson: Will he agree?

The President: Would he agree – Minister?

The Minister: Thank you, Mr President.

I most certainly would agree, because we do need information, and that is why we have been back to the 200-odd referrals individually to find out what their feedback on the service has been. So, we have done that exercise. I gave some of the feedback. That is not just people who have, off their own bat, contacted me, but the service has actually followed up with them to find out what their experience of that service was. But yes, I am happy to agree.

7. Cataract operations – Waiting list times

The Hon. Member for Garff (Mr Perkins) to ask the Minister for Health and Social Care:

How long a person had to wait from a first appointment with their GP to having a cataract operation in the last year?

The President: We turn to Question 7, Hon. Member for Garff, Mr Perkins.

Mr Perkins: Thank you, Mr President.

I would like to ask the Minister for Health and Social Care how long a person has had to wait from a first appointment with their GP to having a cataract operation in the last year?

The President: I call on the Minister to reply.

The Minister for Health and Social Care (Mr Ashford): Thank you, Mr President.

The Department of Health and Social Care systems and processes are not currently set up to record and report waiting times for cataract surgery in the format requested. Waiting times for day case procedures are currently published online quarterly, of which cataracts form the majority of the day case activity for ophthalmology. There are currently 92 patients waiting between zero to two months, 118 patients waiting between three to five months, 337 patients waiting between six to 11 months, 262 patients waiting between 12 to 17 months, 104 patients waiting between 18 to 23 months, and 15 patients waiting greater than 24 months.

The loss of activity experienced during the first COVID-19 outbreak in the Isle of Man has impacted on waiting times, and the Department is currently reviewing options available to reduce the current waiting times for cataract surgery. As part of the service by service design element of the health service transformation work, five pathways have initially been identified to look at current services, establish any service gaps and redesign the service to reflect patient need in that area. Eye care is the first of those pathways to be developed, although others are in progress.

Progress has been made in that respect, with redesign of the pathway almost complete. The next steps are patient engagement to check the design, along with the implementation of the changes required. These include, amongst other things, the provision of a minor eye conditions scheme, meaning that patients who have problems with their eyes will be able to receive additional services from local optical practices.

The President: Supplementary, Mr Perkins.

Mr Perkins: Thank you, Mr President.

I am very pleased to hear that. That is very good news, because I think the members of the public are concerned about certain things that have slipped through COVID.

I have perhaps been overtaken a bit by events, but has the Minister looked into the fact that we have an operating theatre in Ramsey Hospital that in the past has been used for elective day surgery? Can we include that perhaps in the plans going forward?

The President: Minister to reply.

The Minister: Thank you, Mr President.

We have looked at that, but I believe, my understanding is, that it is not practical at the moment in relation to the set-up at Ramsey. One of the things we are looking at though is to bring in additional resource and another thing that the Department has been looking at, because we have spoken already this morning about referrals into the UK, let's not forget, although things might be changing at the moment again with the worldwide pandemic on the go, we have another near neighbour the other side: the Republic of Ireland. So we have been engaging with the Republic as well around what support they can offer. But we have also been making endeavours to bring additional resource in to try and reduce the waiting list and although I cannot announce anything at this current moment, I am hopeful that we will have some success in that area.

The President: Supplementary question, Mr Speaker.

The Speaker: Thank you, Mr President.

Does the Minister stand by his commitment made on 23rd October 2018 to have an 18-week referral to treatment target within five years? That was two years ago. He has got three years left and we have still got people waiting over two years, never mind 18 weeks. At that sitting, he also said that there was an assessment under way of:

… increase in activity performance and associated capacity …

Are the results of that available for Tynwald Members, please?

The President: Minister to reply.

The Minister: Thank you, Mr President.

I do stand by the 18-week referral to treatment. We were perfectly honest and said it would take about five years to get in place. Obviously COVID has not helped with that – I will be perfectly blunt – but no, we do still stand by that and we are still working towards that within the Department. But, as he states, we are just about halfway through, and certainly cataracts is one of the areas, along also with hips and joints, that we have got a real pinch point that we need to work on.

In relation to the outcomes, I will see if there is anything I can share with Tynwald Members, Mr President.

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

Ms Edge: Thank you, Mr President.

I am sure the Minister is aware we have had quite a lot of communications with regard to cataracts and people waiting. Obviously he is aware that … I will say, it is my mum, she has been waiting way over two and a half years for a cataract operation. I have been in discussions with the Minister and he assured me that the lists were going to be back to pre-COVID levels – this was in August – and that there would be four lists per week and obviously the list would come down, hopefully.

Can the Minister therefore advise how many patients have been seen since the lists started again and had their operations, and how are the patients being prioritised now?

The President: Minister to reply.

The Minister: Thank you, Mr President.

Taking the last point first, in terms of prioritisation. With the COVID impact, all areas have had to do this. They have gone back through their lists and reprioritised, because obviously over several months people may deteriorate at a much more rapid rate than others. So the entire lists have been gone through in every surgical area to decide if the priorities are still correct.

In terms of number of patients, I cannot give her that. But what I can say is we have been operating the four lists and that we actually are at pre-COVID levels.

The President: Ms Edge, further supplementary.

Ms Edge: Thank you, Mr President.

Does the Minister know how many cataract operations can be carried out per list?

Thank you, Mr President.

The President: Minister.

The Minister: Off the top of my head, I do not, Mr President. I have got a feeling: I have got a feeling, I think it is 15. I do not know why 15 sticks in my head, but I will actually get that information circulated to Members because, knowing me, I am probably way off.

HOME AFFAIRS

8. 999 services – Combined hub

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Home Affairs:

What design stage a new combined hub for 999 services is at; and whether anyone has been appointed as project designer?

The President: Question 8, Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Home Affairs what design stage a new combined hub for 999 services is at; and whether anyone has been appointed as project designer?

The President: I call on the Minister for Home Affairs, Mr Cregeen, to reply.

The Minister for Home Affairs (Mr Cregeen): Thank you, Mr President.

The blue light hub is at feasibility stage and no project designer has yet been appointed.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

When the Minister says no project designer has been appointed, feasibility discussions have taken place, have these just taken place in the Department or have they taken place with designers, architects and consultants?

Also, the Minister stated on 4th July in an interview on MTTV that he was looking at the possibility of a new hub, and then on 30th September the Minister said that he is not sure it is needed. Will the Minister advise whether he is going to take this project forward or is it not needed? Obviously you are saying there is no design team so therefore how have you got the feasibility to be coming out with the statements in July and then in September?

Thank you, Mr President.

The President: Reply, sir.

The Minister: Thank you, Mr President.

It is quite simple; we have had a feasibility study done. The project started before my time in the Department. I am yet to be convinced it is a right way forward. I am meeting with all the service heads to see whether it is the right thing to do, and once that decision has been made then we will either move forward or we will not.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I hope the Minister, when he looks at this, will take some of the words from the Hon. Chief Minister earlier that said we should shop local, think local and buy local.

But can the Minister confirm that the Treasury policy is being adhered to with regard to the feasibility he has received?

Thank you, Mr President.

The President: Mr Cregeen.

The Minister: Thank you, Mr President.

As I said, I am meeting with the service heads to go over the feasibility study and that is what it is at the moment, just a small feasibility study, and we can go on from there.

And, yes, it will be compliant with financial regulations.

The President: Mr Speaker.

The Speaker: Thank you, Mr President.

Would there be an opportunity maybe to dust down the feasibility study that was done when Minister Earnshaw was the Minister for Home Affairs and was considered to be not a priority by his successor? *(Laughter)*

The President: Going back into history there! (**The Speaker:** Indeed.)

Minister.

The Minister: That is some time ago.

I am happy to have a look at this but, Mr President, I think it is one of our roles to scrutinise these things to see whether it is the right thing to do rather than just press ahead on something that has just got started off as a feasibility study.

The President: Final supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

The Minister says that the feasibility started prior to his appointment within the Department so therefore Minister, if you have not got the information with you today, who has been involved in preparing the feasibility study?

Thank you, Mr President.

The President: Minister.

The Minister: Thank you, Mr President, I will try and find the answer for the Hon. Member.

The President: Mr Thomas, final supplementary.

Mr Thomas: Thank you, Mr President.

I thought you had caught my eye earlier and I really appreciate you coming back to me, thank you.

The feasibility has been completed was the statement in September 2020, and we were at the stage of identifying suitable sites for the project. Can the Minister enlighten us which feasibility study that was? Was that Mr Earnshaw's one or was that a later one? And what are the suitable sites that are being considered? Members might want to have that information before we consider the Area Plan for the East.

The President: Minister.

The Minister: Thank you, Mr President.

I am sure the Hon. Member asking the question was in the Department at one time so I am sure he may know which one it was.

Mr President, as I said, it is a feasibility study and I have to discuss this with the service heads. I do not want to discuss which sites they are at the moment because it might pre-empt a decision on any land.

If I can remind the Hon. Member, back in 2006 when I was going for election there was talk about the Ballasalla bypass and there was talk about a confidential paper about this bypass going through and one of the Members actually said where it was and my concern was that the price of any land would go up if it was decided it was going through there. So it will go through the proper process, Mr President.

The President: We are not going down the road of bypasses. (**The Speaker:** Ayy!) *(Laughter)*

We will move on.

INFRASTRUCTURE

9. Douglas roads –
Plans for refurbishment

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Infrastructure:

What his Department's plans are to refurbish and re-lay disintegrating roads in and around Douglas; and if he will make a statement?

The President: Mr Henderson, Question 9.

Mr Henderson: Gura mie eu, Eaghtyrane.

I would like to ask the Shirveishagh: what his Department's plans are to refurbish and re-lay disintegrating roads in and around Douglas, and if he will make a statement?

The President: Minister for Infrastructure to reply. Mr Baker.

The Minister for Infrastructure (Mr Baker): Thank you, Mr President.

The Department has a short-term forward programme of covering the nought-to-two-year period for highway maintenance and a development plan covering the two-to-10-year period. Additionally, there is a residential roads budget for improving housing estates, as well as routine maintenance programmes for patching and footpath maintenance. These programmes are reviewed and updated regularly.

Roads in Douglas, as with the rest of the Island, are regularly inspected and their condition assessed using a range of data sources and techniques in order to determine priorities for maintenance or refurbishment.

The Highway Services have also recently published a 15-year road map covering Douglas and Onchan. This document was developed in conjunction with the Douglas Development Partnership. It describes a vision of highway and structural work for the period 2020 to 2035, and it can be found in the Highway Services section of the Infrastructure part of the Government website.

The President: Supplementary question, Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane.

I thank the Shirveishagh for his Answer, and indeed I thank the Shirveishagh for some of the road resurfacing that is being done in and around Douglas, especially on some of the estates. But can I ask the Shirveishagh: in general terms, given that Douglas is the main populace of the Isle of Man, or the Douglas Bay area, and given that its main business sector the main arterial roads of the Isle of Man run through Douglas, would he agree with me that the likes of Woodbourne Road, Bucks Road, Victoria street, Ridgeway Street and Windsor Road are actually crumbling and disintegrating in places? I invite him to come with me for a driving assessment of the said lunar landscape, to make an assessment, to reprioritise what needs to be done.

Can I ask, with regard to the 15-year plan, would he revisit that, especially the likes of the Summerhill Glen flyover, which seems to be re-energised from a few years ago – which was thrown out by this Court – and reprioritise the spending, especially to the arterial roads and the impact they have on our businesses and residents?

The President: Minister to reply.

The Minister: Thank you, Mr President.

First, I would like to thank the Hon. Member of Council, Mr Henderson, for his thanks for the work that the Department has achieved. I would be the first to say that there is far more to be done than has been done to date. Hon. Members with perhaps not quite as a long memory as Mr Speaker, but certainly with a reasonable memory, will be aware that during my predecessor's time there was an assessment done of the backlog of highway maintenance that estimated an investment of around about £80 million to £100 million would be required to fix the highway estate across the Island as a whole. In reality, of course, we all recognise that perfection in that way is not achievable because even if you fixed all those roads, during the time it was taking you would have other issues arising. So we need to continue to drive forward with a strong emphasis on maintenance and making sure that our budgets are spent in the most appropriate manner.

The Hon. Member of Council, Mr Henderson, highlights some of the aspects that were in the 15-year vision document, and I would encourage Hon. Members not to mistake that as being a definitive plan as to what is going to be done. That was a document that was developed in conjunction with the Douglas Development Partnership, and as I said earlier, it describes a vision of highway and structural works. When people are doing visions they tend to be taking a very ambitious and, by definition, visionary approach. Actually, a lot of the road investment that is required, I would agree with the Hon. Member, is around the day-to-day road conditions around our Island, and in particular the Douglas area, which I would agree is the heart of the Island, in terms of business, and the largest proportion of our residential … and visitors, of course, as the capital.

So, we do need to be investing in Douglas and I cannot let the Question pass without highlighting the amount of investment that is going on at the moment, particularly around the prom. That is a huge investment that is going into Douglas and we can only spend the money once, so it could be argued that Douglas is doing very well at the moment through the investment it is getting, but there is indeed a need to do more.

I cannot comment specifically on the list of roads that Mr Henderson mentioned, but I can assure him that Ridgeway Street, which I believe is one that he mentioned, is listed for maintenance in the next two years. He very kindly invited me for a drive. I am happy to take a drive with Mr Henderson; *(Interjection)* however, whilst many of us can pass comment on the condition of our roads, I certainly do not profess to have any expertise in assessing the condition of roads or indeed in prioritising where the expenditure should go.

If I could just highlight some of the things that my Department does do to actually assess what looks like quite a simple thing, which is the condition of the roads, we have something called a SCANNER, which is a Surface Condition Assessment for the National Network of Roads, which measures the condition of the highway and the ride quality by measuring the rutting, the cracking and the profile. We use something called SCRIM to measure the skid resistance of a road surface. We have a tool called a deflectograph, which measures the deflection of the pavement surface to determine the residual life of the road surface. We also carry out visual maintenance inspections, assess accident data, receive and consider reports from the public in making decisions, which are also influenced by the road hierarchy, how it is already constructed, the materials and thickness, when it was constructed, previous maintenance records and problems experienced, including drainage. It is a far more sophisticated piece of assessment than certainly I, as a lay person, would previously have assumed.

If I can close with an assurance that maintenance of our roads is a very important aspiration and a requirement, and my focus is to ensure that we get the best value for money out of the budgets that we have to spend on.

Thank you, Mr President.

The President: Hon. Member, you said you will close with those comments. I rather fear we shall not be closing for a while yet on this subject. I have seven supplementary questions. We are not going to have a tour of the highways and byways. *(Laughter)* The question is specifically about

disintegrating roads in and around Douglas, so we have got to stick to that, and if we could have short questions and short answers we will get through a few more Questions.

Hon. Member, Mr Mercer.

Mr Mercer: Thank you, Mr President.

Does the Minister agree with me that the implementation of the Active Travel Strategy demands investment in suitable infrastructure to encourage and enable people to walk and cycle safely?

Secondly, does the Minister have any plans to address the poor and unrepaired state of our nation's pavements, and outside our capital?

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

I think we are in danger of broadening the Question into a debate around active travel, which is an important part of my Department's priorities, along with the condition of the roads.

In terms of the prioritisation, clearly paths – or footways, as we refer to them – are part of the investment, but it is about making sure that the expenditure is going into the areas that are of most relevance and benefit. We do not have sufficient funding to do everything that everyone would want. We have to make choices, and the commitment is to try to make those choices in the optimal way.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Would the Minister consider publishing the SCANNER, the SCRIM and the deflectograph information about Douglas – and elsewhere in the Island, if he wants – so that the public can understand the priority?

Secondly, could the Minister also consider publishing the residential road improvement criteria that are used to select projects and to identify which projects are being financed from that £½ million a year?

And finally, to build on the question from Mr Mercer, I think I heard that footway maintenance was merely from the routine maintenance budget. Can the Minister confirm that? Just for the *Hansard*, I think the Douglas Development Partnership was closed in 2015 and I imagine Douglas Town Council has been involved in this vision for Douglas roads through a different forum.

The President: Minister to reply.

The Minister: Thank you, Mr President.

A number of things in there from the Hon. Member for Douglas Central. I would need to look at the practicalities and the meaningfulness of that data that Mr Thomas has referred to, and then I will assess whether it is going to actually help the public understand the decisions that are made, or not. It is very technical data. We are not engineers and I am not sure that that would be particularly helpful, but I will certainly consider it with officers.

Thank you, Mr President.

The President: Mr Speaker.

The Speaker: Thank you. Just to pick up on a point that Mr Thomas asked about, I do not recall hearing an answer about the budget for residential roads. Could the Minister give the definition of what a residential road is? I struggle to think of examples in Douglas, perhaps, but I can maybe think of somewhere like Station Road in Ballaugh – where he lives – or Bradda, or the Glen Chass

in my patch, about whether these would qualify as residential roads or not, because obviously they have a lot of people living on them but might otherwise be considered a rural road. So, if the Minister has a definition, it would be very helpful.

Thank you.

The President: I will certainly call on the Minister to reply, but I do warn Members I am not going to have references to other parts of the Island you may be representing.

Mr Baker.

The Minister: Thank you very much.

Well, the definition of residential roads is very interesting, isn't it, Mr Speaker? We have a motion further on in our Order Paper – which started from a motion from the Hon. Member, Mr Shimmins – which talks about a 20-mph limit on residential roads, so we have to be really careful about what we are talking about and the context in which we are talking about it. At a basic level, residential roads are roads where residents live, which is a very broad definition. I think we need to be really careful with the context that we are applying.

The particular reference in my Answer was to the residential roads separate part of the budget, and that is for improving housing estates. There are many housing estates right across the Island, and that was specifically brought forward a number of years ago to provide a focused pot of resources to allow some of those housing estates to be refreshed in terms of their road network. Some activity has been done over the past few years and continues to go forward. From memory, that budget is about £½ million a year, which allows us to do, normally, a couple of particular projects in a year, and those are selected based on need and to ensure a reasonable coverage across different areas of the Island. That was identified, I understand – it was before my time as Minister – to reflect the fact that we had modern housing estates which looked, in many places, quite tidy in terms of the road infrastructure, and I know a number of projects have been delivered to date and we will continue to do that with that portion of the budget.

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

Mr Hooper: Thank you very much, Mr President.

I am very reassured to hear the Minister talk about the 15-year plan in terms of being a vision rather than a plan, especially if the Douglas document is anything like the one we have for Ramsey.

I would like to ask a question building on Mr Thomas's queries: if he will publish the nought-to-two- and two-to-10-year plans that he referenced earlier about the roadworks, and if he could advise perhaps how local authorities and members of the public could feed in to some of that prioritisation work?

The President: Minister.

The Minister: Thank you, Mr President.

I think there are a number of requests being made of me on this Question and supplementary questions, and I think the best thing is I will take back the sentiment that is being asked here, I will consider with officers the most meaningful way that we can respond to the sentiment that has been expressed here and come out with some greater forward visibility.

What I do not want to do is set expectations that then become something that are not delivered against, because I think that is not helpful. We need to make sure that we have funding in place to deliver what we say we are going to deliver, and I certainly would not want to be specific about schemes without having had the necessary Treasury concurrence for those matters. The question would be how valuable that overall publication would be, and I will certainly look at that and come back and am quite happy to write to Hon. Members once I have had a chance to make a considered assessment of that.

A Member: Hear, hear.

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

Mrs Lord-Brennan: Thank you, Mr President.
Can the Minister advise where did the vision for the Summerhill mega-bridge come from?
Thank you.

The President: Minister to reply.

The Minister: Certainly not from me, Mr President.

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

Ms Edge: Thank you, Mr President.
I would just like to ask the Minister … He has just talked about the residential roads and estates which are in Douglas and other parts of the Island, and he talked about a maintenance budget of £500,000. Is that the basic maintenance budget that the Minister is talking about, per annum? I am aware the previous Minister put aside over £1 million, which was – generously, I believe – successfully brought from Treasury through one of the last Budgets. Is that money still available for residential roads in the towns and elsewhere? Also, where is he up to with that plan that came forward for the residential roads and estates?
With regard to the comments that he made with regard to the 15-year road maps, they clearly do not have anything to do with maintenance in them. They talk about active travel, traffic management projects, road safety projects and parking projects. I do not see the word 'maintenance' within that, so can the Minister please confirm what maintenance budget is available for residential roads or improving the roads? I am pleased that … People do have to travel to the capital, Douglas, if that is where the focus is going to be, and they might not get there with the state of some of the roads outside Douglas.

The President: Minister to reply.

The Minister: Thank you, Mr President.
I would highlight to the Hon. Member for Onchan that the Question was about the Department's plans to refurbish and re-lay disintegrating roads; I think that is quite a broad statement, rather than the narrow definition around maintenance.
In terms of the specific around the residential roads and estates budget, it has not changed, in my knowledge. I did say the £½ million was from memory. I am quite happy to go back and check that and to confirm that in writing, Mr President.

The President: Hon. Member of Council, Mrs Sharpe.

Mrs Sharpe: Thank you, Mr President.
I understand that the Minister has promised to consult with his Department on the future of road repairs, but I would just like him to add on to that work. I would like to ask him why Laxey promenade, which is only seven miles north of Douglas – *(Laughter and interjections)*

The President: I congratulate you on your attempt, but I cannot allow that, to be fair. *(Laughter)* It would not be fair to Members from the south. (**The Speaker:** Hear, hear.)
Hon. Member for Douglas South, Mr Quine.

Mr Quine: Thank you, Mr President.

May I first congratulate the Minister and the Department for the excellent work that was recently carried out in Lheannag Park, in my and Mrs Christian's constituency, which went a long way to easing the plight of a lady of reduced mobility. I would also like to put on record my personal thanks to Mr Harding and Mr Farrell, departmental engineers, for the high level of workmanship which they carried out.

Will the Minister agree with me that a lot of the issues with which he is currently being taxed result from third-party contractors carrying out work on estates which were built by developers who often have laid nothing more than the actual base coat of asphalt, and in times past they have got away with this, scot free, without any recourse to proper assessment for their work? Will he therefore confirm to me that all future works of such manner will ensure that the amount of tarmacadam is laid to a specific depth and a proper undertaking and assessment is made of such work?

The President: Minister to reply.

The Minister: Thank you very much.

I thank the Hon. Member for Douglas South for his question and greatly appreciate his positive comments about the work that my Department has done, and I would also like to commend both him and Mrs Christian for the way they worked together to bring those issues to my attention.

I think the Hon. Member makes a number of very important points in that short supplementary. I think, firstly, we have some excellent staff who do, contrary to public opinion, take great pride in their work, are very capable and should be more highly regarded by the public of the Isle of Man than they actually are.

Secondly, he makes the point about third-party contractors and developments in the past that have perhaps been done to a less robust standard than they should have been. Those things are a legacy that we have to work with now, but certainly developments that are taking place currently should be done to a very high and appropriate standard in line with the various governance, such as the Manual for Manx Roads, etc. I will take those specific points back and have a look at what we can learn, and make sure that we are enforcing those standards to the appropriate extent possible.

I would, whilst I am on my feet, highlight an experience that I have personally seen in my own constituency, where I think we are letting contractors make adjustments that impact the road surface, and then they leave work and cost for the public service to pick up, with very poor quality infill after work has been done, often to connect private developments. That is something that needs to be addressed.

I think I have answered Mr Quine's comments. Thank you very much.

The President: Final supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

My biggest concern is that when roads are improved they appear to be looked at in isolation. I have raised this concern before, but would the Minister please recommend to Highways that when over 80% of the road network is improved to a premier standard, the standard of the entire network in the area is actually increased to the same standard? This will allow the area to retain its high quality standard, potentially for the full 15 years.

Thank you, Mr President.

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

I think that I understand the gist of the Hon. Member's comment, which is about taking a more holistic approach in relation to the work that we are doing. I would agree that there is certainly

merit in that. Equally, we have to make sure we do not spend the finite resources that we have on roads that do not need spending on them purely for aesthetic purposes, so there is a fine balance to be had but I am very happy to pick that conversation up with the Hon. Member for Arbory, Castletown and Malew and pick up his specific concerns.

Thank you.

10. Wright's Pit North –
Capacity and options for construction waste

The Hon. Member for Garff (Mrs Caine) to ask the Minister for Infrastructure:

Pursuant to his Answer to Question 84 in Tynwald in September 2020, what the remaining capacity is at Wright's Pit North for the disposal of problematic construction waste; what the current rate of disposal each week is on average; what options are being considered for the interim and long-term disposal solutions for problematic construction waste once Wright's Pit North closes at the end of this year; and how this will comply with the Waste Strategy 2018?

The President: We turn to Question 10, and I call the Hon. Member for Garff, Mrs Caine.

Mrs Caine: Thank you, Mr President.

Just ahead of the Question, could I reiterate the statement of potential personal pecuniary interest in this matter, as was printed on last month's Question Paper?

But I would like to ask the Minister for Infrastructure, pursuant to his Answer to Question 84 in Tynwald in September 2020, what the remaining capacity is at Wright's Pit North for the disposal of problematic construction waste; what the current rate of disposal each week is on average; what options are being considered for the interim and long-term disposal solutions for problematic construction waste once Wright's Pit North closes at the end of this year; and how this will comply with the Waste Strategy 2018?

The President: I call on the Minister for Infrastructure to reply, please.

The Minister for Infrastructure (Mr Baker): Thank you, Mr President.

Mr President, I can confirm that the site at Wright's Pit North was formally surveyed on 22nd May of this year. This survey indicated that at that time the remaining void space to the top of waste levels, as set out in the approved planning permission, was 14,400 m^3. Over the last three years, the site has received an average of 1,450 tonnes of waste per annum. This equates to an average of 28 tonnes of waste per week. As the Hon. Member will probably know, this consists largely of asbestos, man-made mineral fibres and plasterboard.

In terms of a long-term solution, the Department is committed to the development of a fully engineered landfill facility for all types of problematic waste, including those currently managed at Wright's Pit North, as part of the range of waste treatment solutions that the Island needs to maintain our social, economic and environmental well-being. This is in line with both the Programme for Government and the Waste Strategy, which includes a commitment that the Island will aim to be self-sufficient in managing the waste it produces. This will include making provision for all the wastes in the agreed waste hierarchy, including those wastes for which there is no alternative other than disposal via landfill.

There may be a need for short-term solutions to cover the period until the new facility is operational. There are a number of options for this, but I am committed to making sure that there are appropriate routes for the disposal of construction and demolition wastes.

Thank you.

The President: Supplementary question, Mrs Caine.

Mrs Caine: Yes, thank you, Mr President.

I thank the Minister for his Answer, but I am left a little in the dark. If it is 28 tonnes on average per week that are going to this facility, how much time would there be for disposing of such waste at that current rate?

My other one is more fundamental than that. The Waste Strategy was only from two years ago. It said the:

> residents and … commercial and industrial sectors need to know that when waste is produced there are facilities and schemes for its safe management and disposal.

The Department:

> … acknowledged the critical role played by Energy from Waste plant for the disposal of residual wastes, and identified the need for a hazardous waste transfer facility and a replacement problematic waste landfill. The hazardous waste transfer facility has now been developed, and work is ongoing to identify a replacement problematic waste landfill space.

Has work been ongoing for two years longer, and why are we no further finding the solution? And if there is not a solution, and the Minister is determined to close this facility at the end of this year, what is going to happen to this waste?

The President: Minister to reply.

The Minister: Thank you, Mr President.

So two parts to the Hon. Member for Garff, Mrs Caine's supplementary question. First, if I can just clarify, assuming a volume to weight ratio of 1 to 1.3, the 14,400 m^3 of capacity equates to a site capacity of 17,500 tonnes of waste, which would give a 12-year life at current rates.

In terms of the Waste Strategy, the Hon. Member is correct that this strategic waste landfill facility has been a matter of thought within the Department for quite some time and we have not made as much progress with it to date as we had originally hoped. However, there is activity currently under way. I am hopeful that a planning application will be lodged very soon. However, we are able to find some contingency arrangements should there be a gap between the Wright's Pit North facility closing and the replacement opening.

Given the nature of the waste that we are talking about, which is asbestos, man-made mineral fibres and plasterboard, those can be stored in a transitionary arrangement in this gap, but I would have far preferred for us not to be having to do that and for the long-term solution to be in place. But that is not where we are currently, I am afraid.

The President: Hon. Member, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

I am conscious before asking this question that this matter to do with waste strategy and management has been going on for a long time, but I am concerned about the progress being made. Is the Minister happy that the goals in the Waste Strategy are being advanced sufficiently? Is the approach in fact just to deal with identification of sites by way of planning applications? How can we make decisions if we do not have the strategy and the clarity? And can he comment on the idea of whether the intention is that silt from the Rockmount site or the other site at Peel will be used to cap the Wright's Pit site off?

Thank you, Mr President.

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

A number of elements in there. The situation, as I said to the Hon. Member for Garff, is I would have far preferred for us to be further advanced with a strategic waste landfill facility, but we are not, and we have to recognise that. We have a number of waste management challenges in the Island currently. We do have a Strategy, that has been published, but there is room for improvement in that and one of the areas that is a challenge is around these problematic wastes that would need to go in the strategic waste landfill facility.

Mrs Lord-Brennan, Hon. Member of Council has touched on what I think is Question 28, which may be a brave attempt to accelerate the answer to her Question in the event that we run out of time on these Questions. So I will come to talk properly about Rockmount and around Peel silt at that time, Mr President. But all I can say in summary is that we are currently considering the options for the silt from Peel Marina.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Can I ask the Minister, who I know believes passionately in the UNESCO Biosphere, in evidence-based decision-making and in open, transparent Government, whether the Government scientists, the Environmental Health Officer, the waste management experts' advice in respect of these decisions is available to Tynwald Members through Freedom of Information, or even just published by the Department?

The President: Minister.

The Minister: Mr President, that is an extraordinarily broad question from the Hon. Member for Douglas Central there. I am not quite sure exactly what information he is asking for me to comment on the public availability of or for which decisions he is expecting that to be relevant.

The President: We will leave that for another time, Mr Thomas.

Mrs Caine, supplementary.

Mrs Caine: Thank you, Mr President.

I will be specific to the question again. Please can the Minister confirm he said that at the current rate there would be 12 years' capacity? If so, why would he not apply for an extension of time for this facility to remain there until they have an alternative site available for problematic waste? Not only does it seem to go against the Waste Strategy as published by his Department, and impacting on our Biosphere status potentially, if we do not have such a facility to dispose appropriately of waste.

Would there be any increased cost to people if the facility were not available? Would the contingency arrangements that he is talking of include storage or export, and is there a likely increased cost on people? And does the Minister feel that might actually impact on brownfield development in the future?

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

A number of elements to that question. Taking the financial aspect first, if the Department puts in contingency arrangements then I do not think that that is a basis for the Department to alter the charges to the people who are going to use the facilities. If waste is being disposed of currently in a facility provided by the Department and the Department changes that facility, whether it is a permanent change or a temporary change, there is no reason in my book for that result in an additional charge to the people using the service.

The situation with Wright's Pit North is complex. There is a longstanding commitment to the local community that the site will be closed and restored, and I am keen to ensure that that happens. We will be looking at how to make the best use of the void space, but this is still under consideration.

One point that I would draw to Hon. Members' attention is that the current Wright's Pit North site is not an engineered site. Whilst it has been in use for many years, if we were to develop a waste landfill site for the disposal of waste currently, Wright's Pit North would not pass the test for that. In fact, the continued disposal of waste in Wright's Pit North would quite possibly have more of a negative impact on the Biosphere strategy that the Hon. Member for Garff talks about, and the Hon. Member for Douglas Central also mentioned.

Any site development now would have much improved containment. Sites are now engineered to make sure that any liquids or leachate flowing from wastes, including as a result of rainfall, are collected and managed through a system of lining materials and pipework. So we have a facility, we have a legacy facility, which it has been promised for many years would be closed. It is not fit for purpose going forward, we intend to close it and I think that is actually better for our Biosphere strategy, Mr President.

The President: I have two more questions: Mr Hooper and then Mrs Caine.
Mr Hooper, please.

Mr Hooper: Thank you very much, Mr President.

To my recollection, the original plan was to stop delivering waste to the site at the end of last year, 2019. We are now looking at planning permission expiring in just over two months, the end of 2020. It is very concerning that the Department is not any further along with this and that we are now hearing about potential temporary storage during a transitional period.

The Minister is well aware that his Department has very recent history with temporary storage sites becoming permanent due to a lack of forward planning. So can the Minister please advise us on, really, what are we talking about here in terms of a temporary period, in terms of a transition period or a gap? How long is this going to be? Is it going to be a couple of months, a couple of years, a couple of decades? I think we need to have a much better understanding of what the Department's plan is for this site and for future disposal of troublesome waste.

The President: Minister to reply.

Mr Baker: Thank you, Mr President, and I would wholeheartedly agree with the sentiments expressed by my hon. friend from Ramsey. This has gone on too long, and it is very disappointing to be standing here, not to be able to give the clarity to this Hon. Court that is required on such an important matter as how we manage our waste.

We have to have solutions in place, not just from a Biosphere point of view, but also from our international obligations, where we have to find satisfactory routes of disposal for the waste that we as a community create.

The Hon. Member is asking, quite rightly, for timescales and for clarity around how we are going to move forward from here. What I will commit to, Mr President, is rather than trying to answer those very broadly, I will come back to Hon. Members, quite possibly, if it is useful, with presentation in the Barrool Suite to outline how the Department will move forward once it has got all its proverbial ducks in a row. But we need to resolve this.

There is a link to the points made by the Hon. Member of Council, Mrs Lord-Brennan. We have accepted waste for longer than was intended. There has been a planning application, which was impacted by the COVID situation, to extend that time of disposal. We need to bring it to an end, Mr President. We need to be clear there are a number of elements to this solution, and I am quite happy to do as I have said and bring forward a coherent plan to share with Hon. Members.

The President: Final supplementary, Mrs Caine.

Mrs Caine: Thank you, Mr President.

Two queries again. I really do not understand why the Department would close a facility before it has got a contingency and when there is capacity at the existing site. But also, when he spoke about looking at the options for the best use of the void space remaining there, can he confirm on the record that this will rule out silt from Peel? According to his own environmental statement given at the time of the Peel lagoon, the Wright's Pit North was ruled out as inappropriate for the disposal of such silt.

So could he tell us that whatever future best use of that void space is, it will not be silt, and also, why close it before you have even a temporary contingency arrangement?

Thank you, Mr President.

The President: Reply, sir.

The Minister: Thank you very much, Mr President.

What I will say to the Hon. Member is that we clearly have to identify the contingency arrangements and have those in place before we remove the ability for people to dispose of waste through Wright's Pit North. So that is a very pressing matter for the Department.

In terms of the Peel silt, again, we are conflating the two questions, and as I said earlier, the long-term future of the Peel silt has not yet been determined. It will not be disposed of as waste into Wright's Pit North. However, it may well be that the material, subject to proper finalisation of testing and the necessary approvals, may be suitable for the restoration activity to meet the commitment of bringing the levels at Wright's Pit North back to the level that it needs to be.

So we will need to restore Wright's Pit North and we need to look at the best way of doing that. But the clear commitment will be to only do that if the material would be satisfactory for remedial work. It will not be dumped in there, full stop. But it may be that the scientific assessment of the material, now it is dried out, now it is dewatered, may open up other opportunities that were not originally expected to be there. I cannot make any commitments currently. It will be based on the scientific analysis and any such action I would be quite happy to make transparent the advice that we had got. But I am not going to rule out any options at this point in time, because we know we have a challenge with waste management in the Island, we know we have got to do something with the silt from Peel Marina, and I do not believe in closing down options unless you know that they are right to be closed down. Currently, there is a possibility that the scientific characteristics of that silt may make it suitable for use as a reclamation material.

Hon. Members will, of course, remember that at one stage it was contemplated that we could potentially spread that dewatered material on Cross Vein Mine as part of the remediation of that particular site. So work is still in progress, Mr President.

11. Governor's Bridge dip – Publication of structural reports

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Infrastructure:

Pursuant to his Answer to Question 89 in Tynwald in September 2020, when the structural reports on Governor's Bridge dip will be published?

The President: We turn to Question 11. Hon. Member, Ms Edge.

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Infrastructure pursuant to his Answer to Question 89 in Tynwald in September 2020, when the structural reports on Governor's Bridge dip will be published?

The President: I call on the Minister to reply, Mr Baker.

The Minister for Infrastructure (Mr Baker): Thank you, Mr President.

As the Hon. Member will be aware, the Governor's Bridge dip is not routinely used and therefore not routinely inspected. A visual structural inspection was carried out prior to the dip being brought into operation and photographs were taken. These form the record and are now available on the Government's website. There were no structural concerns, so the road was brought back into service for the very short period of the southbound closure on the promenade which ceased early last month.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President; and I thank the Minister for that.

I noted with interest actually there were a few photographs that went up with regard to Governor's Bridge dip on 15th October after the Question had been put in.

However, I do have concerns that the Minister says there is no continued maintenance report done on the structure of the bridge, because anybody could use that bridge at any point in time, and it is quite clear from the photographs that there is a culvert there. I am aware from the inspections list that the Department do publish, which is very difficult to read, that culverts get inspected.

So can the Minister advise why he would not routinely do the Governor's Bridge dip culvert, and when is he going to publish the reports that were requested with regard to the structures and the engineering reports?

Thank you, Mr President.

The President: Mr Baker.

The Minister: Thank you, Mr President.

I think the Hon. Member may have answered her own question there, because we are talking about the Government's Bridge dip which is a highway structure rather than a culvert, which she has just referred to.

What I would say, Mr President, is this section of road has not been used for many years and has no significant structures within it. There was an inspection carried out in July 2020 prior to the reintroduction of vehicular traffic. A visual inspection was carried out of the route to confirm that the highway was fit for vehicular use. The date of the inspection was recorded by the inspector, photographs were taken and logged but no formal report was deemed necessary. Normally for general inspections of structures there is a written narrative of the inspection. However, because the road is out of service, this is not the case.

For Hon. Members, the photographs can be found online via the media section of the Government website under the reference 1370518/governors-dip-inspection-photographs-july-2020.pdf. It looks as though the Hon. Member has already beaten me to that as she has already seen them, and I am pleased that they are already there.

Thank you.

The President: Final supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

Previously in an Answer the Minister said that he would publish the report that was carried out. I believe it was carried out in June. So therefore why does he not publish this now and just publish a few photographs, which he obviously thinks are adequate for a structural report on the bridge?

Also with regard to his comments on culverts, his inspection list on highways clearly covers culverts, which are underneath the highway, so the Minister perhaps needs to check with regard to that comment on culverts. It is underneath a highway, and it gets checked.

But can the Minister advise with regard to ongoing inspections and weight limits if any full inspection has been done on Governor's Bridge, or a report? Although he says it is not a used road anybody could drive down there at any point in time, perhaps illegally, Mr President, but clearly it is his Department's duty to make sure the infrastructure of the roads in our Island are inspected and reported on.

The President: Minister.

The Minister: Thank you, Mr President.

I think the Hon. Member for Onchan is misunderstanding what I have said. It was inspected in July. It was a visual inspection prior to the dip being brought into operation. The photographs were taken and it was a photographic report. Those are the record; that is the report.

There were no structural concerns, so the road was brought back into service for the period that it was required. It is now not required and it is now not in service.

The President: Final question. Ms Edge, you wanted to come back. Last opportunity.

Ms Edge: Thank you very much!

Minister, I am struggling to understand, when you are the Minister for Infrastructure, that you feel a visual and a photograph is adequate for a civil engineering structure on the Island. I would hope that the Minister can provide better records of what has actually been carried out on our highways.

Thank you, Mr President.

The President: The Minister.

The Minister: Thank you, Mr President.

The question was about the Governor's dip. I have already published the work that was carried out there. The Hon. Member has already seen it. It is perfectly adequate. Professionally, it was inspected by people who know what they are looking at, photographs were taken and there were no structural concerns.

I do not know what more I can say, Mr President.

POLICY AND REFORM

12. Free TV licences for over-75s – Review

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Policy and Reform:

What progress he has made with the review of free TV licences for people over 75?

The President: Question 12, Hon. Member, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Minister for Policy and Reform what progress he has made with the review of free TV licences for people over 75?

The President: I call on the Minister for Policy and Reform, Mr Harmer.

The Minister for Policy and Reform (Mr Harmer): Thank you, Mr President.

The Cabinet Office has not undertaken, and is not currently undertaking, a review of free TV licences for people who are aged 75 or over.

As Hon. Members may recall, the BBC now has the power to determine the eligibility for a TV licence funded by the corporation in the Isle of Man, the United Kingdom and the Channel Islands. The BBC recently carried out a consultation on age related TV licence policy in the Isle of Man and the Channel Islands.

I can advise Hon. Members that the Government responded to the BBC's consultation on this matter and asked the BBC to fully fund free TV licences for all over 75s in the Island from 1st January next year. (**Mr Shimmins:** Hear, hear.) However, the decision of the BBC board is made entirely independently. The consultation closed on 10th September and we are waiting for that decision.

If the BBC decides to fund TV licences for certain over 75s in the Island, for example, in a similar way to the United Kingdom, the Treasury and the Council of Ministers will be considering the next steps as a matter of priority. This will enable us to give clarity to our older residents as soon as possible about the practical arrangements from the start of next year.

The Council of Ministers is, of course, mindful of the Tynwald resolution from October 2016 on free TV licences for over 75s and it respects that resolution.

The President: Supplementary question, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Minister, for that slightly disappointing Answer.

For clarity, is the Department simply responding to the consultation and apart from that, you are not proactive at all in this area?

Also, with a view to the value of the free TV licences, given that has got a total value of around £850,000, is anything being done to capture that value for Island residents?

Thank you, Mr President.

The Minister: Sorry, Mr President, could you repeat that second part of the question?

The President: I think that is going beyond what is on the Order Paper, quite frankly. I think it was the value of the licence that you are asking about.

Mr Moorhouse: No, just in terms – sorry, Mr President – of the current licences for people over 75 free that are free, that has got a value of around £875,000.

The President: Thank you, Hon. Member.

Minister.

The Minister: Thank you, Mr President.

In terms of discussions with the BBC I never said there are not a lot of discussions that have been received between officers. Obviously the discussions have been considerably delayed by the coronavirus pandemic, but I had my first video conference with the Director of BBC England at the

end of last month. My introductory meeting was helpful and constructive, and we have another call scheduled for next month.

But obviously it is a consultation that they have entered into and they will be reporting shortly on that consultation, and once we have that information, we will make that available.

The President: Mr Moorhouse, supplementary.

Mr Moorhouse: Thank you, Mr President.

The BBC consultation was relatively low profile and focused on social media. What did the Department do to increase people's awareness of the consultation and help the people over 75 respond effectively?

Thank you.

The President: Minister.

The Minister: Thank you.

What I can say is the format was the same for consultations aimed at Jersey and Guernsey, and a similar format to those earlier consultations on funding TV licences for over 75s in the UK. The consultation has publicised by the BBC. Obviously whether it is suitable for those over 75 is a matter of subjective speculation, but personally I did think it was fairly clear.

The Government responded to the consultation, and we have talked about that. Also I know a number of other organisations, in particular Live at Home, also picked up the consultation and put quite a large amount of information in the media, so I think it was well advertised.

The President: Mr Moorhouse, this is the final supplementary on this Question, Hon. Member.

Mr Moorhouse: Thank you, Mr President.

And finally, once the BBC's decision is made, will that be announced to the Island's people straightaway or will there be a delayed process whist the Department look at that decision?

The President: Minister.

The Minister: Obviously once the BBC make that announcement it will be announced, and we will then need to work out how that … We have already had a number of discussions with officers of scenarios and practicalities, so obviously then we will take that, as I said, into the Council of Ministers and work on that.

But at the moment we do not know what the board has decided.

The President: Thank you, Hon. Members.

We have reached the end of the allotted time for Oral Questions.

Suspension of Standing Orders 3.5(2) to complete Oral Questions –
Motion lost

The President: Mr Thomas.

Mr Thomas: Thank you, Mr President.

I beg to move that Standing Order 3.5(2) be suspended to enable the remaining Questions for Oral Answer be taken at this sitting.

The President: Do I have a seconder?
Ms Edge.

Ms Edge: I beg to second, Mr President.

The President: I will put that straight to the vote, 16 votes required in the Keys and 6 in Council to suspend Standing Orders, please vote now.

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

In the Keys – Ayes 11, Noes 13

FOR	**AGAINST**
Mr Moorhouse	Mr Ashford
Mrs Barber	Dr Allinson
Mrs Caine	Mr Baker
Mr Callister	Mr Boot
Mrs Corlett	Mr Cannan
Ms Edge	Mrs Christian
Mr Hooper	Mr Cregeen
Mr Perkins	Mr Harmer
Mr Quine	Mr Peake
Mr Shimmins	Mr Quayle
Mr Thomas	Mr Robertshaw
	Mr Skelly
	Mr Speaker

The Speaker: Mr President, in the Keys 11 for, 13 against.

In the Council – Ayes 7, Noes 2

FOR	**AGAINST**
Miss August-Hanson	Mr Henderson
Mr Greenhill	The Lord Bishop
Mrs Lord-Brennan	
Mrs Maska	
Mr Mercer	
Mrs Poole-Wilson	
Mrs Sharpe	

The President: And in the Council 7 for and 2 against, the Branches are in disagreement, the motion fails to carry; 16 votes would have been required in the case of the Keys, in any case.

Hon. Members those Questions remaining on the Order Paper for Oral Answer will be answered in writing as soon as possible.

Meantime the Court stands adjourned until 2.30 p.m.

Questions for Written Answer

POLICY AND REFORM

13. Town and Country Planning (Telecommunications) Order – Telecoms providers

The Hon. Member for Douglas East (Mrs Barber) to ask the Minister for Policy and Reform:

What work his Department undertakes to examine the social responsibility of telecoms providers so that constructions under the Town and Country Planning (Telecommunications) Order 2019 are as in keeping with the surrounding area as possible?

The Minister for Policy and Reform (Mr Harmer): The Order has numerous safeguards to ensure development is proportionate, balanced and with sufficient levels of scrutiny with regards to the built environment.

Schedule 1 sets out some general conditions that would apply to any development that might be carried out under the order – if these cannot be complied with, then it is not permitted development.

This means that nothing is allowed under the order that would:

- create an obstruction on a pavement or to highway visibility;
- take place on or within the curtilage of a registered building or ancient monument or within an area of special scientific interest; or
- involve the felling, lopping or limbing of trees.

Schedule 2 sets out works which can be undertaken as 'normal' permitted development – that is without the involvement of planning (subject to compliance with specific conditions and limitations).

Conservation Areas are one such limitation. They are designated by Cabinet Office as areas where the built environment and its character are particularly vulnerable to development. In areas subject to such an order, developments of cabinets or masts cannot take place under this schedule.

Schedule 3 sets out works that can be undertaken subject to a successful prior approval application – this is an extra safeguard not normally applied to permitted development, and allows DEFA to consider whether due to a defined set of issues, the proposal should not be allowed as permitted development and instead a full planning application be required. The fourth schedule sets out the process for dealing with prior approval applications.

Developments such as cabinets or masts (up to 0.3 metres in diameter) within a Conservation Area or within 20 metres of a primary window could potentially take place under this schedule, but this is subject to the prior approval process which requires consideration of visual and noise impact on residential amenity and impact on the visual impact of the character and appearance of the area.

A key change, which the 2019 order introduced compared to the previous telecommunications order, is that the larger lattice styles masts will now always require a full planning application and so go through the normal process.

ENTERPRISE

**14. Work permit system –
Plans to review**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Enterprise:

What plans he has to review the work permit system?

The Minister for Enterprise (Mr Skelly): I thank the Hon. Member for her Question.

Members will recall that the Department undertook significant reform of the work permit system in 2017, with the primary aims of simplifying and streamlining the process for employers and workers.

These reforms have been successful and the majority of work permit applications continue to be processed either the same or next working day, with the process being able to be completed fully online.

However, no aspect of the reforms moved away from the underlying principle that an employer must demonstrate there are no suitable and available Isle of Man Workers as part of the work permit application process.

It is equally important, however, that both existing employers and those considering relocating to the Island are confident in the Isle of Man continuing to be a good place to do business and that they can find the skilled workers they need.

Clearly, the Department is aware of the impact that the coronavirus has had, and will continue to have, on the labour market. Ensuring employment opportunities are available to Island residents is, and will continue to be, a priority for Government and is a key focus of the Economic Recovery Group.

I believe the current work permit system achieves the delicate balance of protecting the interests of Isle of Man Workers whilst ensuring businesses can access the skills they need when they are not available in the local market

However, I can assure the Hon. Member that it will be kept under review.

EDUCATION, SPORT AND CULTURE

**15. Union dispute –
Statement**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Education, Sport and Culture:

If he will make a statement on the continuing union dispute?

The Minister for Education, Sport and Culture (Dr Allinson): The action short of strike by three teacher unions as part of a long-running industrial dispute continues but the Department of Education, Sport and Culture is working hard to enable an early meeting with unions to seek to resolve this.

One union has escalated their action but dedicated staff are working over and above to contain the impacts on students.

Staff from the Education Improvement Service and other qualified staff at the Department have been made available to support schools where required.

**16. Teachers' industrial action –
Effect on students**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Education, Sport and Culture:

What assessment has been made by the Department of how the industrial action by teachers is affecting the performance of the Island's students?

The Minister for Education, Sport and Culture (Dr Allinson): It is too early to assess the impact on learning of the recent phase two of the industrial action short of strike by NAUSWT which started on 7th October 2020.

The Department has obtained feedback from all schools and UCM on the impact of this industrial action and it varies between schools, dependent on the number of teachers who are members of the relevant unions involved.

Currently the action short of strike is mainly impacting the learning of students when cover is not being provided for absent colleagues and potentially classes would need to be amalgamated or covered through supply.

There is a significant impact on the running of some schools where senior leaders are having to do lunch and break cover and bus duties which would normally be done by teachers who are taking part in the action.

School parent evenings have had to be cancelled and the extra-curricular clubs both in lunchtimes and after school have also all been cancelled.

There is also the potential for tension between staff in schools who are taking part in the industrial action and those that are not which could have an impact on the learning environment within the schools the longer this action continues

**17. National Sports Centre –
Completion of works**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Education, Sport and Culture:

Whether the works at the National Sports Centre will be completed in time for the half-term holiday?

The Minister for Education, Sport and Culture (Dr Allinson): I would like to thank the Hon. Member for Arbory, Castletown and Malew for his Question. I would like to apologise to him and this House. When he previously asked me in March this year when the flumes at the NSC would be open to the public, I replied that this would be in September. Since then issues around the global pandemic and protracted and detailed dialogue have delayed the resolution of the technical problems with the flume installations. Whilst the rest of the pool facilities re-opened to the public in August 2019, the flumes and zero-depth play area are still not in use and fenced off, depriving children and their families of a much-loved facility.

By way of a current update, I can confirm that this extensive dialogue has taken place from 2019, and through this year, during and beyond the COVID-19 lockdown, with the Manx-based main contractor NK Construction, their water treatment and features specialist subcontractor Barr and Wray, and their Turkish flumes supplier Polin.

We now have agreed proposals for necessary remedial works to the flume stair and platform, and flume run-outs, and with the Attorney General's office's assistance a draft agreement is ready for signing, which would then enable a programme of completion works to commence.

Further to discussion with Treasury, I will be bringing a motion to November Tynwald for approval to progress.

ENVIRONMENT, FOOD AND AGRICULTURE

18. Summerhill Glen River – Conservation measures

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture:

If he will make a statement on conservation measures to protect the Summerhill Glen River, following the discovery of a water course pollution incident on 17th September 2020?

The Minister for Environment, Food and Agriculture (Mr Boot): Due to the nature of the pollution incident at Summerhill Glen it has not been possible for officers to locate the source and identify the pollutant in order to protect against a reoccurrence of the incident.

However, in conjunction with Manx Utilities, DEFA has produced an information letter which has been circulated to all residents who serve the surface water drain which discharges at Governor's Dip. The letter provided information on how to protect nearby watercourses from surface water pollution including what must not be poured into these drains. DEFA officers will regularly check the area from now on and if any further reports of discolouration within the glen are reported, these will be investigated as soon as possible.

I am pleased to confirm that some live fish were found further down the glen. Although they appeared lethargic following the incident, it is expected they recovered fully from the incident. Natural recovery of the fish population within the stream will be much hampered by the steep weirs in the glen which prevent upstream migration. To aid recovery, it is DEFA's intention to survey the remaining fish population within the stream next summer. If it appears there are insufficient fish left alive above the impassable weir to enable the population to naturally recover over time, officers will consider re-seeding the area with fish collected from below the weir.

This was an extremely unfortunate incident which has had a significant impact on an established and healthy population of native brown trout within a popular glen. However, the knowledge that some fish survived the incident is encouraging news and although it may take some considerable time, there is optimism that this small stream will regain its diversity.

19. IoM-generated renewable energy – Export

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Environment, Food and Agriculture:

What progress has been made with enabling renewable energy generated in Manx waters to be exported to the UK?

The Minister for Environment, Food and Agriculture (Mr Boot): As I previously advised in response to a Question raised by the Hon. Member in the House of Keys in March 2019, renewable energy projects in the Isle of Man are *not* eligible for the UK Contract for Difference scheme and therefore such generation of renewable energy for export to the UK is currently not an attractive economic prospect for potential generators.

The position of the UK Government on this matter has been discussed with its relevant ministers over time~~,~~ and any change would require the UK to vary its legislation. I understand that while the UK is considering this change, given the current priorities it faces with EU Exit, and more recently, the coronavirus pandemic, it is understandable that this is not one of the current priorities.

I have raised this matter personally with relevant ministers on at least four occasions discussing eligibility of Isle of Man projects. I last wrote to the Secretary of State for Energy and Clean Growth in February 2020.

Noting the recent UK announcement regarding their intention to stimulate further windfarm development, I am now minded to write to the Secretary of State again.

20. Food labels –
DEFA plans for improvements

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Environment, Food and Agriculture:

What plans he has to improve the requirements for display of allergy information on food labels?

The Minister for Environment, Food and Agriculture (Mr Boot): The Food Information Regulations 2014 (Isle of Man) apply certain provisions of European Regulation 1169/2011 on the provision of food information to consumers, including the mandatory requirements to provide information regarding allergens present in finished food products.

Businesses that pre-pack food (e.g. a sandwich or ready meals sold in supermarkets) must clearly label them with all the ingredients. Allergenic ingredients must stand out from other ingredients, for example by using bold, italics of underlined text. This requirement will change.

Currently, food business operators providing 'non-prepacked food' must ensure that allergen information is readily available. The information can be provided by any means the operator chooses, however, if the food businesses choose~~s~~ to deliver the information orally, they must provide a prompt to ask a member of staff~~,~~ at the point where the purchaser chooses the product. So you may have seen the allergen information posters on display in takeaways or restaurants, for example.

Earlier this year the UK government announced amendments to their allergen labelling laws.

The proposed amendments to the legislation will only relate to pre-packed for direct sale foods. A requirement to provide full ingredient list labelling, with allergens emphasised, will introduce a consistent approach for foods that are both prepacked and prepacked for direct sale. It is intended that it will provide better protection to consumers with food allergies and intolerances and does not rely solely on staff having to provide allergen information directly to consumers.

The implementation of these changes, known as 'Natasha's Law', is timetabled for October 2021 in England, Wales and Northern Ireland.

Our current Food Information Regulations mirror those of the United Kingdom (UK) and it has been our policy since their introduction in 2014 to implement the legislative requirements in the same way as the UK and provide a comparable level of protection for Island consumers.

Therefore, amendment regulations have been drafted and will go out to consultation shortly with the intention to introduce the labelling changes from October 2021 to mirror the UK. We will also engage with stakeholders through our Food Matters team and Environmental Health team and utilise social media, press releases and workshops.

OFFICE OF FAIR TRADING

21. Non-payment of rents –
Advice to tenants and landlords

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Chairman of the Office of Fair Trading:

What support and advice have been given to tenants and landlords about the non-payment of rents; and how payment holidays can be resolved by the implementation of repayment plans before the period of protection ends?

The Chairman of the Office of Fair Trading (Mr Perkins): The Emergency Powers (Coronavirus) (Protection from Evictions) Regulations 2020 came into operation on 26th March 2020 and will continue in operation for a period of six months from 26th June 2020. They are presently overseen by the Cabinet Office.

The OFT issued a media release on 2nd July 2020 explaining the situation at the time.

It was entitled 'Extended protection helps struggling tenants' and essentially answers the Hon. Member's Question as the situation has not changed since the media release was issued.

The media release read as follows:

> Legislation which protected tenants facing eviction for rent arrears during the Island's state of emergency has been extended.
> It means a landlord cannot evict a tenant for failure to pay rent until 27 December, and any notice of eviction issued by a landlord to a tenant, who has failed to pay rent in full, would have no legal effect.
> The regulations only relate to a tenant's failure to pay rent in full or at all, and a landlord can still issue a notice of eviction for reasons such as criminal damage to their property. Tenants are still liable to pay landlords in full if they fall into arrears during this time.
> Following this period landlords must make arrangements with tenants for the payment of any arrears. In making arrangements, landlords must make reasonable allowances that take into account the financial circumstances of tenants, that are attributable to any income loss experienced due to the effects of the Covid-19 pandemic.

As Chair of the OFT, I offered the following advice in the media release:

> The extension provides a level of protection for tenants who are experiencing financial problems due to exceptional circumstances outside their control. I would encourage anyone experiencing financial problems to make use of the OFT's Debt Counselling Service.

Prior to the extension, the OFT had no real involvement with the regulations.

Since the extension, the OFT has been contacted by a small number of tenants (possibly as low as 20), specifically seeking advice concerning their rights and obligations with regard to protection from eviction.

Landlords who contact the OFT are generally advised to obtain their own legal advice as they are in business and the OFT's provision of consumer advice is obviously limited to consumers, i.e. tenants in this case.

With regard to payment holidays, landlords may make arrangements with tenants for the payment of any arrears after 26th December 2020. In making arrangements, landlords must make

reasonable allowances that take into account the financial circumstances of tenants that are attributable to any income loss experienced due to the effects of the COVID-19 pandemic.

The OFT is considering issuing a further media release at least a month before the extension comes to an end.

POST OFFICE

22. IoM Post Office –
Compliance with procurement policy

The Hon. Member for Ramsey (Mr Hooper) to ask the Chairman of the Post Office:

Whether the Post Office complies with the Isle of Man Government procurement policy aims of competition, fairness, value and transparency; and if she will make a statement?

The Chairman of the Post Office (Ms Edge): IOMPO fully complies with Isle of Man Government procurement policy aims of Competition, Fairness, Value and Transparency.

Competition: IOMPO conduct procurement activity in a transparent manner by advertising all opportunities over £10,000.

Fair: All suppliers are dealt with in a fair and equal manner, with an appeals procedure in place.

Value: All procurement exercises include assessment of local economic benefits and transparency of how IOMPO score both price and quality criteria. Where applicable, environmental and sustainability considerations are applied.

Transparency: The annual tender plan and results are published. Under certain circumstances, such as urgent operational requirements, non-competitive action is approved, with summary details provided on the website.

All procurement documents, timeframes and practices are equivalent to those used by Isle of Man Government Procurement Services.

IOMPO obtain assistance from the Attorney General's Chambers in the preparation of tender and contract documentation to comply with IOMPO Financial Regulations.

This area was audited by Treasury's Audit Advisory Division in 2020, which identified a number of recommendations that have been progressed to the satisfaction of the IOMPO Board's Audit and Risk Committee.

PLANNING COMMITTEE

23. Town and Country Planning (Area Plan for the East) Order 2020 –
Status of statement and maps

The Hon. Member for Douglas Central (Mr Thomas) to ask the Chairman of the Planning Committee:

What status the written statement and various maps in an unapproved Town and Country Planning (Area Plan for the East) Order 2020 have in relation to the determination of planning applications?

The Chairman of the Planning Committee (Mr Perkins): The Town and Country Planning Act 1999, section 10(4) states that in dealing with an application for planning approval the

Department shall have regard to – amongst other things – the provisions of the development plan (which my hon. colleague will know is the Strategic Plan and any relevant Area Plan); and all other material considerations.

The emerging, but unadopted Area Plan for the East would be a material consideration. The weight attached to it will depend on the specifics of an application. It does not have greater weight than the adopted plan.

CHIEF MINISTER

24. Climate emergency –
CO_2 savings

The Hon. Member of the Council, Mr Mercer, to ask the Chief Minister:

How many tonnes of CO_2 have been saved by Government Departments since the declaration of a climate emergency was made in May 2019?

The Chief Minister (Mr Quayle): The Isle of Man greenhouse gas inventory which includes carbon dioxide emissions is compiled annually by the Department of Environment, Food and Agriculture as part of the UK National Atmospheric Emissions Inventory Programme. Emissions are reported in line with international reporting requirements as set out by the United Framework Convention on Climate Change.

These emissions are reported for every year from 1990 to the latest year, minus two. This means that the inventory published in 2020 will cover the years 1990 to 2018. Currently, therefore, data for the time period May 2019 to date is unavailable.

In May 2019 I recognised that there was a climate emergency and Council of Ministers have subsequently committed to achieving net zero emissions by 2050. Future reporting of these greenhouse gas emissions will be significant in measuring progress towards this target.

It is of note, however, that this information is not detailed enough to measure the emissions by Government Departments, but with the establishment of the Climate Change Transformation Team we have already started to identify ways to collect and measure this data going forward.

Within the Climate Change Action Plan, set out by the Council of Ministers, there are a series of actions to be undertaken by Government Departments to lead the way in the reduction of emissions.

An update on this particular action can be found in the Phase 1 Progress Report delivered to Tynwald in July 2020.

25. Public servants –
Numbers not returned since lockdown ended

The Hon. Member for Onchan (Ms Edge) to ask the Chief Minister:

How many public servants have not returned to the workplace since the lifting of lockdown rules?

The Chief Minister (Mr Quayle): All public servants who were absent from work for COVID-19 shielding or self-isolating reasons during lockdown have returned.

The majority of public servants who worked from home during lockdown have also now returned to their original workplace. However, the Isle of Man Government is committed to supporting employees to work flexibly where practical and this includes homeworking. This can offer benefits to our employees, supports climate action and can also enhance the public services we offer to our Island community.

The Cabinet Office (OHR) issues guidelines for Departments in relation to homeworking. These are published online at the OHR website:

http://hr.gov.im/media/1860/homeworking-guidelines-august-2020-v2-w-pdf-formfinal.pdf

26. Advisory Council on the Misuse of Drugs – Membership and report details

The Hon. Member for Rushen (Mr Speaker) to ask the Chief Minister:

Who the members of the Advisory Council on the Misuse of Drugs are; and when its last report was published?

The Chief Minister (Mr Quayle): The members of the Advisory Council on the Misuse of Drugs are:

The Director of Public Health, Cabinet Office, as Chair;
The Consultant Psychiatrist, Drug and Alcohol Team, Department of Health and Social Care;
The Government Analyst, Department of Environment, Food and Agriculture;
The Chief Constable;
The Deputy Chief Executive, Department of Home Affairs;
The Pharmaceutical Advisor, Department of Health and Social Care; and
The Government Veterinary Officer, Department of Environment, Food and Agriculture.

The Advisory Council of Misuse of Drugs is convened as required to provide advice to Government on specific drug-related issues, for example, medicinal cannabis and industrial hemp or emerging threats from new substances.

The Advisory Council on the Misuse of Drugs reports only on an ad-hoc basis when required.

The last report published by the Advisory Council on the Misuse of Drugs was in 2013. This consists of a summary of substance misuse strategy work streams, a reference to the British Irish Council substance misuse work stream and a recommendation that the banning order on MDAI (a novel psychoactive substance then legal in the UK) should not be renewed.

The Substance Misuse Strategy Steering Group now oversees this group and the work programmes required to deliver the Substance Misuse Strategy. In view of the fact that the Advisory Council on the Misuse of Drugs does not deliver work programmes and its input is now largely advisory, a separate report has not been produced recently.

The Substance Misuse Steering Group, which meets quarterly, produced and now oversees the Substance Misuse Strategy. This was informed by a Joint Strategic Needs Assessment undertaken in October 2016 which led to the development of the Substance Misuse Strategy in February 2018. The steering group oversaw the recent consultations on industrial hemp and the medicinal use of cannabis. The group is currently also developing a further consultation on the decriminalisation of cannabis. The group has also considered the introduction of minimum unit pricing for alcohol, provisions for which will be included in the Department of Home Affairs' forthcoming Licensing Bill.

INFRASTRUCTURE

27. DoI COVID-19 code –
Recorded spending

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Infrastructure:

Pursuant to his Answer to Question 75 in Tynwald in September 2020, what spending Axapta records under his Department's COVID-19 code?

The Minister for Infrastructure (Mr Baker): The Department has a COVID-19 account code where all COVID-19 related costs are posted. All costs posted to this code are expected to be reclaimed from the COVID-19 Fund which is held by Treasury to cover unexpected costs arising as a result of the pandemic. All claims are subject to Treasury approval.

28. Rockmount and silt from Peel Marina –
Planning application

The Hon. Member of the Council, Mrs Lord-Brennan, to ask the Minister for Infrastructure:

If he will make a statement about the planning application regarding Rockmount and the future of silt from Peel Marina?

The Minister for Infrastructure (Mr Baker): My Department submitted a planning application at the end of July to enable silt dredged from Peel Marina in 2015 to remain at Rockmount on a permanent basis. The temporary silt store was constructed at an engineered site next to the Government-owned quarry on Poortown Road. The original intention was for this to be a temporary facility; however, we are now seeking permission for the silt to remain there permanently, having explored possible alternative solutions.

Since closing in 2015, the site quickly became a stable habitat and has continued to be monitored by both DEFA and, more recently, DOI officers. Allowing the material to remain in situ at Poortown would avoid further disturbance to the area and prevent an associated increase in heavy traffic while it was moved elsewhere.

Removal of the material would create a number of issues, however; the biggest of these is the lack of another suitable site to relocate it to. Avoiding the cost to the public purse associated with further excavation, road haulage and site re-instatement, together with avoidance of further environmental impact on the area further affirms the case to leave the material where it is.

The most appropriate long-term solution is therefore keeping it in situ and agreeing an ongoing monitoring regime to ensure it continues to have no effect on the surrounding environment.

Moving now to the question in respect of the future management of silt needing to be removed from Peel Marina, the operation to remove 44,000 tonnes of silt began earlier this year and despite having to stand down during the COVID-19 lockdown, our contractors have successfully removed a significant amount of material. I look forward to the dredging resuming in spring 2021.

Whilst drying out (in the dewatering lagoon constructed nearby) the material is undergoing analysis and options are being explored to determine the most suitable final location for its permanent storage and the associated future monitoring.

The silt store at Rockmount is not being considered as part of this process.

EDUCATION, SPORT AND CULTURE

**29. Higher Education Awards –
Number of recent graduates**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Education, Sport and Culture:

How many students graduated at the recent Higher Education Awards Ceremony, broken down by (a) on-Island-based courses; and (b) off-Island courses?

The Minister for Education, Sport and Culture (Dr Allinson): For the academic year 2019-20, 142 UCM students attended the ceremony on 9th October. This recognises all those from UCM who have completed and achieved courses at Level 4 and above.

UCM felt that it was important to not just recognise UCM graduates, but also Manx graduates who have successfully completed their qualification in the UK and beyond, acknowledging their achievements and recognising successes.

Many of these graduates expressed an interest in attending the event; however, some have returned to the United Kingdom for other opportunities and were not able to come.

A total of 30 non-UCM students attended the ceremony.

Over the last five years the number of top grades achieved by UCM graduates has risen steadily to well above the UK average but this year a staggering 87% of all foundation and undergraduate degree students have achieved a first class honours or upper second class honours degree or equivalent.

There were a total of 620 present on the evening, this included staff, families and friends.

**30. Villa Marina complex –
Strategic plans**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Education, Sport and Culture:

What the strategic plans for the Villa Marina complex are; and if he will make a statement?

The Minister for Education, Sport and Culture (Dr Allinson): As the Hon. Member may recall, the Department of Education Sport and Culture took over operation of the VillaGaiety complex from the Department for Enterprise in November 2017. At that point there was no strategic plan for the complex and in fact the most recent strategy had ended in 2016. The complex had suffered mixed fortunes over the previous years, going through staff rationalisation to achieve cost-saving measures, changes to the various Departments it had been a part of and an outsourcing exercise which had created a period of uncertainty for staff. Both in its final months with DfE and since DESC have managed the complex, there have been a number of overriding operational issues that have required immediate and detailed attention.

In April 2018 a Head of Villa Marina, Gaiety Theatre and the Arts was appointed and in November of the same year a Finance and Development Manager was appointed. This has helped bring direction to the complex and an operational plan was implemented for 2019-2020. This was intentionally operational as opposed to strategic as there has been a considerable amount of areas which required review, analysis and change before long-term future planning could be meaningfully carried out. This has included budgets and income targets, staff structure, programming and resource management and while a good deal of progress has been made there is still work to do.

It should be recognised that the financial balance of a complex like this will always be challenging on the Isle of Man. At VillaGaiety there is a constant endeavour to marry Government regulations with commercial practice, which is often very difficult to achieve. When the venues were built, they met the requirements of a thriving tourist industry, they now largely provide for a captive audience of 80,000. These venues have to be publicly subsidised or we will lose them. That is why the Isle of Man Government purchased them in the first place, recognising their value to our culture, heritage and community and because of this we are very lucky that these venues are open, when many around the world are not and continue to face very uncertain futures. In fact, this year we are celebrating 120 years of the Gaiety Theatre, something we can surely all be very proud of.

It has been the intention to draft and implement strategic plans for the complex during 2020, however, the pandemic has meant that priorities have changed quickly and we are as yet unable to predict for how long our current mode of operation will continue. While our venues are open, programming is constantly being assessed and changed as the UK situation progresses and our borders framework prevents acts and theatre workers from coming to the Isle of Man. Similarly, the Broadway Cinema is operational but limited in its offering for audiences while the global film market is reduced.

The VillaGaiety leadership team are working on strategic objectives for the longer term and I am happy to be able to share those with you today. We do not yet have a final strategy document but we aim to finalise such in the early part of 2021 and this will be a public document.

Our broad strategic aims are to:

Increase attendance: we will make our venues more accessible to our community for people of all ages, abilities and cultures.

Protect our culture and heritage: we will protect and maintain our important historical buildings and include local artists and performers as an integral part of our programming strategy.

Build our future: we will plan for sustainable growth and resilience, measuring our economic contribution so that we are able to ensure VillaGaiety provides value for money and is a cultural asset.

Specifics included in delivering the above will involve:

- Diversifying and increasing audience engagement;
- Increasing the use of the Villa Marina Arcade;
- Identifying and capitalising on commercial, secondary spend opportunities;
- Continuing to build solid relationships with high profile artists;
- Ensuring our local events and performers have access to our venues and facilities;
- Ensuring our economic contribution is identified, developed and valued as a leader in the Manx creative industries.

We are working on these aims against the backdrop of the global pandemic and therefore the flexibility to change and adapt will be paramount. While we are separate to the UK creative and cultural industries, their resilience and success in these current times will have an influence on our operations. However, our future strategy will focus on being an asset to those who attend our events, those who perform on our stages and the cultural economy of the Isle of Man.

31. Postgraduate studies –
Maximum loan

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Education, Sport and Culture:

What the current maximum loan available to support postgraduate studies is; and how this sum is determined?

The Minister for Education, Sport and Culture (Dr Allinson): Postgraduate students are eligible for up to £9,250 towards tuition fees depending on their circumstances.

This is the same as undergraduate students.

The current loan support available for postgraduate courses is also the same as for undergraduate courses which is £2,500 towards tuition fees.

Tuition fees and eligibility for maintenance grants are based on means testing based on income earned by the student's contributors.

CHIEF MINISTER

32. Welcome Centre – Financial services transactions since 2015

The Hon. Member for Onchan (Ms Edge) to ask the Chief Minister:

How many financial services transactions, broken down by (a) type of transaction; and (b) operational costs; were carried out by the Welcome Centre in each financial year since 2015?

The Chief Minister (Mr Quayle): The number of financial services transactions (clarified by Ms Edge as Government services) carried out by the Welcome Centre are set out below.

Please note that data is only available from October 2017 due to a till service update, and therefore the full financial year data available, and shown below, is only available for 2018-19 and 2019-20.

Year	Transaction Type – Quantity						
	VG ticket sales	Fishing Licences	Gov invoices	Parking Fees	Music Payments	Proof of Age cards	Travel cards/ IOM Transport
2018	6252	251	85	121	1254	204	33642
2019	6212	241	41	630	1163	170	29165

The operational costs for the Welcome Centre for each year are set out in the Answer shared with the Hon. Member for Onchan (Ms Edge) in the response to a Question to the Minister for Policy and Reform in Tynwald August 2019, found at the following link:
https://www.tynwald.org.im/business/OPHansardIndex1821/3929.pdf

33. Tynwald Members – Receipts and contributions

The Hon. Member for Douglas Central (Mr Thomas) to ask the Chief Minister (Minister for the Cabinet Office):

How much each individual Tynwald Member (a) received on the monthly payroll; (b) had deducted as a GUS section 8 contribution; and (c) benefited from a Tynwald employer's GUS pension contribution; in (i) September 2010; (ii) September 2015; and (iii) September 2020; without identifying any Member; and if he will make a statement?

The Chief Minister (Mr Quayle): OHR regrets that it has not been possible to provide this information in the time available. This is due to the challenge of responding fully to the Question, whilst protecting the personal data of the individuals involved.

Personal data is information that relates to an identified or identifiable individual. It is unlikely that an individual would be directly identifiable from publication of the requested information. However, it is possible that an individual could be indirectly identified by using the information requested, together with information from another source to do so.

OHR have collated the information. It now needs to assess the means that could be used to identify an individual and then either format the data in a way that guards against that risk or seek consent from the individuals involved to disclose it.

In either case OHR will revert with an update by 10th November 2020.

TREASURY

34. IoM Government fund managers – Investment instructions

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for the Treasury:

What instructions have been given to the Isle of Man Government fund managers regarding the investment of reserves in the global financial markets in relation to possible uncertainty in the markets over the next six months?

The Minister for the Treasury (Mr Cannan): Treasury's current investment objectives are set out in its investment mandate, details of this can be found in the Government Accounts ref 2019/0097 ref 7.14.3.

The Treasury employs the services of professional investment managers to manage its external funds; these managers have discretionary mandates to ensure that they have freedom to exercise their expertise within the overall mandate.

The performance of the managers is subject to careful and regular review by the Investment Committee of Treasury assisted by qualified Investment Advisors. The Investment Committee normally meets on a quarterly basis but has met eight times since the beginning of March to ensure appropriate scrutiny of investment performance.

Investment managers are regularly invited to attend meetings of the committee to explain performance and to give their views on the investment position more generally. The committee has also recently considered matters pertaining to cash flow management and liquidity.

As the managers operate with discretionary mandates it is for the investment professionals employed by each manager to assess the wider investment environment and make individual investment decisions to achieve the performance targets set for them.

The Treasury continues to actively monitor and review these matters.

**35. Counterfeited £1 coins –
Loss due to IoM specification**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Treasury:

Further to the decision not to follow the UK specification for £1 coins, what loss there has been through counterfeiting Isle of Man coins (a) to the taxpayer; and (b) to the issuing authority?

The Minister for the Treasury (Mr Cannan): The Treasury has not been made aware of any instances of the counterfeiting of Isle of Man £1 coins and consultation with the various entities who would be at the forefront of investigating such instances have confirmed that they have not received any reports of Isle of Man £1 coins being counterfeited. Therefore it is not possible to provide a definitive Answer, though the lack of reported instances would suggest that any loss would be negligible.

**36. COVID-19 –
MERA and JSA claimants**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Treasury:

*What proportion of (a) MERA and (b) JSA claimants are aged between:
(i) 16-25; (ii) 26-35; (iii) 36-45; (iv) 46-55; (v) 56-65; and (vi) 66+?*

The Minister for the Treasury (Mr Cannan): (a) The Manx Earnings Replacement Allowance (MERA) scheme ended on 20th September 2020. Therefore, there are no current recipients of MERA.

However, the Hon. Member may wish to note that in total 3,475 people claimed MERA whilst it was available and the proportions by age group of those claimants are set out in Table 1 below. These proportions are based on all persons who claimed MERA, including those who were not entitled to it.

Table 1

Age group	% of total
16-25	13.0
26-35	20.9
36-45	19.4
46-55	24.5
56-65	19.9
66+	2.3

(b) As regards Jobseeker's Allowance (JSA) the proportions by age group of claimants as at 9th October 2020 are set out in Table 2 below:

Table 2

Age group	% of total
16-25	27.7
26-35	15.1
36-45	15.9
46-55	21.2
56-65	20.1
66+	0.0

It should be noted that in calculating these proportions, jobseekers who have claimed JSA but have no entitlement to JSA – so are maintaining their unemployment registration in order to qualify for National Insurance credits only – have been included.

It should be further noted that a person who has reached state pension age is not eligible for either JSA or National Insurance credits. Hence, there is no one in the 66+ age group.

37. Current administration – Departments' write-off details

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Treasury:

How much debt has been written off by each Department in each year during the course of this administration?

The Minister for the Treasury (Mr Cannan): From 1st April 2016 to 31st March 2020 a total of £11,156,526 customer debts have been written off across all Departments and Statutory Boards according to submitted year-end declarations to Treasury, confirmed by postings within the Central Government financial system (AX).

These figures do not include debts written off against investments held or loans from the Treasury to Government entities and third parties.

The below table provides detail on the amounts written off by Departments or statutory bodies across each financial year.

BAD DEBTS WRITTEN OFF				
	2016-17	2017-18	2018-19	2019-20
	£	£	£	£
Treasury				
Customs	748,513	1,383,071	756,382	1,107,954
Income Tax	692,824	569,308	1,908,243	1,360,235
Social Security	0	143,356	48,426	138,448
Other Treasury	0	0	1	9,935
DEFA	0	7,921	891	7,132
DESC	3,468	4,057	13,812	100,960
DHA	0	6,078	8,890	0
DfE	0	0	0	0
DOI	30	306,821	123,397	314
DHSC	48,050	564,813	267,201	26,845
FSA	115,797	369	1,160	58,971
Communications Commission	0	0	0	0
Manx National Heritage	0	0	30,234	0
Gambling Supervision Commission	0	0	107	4
Public Sector Pensions Authority	7,313	0	0	0
Cabinet Office	25,000	0	0	0
Attorney General's Chambers	0	0	0	0
Information Commissioner	0	0	0	0
General Registry	138,234	0	14,365	36,008
Clerk of Tynwald	88	0	0	0
Industrial Relations	0	0	0	0
Financial Economic Unit	0	0	0	0
Government Debts Written Off	**1,779,317**	**2,985,794**	**3,173,111**	**2,846,805**
IOM Post Office	4,655	5,173	2,234	8,891
Manx Utilities Authority	100,718	77,747	87,444	84,637
Total Debts Written Off	**1,884,690**	**3,068,714**	**3,262,789**	**2,940,333**

**38. COVID-19 budget allocation –
Departmental business cases**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for the Treasury:

What business cases he has received from Departments, Offices and Boards under the COVID-19 budget allocation?

The Minister for the Treasury (Mr Cannan): To 31st August the following business cases have been received:

DHSC	Purchase of additional beds for CoVID-19 patients.	21,980
DHSC	CoVID-19 test cartidges	63,800
DHSC	Approval for PPE & Freight Costs	8,000,000
DHSC	Cancer services	211,924
DHA	Communication app	36,093
CO	Communications Campaign Response	158,000
DOI	Contingency for animal waste	16,500
DHSC	CoVID-19 hospital response	381,955
DHSC	Delivery of prescription medicines during Self Isolation	120,000
DEFA	Fishing Industry SS	373,620
CO	GTS CoVID-19 projects	572,339
DHSC	Residential services commisioned in the United Kingdom	100,000
DOI	Air route support	1,899,338
DHSC	Nursing home beds	216,000
DHSC	Office space for contact tracing	94,560
DHSC	PoC testing	225,577
DHA	Ports leafleting service	43,697
DHSC	Provision of home care services	300,000
CO	Provision of hotel rooms for key workers	50,000
DfE	Facemasks - for staff within IoM Government	95,000
DHSC	Portable aseptic isolator	10,000
DOI	Supply extra beds with medical oxygen	495,000
DOI	Supply of medical oxygen	373,000
DHSC	Tele-dermatology Services	9,930
DESC	Free school meals voucher scheme	220,000
DHSC/DoI	Purchase of PPE	923,240

**39. IoM business insurance –
English High Court ruling**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for the Treasury:

If he will make a statement on the recent English High Court ruling in respect of business insurance and the potential impact this will have on Island businesses?

The Minister for the Treasury (Mr Cannan): I believe that the Hon. Member's Question relates to the test case brought by the UK Financial Conduct Authority on whether business interruption insurance would provide cover for claims relating to the coronavirus pandemic.

Given that this test case may be subject to appeal, it would not be prudent to make a statement on potential impact this will have on Island businesses until the appeal process has been exhausted and a final ruling made.

**40. Laxey commercial cashpoint –
Treasury representations**

The Hon. Member for Garff (Mrs Caine) to ask the Minister for the Treasury:

What recent representations he has made in relation to the commercial cashpoint in Laxey this summer; and why it was not permitted for the machine to dispense UK banknotes when the company experienced problems obtaining Manx banknotes?

The Minister for the Treasury (Mr Cannan): Treasury has a long-standing policy that all cashpoints with the exception of those located at the Sea Terminal and airport dispense Manx banknotes. This policy is designed to maintain and support the Manx currency and its circulation within the Isle of Man.

The Treasury does not own or operate cashpoints, they are generally provisioned by private businesses and the supply of notes into those machines would be subject to the above policy. I do not consider that it would be appropriate for the Treasury to make comment on the commercial operation of these businesses.

ENTERPRISE

**41. High cost base issues for Manx businesses –
Assistance**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Enterprise:

What is being done to assist businesses which are struggling as a result of high cost base issues, such as rent?

The Minister for Enterprise (Mr Skelly): According to the socio-demographic prospectus for the Isle of Man produced by CACI – a multinational professional services and information technology company – we believe that retail rent on average in Douglas is lower than other comparable towns in the UK. For example, average Douglas retail rates are around £40,000 a year compared to Winchester where they average £85,000 per year.

The COVID-19 pandemic has disrupted the landscape, and many businesses are under new financial pressures. The Business Agency, with support from the Chamber of Commerce, is currently delivering workshops for small businesses in order to understand the barriers to growth and the type of Government support they may need in order to develop in these circumstances. The feedback provided at these workshops will be filtered through to Department level and will also be fed into the 'Our Domestic Economy' work stream of the Economic Recovery Group (ERG) to help make informed decisions on spending and support for industries. Support will be continually adapted as the situation develops.

In addition, measures introduced under the Emergency Powers Act to ensure that no one will be evicted from either their homes or their business premises for non-payment of rent have been continued. The continued measures give affected tenants respite in the event they are unable to meet their financial obligation to their landlord. For a period of six months up to 27th December 2020, landlords will be prohibited from evicting tenants who are unable to make their rental payments.

**42. Insolvency risk sectors –
Identification and support**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Enterprise:

In which sectors of the economy do companies remain most at risk of insolvency; how many jobs this represents; and what is being done to support them?

The Minister for Enterprise (Mr Skelly): The Department for Enterprise is aware of the significant impact that the COVID-19 pandemic continues to have on businesses in the Isle of Man.

While all businesses have been affected to some extent, the sectors which have perhaps seen the greatest impact are those that are wholly or largely reliant on tourism. The closure of borders to non-residents has had a serious impact on the tourism sector, preventing businesses from trading normally.

The tourism accommodation sector, which directly accounts for around 800 jobs, was clearly the most at risk.

As a result, we are continuing our support to tourism and travel businesses through support schemes such as the Strategic Capacity Scheme and the Coronavirus Business Support Scheme (CBSS). For other businesses, working capital and emergency loan schemes are available through partnering with Island banks. So far, we are encouraged that while many businesses have expressed interest in these schemes, the overall level of uptake has been relatively low, as we understand that businesses are preparing themselves 'just in case' they run into cash flow and/or solvency issues down the line.

The Department will continue to monitor all sectors, working closely with Treasury, through the Economic Recovery Group and has initiatives and projects ready to be implemented if we see sectors struggling.

**43. Brewing industry –
Support**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Enterprise:

What support he has given to the brewing industry; and what further support is under consideration?

The Minister for Enterprise (Mr Skelly): For the purposes of this Answer, the Department has defined the brewing industry as the manufacture of beer and does not include distilleries, cider/wine producers or the hospitality sector including pubs and clubs etc.

The brewing industry is able to apply for a number of the Department's grants and assistance schemes including the Micro Business Grant Scheme which supports start-ups with training, mentoring and financial support, usually up to £6,000; the Business Improvement Scheme for projects including websites and social media up to £10,000 and quality standards up to £5,000; and the Financial Assistance Scheme. The Financial Assistance Scheme is available to the brewing industry under the manufacturing sector category and can offer up to 40% support towards costs such as special first-year expenses, the fitting out of premises and brewing equipment, with any grant offers being linked to the employment created.

A very small number of 'micro-breweries' have gone through the Micro Business Grant Scheme and the Department has supported these start-up businesses.

The Department's normal schemes are all focussed towards growth opportunities rather than ongoing operations.

In the last five years, there have been a small number of applications by the brewing industry supported by the Financial Assistance Scheme. The total value of grants offered is £278,030 and of this, £66,597 has been claimed. All of these offers have now lapsed, therefore no further payments are envisaged being made to the brewing industry at the present time.

Although the Department's grants and assistance schemes are constantly under review, especially at these current times regarding the COVID-19 pandemic and Economic Recovery Group led initiatives, no further changes to the Department support schemes specifically for the brewing industry are currently under consideration.

EDUCATION, SPORT AND CULTURE

44. School uniform policy – Guidance

The Hon. Member of the Council, Mrs Lord-Brennan, to ask the Minister for Education, Sport and Culture:

What plans he has to introduce guidance regarding school uniform policy?

The Minister for Education, Sport and Culture (Dr Allinson): At present, there are no plans to introduce central guidance regarding school uniform policy.

The Department of Education, Sport and Culture encourages the wearing of uniform by pupils when they attend school. Schools are permitted to make decisions and formulate their own policies with regard to the detailed nature of the uniform, in conjunction with their governing body, and have well-developed practices and guidance for pupils and parents.

There are a number of reasons why the education service considers uniform to be desirable such as: promoting a sense of pride in the school; engendering a feeling of community and belonging; identifying pupils with the school; promoting a sense of equality for pupils with their peers in terms of appearance, being both practical and smart.

During and immediately after the recent health emergency caused by the COVID-19 pandemic, schools adapted their approaches to uniform in light of advice from public health and in conjunction with their stakeholders. Since schools have returned for the autumn term, and are functioning as normal, pupils are required to attend school in uniform once more.

ENVIRONMENT, FOOD AND AGRICULTURE

45. Summerhill Glen River pollution incident – DEFA action

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture:

What immediate action the Department and other agencies took following the discovery of a river pollution incident in the Summerhill Glen River, Douglas on Thursday 17th September 2020; and what the pollutants were?

The Minister for Environment, Food and Agriculture (Mr Boot): The Environmental Protection Unit within DEFA received a call from the Manx Wildlife Trust (MWT) on the morning of

17th September 2020 reporting dead fish and invertebrate life in Summerhill Glen. An Environmental Protection officer visited the glen within one hour of the initial call and collected a water sample which was submitted to the Government laboratory for analysis.

The DEFA Inland Fisheries team attended the site shortly after and, along with the Environmental Protection Officer, surveyed the stream and identified the source of the pollutant. A surface water drain in Governor's Dip was identified as the point where the pollutant entered the stream. Inland Fisheries officers found invertebrate life upstream of the drain; however, invertebrates and fish were found dead in the river immediately downstream. About 200-250 metres downstream of Governor's Dip, invertebrates and fish were observed alive in the watercourse, indicating that the volume of the pollutant was small enough to have become diluted to below toxic levels by this point.

The water samples indicated that the pollutant was no longer present in the stream by the time officers arrived at the glen and it is likely the pollutant passed downstream hours before officers were alerted to the issue. There was no odour from the drain or in the river to indicate the type of chemical which had been discharged into the glen, nor any indication of contaminant residue on the banks or stones.

The dead fish displayed no obvious cause of mortality. As their internal organs would have begun to degrade rapidly after death, autopsying was not performed, it being considered unlikely to detect the cause, especially as many pollutants can kill fish via an indirect means through a temporary, drastic impact on oxygen or pH levels.

Manx Utilities drainage officers were also involved in the investigation, carrying out checks of the manholes on nearby streets for any odour or staining from the pollutant. Unfortunately nothing was identified.

A press release outlining the issues witnessed at Summerhill Glen and the response by the Department was issued the following day with the aim of raising awareness of the wider community on the importance of protecting surface water drains which discharge into nearby watercourses.

An information letter was sent to all residents serving the surface water drain by DEFA and Manx Utilities to highlight how to protect the watercourse and what cannot be poured into a surface water drain or road gully.

46. IoM rivers and freshwater courses – Pollution monitoring

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture:

How often the Isle of Man's rivers and freshwater courses are monitored for pollution and water integrity for conservation and biodiversity reasons; and whether this is sufficient?

The Minister for Environment, Food and Agriculture (Mr Boot): Officers within the Environmental Protection Unit of DEFA are responsible for the collection of samples for the yearly routine water quality monitoring programme.

Table 46A provides a breakdown of the type of sampling and the number of sites monitored during each season. There are 87 chemical sites, 31 biological sites and 13 heavy metal sites.

Table 46A. Summary of routine monitoring programme

Season	Number of Sites		
	Biological Monitoring	Chemical Monitoring	Heavy Metal Monitoring
Spring (Mar – May)	31	31	13
Summer (Jun- Aug)	31	87	13
Autumn (Sep – Nov)	31	31	13
Winter (Dec – Feb)	0	87	13
Total Samples	93	235	52

A chemical water sample collected from a monitoring site will provide data on the water quality at that specific time. The water samples are analysed by the Government Laboratory for a standard suite of parameters.

A biological (invertebrate) sample is undertaken using the kick sampling method. This sampling method is undertaken three times per year to provide long-term data on the quality of rivers and streams. The presence or absence of particular invertebrate species is influenced by the water quality over a period of time and is representative of the overall health of a site.

Due to the natural geology and mining history of the Isle of Man, DEFA is considering the introduction of heavy metal environmental quality standards which will be monitored at specific sites detailed in Table 46B.

Table 46B. List of sites to be monitored for heavy metals during routine monitoring.

River name	Site
Cornaa River	Ballaglass Glen
Dhoon River	Dhoon Glen
Fern Glen Stream	u/s Glen Auldyn Stream
Lhen Trench	Close y Kewin
Santonburn	Ballalona
Santonburn	Tosaby
Glen Maye Stream	u/s Glen Maye
Glen Maye Stream	d/s Glen Maye
Foxdale Stream	u/s Foxdale
Foxdale Stream	u/s St Johns Stream Confluence
River Laxey	Old Laxey
River Laxey	u/s Glen Roy Confluence
River Laxey	u/s Mooar Confluence

All data and results are reported and published on the Government website.

Any reports of water pollution are investigated separately to the routine monitoring programme and where necessary water samples are collected and analysed to assist officers in determining the source of the pollution.

DEFA Fisheries officers undertake annual fish surveys on the following rivers: Neb, Sulby, Santonburn, Silver Burn, Glass, Dhoo and Laxey. Other smaller watercourses are surveyed more occasionally to develop an understanding of the distribution of salmon, trout, lamprey and eels across the river network. Such surveys have allowed DEFA officers to detect impacts of, for example, pollutions, drought and flooding events on native fish populations.

Given the above, I am satisfied that the degree and frequency of monitoring undertaken by DEFA officers with the relevant expertise is sufficient to allow a comprehensive awareness of the diversity and quality of our aquatic ecosystems.

47. Marine Drive area–
Protection of wildlife

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture:

Whether the Marine Drive area is of such wildlife significance that it warrants protection under the Manx Wildlife Act 1990; and whether this would meet his Department's obligations under the 2015-2025 Biodiversity Strategy approved by Tynwald and the Biosphere Designation by UNESCO?

The Minister for Environment, Food and Agriculture (Mr Boot): Marine Drive does indeed warrant protection under the Wildlife Act 1990, as an Area of Special Scientific Interest.

The importance of this area is well known and was highlighted recently in Tynwald. The Wildlife Committee has been notified to expect a consideration of the cliff habitats along this stretch of coastline and will advise the Department of its view in due course.

This designation would add to the proportion of land appropriately conserved under Action 17 of the Biodiversity Strategy. Much other work continues by officers towards meeting the aims of the strategy, including the target of 20% of land and inland water to be appropriately conserved and managed under statutory designations and other effective conservation management schemes.

48. Marine Drive area –
Designation as Wildlife Site

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture:

What progress his Department has made to designate Marine Drive and associated land along its borders as a Wildlife Site and an Area of Special Scientific Interest; and when protection may be put in place?

The Minister for Environment, Food and Agriculture (Mr Boot): I am pleased to confirm that DEFA officers have prepared the necessary justification and documentation for an Area of Special Scientific Interest covering the cliff habitats along Marine Drive, and these will shortly go to the Wildlife Committee in order that it can advise the Department on the evidence of special interest.

The initial consultations with the relevant landowners are therefore yet to commence but will proceed in the coming months, once the Department has the Wildlife Committee advice and I have determined any matters of detail. The formal consultation with landowners will follow, which takes about six months in total, so I expect to be able to announce a determination of the process before Tynwald breaks for the summer next year.

49. DEFA online planning application service – Plans

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Environment, Food and Agriculture:

Why the Department has abandoned its plans for an online planning application service?

The Minister for Environment, Food and Agriculture (Mr Boot): The Department has not abandoned its plans for an online planning application service.

The current situation is that the ability to do this has been recently enabled and we are testing the service with the help of selected regular agents before rolling it out to all applicants who wish to use it. A number of successful applications have now been made through the electronic medium and we are happy with the results and feedback received to date.

50. Town and Country Planning (Telecommunications) Order 2019 – Approved developments

The Hon. Member for Douglas East (Mrs Barber) to ask the Minister for Environment, Food and Agriculture:

What developments have been approved under the Town and Country Planning (Telecommunications) Order 2019 since its implementation; broken down by type and size of development; date of application; date of approval; and location?

The Minister for Environment, Food and Agriculture (Mr Boot): The Order, which was approved by Tynwald, gives planning approval ('permitted development') for all of the development that is set out within the order.

There are two forms of planning approval: permitted development, which is a blanket planning approval, subject to conditions and limitations; and individual planning applications. Most forms of permitted developments, domestic extensions, walls and fences, certain works by public bodies, can simply be carried out subject to compliance with those conditions and limitations. There is no need to inform the Department, and indeed part of the reason for these is to reduce unnecessary bureaucracy.

In terms of the Telecommunications Order specifically, it sets out a number of definitions including:

- 'telecommunications structure' as, 'a structure the primary purpose of which is to have mounted equipment attached to it';
- 'mounted equipment' means transmission equipment including transmission lines, base transceiver stations and multiplexers; and
- 'telecommunications cabinet' means a cabinet the primary purpose of which is to house telecommunications equipment.

The Order is then split into several schedules:

- the first sets out some general conditions that would apply to any development that might be carried out under the Order – if these cannot be complied with, it is not permitted development;
- the second sets out works which can be undertaken as 'normal' permitted development – that is without the involvement of planning (subject to compliance with specific conditions and limitations);

- the third sets out works that can be undertaken subject to a successful 'prior approval application' – this is an extra safeguard not normally applied to permitted development, and allows DEFA to consider whether due to a defined set of issues the proposal should not be allowed as permitted development and instead a full planning application be required;
- the fourth sets out the process for dealing with prior approval applications.

Since the Order came into operation, DEFA has received one application in relation to 'prior approval' for telecommunications, namely no. 20/00257/TEL – a prior approval application for the erection of a 15-metre shrouded monopole and associated telecoms cabinets under Schedule 3 of Telecoms Order 2019. This was refused for the reason that:

> It is considered that it cannot be determined that the development would not have a harmful impact on the visual impact on residential amenity; the visual impact on the character and appearance of the area; the impact on any designated conservation area and thus fails to accord with Schedule 7 a (part), b and c and Schedule 8 of the Order.

HEALTH AND SOCIAL CARE

51. IoM Mental Health Service – UK comparison

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

How the Isle of Man's Mental Health Service (a) staffing levels; (b) salaries; (c) costs; and (d) outcomes compare with the UK per 100,000 population?

The Minister for Health and Social Care (Mr Ashford): England and the devolved jurisdictions have adopted a diverse range of health systems with significant regional variations within each jurisdiction. As a consequence it is not possible to compile or source data that would facilitate an accurate comparison of local mental health service staffing levels, salaries and costs with the UK per 100,000 population.

Embedding transparent, evidence-based outcome measures across the mental health system is a fundamental objective for 2020-21. In 2019 the DHSC undertook a wide scale randomised patient survey of Community Mental Health patients mirroring the approach undertaken by NHS England. Overall the results compared favourably with the English data. A summary of the results from the Community Mental Health survey and action plan published in December 2019 is available at the following link:
https://www.tynwald.org.im/business/hansard/20002020/t201020_WQ51_Link.pdf

It is the intention that the Department will be undertaking this valuable exercise every two years as part of a cycle of quality improvement. Such an approach will support the existing focus of applying Patient Related Outcome Measures (PROMS) and Clinician Related Outcome Measures (CROMS) across the clinical pathways as a means of accurately determining and reporting on the effectiveness of Mental Health Service provision.

In addition to the above the Mental Health Service is intending to undertake a benchmarking exercise across all service areas utilising the Royal College of Psychiatrist's Quality Network Accreditation Scheme. This significant piece of work, which will commence in early 2021, will benchmark all community and acute services against explicit best practice guidance. It is the intention that all service areas within mental health will achieve full accredited status within three years.

**52. 18-week referral to treatment benchmark –
UK and IoM situation**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

How many people are waiting longer than the 18-week referral to treatment benchmark using the UK definition in (a) the whole of the UK; and (b) the Isle of Man?

The Minister for Health and Social Care (Mr Ashford): In England, under the NHS Constitution, patients 'have the right to access certain services commissioned by NHS bodies within maximum waiting times, or for the NHS to take all reasonable steps to offer a range of suitable alternative providers if this is not possible'. The NHS Constitution sets out that patients should wait no longer than 18 weeks from GP referral to treatment.

In order to report a trust's performance against the 18-week target organisations are required to follow the RTT rules suite. 'The Rules Suite aims to set out clearly and succinctly the rules and definitions for referral to treatment consultant-led waiting times to ensure that each patient's waiting time clock starts and stops fairly and consistently.'[1]

Organisations in the UK use a patient administration system to track patients along these pathways and therefore identify where a clock has started and stopped, enabling live reporting of the trust's performance against the 18-week target.

The Isle of Man Patient Charter does not currently identify a maximum waiting time such as RTT and the systems and process currently used by the Department of Health and Social Care are not set up to record and report waiting times in a comparable way to UK approach of RTT.

Overall waiting times for patients on the Isle of Man are reported quarterly[2] and are available online but there remains significant work in line with the Transformation Programme plans with which to validate, thus provide assurance of the overall position.

UK waiting times are also published online monthly along with annual reports[3].

See Table 52A as follows.

[1]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/464956/RTT_Rules_Suite_October_2015.pdf
[2]https://www.gov.im/about-the-government/departments/health-and-social-care/waiting-times
[3]https://www.england.nhs.uk/statistics/wp-content/uploads/sites/2/2019/06/RTT-Annual-Report-2018-19-v0.5.pdf

Table 52A

Performance and waiting times as at 14 August 2020

The performance data below is for the period 1 April – 30 June 2020 (Quarter 1 2020/21) with the exception of the 31 and 62 day cancer targets which are a quarter further in areas (Quarter 4 2019/20). We aim to update waiting times within 6 weeks of the end of each financial quarter, with the next set of figures due to be published by mid October 2020.

Life threatening 999 calls for an ambulance		
Target	**Current performance**	**Compared to last quarter**
75% of life threatening 999 calls attended within 8 minutes by an emergency responder	N/a	New standards to be implemented as soon as possible
95% of life threatening 999 calls attended by crewed ambulance within 19 minutes	N/a	New standards to be implemented as soon as possible
Hospital care		
Emergency Department		
Target	**Current Performance**	**Compared to last quarter**
95% of patients admitted, transferred or discharged within four hours of arrival at the Emergency Department	76.4%	Improved by 0.4 percentage points
Cancer Care		
Target	**Current Performance**	**Compared to last quarter**
93% of patients referred to hospital with suspected cancer seen within 2 weeks	69.5%	Worsened by 16.3 percentage points
96% of patients diagnosed with cancer receiving treatment within 31 days of diagnosis	92.0%	Improved by 8.0 percentage points
85% of patients diagnosed with cancer receiving treatment within 62 days of urgent referral by GP	72.0%	Improved by 6.0 percentage points
Outpatient appointments		
Target	**Current performance**	**Compared to last quarter**
100% of patients seen for their first outpatient appointment within 52 weeks	91.5%	Worsened by 3.5 percentage points
Waiting time	**Current Performance**	**Compared to last quarter**
Percentage of patients waiting longer than three months for their first hospital outpatient appointment *	66.2%	Improved by 12.1 percentage points
A further breakdown of the waiting times for **outpatient** appointments, by specialty, for this quarter is available		
Inpatient appointments		
Target	**Current performance**	**Compared to last quarter**
100% of patients have their operation or procedure within 52 weeks of being placed on the waiting list following their outpatient appointment	100%	Improved by 5.5 percentage points
Waiting time	**Current Performance**	**Compared to last quarter**
Percentage of patients waiting longer than six months to have their operation or procedure following their outpatient appointment	56.0%	Worsened by 9.0 percentage points
A further breakdown of the waiting times for **inpatient** appointments, by specialty, for this quarter is available		
A further breakdown of the waiting times for **day case** appointments, by specialty, for this quarter is available		

53. Integrated care –
Total cost in the west of the Island

The Hon. Member of the Council, Mrs Lord-Brennan, to ask the Minister for Health and Social Care:

What the total cost of integrated care is in the west of the Island, broken down by project implementation area and including project management, since the project commenced?

The Minister for Health and Social Care (Mr Ashford): Integrated care project management and running costs are as follows:

	18-19	19-20	Year To Date 20-21
Integrated Care Project Team	£328,192	£333,931	£134,036
Western Wellbeing Centre Staff Costs	N/A as Centre not operational	£25,057	£35,573
Miscellaneous project expenditure (i.e. printing, postage, office equipment)	£0	£1,706	£1,657
Total	**£328,192**	**£360,694**	**£171,266**

HOME AFFAIRS

54. Homefield –
Covenants at sale

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Home Affairs:

Whether as part of the sale of Homefield any covenants were added or removed; and what outstanding covenants there were on the property at the time of sale?

The Minister for Home Affairs (Mr Cregeen): No covenants have been added or removed to the title of Homefield as part of the sale of Homefield.

The only covenant affecting the title is that contained in the Deed of Conveyance dated 31st August 1927 between Cyril Tomlinson Wynn Hughes-Games and Constance Emma Maud Hughes-Games ('the Vendor') and Manxland Bus Services Limited ('the Company').

This states that the Company shall have the right and liberty to build on the whole of the boundary wall mentioned in the Schedule (to the Deed), together with the right to the Company or the owner or owners for the time being of the Scheduled Property and its tenants, servants and agents, to enter at reasonable times and for reasonable intents upon the grounds of Homefield, the property of the Vendor, for the purpose of completing repairing or examining any building to be erected on the Scheduled Property; any damage occasioned by any such entering to be made good by the Company.

**55. Young people and criminal justice system –
Prevention and early intervention team**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Home Affairs:

Why he has abandoned plans to implement a new prevention and early intervention team to work with young people at risk of entering the criminal justice system?

The Minister for Home Affairs (Mr Cregeen): I am happy to confirm that plans have not been abandoned. The Police's prevention and early intervention team was established following the disbanding of the multi-agency youth justice team.

The Chief Constable's new early action team seeks to do two things:

It works with young people who are on the verge of offending, or who have started to offend at a low level or behave in an anti-social way, and seeks to divert them from such behaviour.

It also works with those who have offended, but who have not been prosecuted, and it seeks to put in place remedies and interventions that are designed to stop reoffending.

The whole ethos of the approach is based on a desire to stop offending or reoffending whenever an opportunity arises. Although the team is within the Constabulary, it works closely and in collaboration with other agencies including the Department of Education, Sport and Culture and with individual schools. It is also developing effective relationships with some third sector bodies.

Since the beginning of 2020 almost 130 young people have been referred to the team under what is known as the LINK process, which deals with those young people who are starting to offend or beginning to act in an anti-social manner. So far only 10 of 129 such young people have failed to engage properly with the team, necessitating them being placed onto enhanced measures.

The team decides which young people should face criminal charges. It is believed that there are 13 young recidivist offenders who most frequently offend. Between them they have committed over 130 offences this year.

In addition to what is already in place, a pilot project is starting in the south of the Island which will link into the new southern wellbeing partnership.

It is also the intention that the approach that is used for young people will be extended to other first-time or low-level offenders, particularly those who are aged between 18 and 24.

The work of the team does not extend to working with young people who have been convicted by a court.

Responsibility for this lies with the Department of Health and Social Care, which also has responsibility for preparing pre-sentence reports for juvenile courts.

INFRASTRUCTURE

**56. DoI tenants –
Numbers and arrears**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Infrastructure:

How many Department of Infrastructure (a) housing tenants; and (b) commercial tenants there are; how many in either category were in arrears on (i) 30th September 2019; and (ii) 30th September 2020; and how much was owed; and whether tenants have been spoken to about repayment plans to be activated?

The Minister for Infrastructure (Mr Baker): The Department can confirm the following:

(a) Housing tenants (1,242 active tenancies);

(i) In arrears on 30th September 2019 = £34,963.99, number of accounts in arrears was 121;

(ii) In arrears on 30th September 2020 = £136,586.77, number of cases was 266.

As part of the Department's Housing processes, which routinely monitor all accounts showing a debit balance on a weekly basis, the Housing team will contact any who are showing to be in arrears and offer support and advice, at which time, tenants are encouraged to either pay all of the arrears or are requested to make a commitment to pay their rent plus extra towards arrears. All responses are recorded on their records.

The Housing team arranges formal repayment plans; however, due to the current situation in light of COVID-19, the Housing team are recording the tenants' commitment on a journal and giving tenants a reminder if they have not kept to the repayment.

(b) Commercial tenants – 305 DoI tenants;

(i) In arrears on 30th September 2019 = £678,904, number of cases was 75;

(ii) In arrears on 30th September 2020 = £528,649, number of cases was 54.

The Department has contacted some tenants to offer repayment plans with arrangements in place to contact the remaining relevant debtors over the next few weeks. It is not appropriate to offer payment plans to all debtors; for example, some have already been referred to the Coroners after judgment by the court, some debt is the result of ongoing negotiations regarding lease terms and some debt will have been paid since 30th September 2020.

57. Summerhill slip road, Douglas – Work and cost

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Infrastructure:

How many times the section of road at the bottom of the Summerhill slip road to 100 metres towards the Summerland site has been dug up and re-laid since the current promenade works started; what reason was given for each process; and how much this has cost?

The Minister for Infrastructure (Mr Baker): As part of the promenade refurbishment work, the section of road identified has been excavated on three occasions.

Due to the complexity of the work, combined with the requirement to maintain traffic flow along the promenade, it has been necessary to undertake the work in separate sequences. On all occasions, temporary surfacing was always provided to maintain access for pedestrians and vehicles and minimise prolonged and extensive disruption.

The first excavation involved the installation of the rail corridor. The second occasion was for utility installation work; this was primarily in the footway but did involve some excavation in the roadway. The final time was to construct the highway adjacent to the rail corridor.

The above was scheduled work, done as part of the promenade refurbishment and as such did not realise a specific cost outside of the agreed capital budget for the scheme.

**58. Energy from Waste Plant –
Operational update**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Infrastructure:

Pursuant to his Written Answer in August 2020 to Question 1 on the Supplementary Question Paper, if he will provide a breakdown of how many hours were operated each day in July and August?

The Minister for Infrastructure (Mr Baker): The total daily hours operated at the Energy from Waste Plant for July and August 2020 are set out below:

Date (July 2020)	Total daily hours operated	Date (August 2020)	Total daily hours operated
01/07/2020	24	01/08/2020	0
02/07/2020	24	02/08/2020	0
03/07/2020	24	03/08/2020	0
04/07/2020	24	04/08/2020	0
05/07/2020	24	05/08/2020	0
06/07/2020	24	06/08/2020	0
07/07/2020	24	07/08/2020	0
08/07/2020	24	08/08/2020	3.32
09/07/2020	24	09/08/2020	0
10/07/2020	24	10/08/2020	9.6
11/07/2020	24	11/08/2020	24
12/07/2020	24	12/08/2020	24
13/07/2020	24	13/08/2020	24
14/07/2020	24	14/08/2020	24
15/07/2020	1.57	15/08/2020	24
16/07/2020	0	16/08/2020	24
17/07/2020	0	17/08/2020	24
18/07/2020	0	18/08/2020	24
19/07/2020	0	19/08/2020	24
20/07/2020	0	20/08/2020	24
21/07/2020	0	21/08/2020	24
22/07/2020	0	22/08/2020	24
23/07/2020	0	23/08/2020	24
24/07/2020	0	24/08/2020	24
25/07/2020	0	25/08/2020	24
26/07/2020	0	26/08/2020	24
27/07/2020	0	27/08/2020	24
28/07/2020	0	28/08/2020	24
29/07/2020	0	29/08/2020	24
30/07/2020	0	30/08/2020	24
31/07/2020	0	31/08/2020	24

**59. IoM Steam Railway –
Operational details**

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Infrastructure:

Whether the Isle of Man Steam Railway and dining car service was well patronised and operated at a profit in the summer of 2020?

The Minister for Infrastructure (Mr Baker): Since the limited operation of the steam railway and the dining train commenced at the beginning of the school holidays, it has been well patronised by both visitors from Guernsey and local travellers.

The railways are all subsidised and depend on revenue and capital budget support. The limited service was therefore in no way profitable but income generated did exceed the marginal cost of operation.

**60. IoM Steam Railway and dining car –
Operational plans**

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Infrastructure:

Whether the Isle of Man Steam Railway and dining car service will be operating for (a) the autumn school half-term; and (b) Hop tu Naa special services?

The Minister for Infrastructure (Mr Baker): Services continue at weekends until half-term, when the railways will operate to the four-day service pattern operated in the summer. There is also a full programme on the dining train including Hop tu Naa specials, which are sold out.

**61. IoM Steam Railway –
Social and community value**

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Infrastructure:

To what extent the Isle of Man Steam Railway is of increasing social and community value to Island residents, especially since the COVID-19 restrictions to travel have been in place?

The Minister for Infrastructure (Mr Baker): Local residents have supported the railways during this limited season and it appears that the railways have provided a valued attraction at a time when travel off-Island has been difficult. The quality of life on the Island has been challenged in the COVID-19 period, but across the two railways over 36,000 journeys have been recorded.

**62. IoM Steam Railway –
Extension of service**

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Infrastructure:

What plans he has to extend the Isle of Man Steam Railway service for weekends to the end of 2020, including Christmas Holidays and Christmas Holiday special services and use of the dining car?

The Minister for Infrastructure (Mr Baker): The Department has recently announced the extension of the steam railway for both dining cars and Santa trains for the period from 3rd December 2020 until 4th January 2021. Early bookings indicate that this is going to be well supported with some dates already sold out.

The season normally ends at the end of the autumn half-term school holidays and the last day for normal services will therefore be Sunday, 1st November 2020. There will be no services from then until the Christmas trains commence.

**63. Douglas Promenade scheme –
Project completion bonuses**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Infrastructure:

What structure of project completion bonuses have been negotiated with contractors undertaking the promenade scheme; and how much all completion bonuses would be if the promenade work were successfully completed to the satisfaction of the Department by 31st March 2021?

The Minister for Infrastructure (Mr Baker): The agreed bonus payment identified under the contract is only realised when the contractor completes the whole of the works more than nine weeks in advance of the completion date. For example, should the completion date remain at 31st March 2021, a bonus payment would only become payable if the contractor completed the works prior to 29th January 2021. The bonus for early completion is £2,500 per day, with a maximum bonus capped at £450,000.

So, had the project been completed on 2nd August this year, the contractor would have been entitled to a maximum bonus of £450,000. Clearly this did not happen.

Under the NEC form of contract the completion date can change if there is a change requested by the client or if matters outside the contractor's scope delay the contractor. For example, if additional service diversions are required to accommodate an additional water main, this would ultimately change the completion date.

**64. Purchase of new buses –
Details**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Infrastructure:

What new buses have been purchased from Ireland and from whom; how much was paid for them; whether they are performing as expected; what guarantees accompanied the sale; and whether the vendor is still trading?

The Minister for Infrastructure (Mr Baker): The plan for the renewal of the double decker bus fleet included five in the last financial year and five in this. Ten Streetdeck buses have been purchased from Wrightbus Ltd of Ballymena, N. Ireland. This company has supplied double-deck buses to the Department since 2009, though ownership has now changed following a brief period of administration. These buses have all now been delivered and with driver training completed the first buses are now entering service. Training of engineering staff has been delayed by COVID-19 as we have been reluctant to ask staff to travel off-Island for training. Many of the components are similar to other vehicles in the fleet and no immediate problems are expected.

The price is a matter of commercial confidentiality; however, procurement was in accordance with the Financial Regulations.

The vehicles are provided with a number of warranties, including 12 years for the structure, two years for the body, three years anti-corrosion, two years or 200,000 kilometres drive train warranty, whichever comes first. In Island use, 200,000 kilometres is an acceptable threshold as this will almost certainly be reached on or just after the two-year period.

The manufacturer is trading and there are no indications that this will not continue to be the case. Although not part of the JCB group of companies, the involvement of the Bamford family in ownership through the Bamford Bus Company is reassuring.

65. Flats at Mona and Tynwald Streets, Douglas – Landlord details

The Hon. Member for Douglas Central (Mr Thomas) to ask the Minister for Infrastructure:

If he will publish the name and correspondence address of the landlord or landlords of the flats at (a) 6 Mona Street; and (b) 29 Tynwald Street; having sought information from other public entities as necessary?

The Minister for Infrastructure (Mr Baker): The Department sought information from the local authority and also from the Land Registry and from this information is able to confirm the information requested.

It would be unlawful to publish this information publicly under the Data Protection Act 2018 (applied GDPR) and particularly the provisions of Article 5.

TREASURY

66. Manx Lottery Trust Community Fund 2019-20 – Grants and administration costs

The Hon. Member for Douglas Central (Mr Thomas) to ask the Treasury Member of the Manx Lottery Trust:

Which organisations received grants from the 2019-20 Community Fund administered by the Manx Lottery Trust broken down by (a) conservation; (b) development; and (c) learning; for what purpose and on what terms each grant was made; and if he will make a statement about the costs incurred by the trust in administering this Community Fund?

The Minister for the Treasury (Mr Cannan): The following organisations received grants in 2990 2019-20:

Island Community Fund 2019-20				
Organisation	**Project**	**Match by**	**Match %**	**Pillar**
Manx Wildlife Trust	Manx Mires P/ship	MWT	30/70	C, D, L
Manx Wildlife Trust	Wildlife Walking with Praxis	MWT	30/70	D,L
Friends of Malew	Re-siting of crosses	Friends	30/70	C,D,L
Manx N Youth Band	Window conservation	Various	30/70	C
Quing	New induction programme	Donation	30/70	D, L
Rushen Heritage	Heritage Centre	RH	30/70	C, D, L
Friends of Foxdale School	Tree planting legacy	FFS	30/70	C, D
The Milntown Trust	Garden Path project	MT	30/70	D, L
Supporters Curraghs Wildlife Park	Curragh Nature Trail	Zurich	30/70	C, D, L
Jurby & Northern CI	Local herbology	CV	30/70	D, L
Cathedral Q Trust	Kitchen refurb Corrin Hall	Church	30/70	D, L
Motiv8	New premises refurb	Annexio	30/70	D, L
The Children's Centre	Natural energy project	Madenski	30/70	C, D, L
Ramsey Commissioners	Water feature	RTC	50/50	D, L
Friends of Jurby Church	Conservation work	FoJC	30/70	C, D

The majority of the projects overlap in the pillars as shown above.
(C = Conservation, D = Development, L = Learning)

The terms of the projects are 30% funding, matched by 70% funding for charities, and 50%/50% funding for non-charitable organisations.

The costs of administration have been absorbed by the Manx Lottery Trust.

The Court adjourned at 1.02 p.m.
and resumed its sitting at 2.30 p.m.

The President: Fastyr mie, Hon. Members.

Members: Fastyr mie, Eaghtyrane.

The President: Please be seated.

Data Subject Access Requests and parliamentary privilege –
Ruling by the President

The President: Hon. Members, just before we commence the Order Paper, I just wish to make a Ruling in relation to the question of Data Subject Access Requests and parliamentary privilege.

This Ruling is in relation to handling the rights of members of the public to make formal requests for Data Subject Access. The Island's data protection legislation provides that the processing of personal data (i.e. our holding of information about a person) is exempt from Article 15(1) to (3) of the applied GDPR – that is, the requirement to respond to a data subject access request – if that exemption is required for the purpose of avoiding an infringement of the privileges of Tynwald. This exemption is at paragraph 7(c) of Schedule 9 to the GDPR and LED Implementing Regulations 2018 (SD 2018/0145).

To respond to a Data Subject Access Request involving Committee records would infringe the privilege of Tynwald as it would open up the private information held by Committees, much of which is given on a confidential basis. It would conflict with the principle of exclusive cognisance which was recently enshrined in statute through the enactment of the Tynwald Proceedings (Amendment) Act 2020.

I therefore rule that, as a matter of policy, when considering Data Subject Access Requests from Committee witnesses or others in relation to Committee records, the Clerk of Tynwald should presume that the parliamentary privilege exemption should apply unless there is a very good reason for that presumption to be displaced; and that the presumption should in any case not be displaced without the authority of the Committee concerned and the relevant presiding officer.

Thank you, Hon. Members.

Order of the Day

3. State of the Nation –
Statement by the Chief Minister

The President: We now turn to Item 3 on our Order Paper, State of the Nation address – a Statement to be made by the Chief Minister, Mr Quayle.

The Chief Minister (Mr Quayle): Thank you very much, Mr President, and thank for you the opportunity to provide a Statement at this time. It has become traditional to make a Statement on the anniversary of the elections to the House of Keys.

It has been four years since I was given the honour to serve as Chief Minister. Each year I have stood in my place in this Hon. Court to deliver a State of the Nation address: an address before you all – my colleagues and peers – that looks back to the achievements of the previous year and forward to the challenges of the next.

I welcome and value this tradition. We who have the honour to sit in this place must never forget why we are here. We are here at the behest of the Manx public. We are here to serve them to the best of our abilities. We are here to make our beautiful Island the best possible place to live and to work; to make it as safe as we can to allow our loved ones to thrive; and to create the opportunities for everyone to fulfil their dreams. The great Manx public has entrusted this to us.

This is not always easy. All of us, in this place and in Government, are so often called upon to make decisions based on incomplete information, to deliver certainty out of uncertainty. 2020 has shown us how anything can happen at any time. We have had to deal with ambiguity and uncertainty on a daily basis. Where one day we found a patch of solid ground, the next day we found it crumbling underfoot. Without the benefit of the hindsight that we enjoy today, we had to listen, consider and decide; to innovate, adapt and overcome. We have had to revisit and re-explain as the situation has evolved.

Members of this Hon. Court scrutinised, challenged and questioned. For that I am genuinely grateful. Diversity of thought is what leads to the best decision-making.

At times it was not easy. I know that we did not get everything right. But I do believe that as a legislature, as a government and as an island we did our best in the extraordinary circumstances we faced.

In doing so, we have a responsibility to be as transparent as we possibly can. As we act and legislate in their name, the public should be able to see what we are doing and understand why. I made a personal commitment to the great Manx public to tell them what's what. This is something I have endeavoured to do throughout my time as Chief Minister. And this is something for which I would like people to remember this administration. We do not always get this right – I know that. But we should certainly not stop trying. This annual statement is an important part of that. It should be a moment to be candid about our challenges, to be frank about our shortcomings, but also to be proud of our achievements.

Mr President, this will be the last of these annual statements from the current administration. But I hope that this is something that the next administration will continue.

When I started to think about this statement, what was clear to me was what I did not want it to be. I did not want to stand here and read a long list of everything that together we – that is, the executive and the legislature – have done. Nor do I want this to be a compendium of clever metaphors or analogies. The last six months has I think exhausted them. Indeed, I think the word 'unprecedented' has been used by politicians and the press more times than we would care to remember.

This is not the moment for cleverness or complexity. What I want to do today is to speak from the heart. You may not escape a quotation or two, but I hope you will excuse me this!

As I say from time to time, I was not born to be a politician, and I know many people tire of hearing me say this, but it is true. I am just a Manxman and like all Hon. Members of this Court, I am sure, I came into politics wanting to do the best for our Island.

At the time, our Island was facing a set of particular set of challenges. These were mainly economic. I thought I had some skills and experience to share. I came into politics to play a part in helping to shepherd our Island through those challenges. At the start of this administration, I am not sure we would ever have anticipated what we saw, experienced and endured.

Mr President, before I get into the detail of my statement, I would like to beg your indulgence on two issues. Firstly, I would like us to remember some friends who joined us at the start of our journey but are not in the Chamber today.

A deeply loved colleague sadly passed away in February this year. Bill Malarkey will always be remembered as a hardworking, conscientious parliamentarian, who cared deeply about both his constituency and Government duties. I was honoured to know him as a friend and I know many

of us here today have equally fond memories. He is sorely missed. (**A Member:** Hear, hear.) And Miss Costain, who also departed this Hon. Court this summer. I am sure you will join me in wishing her well. (**Several Members:** Hear, hear.)

But as the sun sets, the sun rises. And I would like to offer my own personal welcome to the two new Members representing Douglas South in this Hon. Court – Claire Christian and Paul Quine. I know that both of them have joined us with a passion for public service. I wish them both well and look forward to working with them.

Mr President, back to the matter at hand. The last 12 months has proved to be a challenging context for the work of Government. During the emergency, we had to pause work on the Programme for Government – the ambitious challenges we set ourselves four years ago. Despite this, we have still achieved much. We have had to amend and fine-tune the Programme for Government. And I remain determined – working with you – to deliver as much of it as we possibly can in the time that remains.

At the start of 2020, we saw the Equality Legislation come into full effect. This has been something always close to my heart and an important indication of what kind of a nation we are.

We broke ground on the new Ferry Terminal in the heart of the city of Liverpool – a concrete demonstration of our links to the North West of England and an enduring facility for our people and our businesses.

Just before the arrival of COVID into our lives, the Treasury Minister delivered an ambitious budget for the future with measures to support low to middle-income earners, develop vital infrastructure and boost business and jobs.

Other change is under way. We have major transformation programmes in progress on climate change, health, and now education. We have not been afraid to ask the difficult questions. Or to ask others to tell us the difficult truths.

Mr President, the Council of Ministers made a commitment to designate a Minister with responsibility for Justice. I can confirm that I will be designating the Minister for Home Affairs as the Minister for Home Affairs and Justice. I will also be creating a Council of Ministers sub-committee with responsibility for justice policy, chaired by the Minister for Home Affairs and Justice. This will start the transition towards a more centralised approach to policy making.

I can further confirm that Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services will be requested to undertake an inspection of both the Constabulary and the Fire and Rescue service. The terms of reference for the inspections will include operational performance, effectiveness, policy and governance. These reviews will help inform the future structure of the Department of Home Affairs and the functions beneath it.

Mr President, the decision of the people of the United Kingdom in June 2016 took many people by surprise. The effects of that decision have consumed time and created uncertainty throughout this administration. The aftershocks have continued throughout the four years that have passed since then. I will be making a statement on this later in the Order Paper, so shall not dwell on it at this moment. But I mention it here as an important piece of context.

Mr President, whichever way we look at it, this year has been dominated by COVID. We saw the earliest signs of it at the end of December in Wuhan, China. We felt the worst of it here in April. And it is still a real and significant threat to our Island and our way of life. I did not want the year we have just had. There was so much suffering. People lost livelihoods. People lost loved ones. Our nation mourned. We must never forget that.

We had to set aside swathes of normal Government business. We had to learn quickly to deal with something none of us had encountered before. From the start of the year, the Council of Ministers set a clear priority – the preservation of life. And this is what defined our thinking. From the confirmation of our first positive case on 19th March, we had to take a series of difficult decisions.

We constrained the lives of our people. We came between our people and their loved ones. We imposed restrictions on our people returning to the Island. We required our businesses to take steps to protect their staff and customers. But the great Manx public rose to the challenge.

They chose to make the right decisions for themselves, for their loved ones and for their Island. We found PPE. We built an oxygen plant. We established a contact-tracing service that works. We developed our own 111 clinical advice line. We brought testing on Island. And the list of achievements is more than I can do justice to today.

Our public service worked day and night to reinforce our health and care sector, to ensure that other essential services continued and to provide support to our economy. Thank you.

Our private sector played an incredibly important role underpinning essential services and supplies. Thank you.

Our third sector stepped up, with an army of community volunteers, to help those who needed it most. Thank you.

This was a team effort. A national achievement. Because of that, we find ourselves in a position envied by many other nations; and because of that in May, we were able to start reinvigorating our economy. And in June we were able to lift all social distancing requirements.

We only have to watch the news coverage of our near neighbours to realise how fortunate a position we find ourselves in. But we must not forget how we got here.

Yes, there was an element of luck. But as General MacArthur said: the best luck of all is the luck you make for yourselves.

We are not free of the threat of COVID or the risk of it returning to our community. But it is right that we look to the future. Sadly, none of us has a crystal ball. But the worst decision we can make at the moment is no decision. We cannot let our inability to see the future and the uncertainty this brings slow us down and prevent us from moving forward. There are certainly challenges ahead. A priority has to be our economy. I applaud the efforts of the Treasury Minister, the Minister for Enterprise and their teams in dealing with the incredible pressures on our economy over the last eight months.

We are not out of the woods yet. Far from it. But there are encouraging green shoots. Unemployment is steadily decreasing – not yet to pre-COVID levels but far better than we might have feared.

At the start, we had to focus our efforts on protecting jobs and business as best we could. While we continue to support certain sectors and stimulate others, our focus is now firmly on the future.

To quote the late Tom Petty, whose birthday it happens to be today, 'It is time to get going. What lies ahead, I have no way of knowing.' It is time for us to move forward as best we can. And we need to do that together.

Mr President, there are things that we do know and things that we do not know. I will not succumb to the temptation to quote Donald Rumsfeld's famous 'known unknowns' speech at this point.

What do we know? We know that we cannot keep the borders closed for ever. We know people have suffered. The mental health of our nation has been put under extreme strain. We know there remains a great deal of anxiety amongst our people. Yes we need to be bold and confident about the future. But we need to be mindful that people are still worried. Another Tom Petty line reminds us that 'You belong somewhere you feel fine'.

And there are things we know that we don't know. We do not know when the world around us will return to normality. We do not know the extent of the scarring of our people. We do not yet know the impact that global economic events will have on our economy and our way of life.

I am proud of where we are. Pride is often taken as a negative quality, and the proverb warns us that it comes before a fall – I am aware of that. I believe it is okay to have pride, but is important to set that against humility.

There are things that we have not got quite right, over the last year; things that we could have dealt with better. There are things that we might have wanted to be different.

Might we have done better preventing in the Laxey floods? Yes, maybe we could have.

Did we get absolutely everything right in our dealing with COVID? Maybe we did not.

Is the development of the promenade quite where we would want it to be? I know everyone on the Island has a view on that! But seriously, on the promenade, I know it will be worth it in the end.

Mr President, people – including those lucky enough to be in these seats after the next general election – will look back on this last period. With the benefit of hindsight, there will of course be things that will be easy to criticise. I hope too that when we look back at all the things that we have been through, we will remember the sacrifice made by so many, the dedication of our public sector, the resourcefulness of our private sector and the heart of our third sector. I hope people will remember how this hardy band of people – the great Manx public – rose to the challenges we faced.

I do need to be clear that when I talk about the great Manx public, I do not mean that you have to be able to trace your family line back to King Orry or to have farmed the plains of Sandygate for 500 years. If you have chosen as your home our own dear Ellan Vannin, with its green hills by the sea, then this means you. Whether you are from Ballasalla or Burnley, Kirk Michael or Krakow, Crosby or Cork, you are part of the Manx family.

Mr President, we must look ahead and together move forward. As Ban Ki-moon said, 'It is only through seriousness of purpose and persistence that we ultimately carry the day. We might liken it to riding a bicycle. You stay upright and move forward so long as you keep up the momentum'.

The last year before an election inevitably leads to a desire for Members to campaign and distinguish themselves in the eyes of the electorate. I understand that. I would argue that right now, the electorate expects us to act in the national interests. We must not let them down. We must continue to make decisions and progress.

There is so much still to do. There are more than 20 pieces of legislation that will be coming before the Branches. All are important. But some are fundamental to our society. Climate Change, Domestic Abuse, the Capacity Bill, Landlord Registration and the Sexual Offences and Obscene Publications are all issues that will be before us. We can only deliver the rest of the legislative programme, if we work together. To quote Helen Keller, 'Alone we can do so little; together we can do so much.'

Mr President, in conclusion, together we have achieved so much. But there is still so much to do. We must embark on the last year of our terms with positivity and purpose, for our people, our community and our Island.

I leave Members with the words of the poet Shelley that seem so appropriate at this time: 'Fear not for the future, weep not for the past.'

Thank you.

The President: Thank you, Chief Minister.

Hon. Member, Mrs Poole-Wilson.

Mrs Poole-Wilson: Thank you, Mr President and thank you, Chief Minister.

I would just like to ask a question about one item that you referred to in your Statement, and that is, I believe that you referred to designating the Minister for Home Affairs as the Minister for Justice and Home Affairs. This would be quite an extensive portfolio: Police, Prison, Probation, Courts, Prosecutions, Tribunals, Legal Aid. So can I ask the Chief Minister what analysis has been undertaken into the potential for conflict of interest and the safeguarding of the operational independence of the different agencies of the justice system and the maintenance of the separation of powers?

Thank you, Mr President.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

I thank the Hon. Member for raising what is a very valid concern. It was a concern no matter where you placed the Justice Department. I think we were all in agreement: if I had created another Department, with another Minister, that would not have washed with this Hon. Court. We felt that the best way was to put it in the Department of Home Affairs, so we have a Home Affairs and Justice Department.

But of course we will, extremely carefully, cover the matter conflict of interest elements that the Hon. Member has raised, which is why a working party will be set up in the Council of Ministers, and we will be coming before this Hon. Court to debate that. It will not just happen without approval of this Hon. Court.

The President: Hon. Member of Council, Miss August-Hanson.

Miss August-Hanson: Thank you, Mr President.

It is just an extension of what my colleague in Council just made mention of. There is an awful lot of speculation over the course of the last year or so, regarding DHA and the potential for it to be subsumed by the Cabinet Office. Now, obviously, there are some levels of conflict of interest in doing so, because the Chief Minister is the Minister for the Cabinet Office and therefore should he, as Minister for the Cabinet Office and the Chief Minister of our Island, have law enforcement sat underneath his role as the Cabinet Office Minister?

So just as an extension, I suppose, of what my colleague in Council had to say, I am wondering if that is still being considered, and, if so, how would the separation of powers be guaranteed with the Police, the Judiciary, which is at arm's length from the Cabinet Office and some duties are performed within the Cabinet Office for it. How do you plan on reconciling that?

Thank you for your speech, Chief Minister.

The President: Chief Minister to reply

The Chief Minister: Thank you very much, Mr President.

I will confirm, as the Hon. Member knows, that I have been keen to reduce cost and streamline Government Departments; this is something we have been working on for a while now. Her Majesty's Inspectorate of Constabulary will provide expert advice on what is best practice and how we can always ensure that our Constabulary are totally separate.

For example, they are totally separate from the Minister for Home Affairs – the Minister for Home Affairs cannot tell the Chief Constable what to do. Neither can he tell the Fire Services what to do. Neither can he tell the Prison what to do. So effectively, I think it is Civil Defence. Obviously he works with those areas, but he does not instruct them what to do, and I think, wherever Home Affairs ends up, there will be safeguards put in place to ensure that that *status quo* is maintained, and we will, as I say, be taking advice from Her Majesty's Inspectorate on how we get there – which I am sure we all want. Certainly there is no power grab from the Cabinet Office here; all we are trying to do is streamline and ensure that we have as efficient a Government as possible going forward.

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

Mr Shimmins: Thank you, Mr President.

I would just like to add my voice to the concerns that have been raised already about the separation of powers. I think this is a significant issue, and it is especially dangerous in a small jurisdiction where you have a concentration of power in a small number of men's, actually at this moment in time, hands and some of the other decision-makers are also dependent on patronage from those … very small number of people. I think that raises all sorts of concerns, and conflict of interest clearly raises its head.

We also have another example of that currently, with the Chair of the Manx Utilities Authority and the Minister for Infrastructure.

Mr Baker: Point of order, Mr President.

The President: Mr Baker.

Mr Baker: There is no substance to that assertion that there is a conflict of interest between the Chair of Manx Utilities and the Minister for Infrastructure. I would ask the Hon. Member to withdraw that remark.

Mr Robertshaw: It is an opinion.

The President: Hon. Member.

Mr Shimmins: Thank you, Mr President.

I note the Minister for Infrastructure or, should I say, the Chair of Manx Utilities' comments. That is certainly his opinion. It is an opinion that is not shared by everybody. That is all I would say, but I respect his opinion and I hope he will respect mine. I just offered as another example, potentially, when you have a concentration in a very small number of people's hands of power, then it raises significant concerns.

So all I am saying is that when this comes back – and this is the first time that we have been informed of this very significant change, Hon. Members – I expect to see all of these fundamental issues in a democracy fully addressed.

The President: One moment, Mr Robertshaw.

Could we come to a specific question. (**Mr Shimmins:** Yes.) Just to remind Members, this is not a debate. (**Mr Shimmins:** Sir, absolutely.) It is a Statement and specific questions on the Statement.

Mr Robertshaw.

Mr Shimmins: Sir, two questions –

Mr Robertshaw: A question –

The President: Thank you.

Mr Shimmins: Two questions. First of all, and it is the fourth time I have asked this question, at every State of the Nation debate, is why were we not provided with a copy of the speech beforehand, so we could ask more meaningful questions? That is one question.

The second question is: when we see the full proposals for the Ministry of Justice and Home Affairs – the one-stop shop, if you like, for administering justice in our small jurisdiction – will the conflict of interest … will the significant segregation of powers issues be fully addressed?

Thank you.

The President: Chief Minister to reply to the two questions.

The Chief Minister: Thank you very much, Mr President.

I apologise to all Hon. Members that they did not get a copy of the speech; I was still amending it at lunchtime. Sadly, we are flat out with the transition period behind the scenes at the moment in the Cabinet Office, and a number of speeches have had to be done burning the midnight oil, so I can only apologise for that.

Regarding conflict of interest, which I share – I get that – nobody here wants to be damaging the independence of not just the Police but of the Fire Service and the Prison. We already have legislation in place, Hon. Members, to protect the independence of the Police. We will be watchful of any conflict, and before we bring any proposals to this Hon. Court, I would be very disappointed if we are not able to reassure Hon. Members that that has protection to avoid political interference has been preserved.

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

Mr Thomas: Thank you, Mr President, and I thank the Chief Minister for his State of the Nation address.

With hindsight, does the Chief Minister think it might have been a bit bold to make such a major announcement in respect of Justice and Home Affairs in a State of the Nation speech?

Secondly, a second question: does the Chief Minister acknowledge that the idea of a Ministry of Justice has been looked at for 10 or 15 years and, as the Chief Minister acknowledged, that in this Court or in the other places, the idea of Cabinet Office taking this role and the idea of Home Affairs coming into the Cabinet Office has been questioned? So I question and ask the Chief Minister this question as well: is it necessary to get an external opinion on the bleeding obvious?

The third point is that I would like the Chief Minister to remind himself of the beginning of his Statement, where he said that the purpose of the State of Nation was to consider the achievements and to acknowledge the challenges. I invite the Chief Minister to think about the inclusive and caring society on an island of enterprise and opportunity, with a financially responsible government, and I invite the Chief Minister to give evidence from the indicators that we decided four years ago that we have actually delivered an inclusive and caring society in an island of enterprise and opportunity with a financially responsible government. Just a few examples would be helpful.

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

The Hon. Member says it was bold to announce it today; but the Programme for Government is all about bold initiatives. In the past, I have announced a telecommunications strategy. We had a further presentation today about where we aim to be in the top 10 fastest countries in the world. We have shaved a year off the delivery of that. That was bold. Setting up committees to look into community or Manx Gas have all been items that have been announced over the years, so I think this is a bold initiative, and this is the time to announce it to you all here first. You heard it.

Yes, it has been looked at a long time, what to do with Justice. We had a Select Committee of Tynwald that reported to us and recommended that a Department of Justice be set up and based on those recommendations, we have looked at that, and that is what we are trying to do: to take on board the views of Tynwald. But having a separate Department, I have ruled out. I think it can sit with the Department of Home Affairs.

An inclusive, caring society: it is incredibly close to all of us and I think how we have handled the COVID pandemic should be a clear example of how the Treasury Minister and the Minister for Enterprise came up with schemes to help those who were vulnerable, who had lost their jobs, who had been furloughed – the MERA scheme – all the support out there to help businesses survive this period of time. The fact that all the … and the Hon. Member should know this, because I asked him to deliver for me on this, and he did, to be fair to him – to ensure that all our homeless people during COVID had somewhere to live. That was done. That to me is a caring and inclusive society, and I am delighted that the vast majority of those people now have long-term accommodation to live in, so that to me is a key example of how we have looked after people, and I thank him very much for his question.

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

Mr Hooper: Thank you very much, Mr President.

In terms of the announcement in respect of the Ministry of Justice and Home Affairs, the Chief Minister has mentioned a number of times the importance of the independence of the Police Force and the Fire Service. I wonder if he could also reiterate his commitment to an independent judicial system and an independent prosecution system within the Attorney General's Chambers. I would just like to be clear that we are all on the same page there.

In terms of the rest of his speech, the Chief Minister mentioned, he said we do not know when the world around us will return to normality, and I think that is a very fair comment to make. I know how much the Chief Minister likes quotations, so I just give him one here from the philosopher, Dave Grohl, who said, 'It's times like these, we need to learn to live again.' What I mean by that is, we cannot simply keep responding to changes in the immediate circumstances that surround us. I fully appreciate why we have had to do this, but it is not sustainable in the long term, so can the Chief Minister give us an indication as to when we might expect to see some of his Government's thinking about more of the long-term planning and the long-term future of the Island as we do start to move, possibly from where we are today and into what we hope will be a return to normality with our near neighbours?

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I thank the Hon. Member for his questions and he has hit me with one point: I can reaffirm the independence of the courts. That is something obviously, in the Council of Ministers and the law courts, that all of us in here want to keep. This is not Tynwald trying to take … or the Council of Ministers. It is purely trying to streamline and make it as efficient as possible, taking on board the Tynwald Select Committee's report and dare I say it, trying to make a saving?

It is quite ironic: one minute I am accused of too many people in Government making decisions, the next minute I am getting accused that there is too small a number of people making decisions. So I am damned if I do and damned if I don't. But I know a number of people who have been calling for restructuring and, if possible, savings and streamlining. That is what we will try to do, working with this Hon. Court.

Regarding the long-term future of the Island going forward – obviously, the Hon. Member was referring to the uncertainty that COVID has brought along and our borders policy, which are currently closed to non-residents of the Island – nothing would give me greater satisfaction than being able to move to level 3A, to allow our children, our mums, our dads, our grandchildren – I do not have any, I hasten to add – to come to visit the Island. But at this moment in time most of the world, certainly Europe and the United Kingdom are experiencing a second wave, and I do not have a crystal ball. I sincerely hope that in spring of next year, if a satisfactory vaccine comes out for this illness, we will be able to say, right, we can protect all the people that are vulnerable and we can vaccinate everyone, and that will enable us to open our borders up with, obviously, some checks on people coming into the Island from a health point of view. That is something that I think will be in spring, but until then I am afraid I cannot give the Hon. Member any short-term predictions on where we are going on this. I would love to.

All I can say is that the Council of Ministers and all our teams in Government Departments, working with yourselves, are committed to making progress for the people of the Island, but it still remains our number one priority, the protection of health and then obviously we have to ensure we look after our economy. So I cannot, as much as I would love to, give the Hon. Member for Ramsey a clear answer on the short-term future.

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

Ms Edge: Thank you, Mr President.

I thank the Minister for his State of the Nation speech this afternoon.

I have a couple of questions for the Chief Minister with regard to what he said in response to the Hon. Member for Middle, Mr Shimmins, that the current Minister cannot tell the Police, the Fire, the Probation Services what to do. Therefore, is there any need for a Minister for this new area of Government that he is considering setting up?

I think many Members in here, we have talked many times about a regulatory body for Government, and what we are really leading to here is that everything that we have talked about is going to be regulatory. So alongside these changes, is the Chief Minister going to consider looking at a regulatory hub within Government that could actually help you streamline Government? I am just putting that there with regard to that, because clearly the Minister cannot help direct and I totally agree with that, it is right. Should there be a Minister for Justice in this area, or do you need to be looking beyond that and getting the right set-up within our Government with regulatory bodies for the people of the Island?

But one of my biggest concerns listening to the Chief Minister's speech today was that, obviously, all Hon. Members in here were not aware of this change that has been announced within your speech today, but are the staff aware? I have real concerns. I have not heard a word from the Chief Minister with regard to the employees within the Department for Home Affairs.

I would have expected for such a statement to be made for such critical change to their possible employment – I am not saying that there will be any changes with their employment, but clearly they might be working for a different Minister with a different portfolio – and I feel that that should have been priority before any changes. I hope that that has taken place. If not, when will it take place?

Certainly when we are talking about streamlining, that is quite significant to an employee currently, if they feel you are going to streamline something and it is a role that they are currently doing. What consideration has been taken of the staff with these changes? Obviously you say you are going to come back to this Hon. Court with further detail. Clearly, there is not detail there at the present time for the employees, if it is not there for Members of Tynwald. I just wonder … I am supportive; I am not against –

The Chief Minister: It sounds like it!

Ms Edge: No, but I am very concerned that you have not taken the right approach, when there are people sitting in roles today and that role may not be there.

I do want to just reiterate that I think we are talking about regulatory bodies more so than making changes to Ministers' portfolios.

Thank you, Mr President.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President; and I thank the Hon. Member for her comments.

I am trying to answer them in the spirit that she is looking for. Regulatory hub thinking is under way, for a start, so we can bank this.

Making changes to the Department of Home Affairs and potentially merging it is not something that we have been working on for the last two days. We have been doing this for a long time now, trying to look at ways of making some streamlining. I know I have been looking for well over a year to make changes to the Department of Home Affairs to make efficiencies and savings for the taxpayer.

The regulatory hub is under way. The officers that have been working on giving us advice and carrying out the requirements are well aware of what this proposes. I would hope that as a responsible employer we are able to deal compassionately with the staff if they change the area where they are working, or whether they physically have to come in and move, but that happens

in all businesses. From time to time there are changes and you inform the staff when you have made the decision and you work with them to ensure that it works. But we will do our utmost to work with everyone.

Yes, the regulatory hub thinking is under way and we will do this together.

The President: I have three more speakers on my list and then I hope we can move on to the next Item.

Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

As the third and remaining member of the Constitutional and Legal Affairs and Justice Committee, who has not yet spoken, I follow my colleagues in expressing concern about the clear and evident conflict that exists between Justice and Home Affairs.

It seems to me that in his Statement the Chief Minister seemed to give us a binary choice between getting a Justice Minister, but not having an extra Department. Surely he considered other options where we could maintain a Justice Minister *without* having an additional Department?

Could he indicate to us what his deliberations were in that regard and why he rejected them?

Thank you.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President; and I thank the Hon. Member for his question.

As I have said in earlier answers, there is already legislation out there, Mr President, to ensure that there can be no conflict of interest between the judiciary and the Department of Home Affairs, and of course we are going to keep that. There is not one of us in this Hon. Court who wants to see any undue influence on that and any change to that. All we are trying to do is to streamline. We have taken on board the views of the Tynwald Select Committee that they wanted this Justice Department. I have had officers look into this and the recommendation is that it sits best with the Department of Home Affairs.

I will write to all Hon. Members with an update with as much detail as possible on other areas that we looked at. I have already said we have not done this yet, it is being announced by the Department of Home Affairs, but there will be a sub-committee that will look at it and work to get us to where we need to go.

I hope the hon. Member for Douglas East will join me in saying that this is seen as streamlining and as improving. He calls time and time again for a smaller, smarter Government and that is what we are trying to do here. But I do get that we do need to keep this conflict correct. We need to ensure that there is no conflict. There currently is not. The law is there, that law will continue, and if we need to strengthen it up to ensure that we still have the protection to avoid a conflict of interest then of course we will.

The President: Mr Speaker.

The Speaker: Thank you.

I rise on a similar issue and as a former Home Affairs Minister, with three questions to the Chief Minister based on what he has said in his speech. I will not reiterate the comments of others about treading carefully, about conflicts of interest in terms of bringing that together, but I do think it is achievable. What I suppose I am more disappointed at is that, as somebody who spent five years in that Department, no one has thus far in the past two years reached out to me politically, and had a chat about the experience that I have had over that time.

There was a Criminal Justice Strategy and that filled a strategic gap in decision-making where there was none before, and there was no leadership, and there was no direction. So I believe this

is a square that potentially can be circled in policy terms; but, as I say, I would just ask the Chief Minister to tread carefully.

So the question there is: will he engage with Members about how this is going to work going forward before coming back to the Court with just a Transfer of Functions Order (TOFO) that throws everything together, which I think is perhaps what is feared here, rather than the opportunities and the potential which were potentially very positive?

The second one, which is really my cause for surprise was considering the reputation I have got with my predecessors in the role, I am wondering how the Chief Minister did actually prioritise the Department of Home Affairs as being the first port of call for cuts and efficiencies, given that the Department was the only one to actually make cashable savings in the 2011-16 Administration? *(Interjections)* It was the *larger* Departments that actually failed to deliver cashable savings. So I would love to know how the Chief Minister has worked the numbers to get this priority out.

The third one is: what does the Chief Minister hope to get from a report from Her Majesty's Inspectorate of Constabulary? That might sound like a trite question, but frankly the UK model of policing is *not* one that we would want to emulate here. So being judged by their standards I think is about the most retrograde step we can take, given that the Police on the Isle of Man by any objective measure are some of the best in the British Isles in terms of the safest place to live, highest detection rates, low crime numbers, Investors in People Champion. These are things that others are just not coming close to.

We are ploughing ahead with a fantastic achievement in that, and I give great credit to the Chief Constable for the way that he has transformed the Constabulary. I would just love to know what his hopes and optimism are for bringing HMIC in and telling us, having come from the UK where one-in-five burglaries get a police attendance, to here where we get a 100% police attendance for a serious crime – what on earth we can expect to hope to learn from a system that is as broken and failed as the UK?

The President: The Chief Minister.

The Chief Minister: I thank the Hon. Member for his comments and I will agree with most, I think.

We need to tread carefully: of course we need to tread carefully on this. This is an incredibly serious thing we want to do and we are not going to do it if we do not get buy-in from yourselves. I am just *announcing* something that is going to happen, working with you all to get to the Promised Land. Nothing is off the table and I can assure him that his views will be listened to.

I think with savings, I am going to disagree with him. During his time he cut the Police Service significantly through savings and as a result we have had to put significant millions back in to try and fix it. So we will beg to differ on that one.

The Police Force: why have a review, the Hon. Member says? I would put it to him that the Police Force has not been inspected, I believe, since 2007 – it is 13 years since it has been inspected.

The Speaker: But why by the UK?

The Chief Minister: We have looked to see what is the best route down that area? It is something that I have discussed with the Chief Constable and this is the best way forward.

Yes, the UK is far from perfect, but there are procedures and ways of doing things that I am sure a review … It is always good to be reviewed, isn't it? So why wouldn't you want to have a review when you have not had one for 13 … It could be 2003, actually, I think since the last review. So that is 17 years since there has been a review, which I found *very* surprising. I do not know when the Fire Services were last reviewed, that has been a considerable time too. So I think it is time that we have this reviewed, and if they are doing an outstanding job we will be told they are

doing an outstanding job and there is no need for change. If there are tweaks and improvements – which I am sure if we were all reviewed we could all do better ourselves, myself included – then surely that has got to be a good thing for the people of the Island.

Thank you.

The President: Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I would just like to return to this long-term planning that I was asking about earlier. I am certainly not asking for the Chief Minister's crystal ball. I do not think that is a reasonable thing to request. But throughout his speech and through his answers he talked about the hope is that there will be some sort of vaccine next year and there will be some sort of return to normality, perhaps next spring – that is the earnest hope, I think, of all of us.

The question I am really asking is: what if that does not happen? What if we do not start to see a return to normality in the early part of next year? Is the Council of Ministers working on a plan for that eventuality? What happens if this situation that we find ourselves in now turns out not to be a short- to medium-term situation and it does start to perpetuate into the middle or end of next year? Is the Council of Ministers working on a plan for that? If not, it might feel to many on the Island that we are existing in a perpetual state of limbo, which I am not sure is really the best place for us as an Island.

So if the Chief Minister could take that away and just, even if they … I am sure they *are* working on these plans, but if he could at some point maybe bring those to Tynwald Members, that will be very much appreciated.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I would like to reassure the Hon. Member that of course we are trying to look to the future, but when you are looking to the future you need certain key steps to help you make positive changes. I gave the example of a vaccine as being a potential help in taking the Island forward. Officers have been tasked at the longer term making recommendations to the Council of Ministers as well as the short term. But it is a lot easier said than done. I am just trying to introduce ...

I know there is realism already here, but I cannot make promises that on 28th April the borders will be open and it will be a free-for-all. I cannot say that. But we are committed to when we can see a little bit of clearance in the fog that we will be as well-prepared as possible. It is really hard to predict but, yes, we will be working on strategies for the future regarding long-term COVID and living with it.

The President: Mr Shimmins, a final question.

Mr Shimmins: Thank you, Mr President.

I would just like to return to the separation of powers question. Does the Chief Minister feel it is appropriate that the Minister for Home Affairs will continue as the Chair of the Communications Commission or a member of the Communications Commission? If he is to have responsibility for Police and Justice, should he also have responsibility for regulating the media?

It may be streamlined, but actually it feels quite unhealthy.

Thank you.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I am sure he is no longer, not yet, but will no longer shortly be Chair of that said organisation.

This is a personal view. I have always said that because on that Committee sits representatives of the industry, surely you would want to have a politician – an elected politician or whatever – looking after the interests of the public. But that is that a future argument. If, during part of the negotiations this Hon. Court feels that is not the way forward well so be it, but he will not be Chair going forward.

Thank you.

The President: That concludes the questions on the first statement – *(Interjection)* I beg your pardon?

The Minister for Home Affairs (Mr Cregeen): Mr President, just a point of clarification for the Hon. Member for Middle. On the Order Paper for Keys next week is actually removing the Chairman of the Communications Commission as a political Member.

4. EU/UK Negotiations – Statement by the Chief Minister

The President: We move on to Item 4, EU/UK Negotiations and a second Statement by the Chief Minister.

The Chief Minister (Mr Quayle): Thank you, Mr President.

When I requested that a statement on the European Union negotiations be included on the Tynwald Order Paper it was in the hope, perhaps more than the expectation, that an agreement would have been reached by this point. However, Hon. Members will be very much aware that this is not, unfortunately, the case.

There remain very real and significant differences between the two sides, and this makes it difficult to assess what the final outcome will be. The European Union has said that it is willing to continue talking, but needs the United Kingdom to move its position. The United Kingdom Prime Minister has stated that he cannot see much point in continuing talks unless the European Union changes its approach to negotiations. There are suggestions that talks will continue this week or next, but this will only happen if the two sides believe that an agreed outcome is within reach, we shall see.

Mr President, it is well known that the most significant stumbling blocks are, and have been all along, fisheries, governance and what is known as the level playing field. On the level playing field, the concerns lie with the European Union. They want to ensure that the United Kingdom does not take measures that might give their businesses an unfair advantage over their European counterparts. The European Union is seeking guarantees on environmental standards, on labour protection and competition law. The biggest stumbling block in this area is what the European Union calls state aid; this is also known as state subsidies. The European Union wants guarantees from the United Kingdom that it will not provide financial support to its industries that might give them an unfair advantage. The United Kingdom argues that it is willing to meet international standards in this area and that what the European Union is looking for is way beyond that.

On fisheries, at a very basic level, the European Union wants to maintain its right of access to United Kingdom waters, and to fish quotas, similar to what it has now. The United Kingdom, however, wants annual negotiations, which will determine access to each other's waters and shares of quota on an annual basis. It also wants to change the way in which quotas are arrived at, and how they are shared out. And in relation to governance, there is still disagreement between the two parties on how the agreement will be managed.

So what does this mean for us? The Isle of Man Government's clear and stated position has been that we want: for goods and people to continue to move freely between the Isle of Man

and the United Kingdom; for our goods to access the European Union on the same terms as United Kingdom goods do, this remains to be agreed; and to take advantage of any other opportunities as they may arise, although with the scope of agreement narrowing now, those are very few.

Whilst the talks are ongoing, we cannot say what the negotiations are going to mean for the United Kingdom or for the Isle of Man. We know we have managed to safeguard free movement of goods between the Island and the United Kingdom. But when the final shape of a deal becomes clearer, the Council of Ministers will need to determine whether what we end up with is in the best interests of the Island. And Tynwald will have the chance to agree, or not, to give effect to those arrangements in law.

I know I have said it before, but the next two or three weeks will be crucial.

Mr President, something else which I have said before, is that we must prepare for every eventuality. The outcome of the talks is, of course, of significance to us. But at the end of the transition period, European Union law ceases to apply to the United Kingdom and to the Isle of Man. We need to prepare for this no matter what happens. In fact, most of the changes we will see at the end of this year will happen regardless of the outcome of talks.

We will shortly be relaunching our information campaign that provides people with the guidance they will need to be ready for 2021. This applies to people who travel to the European Union, people who do business with the European Union, and people who live here and who come from a European Union country. These are things we need to do, whatever happens. This information is already available on our website at www.gov.im/brexit.

We have updated our guide for Isle of Man residents and businesses. The Department for Enterprise has also updated and amended its checklist for business. We hope the guidance is clear and easy to use. I want to stress that there may be many people, in fact most people, who will not need to take any action or do anything differently.

Mr President, as well as the things that individuals and businesses may need to do, Government is re-appraising the work that we did on contingency planning in preparation for no deal last year. As we discussed earlier, there is the additional complication with COVID-19 re-emerging in many United Kingdom regions, and across the European Union more widely. However, our focus remains to ensure we have a high degree of readiness in respect of key impact areas including medicines and medical supplies, food supply, energy and fuel. I can assure Hon. Members that the degree of assurance that we currently have is high. But I also want to be clear that we will work throughout the remainder of the year to refine our plans, and to test our assumptions.

Mr President, I had hoped to come before this Hon. Court today and bring some clarity. And although negotiations continue, we are clear that we must prepare for the end of the transition period, whatever happens.

Thank you.

The President: Now, Hon. Members, an opportunity for questions – I stress the word *questions*. Mr Speaker.

The Speaker: Thank you.

I was just wanting to ask the Chief Minister if he has seen the video message put out by Ian Gorst and the statement around fisheries in Jersey and the concerns raised there about the UK nationalisation of the Jersey fishing industry by virtue of the Fisheries Bill and the rejection of the permissive extent clause that has gone into the UK Bill around fisheries – whether he has seen that and whether he agrees with the stance that has been taken by Mr Gorst in that regard?

The President: Chief Minister to reply.

The Chief Minister: Thank you, Mr President.

Yes, I am well aware of the concerns that Jersey especially have, it is known as the Bay of Granville Treaty that they signed before the United Kingdom entered the European Union. And we have a number of permissive extent clauses on the Island, we have it for sexual offences, we have it for sanctions against other jurisdictions … or it was threatened at the time on the Sexual Offences Bill, so we have a number of these clauses.

From an Isle of Man point of view, we are not concerned about this. This is a concern for Jersey and Guernsey who catch their fish and then land them in French ports and they had a deal with the French on their own to do this. Now, obviously the European Union are saying no, it is all or nothing, you have got to allow all of the European Union to come into your waters, you cannot have a sweetheart deal for one jurisdiction so, yes, they are concerned.

We have precious few European boats that come into our waters, they tend to be seasonal. I think we have got French, Belgium and Irish boats in our waters. It is something we are happy to work with the UK on, whereas Jersey and Guernsey are in a totally different position to the Isle of Man in its fisheries, and therefore we are content with the situation as it stands, from an Isle of Man point of view.

The President: Question, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

Just on the same subject, given that we arrive on 1st January without a deal and the situation changes in light of perhaps a more aggressive European approach to UK area fishing waters, who actually is going to protect our fishery areas up to our 12 miles?

I did ask this question of another Minister in an oral session recently, but I was not absolutely clear of the answer, so if I could perhaps have clarification today I would be most grateful, otherwise if he would like to write to me.

The President: Chief Minister.

The Chief Minister: Thank you very much, Mr President.

I think I had better write to you. Obviously we have asked the United Kingdom to negotiate on the Island's behalf, they know what we expect, and we have asked them to do the negotiations with the European Union on fisheries management so it may well be that we will be offered the protection of the British fleet. Equally, given that a very small number of European boats have historically fished in our waters, it may not be a problem, but I will get a clear answer to the Hon. Member and copy it in to all Members of this Court.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Disregarding the merits of the fishing industry, would it not be helpful for the Chief Minister to put on record the principle that the permissive extent clauses in Westminster legislation are only put in with agreement and that the request of the thing is a normal constitutional principle that is very important for this Island, as it is for the other Crown Dependencies.

The President: Chief Minister.

The Chief Minister: Thank you, and the Hon. Member for Douglas Central does raise a very valid point.

It is only with our permission, Mr President, and we have given it for the fisheries side of things, we gave it about a year ago.

Thank you.

The President: Thank you, Hon. Members.

5. Economic Recovery Fund – Statement by the Treasury Minister

The President: We turn to Item 5, Economic Recovery Fund, Statement by the Treasury Minister, Mr Cannan.

The Minister for the Treasury (Mr Cannan): Mr President, in asking Tynwald, in July, to accept the request for up to £100 million in funding to protect the economy, I promised to make a statement on progress to this sitting of Tynwald Court, and indeed I am pleased today to provide an update on this fund and the ensuing work streams that have been established to progress this work.

You do not need me to tell you that the cost of COVID-19 across the world has been profound; both in humanitarian and economic terms and governments continue to struggle to deal with the continued spread of the virus. The virus, though limited in terms of community transmission in the Isle of Man at this time, continues to present a potential threat to jobs, economic stability and future investment by virtue of the impact that it is having on our borders, and indeed the global economic conditions and restrictions that are hampering our export market.

The Economic Recovery Group has now been formed to drive allocation of the fund through a stimulus programme, and comprises of political Members from Treasury, Enterprise and the Cabinet Office. It reports directly into the Council of Ministers and meets once a month but, more importantly, is capable of meeting much more often, if required.

We have at many different times in this Court bemoaned the lack of cross-Government working and industry engagement that is sometimes evident in Government's methods, but I am pleased to report that we have sought to remove such barriers where possible to ensure that the group positively and rapidly provides a coordinated response across Government Departments, as well as the private sector.

At the heart of the Economic Recovery Programme is collaboration, and the private sector have been consulted and engaged throughout the formation and progression of the programme, in turn providing us with a greater and more accurate set of intelligence to inform our decisions. Officers from various Government functions are now leading on six key work streams: Our Businesses; Our People; Our Island; Our Domestic Economy; Our Future; and a future economic plan.

In the immediate term, the work stream titled 'Our Businesses' seeks to identify opportunities for short term financial support to protect businesses, industries and jobs. Three medium-term work streams, 'Our People', 'Our Island' and 'Our Domestic Economy' have been established to provide six-to-12-month stimulus activity to encourage enhanced education and training opportunities, accelerated capital spend, infrastructure improvements, and increase spend in the local economy respectively.

Hon. Members, we should not only seek to recover from the pandemic, but we should also take this opportunity to emerge in a stronger position than before, and two further work streams, 'Our Future' and 'Our Economic Strategy' aim to deliver projects that offer significant economic benefits in the longer term, including the development of a long-term economic vision for the Isle of Man.

An economic dashboard has been created to monitor the impacts of the programme, and provide clear data upon which to make our decisions. We have also made a commitment to publish this, along with the programme overview, aims and latest news, on a public facing website in order to ensure transparency of our work. But in summary, I can inform you now that firstly, 'Our Businesses' continues to provide protection for a significant number of the Island's jobs,

businesses and industries. We have pledged to continue to support businesses where national or international COVID-19 policy has severely restricted their market sector or operating ability. We will provide recovery and transitional assistance and we will remove this direct assistance where sectors are able to operate on a fair and equitable basis without COVID restrictions.

The latest tranche of support announced recently demonstrates this commitment in that support for the travel and tourism sector of £8 million has been extended to March 2021 and we have also pledged £250,000 in support for fisheries businesses, in reflection of the limited export opportunities and extended border closures that impact both these sectors in particular.

The 'Our People' work stream seeks to create up to 1,000 training, education and work placement opportunities. To date, we have provided £900,000 to support the creation of up to 1,600 additional education opportunities at UCM, effective immediately. A £1 million contingency fund per annum for three years has been allocated to support up to 60 additional students in university higher education. A student internship scheme, which provided salary support for students and young people to complete summer work placements, has so far matched 115 students with local businesses, providing valuable opportunities and connections that would otherwise not exist.

Subject to your approval, we will also be providing £1.75 million to introduce a Manx re-start scheme, which will create 120 new jobs for the long-term unemployed, with Government subsidising the living wage salary and costs.

The 'Our Island' work stream, established to invest in or speed up initiatives that help to transform our Island and support construction activity, has provided greater access to funds for businesses through £1.5 million in accessibility and business improvement grants and, again with your approval, an amended Town and Village Regeneration Scheme with an additional £1 million of funding, £100,000 has been committed in resource to support the DEFA Planning Department to clear a backlog of planning applications and £470,000 has been committed in accelerated projects for Manx National Heritage infrastructure.

The 'Our Domestic Economy' work stream has driven footfall by promoting and supporting ongoing initiatives, such as the local staycation campaign and 'buy local' campaigns. It has recently launched a £500,000 Domestic Events Fund, aimed at supporting new local events that will increase footfall and revenue in towns and villages.

Importantly, much work has been done to scope out ideas such as voucher schemes and catering or dining schemes, should they be required in the future. And looking to our future, we have committed £1.4 million to accelerate our National Broadband Plan delivery from five years to four years. The Locate Isle of Man programme has been provided with an additional £420,000 to accelerate activity and £550,000 has been set aside to develop the legislative framework to progress the medicinal cannabis sector in time for the 2021 season. £120,000 has been assigned for the creation of a development corporation, including scoping and initial recruitment.

Finally, work is underway in developing the scope and brief for a Five To Ten Year Economic Plan for the Isle of Man which will in turn drive out fiscal, taxation, industry and sector strategies. I expect that this plan will be produced before the end of this parliamentary term in 2021.

Mr President, initial economic modelling predicted that the downturn from COVID-19 was expected to be harder in the Isle of Man than the 2008 global recession but so far the economic impact to the Island due to the virus has been less damaging than we initially forecast, but nevertheless we cannot, and must not, be complacent.

So far we have 19 initiatives either approved, underway or in formation, signalling £12.1 million in additional economic funding. These initiatives will strengthen us as an Island, provide economic resilience and protect jobs.

But, Hon. Members, I have said we cannot be complacent and we are not. We must acknowledge and accept that events could turn quickly against us, and if they do we are prepared and ready to implement Plan B, should our economy and circumstances demand it.

The Economic Recovery Group can meet more frequently should we need. We are able to turn Salary Support back on, we can reintroduce MERA, we have reserve schemes ready to go,

Government work schemes could be implemented and we have prepared additional financial support, should public finances require it.

The action we have taken as a Government in the past six months, and indeed continue to take, means that we are well prepared in the event that we need to introduce greater levels of support for our residents and businesses.

Mr President, I acknowledge that in granting the £100 million Economic Recovery Fund, Tynwald has placed a great deal of trust in Treasury, the Department for Enterprise and indeed the Economic Recovery Group. With your continued support and encouragement, we will continue to take considered action to protect jobs, stabilise our economy and invest in our future for the benefit of our Island nation.

The President: Mr Speaker, to the Statement.

The Speaker: Thank you very much, Mr President.

There is no doubt that the stimulus package over the past six or seven months has saved companies and jobs. What I want to know from the Treasury Minister is how he is assessing the criteria for turning this tap off when that time comes, how he is assessing when the time comes for that?

Unemployment is still quite high, but it is now at levels comparable with those seen post-financial crisis, and at that time there was a significant level of youth unemployment, but that dropped quickly as the economy bounced back and grew. In terms of the advanced capital spend, what I am hearing from some areas of the building industry is that this is almost overheating, but the fact is that the biggest challenge that they face is getting the necessary supplies that they need from the UK. It is all very well putting money into it, but actually their ability to deliver is more curtailed by access to supplies than by people willing to spend on bricks and mortar. So given that the prediction was for a deep dip and a slow recovery, we have seen a less steep dip than was originally anticipated back in March, we have seen the green shoots of recovery, we have seen, from the slides that the Minister presented to Tynwald, something of a bounce back. I admit that that is not a universal bounce back and there are very strong cases for focus in some areas, but what I am really worried about is how the Minister is satisfying himself that we are not paying for things going forward that would happen anyway. That is my challenge to the Minister.

Thank you.

The President: Treasury Minister to reply.

The Minister: Thank you, Mr President, and I thank the Speaker for his highly relevant question.

In the Economic Recovery Group we set out very clearly in the principles, which are set out on the website, when we will seek to intervene and when we will not seek to directly intervene in the market. I do not have the exact wording in front of me, but essentially where a market is severely impacted due to the actions that are being taken by the Island's Government or by external circumstances that restrict, severely restrict, a sector, than we will directly seek to support that sector until such time as we believe it is reasonable to say that that sector can now stand on its own two feet, albeit that economic circumstances may be less bullish than before. So we have clearly set out the principles behind when we will and when we will not directly intervene and when we will and will not turn off the tap, albeit some of that interpretation is subjective.

The Hon. Speaker particularly picks up, I think, on capital expenditure in terms of what we are doing to effectively ensure that we are supporting employment and giving opportunity, but also potentially taking the opportunity to improve some infrastructure. So, for example, I outlined that we had given almost some £500,000 to Manx National Heritage for some minor infrastructure improvements across the Island. But we also recognise, and we have now started to receive the same evidence that he referred to, around the sector potentially 'overheating' in inverted

commas, albeit some of the indicators are mixed. And some of that evidence is having to come through from contacts that we have directly with businesses, so it is very important that we do continue to engage with the private sector so that we have a proper understanding of what is happening, and that is what we are trying to do.

I think the essence of the question, Mr Speaker, we have got a dashboard that we are seeking, a firm dashboard, that includes the unemployment figures, the returns that we are getting into Government, that includes broadly the state of our public finances so we can absolutely have crystal clear evidence on that. We can have absolute crystal clear evidence in terms of the unemployment figures that are coming through to us.

There is some subjectivity around the rest of the investment process. But my view, Mr President – in carefully considering the proposals that are coming through to us, and the Economic Recovery Group is going to continue to consider proposals coming through to us – we should not necessarily be on the side of caution, but we should be prepared to invest at this particular time, on balance, when considering these matters, given that to regress or to allow the Island to fall behind and then to try and catch up in the future would potentially be quite a difficult ask.

The President: Hon. Member, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

One quick question first; I thank the Minister for the presentation made in the Barrool Suite recently with regard to this Statement and the work of the Economic Recovery Group. Would he be kind enough to circulate his speech in the very near future so we can consider it?

And the second point is has the Economic Recovery Group got the capacity to look at the differential options available in economic terms if the Isle of Man chose a shielding route as opposed to the pretty heavy fist of a total lockdown option? Would it be the intention of that group to feed their thoughts into the centre in this regard?

Thank you, Mr President.

The President: Treasury Minister to reply.

The Minister: In answer to the first part, yes, absolutely, Mr President, and apologies that Hon. Members do not already have a copy of that Statement.

Secondly, the broad answer is yes. The Economic Recovery Group could quite easily feed into any strategic view that was being proposed, although how we would be able to successfully identify what shielding meant for a broader impact I am not entirely sure.

But certainly what we would be able to do is consider what measures we might bring in to help protect those that needed to shield in certain circumstances and what additional costs therefore that might have to Government and potentially the private sector, and what we then might need to do from an economic perspective to help support that moving forward.

The President: Hon. Members, this is the second occasion in which a Member from the floor has raised the question of circulating copies of statements in the Court that are being delivered.

Circulating a copy of a statement that a Minister is giving is not a provision in Standing Orders, but it has been a historic convention and a courtesy to Members done and invariably done during Budget statements, for example, in the knowledge that questions would be put by Hon. Members on that statement, and the courtesy was to allow Members to have the words in their hand to assist them when the time came to put questions.

There is a Standing Order, of course, 3.23(7), which talks about if you are referring to any document in a debate during your speech that this may not be referred to until a copy has been distributed to all Members by the Clerk, which usually means an electronic copy circulated in advance, and indeed that has been done for one or two of the debates for this sitting, that is a

different thing. That is to enable all Members to be at the same advantage during a debate when a matter is being argued.

But this question of Ministers circulating speeches, I think Ministers ought to take away from the comments the fact that it would indeed be helpful if this practice became more consistent. In recent sittings we have been getting more statements rather than debates, and questions on statements automatically flow from that. So if perhaps Council of Ministers would take away the clear indication from Members that it would be helpful to Members, and indeed to the Minister, to have appropriate questions posed on their statements if copies were circulated, at least during the course of the speech, if not at the start.

Thank you, Hon. Members, and with that a question from the Hon. Member, Mrs Christian.

Mrs Christian: Thank you, Mr President.

I am extremely pleased to hear about the development of a dashboard by the Economic Recovery Group and extremely pleased that this will be transparent and available on a website. As the economic support was rolled out during lockdown, I personally lobbied for sectors which fell through the cracks, so my question to the Minister is if this dashboard will give visibility to the Treasury Department to directly target these sectors to follow the growth of these sectors, and possibly see emerging sectors coming out over the next period, and when does he foresee the dashboard to be available?

Thank you, Mr President.

The President: Minister to reply.

The Minister: Mr President, I thank the Hon. Member for her question.

She will find that the dashboard is actually already up and running, it is on the Government's website and on the COVID-19 website, and she will see exactly on there both the dashboard and details about the Economic Recovery and the work streams, Mr President, that we are following.

I would point out to the Hon. Member there is a little bit of flexibility in the current prognosis, if you like, of the sectors that are being supported in that individual businesses can still apply to the Chief Financial Officer, in certain circumstances, if they feel they have been unduly affected. But you will understand, to refer to what the Hon. Speaker was alluding to, at some point there has to be a line drawn as to what Government can and cannot do in certain sets of circumstances. That is why we set out in the principles, which you will also see online, when we are choosing to intervene, and we need these guidelines and principles to try and bring forward a sense of fairness and perspective into the support packages.

I will make it clear to Hon. Members, as I did right at the very beginning of this crisis, that we are doing our very best to sustain our economy and to find opportunities for the future. I do not know whether we will be able to save every single business in every set of circumstances, and I absolutely fully acknowledge there are individual businesses who are falling into sectors that do not have direct support at the moment who are struggling for various reasons. My heart goes out to them; we are going to do our very best, indeed we have done our best to provide a framework for them to go and access financial support and, of course, there are schemes available to help them find new areas and new business streams if they are indeed capable of doing so. But, of course, as a fall back there is that option of the Chief Financial Officer.

I am open to working with Members, as indeed we have this open dialogue at the moment with the Department for Enterprise, with the business agencies and with other business groups, it is not just limited to the business agencies. And if we feel that there are sectors that are running into trouble or have issues then absolutely, we stand by to support those sectors.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

This builds on the question of Mrs Christian. The Economic Recovery Group dashboard was recently published, but in fact there are three issues I want the Minister to comment on. That is the question, and I am hoping that the answer is in line with that because I know that he is actually a very transparent person who believes in independent analysis of responses.

Firstly, there is a gap in time. The Council of Ministers' quarterly report on statistics and economics has not been published since March, so there is a gap between March and October in terms of the data that we have.

Secondly, there is a gap in terms of volume, because the amount of data that is now available on the Economic Recovery Group dashboard is actually much less than used to be the case in the Council of Ministers' quarterly report.

Thirdly, there is a potential for bias because the Council of Ministers' quarterly report was produced directly by the Statistics, Economic Affairs Department; whereas the presentation of the Economic Recovery Group dashboard is that it is data that has been requested by the Economic Recovery Group that is managing the process as well as reporting on the process.

So, can the Treasury Minister assure me that there is not any potential for that data to be lost between March and October, and that the volume will actually be there later on that used to be there? And also that there is no bias?

Secondly, the coronavirus indicators which were the previous initiative to make data available from the other part of the response, that has not actually been updated since 1st July. So can the Treasury Minister assure me that the Economic Recovery Group dashboard will actually be published regularly and will not get into the habits of only publishing from time to time, like the coronavirus indicators are published?

The President: Treasury Minister to reply.

The Minister: Yes, absolutely, we will be updating that on a regular basis. As I said, the Economic Recovery Group meets at least monthly on a formal basis and at other times when we have urgent matters to have a look at. My commitment is to publish that and ensure that dashboard is regularly updated.

The Hon. Member highlights the fact that there is a delay between often the statistics that we will be publishing and the formal production of statistics that may come through from Economic Affairs or indeed other sources. I accept that, but we have to work on the here and now and are publishing data that I believe is accurate. I do not feel there is any bias in terms of what we are doing. I think it is entirely transparent and indeed subsequently if there is a differential between what is published and the official data and statistics, which can alter over a period of time, if there is an adjustment I am sure that there will be a very valid explanation behind why we were operating perhaps to a different set of figures at that particular point.

The President: Hon. Member, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President; and thank you, Minister, for the update.

The speech was reassuring and forward-looking. I would appreciate more detail, please, on two strands.

The support for National Heritage: where is that money going?

The Development Agency: what will its focus and priority be?

Thank you.

The President: Reply, sir.

The Minister: Thank you, Mr President.

MNH had a significant number of small minor projects that they requested be considered by the Economic Recovery Group – things such as replacement windows, replacement lavatories,

tidying up woodwork, doors, etc., across a number of their properties. I am very happy to provide that information and in fact we released one tranche of their particular bid and are considering whether to release another tranche in the New Year.

Secondly, in terms of the development corporation, this is still very much at the planning stage but there is a view that bringing forward proposals to this Hon. Court for a development corporation will mean we actually have a body that is targeted to address this perennial issue of brownfield sites, and to get on and try and solve that issue so that we can see some productivity and speed, and perhaps a more strategic thought process being applied to getting our vacant brownfield sites solved, and potentially preventing further unnecessary expansion into greenfield sites.

Two Members: Hear, hear.

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

Ms Edge: Thank you, Mr President; and I thank the Treasury Minister for his speech today.

He did say that the Economic Recovery Group is made up of political Members from DfE, Cabinet Office and Treasury. So one question to the Minister is with regard to the Item that is coming up on the Order Paper on the Programme for Government, item 2.2.11, which is a new target within the Programme for Government:

> Treasury and Department for Enterprise to jointly prepare and implement medium term economic stimulus programmes …

It is just Treasury and Department for Enterprise. Is that an omission? Should the Cabinet Office be involved in that? It is just a question on looking at the Programme for Government.

But my question for the Minister is with regard to: he answered the Hon. Member for Douglas South, Mrs Christian, with regard to we cannot support everybody and there will be some people who will slip through. Yet within your Statement you said you are giving Locate.im another £420,000 – obviously, I assume, to attract people to the Isle of Man.

Would the Minister therefore confirm how many current job vacancies there are in the Island for them to be provided with this additional £420,000? And how many are currently unemployed?

I really want justification as to why Locate Isle of Man is getting such a large sum of money?

The President: Minister to reply.

The Minister: Well first of all, to her first question. I think it is fair that primarily Treasury and the Department for Enterprise are tasked with getting on with developing the medium-term strategy.

Moving on, I think unemployment has fallen as the Hon. Member knows, we are currently dealing with an official register position of approximately 850 people unemployed compared to the 1,300 or so that were unemployed during the height of the pandemic. Of course you had to consider during the course of the pandemic that we also had 1,951 people on the MERA. We have come to the conclusion of the MERA and managed to still actually ensure a situation where the official unemployment figure has remained and fallen to 150. So there is relatively encouraging news there.

But even so, that does not mean that we should not continue to stop focusing on the positive nature of the Island, ensuring that businesses still are able to appeal to a wide variety of potential people who can come to the Island and support their businesses. I think that aspect should continue, and that Locate has proved its benefit. I have not got the exact job figures right in front of me, Mr President, but I can tell you that job vacancies have increased since April at the height

of the pandemic when they slumped considerably. I will give the precise figure on the number of jobs that we have available to the Hon. Member.

Going back to the Speaker's point we do in fact actually have some anecdotal evidence that employers have struggled in some cases to find the skilled staff that they need.

So I still think it is important, even in a pandemic situation, that we continue to promote the Island and make sure we are actively looking to resource the skills and abilities that we need to help drive the economy forward into the future.

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

Mrs Maska: Thank you, Mr President; and I thank the Minister for the very informative update today and for the presentation which we had recently regarding the Economic Recovery approach.

My question would be regarding page 5 of the Economic Recovery Plan that was presented to us, this document highlights that: 'Tourism, catering and entertainment continue to be the hardest hit, and unemployment in these sectors is currently at its highest risk. These sectors may need dedicated Government support across the Economic Recovery Programme to stimulate out-of-season turnover'.

I would seek reassurance that given the Lottery Duty appears to be down, which is not unexpected, the bodies that receive Lottery Duty which include Isle of Man Arts Council, Culture Vannin and also Isle of Man Sport … Given that the duty might be down and is down at the moment, we do trickle down important funding and have done during lockdown. I do thank again the Treasury and Department for Enterprise for the schemes that they have had.

Can we seek assurance that we will continue to receive meaningful funding so that we can continue to help vital parts of a sector that is really suffering greatly during this experience?

Thank you, Mr President.

The President: Treasury Minister to reply.

The Minister: Mr President, we will absolutely continue to consider all funding requests that are coming in, and of course I do acknowledge that arts and culture still play a very significant role on the Island and should not necessarily be outwith our focus. However, of course we are lucky enough to be in the position where we can actually have arts and cultural events taking place on our Island. I was absolutely delighted recently to be at the Gaiety Theatre for an event to acknowledge that there have been various events now being put on the Villa Marina. I am sure that Culture Vannin and others will be looking to maximise the opportunities that we have on our Island compared to those on the adjacent isle.

So perhaps one might take a view that, yes, we have difficulties but thankfully are not suffering to the extent that others have. But nevertheless my reassurance to the Hon. Member is that we, Treasury, with the Budget coming up, will give due course and acknowledgement to the fact that there is potentially an impact and we will take that into consideration as we look to deal with a perhaps much-changed financial position moving forward.

The President: Mr Speaker.

The Speaker: Thank you.

The Minister will no doubt be aware during the all-hands-to-the-pump phase of lockdown that colleagues in Internal Audit were drafted in to help put together some of the support schemes. Given that they have been *so* involved, I just want to ask what systems the Minister has put in place to identify and detect fraud and error in any of the support schemes; and where he is going to go in terms of giving some assurance around the appropriateness of that spending?

The President: Reply, sir.

The Minister: Well, fortunately, Mr President, I think that the way the support schemes were set up meant that our view is that they were actually not really open to fraud on a wide-scale basis. Clearly, anything potentially could be abused fraudulently, but if I just deal with the two main schemes, the way that Salary Support worked is that officers administering that scheme were clear clearly able to see what the company's payment history and staffing history was from previous disclosures made to Government, before they made any payments. I understand that audit checks have been made of that and nothing has been exposed.

On the MERA side where we had, as I have stated before, 1,951 cases at its peak, there is *potential* there for somebody to have perhaps falsely claimed. We are currently doing a small project just to understand a bit more about the claimants who came forward through MERA, and I hope to be able to have a little bit more detailed information.

But again, Mr President, I have no evidence that individuals who claimed MERA did so on a fraudulent basis; except that we had one case, unfortunately, that Hon. Members may have read about in the newspaper.

The President: I will take a final question on this statement, from Ms Edge.

Ms Edge: Thank you, Mr President.

I just really want to query what the Treasury Minister is considering, and obviously he has given some money to Manx National Heritage which is a charity now, and you are handing money over to them as a charity to carry out works. But they have recently advertised for a historic architect. Is there going to be capacity within the Department to do the works, bearing in mind that you have handed them quite a large sum of money?

But also just to reiterate what the Hon. Member for Council said with regard to there are a lot of smaller businesses on the Island in hospitality, and obviously our tourism sector is struggling still, and I know that you are supporting tourism. But there are *many* small businesses that support the tourism sector that perhaps are not receiving support.

I understand economic recovery, we know we are struggling with regard to contractors and construction workers, but we are handing money over to Manx Natural Heritage who do not appear to have a historic buildings architect or surveyor to work with them at the moment. I just wonder if that money could have been better spent in other areas that are struggling on the Island but help to support an awful lot of individuals on the Island.

The President: Minister to reply.

The Minister: I am happy to release the work that has been proposed for Manx National Heritage. These were very minor capital schemes. I do not perceive them to require significant architectural input. Let's be clear, the money is not going directly to Manx National Heritage it is going to small firms, contractors who are capable of undertaking this work and ultimately will go out to support jobs and employment on the Island which really addresses the point of the Hon. Member's question.

I think part of the role of the Economic Recovery Group is to make judgements as to the validity of the scheme and the economic benefit that it is going to bring. We set out very clearly that our focus was about protecting jobs, stabilising the economy and investing in the future. Actually, the MNH scheme arguably hits all three elements in that it does help improve the infrastructure in our heritage sites, so that actually they are in a better position to attract visitors into the future; and obviously we will expect the £500,000 to go to small- to medium-sized businesses who will be able to undertake this work on a quick-quote basis. Most of it is very low-level spending and we think this will help support those much smaller businesses, perhaps who are not accessing the major capital projects that are also under way at the moment.

6. Gas regulation –
Statement by the Minister for Policy and Reform

The President: We turn to Item 6, Statement by the Minister for Policy and Reform on Gas regulation. Minister, Mr Harmer.

The Minister for Policy and Reform (Mr Harmer): Thank you, Mr President.

Hon. Members, I regret that we have not been able to place the heads of terms of a regulatory agreement with Manx Gas on the Order Paper today. I would not want a single Member of this Hon. Court to be under the impression that this was from any lack of effort on your Government's part.

Negotiations with the company have been extensive. These have been protracted, lengthy, robust and complex. I want to thank officers who have worked round the clock on this.

Even on the day Government business had to be submitted to Tynwald for this sitting, calls were still being held with Manx Gas over areas of the agreement where we opposed. I am pleased that Manx Gas accepted what Government wanted in the end and finally, we were able to reach agreement on the wording for a possible heads of terms agreement at 3.57 p.m. on Thursday, 15th October, last week.

Mr President, I am very conscious that we could have sought your permission for a Supplementary Order Paper at this sitting. That may have given Hon. Members a day or two at most to consider the agreement before being required to vote on its acceptance. However, to me, that is not treating Members of this Hon. Court with respect, with such a short timescale to consider such an important document. That would not allow proper scrutiny.

I felt Manx Gas's press release on Friday to be more than a little presumptuous. We have agreed wording for a possible heads of terms agreement. That is it. Manx Gas were advised that Council of Ministers will need to consider the agreement, before it is brought to Tynwald for approval. Subject to the Council's agreement, I will be bringing the heads of terms agreement to the November sitting. However, I would look to let Members have sight of the agreement as soon as possible, to allow the maximum time for questions and scrutiny.

In the meantime, I have made it clear that our work on legislation to enable statutory regulation of Manx Gas, should agreement not be approved by this Hon. Court, must continue apace. I will be bringing primary legislation before the Branches in this regard in the very near future.

Work will also progress ahead of the November sitting on the full agreement. This will mean that should Tynwald approve the heads of terms next month, we are in a good place to have the full agreement signed before the deadline of 31st December 2020.

Either way, Mr President, we are positioned to start 2021 with a new regulatory regime for gas, be it statutory or voluntary. That will be in the hands of this Hon. Court.

Thank you, Mr President.

The President: Hon. Member, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

Before I pose my question, I should declare an interest in the sense that I have a business that consumes reasonable amounts of gas, as I declared last time.

I think we have all had, Mr President, a letter from the CEO of Manx Gas today. In one of the paragraphs, it reads: 'Under the proposal, domestic and small business customers would get an average refund of £93 on their 2020 Bill – a cut of 13.7%' – which, if you do the maths, suggests that it is domestic customers and *tiny* businesses, rather than small ones. Well, there is a big world of SMEs out there. Am I to conclude from this that Government are doing nothing at all to protect reasonable and rational interests of SMEs generally?

Thank you, Mr President.

The President: Minister to reply.

The Minister: Thank you, and I think it would be perhaps a difficult issue, if we started to debate the agreement right here, right now. Obviously, I will give sight to the full … should it be accepted by the Council of Ministers and then there will be probably – (**Mr Robertshaw:** Simple question!)

Regarding the full agreement, obviously it was more or less on the lines of the Tynwald motion that was set out in July, I believe, regarding commercial and non-commercial customers, domestic customers and it really fits along those lines.

Mr Robertshaw: So the answer is no.

The President: Hon. Member for Onchan, Mr Callister.

Mr Callister: Thank you, Mr President.

I also thank the Minister for his Statement this afternoon. I also, like Mr Robertshaw, received the letter from the Chief Executive of Manx Gas, and obviously I have already highlighted relevant sections. There are a lot of questions in that letter that we have all received today: a lot of information that needs to be evidenced; a lot of information that needs to be tracked. I know the Minister has said that as soon as the information is available, he will make it available to Members.

Therefore, can I ask the Minister when that will be? Will he give a reassurance that it suddenly just will not appear on the Order Paper next month? Given the amount of information that the Chief Executive has given us this afternoon, I want to make sure on behalf of my constituents, that I can evidence, I can actually follow the information and make sure that what you are putting in front of us actually stacks up, and we do not end up having the same sort of agreement that we ended up having in 2015. Can you give that reassurance today, Minister?

The Minister: Thank you.

So absolutely, we will get the maximum time possible – I would hope well in advance of the Tynwald sitting, maybe very shortly – and the Hon. Court will decide whether that is the right approach or whether, in fact, statutory regulation is a much better approach. So, as I said, I will be bringing primary legislation on that basis.

The President: Mr Thomas.

Mr Thomas: Thank you very much, Mr President.

Can the Minister advise when I will receive the answers to the three unanswered Questions that have been outstanding since 15th September? For instance, since 15th September, Hon. Members and the public have not been told when and what drafting instructions have been issued for legislation to regulate gas in compliance with the Tynwald resolution of July 2020.

So a simple question now to the Minister: have drafting instructions actually being issued and, if so, which body will be the regulator in a statutory regulatory regime?

There are many other questions to do with the principles behind the negotiated settlement with Max Gas, and it would be very helpful to have those answers to my Questions from 15th September – today, if possible.

The President: Minister.

The Minister: Thank you.

Although the drafting has been initiated, and initial draft instructions, it will be a relatively short Bill, but rather than doing this on the floor today, when we bring the Bill I will come back to the Member concerned.

The President: Thank you, Hon. Members.

7. Programme for Government – Programme for Government 2020-21 received

The Minister for Policy and Reform to move:

That Tynwald receives the Programme for Government 2020/2021 [GD No 2020/0058] [MEMO].

The President: Thank you, Hon. Members. We move on to Item 7, Programme for Government. Minister for Policy and Reform to move.

The Minister for Policy and Reform (Mr Harmer): Mr President, I am pleased to bring to this Hon. Court today the revised Programme for Government, on behalf of the Council of Ministers.

The introduction of the revised Programme for Government would, as you will be aware, normally be presented and debated in the spring, at the beginning of the performance year. However, as we are also aware, in March 2020, at the outset of the COVID-19 pandemic, the Council of Ministers suspended the Programme for Government and any work within it. Since mid-summer, as our Island began to resume the 'normal', the Council of Ministers, supported by their Government Departments, have reviewed the actions within the Programme for Government, and the 2020-21 plan is now prepared.

Before I introduce the version of the Programme for Government for its final year, I must take the opportunity to thank those in the Hon. Court who have worked so hard to actively deliver the Programme for Government since its inception in 2016. I would also like to pass my thanks to Mr Thomas for leading the work over the past four years. However, there is still much more to do and more to come, and as we enter the final year of this parliament and the year of delivery for the Programme for Government, we are fully aware of the required completion of many tasks at hand. We are aware also of the challenges facing the public service in delivering these.

As I stand here today, we face another parliamentary year in our normal bubble, yet the world finds itself still very much in the grip of the COVID-19 pandemic. Identifying what is most important at this time for our Island is crucial, and so the Council of Ministers' review of the Programme for Government has been through the prism of COVID. It is important for this Hon. Court to consider and receive this document in this context, acknowledging that this and other external factors such as the prospect of a trade agreement between the UK and the EU, will continue to influence the work of the Government in the coming months and year.

What the Isle of Man has achieved over the past six months in the face of COVID-19 has been truly remarkable, especially when compared with our nearest neighbours, with whom we of course sympathise in this troubling time. The collective response of the people of the Isle of Man through COVID has spoken volumes of the strength of our community and has served to remind us of the qualities that make our Island indeed a special place to live and work.

The review of the Programme for Government has provided an opportunity to consider the significant challenges that face Government and our Island in 2020. Four key areas have been highlighted as a priority for Government delivery in the remaining 10 months and beyond. For the forthcoming year, our community, our health, our climate and our economy will be the focus for delivery.

Firstly, I turn to our economy. As has already been addressed by the Treasury Minister, the COVID-19 pandemic and the required response from Government has hugely affected the economy of our Island, and as this Hon. Court has heard, the Economic Recovery Group has been established to lead a co-ordinated response to this economic impact. This response will see

investment in business support and stimulus measures which will also ensure our people have opportunities as part of the recovery. This programme of work to restore confidence to our domestic economy will be focused upon in the Programme for Government.

Secondly, our community. When the Programme for Government was developed, one of the three strategic objectives for this administration was to create an inclusive and caring society, and this objective remains a priority for the final year of delivery. Experiences through COVID-19 highlighted the strengths of our community as we saw neighbours taking care of each other, community groups being established for support, and charities providing an invaluable role in helping our communities through the difficulties. Our caring society was certainly seen in action. Continuing to build on the good work seen through the pandemic, the Chief Ministers' Committee for Community and Public Engagement will be delivering a series of reports over the coming months, reviewing topics such as charities and volunteering on our Island and community hubs. Work will also continue across all areas of Government to develop a fully inclusive and caring Island, and progress in areas of housing and education will be a priority. A working group has been established to develop a National Housing Strategy, which will seek to integrate housing policy, law and provision, amongst other actions given by this Court to improve housing across our Island.

Thirdly, considering now our climate, in January of this year the Council of Ministers presented to Tynwald the first phase of an action plan to achieve net zero carbon emissions by 2050. Work to engage and mobilise our community in our fight against climate change is under way, and the Climate Change Transformation Programme is now established to deliver the actions necessary. Challenges also to be addressed in the forthcoming 12 months include putting in place actions from the devastating flooding in Laxey, as well as considerations for drought management and prevention.

Finally, and most importantly, our Health Service. If the events of this year have highlighted anything, it is the importance of an effective Health Service. Since the development of the Programme for Government in 2017, the Council of Ministers received an independent review of health and social care on our Island and received a report in April 2019 recommending a programme of transformation. The Transformation Programme is now tackling legislative changes, organisational changes and service reconfiguration, which will determine what care is provided and how. Support, resource and a spotlight must remain on delivering this programme, which will bring fundamental changes that will ensure a clinically and financially sustainable health and care system is secured for the people of the Isle of Man, now and for future generations.

Tynwald is asked to receive the Programme for Government 2020-21 for the final performance year for the Programme for Government, which will run from October 2020 to July 2021. The presentation of this document to this Hon. Court formally signifies the restarting of work on the Programme for Government.

Mr President, I beg to move.

The President: Do I have a seconder?

The Chief Minister (Mr Quayle): I beg to second, Mr President, and reserve my remarks.

The President: Thank you, Chief Minister. Otherwise, we would have been on Item 8.
Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane. I was certainly rising to my feet to put the second on that, to make sure it was moved correctly.

I have got a little bit to say on the Programme for Government document, and the first thing I would like to say is that I would like to recognise all the hard and dedicated work has gone on behind the scenes to produce the results that we are able to read about today, and indeed the results and the objectives achieved in the Chief Minister's State of the Nation speech. I have to say excellent, well done, it is a huge amount of work that has gone on. I know as well as anyone,

working in Treasury, and from talking to other Hon. Members, just what has gone in to getting us this far with this particular document, not just the political effort but the staff's effort as well, behind the scenes, and as the Chief Minister alluded to earlier, going above and beyond in many cases, in many situations; not least of which, to produce a document like this following the COVID-19 initial first wave I think is a hell of an achievement. That cannot be taken away, and no matter what Hon. Members say next, or what I am going to point out next, that has to be recognised, put on the table and put on public record. So, I am happy in overview with the document, but what I want to do is nit-pick some smaller items. That should not detract from what I have just said, far from it, but I need to focus on one special to me and what I have observed from reading the document and talking to other Hon. Members.

I want to highlight first my passion for conservation, as everybody knows in this hon. place. There is no mention of it in the document as such. We have plenty on climate change and plenty on environment *per se*, but we do not have conservation initiatives highlighted anywhere in particular. I think we need to learn a little more about that and why that is not there. I hope the Minister for Policy and Reform is taking note of what I am saying there with regard to conservation and why there are not any headlines within those four initiatives coming forward.

Conservation does not need to cost anything. All it needs is education, a change in the way we do things, a change in our perception of our natural environment, our habitat, our wildlife, our animals and so on, to engage with the third sector, to engage with the community and to engage with our schools so that we have joint initiatives. I am sure the Minister … He seems busy on his electronic device – (**The Speaker:** Making notes.) he is making notes on what I am saying – but I am sure he will come back and pick up on what I am saying and say that these things are in the background and will be ongoing.

We have a Tynwald Biodiversity Strategy, launched and approved in 2015. We have a 1990 Manx Wildlife Act that has never been fully pushed out there, in my opinion. We have Biosphere Status. We need to recognise those points in the background of all that has been said before. As I said before, from the Chief Minister's State of the Nation address there huge issues to grapple with. I understand that, but we cannot, in the background, forget about our conservation obligations that we have committed to, signed up to. We are all for climate change and one of the biggest strands that abuts on to climate change is biodiversity and the richness of biodiversity, which affect the health of our planet at the end of the day.

If we are serious about climate change and we are serious about the Tynwald resolution of 2015 for our Island's biodiversity strategy, then we have to make more noise about it and show a bit more commitment – a lot more commitment, in fact. It need not cost that much. It is a change of attitude, a change of culture, a change of education that matters. I know we are doing some stuff, but I think it is time now to ramp it up a couple of levels and we need to really bring it to the fore in conjunction with climate change. There is no question about that. I have been banging on about it for years in here. We have moved to a better place, I have to acknowledge that, but there is more to be done and it would be really good to see it in the Programme for Government at some point, or an update. I am sure the Minister will come back to that and point out what has been going on. Absolute priority in the background … I realise there are big issues – no problem with that and I have supported all the endeavours towards those and certainly our work in Treasury.

I just want to pick up on healthcare, and I have to say a big thank you to the Minister, the Department and all the staff involved in our DHSC for the phenomenal job and work (**A Member:** Hear, hear.) that they have done over the past few months. That is beyond doubt and has to go on record, as some other Members have stated as well – really excellent stuff. I want to highlight one specific good point and one specific not so good point, if I can put it like that.

The good point: Ward 7 staff deserve a medal, as far as I am concerned, for nursing my best friend from death's door to actually walking out of that ward. The healthcare that was given to him was second to none. He could not have bought it on the private, as far as I can see. I was

continually visiting, sometimes twice a day, and what I saw was absolutely phenomenal. I want you, Minister, to convey that to Ward 7, if you could: very, very good.

On the flipside, we have our elongating health waiting lists, and I really think … I know the Minister has come out and said this morning, in Question Time, with regard to cataracts and so on, but recent experience with somebody who has explaining their situation to me – not cataracts, but a teenage girl who tried to access her GP, with her mum, with regard to sudden onset of nosebleeds and also a large clump of varicose veins halfway down her thigh. She went for a GP appointment and the GP did a referral to a paediatrician at Noble's. Fine. Four months later she has to go back to the GP's surgery to see what has happened with the referral and then make the point about the nosebleeds. The GP says, 'Right, you can phone the Hospital yourself, to see where you are on the waiting list – this is the number – and if you don't like it, see your MHK.' That was the comment. This clump of varicose veins in the little girl's thigh is causing her considerable pain issues at the minute, and I am not happy with it. The issue with the nosebleeds – the GP shines a torch up the girl's nose: 'Oh, yes, nothing wrong. Here's a blood test ticket. And can you go to Boots and buy yourself a blood pressure machine? Take your BP twice a day, keep a diary, and if there is any problem get back to me.' I am sorry, Minister for Policy and Reform, that should be attended to – the Health Minister is listening in the background. That is not good enough and I think we need to pick up on things like that. The mother concerned still does not know when her daughter will be seen. This is repeated in other areas as well for our healthcare, and it needs to be audited. I think we need to get the basics right before we even go near Sir Jonathan Michael's recommendations.

The Minister for Health and Social Care (Mr Ashford): Would the Hon. Member of Council give way for one moment? I thank the Hon. Member of Council for giving way, Mr President. I will be very brief.

Although obviously the topic at Question Time this morning was cataracts, can I assure the Hon. Member when we are talking about reviewing waiting lists it is not just in the two areas that I focused on this morning, which were ophthalmology and orthopaedics. We will be looking at what we can do, waiting list initiatives, around all of the different specialities.

Mr Henderson: Gura mie eu, Shirveishagh, for that intervention, and I am sure the parent who has come to me for assistance will be glad to hear that, and other members of the public who are in similar situations. We have got good points in our healthcare, absolutely astonishing, but there are issues that need to be examined. I will just say they are not so good and leave it at that, but the Minister knows the point I am making. I believe there will be letters written as a consequence of that.

I want to move to infrastructure. There is very little in the report that touches on the strategic road refurbishment programme, and I will bang on about it again, Eaghtyrane. I do not need to have a SCRIM deflection radar assessment, as a lay person or the average man in the street, to tell you, Eaghtyrane, the status of the roads I illustrated this morning – when my humble automobile drives over them and practically shakes to bits if you do not dodge some of the potholes, sunken areas and ridges that I can see, going down Woodbourne Road, Bucks Road, Victoria Street, Ridgeway Street and Windsor Road, especially. They are the main arterial feeder roads into our business sector and for our population. If we want to send out a good signal and start regenerating and recovering the economy and so on, I think we need to reconfigure our priorities with regard to roads infrastructure. Some people are telling us they are fine, but I can tell you categorically, from others, that they are not fine, and from my own personal experience.

And building flyovers through Summerhill Glen … I know the Ard-shirveishagh said that was only an aspiration, but I remember the debate well here a few years ago, when there was a really forceful motion put to Tynwald with regard to realigning the road to Governor's Bridge dip to where we see it now and the original TT course was shut off, but there was a part two on the motion, which was a flyover through Summerhill Glen with a whopping great roundabout in the

middle of Glenside residential home's front garden. That caused an uproar here and it was taken off the table in the end. That is the kind of thing I do not want to see while we are driving over crumbling roads.

I am not having a personal attack, it is just a fact, and you are going to have another promenade emerging out of Woodbourne Road, Bucks Road and the main arterial routes into Douglas – I can tell you that now. In other areas of the same streets, visually you can see the cracking and crazed parts of the tarmac as you drive down – apart from the potholes, the sunken areas and the ridges – where the road is degrading or about to degrade. It needs to be reassessed in the priority of things.

I will just flick through … Healthcare, done …

The President: You probably only need to give one or two examples, and then you have made the point very well.

Mr Henderson: Thank you, Eaghtyrane. Those are the main points and I hope that –

The Speaker: Not to be deterred!

Mr Henderson: – the Policy and Reform Minister can pick up on those and give me some reassurance.

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

Mr Thomas: Thank you, Mr President.

I acknowledge the gratitude expressed by the Minister for Policy and Reform, and I greatly appreciate that. I would also want to put on record my thanks for both the Minister for Policy and Reform and the new Cabinet Office departmental Member for taking through the Programme for Government with the current Council of Ministers' twists to it, I am sure.

The first question I have in this debate about receiving this Programme for Government report is that I had hoped, and in fact I asked in July that the report before us today would include the macro indicators and the national indicators. I have been assured through the summer from officers that that information is available. I know there has been some disruption in Cabinet Office as the Change and Reform team I believe is no more, and the room has been vacated. But basically I seems to me quite hard to receive a report that does not actually have the indicators about how we have delivered the outcomes for the Programme for Government that we have been aiming for four years. I have been looking all over the internet all day to see whether it has been published at the last minute, which happens quite regularly and I really appreciate that, putting down a question or a motion is often very helpful in that sense, but I cannot find it anywhere. So I can only believe that there is no information, as we are being asked to receive this report on where we are in terms of the six fundamental macro indicators and the national indicators for the 20 outcomes.

The second point is that as we end this administration, the Quayle Administration, questions keep being asked about what happens now as the Government comes to an end? What happens to things, because the Programme for Government is dated 2021? I think in his summing-up remarks the Minister for Policy and Reform needs to say something clear about the fact that Government goes on with business as usual; and that in fact, the Programme for Government was drafted *too* excessively in a way, back in 2016-17, because it did not make it clear about what was business as usual and what was an agenda for change for this Administration. I do think it would be very helpful for that reassurance to public servants and to the wider public that the business goes on, and also to give the advice to future Governments coming in that we need to be very clear in a Programme for Government that it is an agenda for change rather than for the whole of Government.

The third point along those lines, it is a structural one, and again I did trail this with a Question in July, which is there have been some quite profound changes to how the Programme for Government is organised. So we had the creation of champions championing the interests cross-Government, which is new, alongside the previous administration's Council of Ministers' Sub-Committees. The Chief Minister set up his first Chief Minister Committee, and that worked, or he liked it, or whatever, so he set up quite a few more. So we have ended up with lots of duplicative management processes.

As I say, change and reform was a massive part of the Agenda for Change and before that the Business Change Programme, but I am hearing that role has been diminished and been replaced by transformation teams. Perhaps it would be helpful for the Minister to give advice to the Members of Tynwald and also members of the public about where we are in terms of managing the Change and Reform Agenda, if we still have one.

Moving on to the substance of the very helpful report that is before us today and the actions that have been withdrawn or have been added to. The first point is that I note and welcome the very firm commitment in the Programme for Government to the One Public Service programme. I note and put it on record that by December 2020 we are expecting the One Public Service Six Themes document, apparently to fulfil the ambition that was set out in the very first Tynwald of this administration by Mr Robertshaw, to finally look to get to remove silos and to move towards cross-Government, integrated, joined-up delivery. So I welcome that.

I also welcome the fact that the Hon. Member for Ramsey, Mr Hooper, has fallen for the huge task of envisaging and actually delivering community hubs in the proposal, by March 2021. Every previous departmental Member has managed to dodge that job, but I understand Mr Hooper welcomed it and took it on enthusiastically. So we will finally know by March 2021 what the Community Hub programme involves. I also welcome the commitment from Treasury, which is clearly laid down in the Programme for Government, that Social Security Division will link with the rest of Treasury to put together a plan for what cash will look like in the Isle of Man, and how we will deliver benefits and how we deliver pensions and all of those things. That is a huge undertaking, and that is really at the heart of what I think Government is trying to do in the next 12 months, and I welcome that.

However, there is one major gap which has been there in actual fact if you look back since 2006 in the Scope and Structure of Government and was repeated in the 2012 version, and was emphasised in the Modernising Ministerial Government version of it in 2014 and was re-emphasised in the Programme for Government in 2016-17, which is regulation. We had a Gas Regulation Act and an Energy Economic Regulation Bill proposed in *2008* and we still have not got it. In fact we are still not even sure, and it is not clear to me from talking to the Attorney General's Chambers, that drafting instructions have even been issued in an intelligible form as yet. I hope to work with the Minister for Policy and Reform to address that.

Basically, the Programme for Government clearly laid out that we were coming to the House downstairs, to the other place, with a Competition Bill alongside a new approach in line with UK best regulatory practice for economic regulation of natural monopolies and other situations where there is a dominant market presence. I just wanted to put on record how wonderful the presentation was today from the Communications Commission, which actually showed us a marvellous model about how economic regulation can work efficiently, economically and nothing like the cost that was put down in the letter that we got from the Manx Gas managing director just before the sitting started, using external expertise appropriately. So that is a gap that still needs to be filled, and I hope to work with the Minister for Policy and Reform and the excellent officers involved in this perhaps using a Private Member's Bill to take this forward incredibly quickly, because we need to have that in place.

Moving on now to housing. I also note the firm commitment now, although we have not actually got the debate here separately on housing as I had hoped for. In a way that is understandable because the problems of housing are massive and the knowledge we have of housing is more extensive than each individual siloed researcher reports. In actual fact we have

quite a lot of information about housing that will come up, I am sure, in the planning debate shortly. But basically we really do need a joined-up approach to housing.

Although the Department of Infrastructure did not manage to bring it forward before December 2019 when it was transferred, quite correctly, to the centre of Government in the Cabinet Office, I do really hope now that collectively in this Court, using the third sector outside experts from across Government and bringing them together, because they do not seem to understand what other people are doing in other parts of Government to do with housing, as all the evidence I have managed to draw over the summer suggests. We will then be able to make good progress to deal with one of the most fundamental problems and challenges that was there in 2011, when the Chief Minister started in politics, and is still there, which is how to deal with the housing market.

That moves on to another perennial challenge which is the hollowing out of our towns, and the brownfield sites initiatives, and the empty homes and the vacant properties initiatives. Fine, the development corporation might be the panacea, but I think what we have got to see most clearly – and we need somebody like me to amplify – is that the Programme for Government this year is basically a confession that we have not really done anything as yet about brownfield sites and filling up all the hectares of brownfield land that are inside the urban areas.

It would have been great if we could have made more progress on the Community Infrastructure Levy and reviewing section 13, but we haven't. It would have been great if we could have achieved what was set out in 2016-17 for Summerland and Lord Street, but we haven't. It would be great if we could have made progress with the airport technology area, but we haven't, since 2016-17. That is a very major omission and I would at least appreciate the acknowledgement of that in this Programme for Government and I thank the Minister for Policy and Reform for his openness and transparency in that respect.

Moving on now to the other perennial issue, the one that Minister Ashford actually swore that he would bring back to this Court every year, at the beginning of this administration, which is the whole business of rates and local government, and we really have not made very much progress on that. I cannot help but notice that the rates project has been given massive importance now by the Council of Ministers – almost entirely coming from the north, west and south with only one Member from Douglas in the Council of Ministers – and has given absolutely no priority to rates reform or local government reform in practical terms. It shows that by making it a GTS project somewhere, probably behind the Integrated Care project and all the very important health projects and so on, for delivery no earlier than 2022. So that is nice; that is convenient.

Moving on to the compliments. I really want to compliment and thank the Cabinet Office team and the cross-Government team that they have put together for beginning to tackle Cold, Hunger and Homelessness. We have not got the schedule of economic figures and the statistics that were promised at the Poverty Committee. A small thing: data never was quite what it was made out to be. What we need is action. I really welcome acceptance of the Housing First approach, as acknowledged by the two expressions of interest calls that are out there at the moment.

I would just like in the summing-up for the Minister for Policy and Reform to give me the timetable, and whether or not the Budget has been approved – without giving the Budget, because we do not want to spoil the process – but to give some more information to make sure that it is not just talk and paper, it is actually substance and it represents substance for actually tackling the most fundamental thing of poverty, which is Housing First. If you have a roof over your head, you can hold down a job. If you have got a roof over your head and you have got a job, your children will not be hungry when they go to school, and so on, and so on.

That leads on to the last but one point, which is that justice has come up quite a lot today, and I could not help but notice in the Programme for Government this time that the Tynwald resolution to amend the jury arrangements has been taken out of the Programme for Government, and obviously their justice recommendation has been watered down, it seems. So I do really think we are at a turning point in terms of a focus on justice. I just wanted to give the Minister of Policy and Reform a chance to comment on that beyond just the independence of the

judiciary. We had started a substantial reform of tribunals over the last three or four years, and that seems to be drifting, similarly to the Criminal Justice Strategy that Mr Speaker referred us to earlier.

In closing, Mr President, Hon. Members, the elephant in the room: the vision for the Isle of Man. How many people do we want living in the Isle of Man? Having decided how many people we want living in the Isle of Man, what *sort* of people do we want living in the Isle of Man – even in terms of just their age? What sort of policies and actions and laws and budgets are we going to apply to that?

It seems to me if we cannot get a clear answer from the Programme for Government today, how can we address some of the fundamental structural planning issues if we are not even clear what economically active population means or what is happening to that number, how it is defined? What has actually been happening to it over the last decade in some senses, because the census in 2016 obviously had a 6% failed return rate, which was adjusted for administratively.

So with that, Mr President, I note that the document before us is here to be received and I am hesitating in voting for it to be received without the information that I requested. I can vote for it, of course, if the Minister can give me an absolute, categorical assurance that the macro indicators and the national indicators will be published in the next few days. It seems to me: how can we receive a report on the Programme for Government if we do not have the basic data about the success and the outcomes that we have been trying to deliver for all those years?

Thank you, Mr President.

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

Mr Shimmins: Thank you very much, Mr President. I will just get a glass of water. Excuse me.

Thank you to the Minister for his Statement. My question is about choice. I would just like to remind the Minister that at the June sitting of this Hon. Court an amendment was passed which required the Court to be updated on a review to be undertaken by the Cabinet Office on the section 13 arrangements for social housing and the progressing of a Community Infrastructure Levy, which many people in this Court – it was a very lengthy debate – felt that it was a very important thing to do.

We got an email just really acknowledging the fact that a commitment was given to review and come back to this Court in October. What the email said is, 'We have set up a working group' – which is great – 'and the working group hopes to agree some terms of reference soon'. So I guess, bearing in mind the Chief Minister's earlier comments about the late, great Tom Petty's lyrics, which certainly resonated with me in terms of, 'It's time to get going'. I was slightly underwhelmed that it had taken four months to set up a working group.

Perhaps he could tell me how often that working group has met? When we will see the terms of reference, looking at the Community Infrastructure Levy, which is an absolutely critical thing to look at in terms of the development of our brownfield sites, and just does not seem to be a priority for the Council of Ministers, despite all the assurances and even after a Tynwald resolution in June, which expressly gave the will of this Court? So I would very much welcome his views on that.

Also clearly, in any programme of government, there is a choice. Some things have come out and other things are now a priority. I am a bit surprised, given what we have heard this morning about combining justice and Home Affairs and the Police and the judiciary, that it is more of a priority than the issue of brownfield sites which blight our urban landscape throughout the Island. So perhaps he would just explain to me how that priority was agreed and what is going on with the full commitment that was given in terms of looking into the section 13 Community Infrastructure Levy. I would be most grateful. But I certainly agree that it is time to get going.

Thank you.

The President: Hon. Member of Council, Mr Mercer.

Mr Mercer: Thank you, Mr President.

I would like to thank the Minister for presenting the forthcoming Programme for Government, and I am pleased to see the commitment to recognising and tackling the climate emergency announced by the Chief Minister in May 2019. However, I do have a question about the climate part of the programme. It is not clear to me which of the CO_2 reduction pathways set out in Professor Curran's report that the Government is following. Is it the high-ambition pathway, or is it the low-ambition pathway?

Could the Minister help me and this Court to understand which of these is being pursued?

Thank you, Mr President.

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

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

I would be interested to know how the Minister plans to deal with ensuring delivery versus documenting aspiration, because there is a huge amount of stuff that is committed to in the Programme for Government. In particular, I would like to ask about the commitment under active travel, which is to:

> Deliver the items contained within the Active Travel Investment Plan …

– by March 2021.

Has that been deprioritised? Do some things get deprioritised, even though they are in the Programme for Government? I think what matters really is when you start to see things in real life and start to see things on the ground. I think it is bigger than active travel, about delivery, but I would like to know, in particular about active travel.

Thank you, Mr President.

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

Mr Hooper: Thank you very much, Mr President.

I am just brought to my feet really by some of the comments made by the Hon. Member for Douglas Central, Mr Thomas, about community hubs.

So whilst I really do welcome the Hon. Member's comments that I have apparently seized on an item that has been dodged by politicians for too long … I mean, of course, given the choice between meaningful action and dodging responsibility, I am very much in the former camp, but unfortunately I do not think the comments made accurately reflect the scope of the work that is being undertaken.

I do quite firmly believe that how we achieve local delivery of Government services *should* form a core part of the Programme for Government, but unfortunately the action that has been assigned – and I am assuming this is the same action that the Member is referring to – only talks about delivering a series of reports through the Chief Minister's Community Committee.

So this action is not about community hubs. This is a slightly broader and slightly different piece of work that is within the terms of reference of the Committee, which I believe have been published. One of these reports I very much *hope* will be around the theme of community hubs, but from my perspective this is likely to be a very big piece of work as it has been, as the Hon. Member has mentioned, 'dodged' by politicians for quite some time.

It is an item that has been promised and talked about for so long, but really has not managed to make it to this Hon. Court in any final form. I might just talk about this very briefly in the Post Office debate later on in this sitting.

Whilst I am on my feet, though, I would like to draw attention to one item inside this document, item 18.18, which refers to:

> Achieve maximum waiting times … for non-urgent consultant-led treatments of 18 weeks.

This looks to me to be very much akin to the UK's referral to treatment targets that I have been pushing the Minister for, for some time. The target date for delivery of this is March 2023, but I would like the Minister for Health when he does come back with his progress report in January next year to include some interim targets in here, so there is visibility of how on track or otherwise his Department is progressing towards this final 18-week target.

The reason for asking for this is not only because it would help monitor progress on this important measure, but also because the target date itself does not appear to have changed despite coronavirus. That does not fill me with a great deal of confidence, given the earlier comments by the Minister that actually COVID *has* had a significant impact on health delivery. I do not expect a response today because I think it is a big piece of work, but as part of the update he is bringing to this Hon. Court in January, I would very much hope the Minister would confirm this target date is definitely achievable and also provide some information in respect of any interim targets.

Thank you.

The President: Hon. Member, Ms Edge.

Ms Edge: Thank you, Mr President.

I have just got a couple of questions, really, for the Minister. Certainly with regard to this new Summerhill … I think we will call it, not a bridge, a bypass maybe! But certainly in my time within the Department of Infrastructure I was aware that this was discussed and it was certainly not a priority within the Department. I am just wondering why it has come about that it is now in the Programme for Government, whether the Minister can confirm what the priority is and what impact assessments have been carried out to have that in the Programme for Government? Because certainly we have issues in many roads around Douglas and it seems to me that you are going to only be diverting traffic into another area of Douglas that has already got major tailbacks. And certainly if it is for TT, when will we have a TT again? None of us know the answer to that either.

So I am really concerned to see that appear in the Programme for Government when I am not so sure there have been impact assessments of any nature, and I just wonder whether the Minister … obviously you are the Minister for the Department of Infrastructure, so you will know the outcome for that, the reason for that.

The President: Hon. Member, I think Mr Baker wishes to catch your eye.

The Minister for Infrastructure (Mr Baker): Thank you, Ms Edge.

I would like to … You have brought the subject to this –

The President: Did you get her consent to give way?

Mr Baker: I believe so, Mr President. Is that …?

The President: Yes. You have given way?

Ms Edge: I have, Mr President.

Mr Baker: Thank you, Ms Edge, yes.

I would just like to nail this once and for all. Your assertion is that this Summerhill flyover has appeared in the Programme for Government. Could you point out to me where? As far as I am concerned, it is not in the Programme for Government, it is not a scheme that I am going to be supportive of, and I think we should just draw a line under this very clearly.

There are improvements to the TT access arrangements that are going to be very important, but a Summerhill flyover is not going to be something that as the Minister for Infrastructure, I am going to be supporting.

Mr Henderson: Hear, hear.

The President: I think that is right. Mr Henderson talked about it as a historic … he went a trip down memory lane and pointed out that this had been in the programme in the past, but not now.

Ms Edge: But it certainly is in documents that Members have seen recently. *(Interjection)* But anyway, just carry to on, I am very concerned … It is, Member for Ramsey.

I am also very concerned to see the Minister for Policy and Reform now in his role – he was so passionate about the Summerland site that it *had* to be developed in this administration and it *would* be developed in this administration – to see that that has been removed from the Programme for Government. The Minister is very aware of this, there was a lot of work done by a Member from Treasury with regard to a special project vehicle type of contract that could have been utilised for Summerland and I feel that extensive has work gone into that that might have been a success at the end of the promenade, when we get the promenade complete, but it seems to have just been wiped out of the Programme for Government.

I would like the Minister to comment as to why, when so much work has been done on it, when he was so passionate about getting the site developed? What has changed? Certainly that would have been great for the Island, especially if we are looking at all of our brownfield sites. I think that would have been an opportunity.

Also, with regard to the targets for the Health Minister and the waiting lists: I thank the Health Minister, he has given us an update on the times for cataracts. I have got a Written Answer here to a Question on 18th August, and it is just really following up on what the Hon. Member for Ramsey has said as well with regard to the targets and target appointment times. But clearly, you have responded to the questions this morning, you have said how many operations the consultants can do; but clearly that is not tying in with anything that I have experienced.

So I do have concerns. Are we getting accurate information from the Department with regard to people and waiting times? If you are number seven on the list, it certainly seems, if there is so many getting done a week, that you should have been seen well before now. I do have real concerns with regard to the target waiting lists and the 2023 target to come forward with. That is going beyond this administration, and I totally appreciate that the Programme for Government needs to have some targets beyond this administration, but we need to get good services in place and priorities for the people now – certainly on cancer services and making sure that people are seen within that two-week target, which we are not getting.

So I think all of that, particularly for the Health Minister but it is in the Programme for Government, we do need to all keep a close eye on that.

Thank you, Mr President.

The President: Right, I think now is a good time, Minister, for you to reply.

The Minister for Policy and Reform: Excellent, thank you very, very much.

I just want to thank all the Members, and really I want to thank the Cabinet Office and the members in Government that we are in the position we are right now. This is, if you like, the restart of the Programme for Government. So since March we have basically been in a hiatus. It stopped. It finished. All the officers that were involved were dealing with either repatriation, with queries, with a community line which was set up in a day, the 111 line that was set up in barely any time at all, and it has been a fantastic, monumental effort.

But the important point is that we need to move with the Programme for Government, and it is good that we can do that and that has not been lost. So it is really pleasing today that we are

actually able to move forward, that we have still a Programme for Government. If you noticed in some of the other administrations, things kind of fell off in the fourth and fifth years. They did not necessarily have the momentum with some of the target setting and so forth.

So firstly, I would like to thank my seconder, the Chief Minister, and I would like to thank the Hon. Member of Council, Bill Henderson for recognising all of the hard work that was done, and I think I would absolutely agree with that. It is absolutely right to nit-pick at certain things. I would remind Members that this has the actions that were added or taken away. So there is still the full Programme for Government. So a number of those biodiversity actions/conservations still apply, and obviously our Biosphere status. We are, I am told, on track with our … to 2025, and obviously there is Biosphere education programme, the youth programme and also there are other issues and I know there was an excellent tree planting this weekend. Obviously there are actions for the Government around tree planting; but also peat restoration and so forth. So the Biosphere conservation runs, as a stick of rock runs, right the way through the Government.

I would again note the point is around the comments around Ward 7 and also the comments around the issues of waiting times. But I would say that in some ways we are fortunate to be in this position where we can start to worry about the normal again, and we have to do that – we have to move on.

I would like to thank Mr Thomas, Member for Douglas Central, and yes, we will be publishing the national indicators as soon as possible. They would have normally been done in July, but as I said, we have been stopped for six months. All those officers, all those people have been actually pooled left, right and centre. So absolutely we will do that.

What happens now? What about BAU? Well, I agree. There is an element of saying, partly, in one level, I wanted to take a radical, if you like, side to the Programme for Government so it gave a focus. But to be honest, that was not the right approach because there are a number of actions that need to be completed and Departments need to be held accountable for, and it should not depend on the Minister; it should depend on what this Tynwald Court has agreed and can come to consensus on. So I think that is important, that we kept those actions.

Longer term, we need to think, when we talk about a Programme for Government … We do need to identify what is business as usual, we do need to, in my view, for the next administration, talk about things of 5, 10 or 15 years, and we do need to have a vision.

Do I think the vision is a population number? I disagree. My constituency … As we are getting towards an election, he believed it should be 60,000, and that was his magic number. So I do not think there is a magic number; it is about the special place to live work which runs through the Programme for Government. That is what we need to be focused on and we must get away from a number and live …

The only thing that we can count on is change and the number of changes, if you think about the number of times people's jobs will change, it probably will be now seven or eight times. We need to be an Island that is flexible, that meets the new challenges. It is COVID this year. Who knows? It might be something really positive, it might not. We need to be an Island that is flexible and adaptable. It is one of our key attributes. One of our key attributes is also innovation – both of those are absolutely core and key as we take this through.

One of the things that has come through on the COVID situation is it has brought all the best. One of the key learning aspects that I would really want us to take forward and for the Government to take forward is the whole concept of virtual teams, task and finish teams, and that concept of the one public service that we talked about. That is going to be absolutely critical, rather than living in silos, that we actually take an issue, pull it, work together, solve it, move on. And I think we have, for the first time. It takes a difficult situation. Sometimes it is not the physical that we have put in. I will come back to active travel on that. It is actually sometimes a situation forces people to do the very things that we have been all wanting to do. So I do support that.

I think the community hubs and the community aspects, the Hon. Member for Ramsey has picked up that point. That is a piece of work that is going through.

Regulation: I do not disagree with it, but I wanted to focus on, because I think there is only a year left, was the fact of what are the key objectives? Climate change, economic recovery, in terms of our health, and finally, that concept of community. And very much part of that is that Housing First and we have been working, I can confirm we have met a number of times over the summer. As you can appreciate with COVID, with the Area Plan, with the gas regulations, there is only so much you can do.

But one of the key things and one reason why I was perhaps a little bit vague in my email, because a number of things that, if we are really going to move forward, would need additional budget – and I have not had those conversations about how we take that forward … We cannot allow housing policy to be done from the side of a desk, if we are going to do it. But what I can commit to is that I am massively passionate on the homelessness issue. It is an issue that again we have tackled through COVID, and I restate my commitment to push that forward and to make that real achievable target.

Mr Shimmins: Will the Member give way?

The Minister: Yes.

Mr Shimmins: Thank you. I am very grateful for the Minister giving way.

I hear there is a lot on, and I hear, actually, we are struggling to progress some things which actually were committed to by this Hon. Court, in terms of investigating community infrastructure levies, to find a budget. My question is about choice, in terms of why are we committing budget to Home Affairs, justice – that is a lot of work – why is that more of a priority if you are so passionate about homelessness and the issues that we have in housing?

And let's face it, this administration has made very little progress on housing in the last four years. There is a chance in the last 12 months to do something meaningful. Why is that less important than merging Home Affairs and setting up a Ministry of Justice?

The Minister: Thank you.

I might not give way next time, because I was just about to come on to that! *(Laughter)*

Mr Shimmins: Okay, that's great!

The Minister: So I was just about to those points, so you have just kindly repeated those point. Obviously the housing motion was a motion about Housing First, fundamentally, that central policy about having an affordable house for everyone, a suitable house. With respect, the infrastructure levy was added on to that motion. It is still an important part of that motion, but it is *part* of that motion and *part* of the work that we are doing, not, if you like, the thrust of what Tynwald has said.

What I was trying to say in terms of the Programme for Government, housing, climate, economics and health are the key. The justice: I know there has been an aspiration about reforming that for some time. I do not think it has been a new thing, and obviously that will be progressed with the Court's approval.

Now, I must make sure that I have covered all the points.

There was a suggestion that the Change and Reform team have disappeared. That is actually not true. It is still there.

There is very much in terms of the work that has been happening. I know brownfields has come up. There is a lot of work in the Department for Enterprise around regeneration. I am still committed personally – a number of things did not work out with Summerland – but personally I am still committed to moving that forward, and I know the Departure for Enterprise is on brownfield sites.

And very much in terms of the work that has happened within the Area Plan, it focuses largely on comprehensive treatment areas and urban and industrial areas. So it is one of the focus areas.

So there is always more to do but I want to just say the justice obviously has been something that has been talked about, but that is a separate issue. I wanted to focus on the economy, our vision around the climate, our economy, our housing, our community needs and our health. They are the key parts of making a vision and a vision going forward.

I thank Mr Mercer, for his comment. My own personal view is that we are on the higher path, but we are working with Professor James Curran on how we deliver those action plans, and he is very much involved in delivering the action plan. But that is a personal view.

Active travel: that is still an action we will be holding, and it still in there in the Programme for Government, and if it is not delivered by April 2021, you can absolutely ask questions on that basis – as with all the actions, actually, to be fair.

Then we have Mr Shimmins', which I have talked to. I hope I have not missed … And Ms Edge pointed on some of those. There is no new flyover, I am afraid. But the other commitments are there.

So with that, I would like to thank for an excellent debate. I am glad it was a full debate. And with that, I beg to move.

The President: Hon. Members, I put the motion sets out at Item 7, that Tynwald receives the Programme for Government 2020-21. Those in favour, say aye; against no. The ayes have it.

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

In the Keys – Ayes 22, Noes 2

FOR	**AGAINST**
Mr Ashford	Mr Shimmins
Mr Moorhouse	Mr Thomas
Dr Allinson	
Mr Baker	
Mrs Barber	
Mr Boot	
Mrs Caine	
Mr Callister	
Mr Cannan	
Mrs Christian	
Mrs Corlett	
Mr Cregeen	
Ms Edge	
Mr Harmer	
Mr Hooper	
Mr Peake	
Mr Perkins	
Mr Quayle	
Mr Quine	
Mr Robertshaw	
Mr Skelly	
Mr Speaker	

The Speaker: Mr President, in the House of Keys 22 votes for, 2 against.

In the Council – Ayes 9, Noes 0

FOR	AGAINST
Miss August-Hanson	None
Mr Greenhill	
Mr Henderson	
The Lord Bishop	
Mrs Lord-Brennan	
Mrs Maska	
Mr Mercer	
Mrs Poole-Wilson	
Mrs Sharpe	

The President: And in Council, 9 for and none against. The motion therefore carries.

Now, Hon. Members, at this point we will take a tea break and assemble at five minutes to six, by the Court clock.

Thank you.

The Court adjourned at 5.22 p.m.
and resumed its sitting at 5.55 p.m.

8. Independent Review of the Department of Education, Sport and Culture – Council of Ministers' Response and Action Plan – Motion carried

The Minister for Education, Sport and Culture to move:

That Tynwald receives the Council of Ministers' Response and Action Plan in respect of the Independent Review of Management and Governance Arrangements in the Department of Education, Sport and Culture [GD No 2020/0060], and notes that the Minister for Education, Sport and Culture will report to Tynwald with a detailed implementation action plan by no later than the January 2021 sitting of Tynwald.

The President: Thank you, Hon. Members. We will resume our Order Paper at Item 8, Independent Review of the Department of Education, Sport and Culture, and I call on the Minister to move, Dr Allinson.

The Minister for Education, Sport and Culture (Dr Allinson): Thank you, Mr President.

Education is at the heart of everything we do and is one of the foundation blocks of our society. That fundamental human right and need to seize educational opportunities and achieve one's potential, wherever it lies, is what drives our culture, economy and progress as a nation. Learning and teaching can take many forms. From timetabled classroom lessons to guided walks in the countryside. That sharing of information, questioning and encouragement of rational thought may start in childhood, but should last a lifetime.

This year, above all, we have been reminded of the value of our education and the skills required to teach well. On 23rd March, schools closed for all but vulnerable children and those of key workers. Teachers rapidly adapted to the challenge of remote learning and parents found themselves often working from home whilst balancing the demands of creating a structured day for their children. We as a society now have a better understanding of what it is to learn, the skills and patience needed to teach, and the important roles our schools and University College play.

On our Island, we have an education service. It functions according to fundamental principles soon to be enshrined in primary legislation. Equality, opportunity, inclusivity and the responsibility

to identify and address additional educational needs. An emphasis on everyone being able to achieve their potential through access to vocational and other practical training and the provision of life-long learning. But also the ability for young people and their parents to have their voice heard. The role our education service has to support the cultural integrity and identity of our Island whilst being a driver for the development of a more diverse society based on mutual respect. But the delivery of these principles cannot be provided by a service broken down into divided camps of schools, a Department and families looking in from the outside.

Over the last two years Hon. Members have expressed their concerns and those of their constituents. Concerns about communication between Hamilton House and teachers, concerns about governance and support for schools, and concerns about an ongoing industrial dispute which has now led to action short of strike and is harming our children's education.

I am grateful that the Chief Minister commissioned an independent review. Beamans were asked specifically to examine the management and governance arrangements within the Department. This administration is not shy of scrutiny. It has commissioned major pieces of work around the performance of our NHS and how our nation can together combat climate change and achieve net-zero carbon emissions by 2050.

The Beamans review is an important piece of work which has consulted widely. It presents an honest picture of the current situation and suggests ways of improving the service we provide for our people. As Minister for Education, Sport and Culture it is not an easy read. And yet it reflects my own perspective over the last six months and I believe the perspective of many who work in education.

Whilst commenting on the performance of governing boards, the extent of the role of senior officers, development of policy and the Educational Council, Beamans concludes that the most significant weakness in the current arrangements is not management or organisational: it is cultural.

I apologise that a culture has developed which has distracted from common values, disrupted effective communication and destroyed much positive collaboration. I apologise to the teachers and school staff who have felt undervalued and silenced. I apologise to staff at Hamilton House who have tried to carry out their valuable roles to support our schools and vulnerable children but have sometimes felt confined by a pervading negative atmosphere of distrust. But most of all I apologise to the young people and parents of our Island. Your education, your life chances and your futures should come first, and we must do better.

To change a culture requires introspection, awareness and reconciliation. This review is a catalyst for change. Already a new interim Chief Executive has assembled a small project team drawn from different corners of Government to help our education service evolve, adapt and improve.

With any effective change process, there are challenges. But at present we are also facing an ongoing industrial dispute in our Island and the threat of a resurgent viral pandemic close to our shores. Never has our education service faced such threats at the same time as such opportunities for transformation.

Before you is a detailed Response and Action Plan agreed by the Council of Ministers. It is ambitious but achievable. Considerable work is already under way on an interim organisational structure. But visions for change must be shared. Beamans consulted on the problems encountered but not on their ideas for the eventual solution. It is imperative that as the education service develops new models of working these are founded on common values and shared understanding and aspirations.

We need an education service that can unlock the potential of both pupils and staff. An inclusive service that leaves no one behind. A service that applauds excellence but also celebrates progress and the conquering of individual adversity. The motion before you asks you to receive the review and the Council of Ministers' Action Plan. But it also asks you to put trust in me, our staff and our teachers to work together and report back to you and our community by January.

Any work to repair a relationship relies on trust, respect and effort from all sides. I am holding an open hand. The only way forward is for all areas of the education service to work together. Central staff, teachers, parents, pupils and all those who work in our schools to create an education service we can all be proud of. We will work with teacher representatives to resolve any disputes and plan together for greater consultation and co-operation. But most importantly, we will ensure that our education service will strive to always put pupils and students at the heart of everything we do.

Mr President, I beg to move the motion in my name.

The Speaker: I beg to second and reserve my remarks.

The President: Hon. Member for Garff, Mrs Caine.

Mrs Caine: Thank you, Mr President.

The independent review finding that the Department of Education, Sport and Culture had a fractured relationship with schools came as no surprise. These matters were deeply concerning to me over many months, if not years, and resulted, as you will recall, in my tabling a motion in this Hon. Court in July 2019 calling for the separation of operational delivery from education policy making. I am sorry I did not convincingly articulate to Members' satisfaction the urgent need for the Department to be reviewed on that basis.

At least an independent report was commissioned this year and Beamans were able to make a full assessment of the current structural issues, including governance, school assessment and the unacceptable crossover of the Education Advisory Service with the Support Service.

However harsh in terms of its criticism of the Department, the analysis and recommendations contained in the Beamans Report are welcome. It is essential that trust is restored and for a complete change of culture to be effected at the DESC.

The short term action plan supports activity being prioritised around the following areas. Firstly, educational function and improving governance with policy formulation and external scrutiny framework to be separated and it is likely that this will be delivered from Cabinet Office to enable better outcomes from education and the key support services that will stem from the review to determine the services required to support education. The other governance proposal, relating to the diverse skill-set and training required for governors to be more effective in their decision making in developing schools, is also welcome.

Decision making within schools in the immediate term is also a priority with the model enabling schools to focus on delivering educational excellence and improve relationships with a cultural shift on both sides between the Department and schools. Again, really welcome, and especially to see how that has been embraced in the short-term action plan.

A review of the current Education Bill following these recommendations would seem necessary to ensure the legal framework enables these priorities to be delivered effectively. I note the High Level Action Plan estimates reporting back on the Bill in December.

The culture and sports elements are not in the immediate priorities, and were not considered in the independent review in terms of where they best fit. They were out of the scope. But I am aware that there is the Sports Strategy, which was developed around health promotion, early intervention and prevention, and the Quest accreditation links to both sports and arts as part of a well-being agenda. They are a much-needed element of services provided for our community. I do not think they should be disregarded in any Cabinet Office review of structural changes to the Department.

Historically, public services have developed as political pawns of convenience. Often they reconfigure services which support the maintenance of Departments based on headcount and budget which tend to retain services and shoehorn in areas which are not aligned to the strategic purpose. Equally, they are not designed or aligned to the fundamental reform of public services which support the improvement and efficiency of services for residents. Simply put, we talk about

fundamental organisational change and transformational reform to improve public services, but we repeatedly end up rearranging the deckchairs.

The short-term priorities continue to support the silo linear change within Departments, and as a broader issue the strategic structure of Government needs to be determined around the resident at the centre, (**Mr Robertshaw:** Hear, hear.) the resident at all ages and stages of their lives. Services to be designed around early intervention, prevention and protection to improve outcomes for our Island. Perhaps in the longer term we must pave the way to moving to a single public service to enable joined up services and reduce bureaucracy. But we need that to be in the sights of any structural change officers now.

Despite many attempts and some successes at multi-agency working, the citizen is lost between services and departmental structures. I wonder if the rot set in when the word 'children' was removed from the Department of Education and Children's name, whether when 'Sport' and 'Culture' were shoehorned into the new Department, the focus on children and education was lost. But perhaps now we have the opportunity to enable schools to become more self-governing, and perhaps we could even consider a Department for Communities to break down some of those silos, to enable increased seamless working across Education and the Children and Families Division within Health and Social Care.

We are very aware of the cost of everything in Government, but the true value of services is not understood, as there are multi-agency interdependencies which still do not all connect or function as they should. Services require to be sustainable and designed with the future in mind, not based on what we evolved in the past, often at the whim of previous political masters. There are many approaches to organisational design, but the key to this is to determine the vision and key purpose of all citizen services from birth to death and the improved and appropriate design will ultimately flow from there.

The Beamans Report and the Council of Ministers' Response and Action Plan is signalling a small step towards improving our education service. I await with interest the Department's decisive response to the Education Bill and its detailed implementation plan. I look forward to the vision being articulated. But I would also urge the Council of Ministers to look at the bigger picture for this once-in-a-generation opportunity to start reforming our Department structures. Only by placing education of our community truly at the heart of all services required to support our citizens, young and old, will we be able to return to having a world-class education system we can all, once again, have confidence and pride in.

I welcome the Minister's speech introducing this Item. I sincerely hope the Report will be a catalyst for change. But it has to be positive change. I guess we will have to give Dr Allinson our trust to come back in January, bringing everyone in the Department and the wider community along with his vision for the future of education services. I await that with interest, and I wish him luck.

Thank you, Mr President.

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

Ms Edge: Thank you, Mr President.

Obviously I am pleased that this motion is on the Order Paper today. I just want to comment with regard to me asking an actual specific Question with regard to an independent review into education, on 12th February 2019, and some of the comments that I received back from Hon. Members in this Hon. Court. I just feel that Members need to be reminded of how I was ridiculed on that day in this Hon. Court – particularly, obviously, my hon. colleague from Ramsey next to me here, who said he was losing the will to live. Well, I had lost the will to live with regard to the Department of Education. He commented that the place to review Departments is scrutiny and Policy Review Committees. Well, I think he knows the answer to that one now.

Mr Baker made some quite damning comments towards me as well when I asked for an independent review. As the only person in here who had worked in education for 20 years, I find

it quite appalling, when you look back at some of the *Hansard*, when you are asking for an independent review, as to what you actually read.

The Chief Minister commented. He said we have the Social Affairs Policy Review Committee – which we do, and obviously the Chief Minister knew I was on that. He said:

> I can think of far more serious things to be dealing with than asking for a review; but if we were to review this, where do we stop? Every Department in Government and every Statutory Board – the Hon. Member is chair of one –

I agree that is what we need to do, Mr President. What have we seen in this report? Absolutely damning, and I wish … and I have tried since 2016 to get an independent review into education, and is it not a report that should now be acted on and implemented for the sake of education, our children on the Island, and particularly our hardworking teaching staff, who work in these schools tirelessly, day in, day out, through the holidays, into the night, trying to do their best?

I hope that the Minister does come forward with a good action plan and a proper interim structure, with the right people in that structure. I hope that he will take on board that at no time in the past 20 years has there been anybody from secondary education on the Department representing secondary education. I hope the Minister will take that on board and make sure that he has the right infrastructure. There are some good people out there in our secondary schools and he needs to listen to them.

The Minister did talk in his speech about the dispute – that is harming children's education. I wonder what the Minister means by that, because as far as I am aware, the only thing that the teachers are not doing is perhaps the additional work that is not in their contracts to do in the first place, so if the Minister states that in his Statement, I am quite surprised.

The other question that I would like to ask the Minister – and it is the same question I asked the Chief Minister last Tuesday, Mr President – is what amendments, if any, were made to the independent report into the Department of Education, Sport and Culture by Beamans, after being sent out to the Department but before publication?

Thank you, Mr President.

The President: Hon. Member, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President. I will not be speaking for long. I just want to say a few things.

First of all, can I congratulate the Hon. Member for Garff, Mrs Caine, for an absolutely excellent speech? (**Two Members:** Hear, hear.) I think it is her finest. I think we should put it up in gold and put it on every door, right round our offices. Absolutely first class. I am looking at the Hon. Member: I hope I did support her in 2019. Did I?

Mrs Caine: You seconded, but you did not vote for it.

Mr Robertshaw: Right. *(Laughter)*

We have been asked by the Minister for Education to trust him: I think we should, I really do. I think we should, but there are two points, one of them pretty straight forward, the other a bit difficult.

The first issue is to express disappointment that the industrial action is continuing. I think it is probably a measure of the depth of the hurt that was imparted upon the education service, which is difficult to let go. I think it possibly also indicates something else, and it is something I became aware of in about 2014, when ... If I dare use the statement again about smaller, smarter Government, the point of it was to make the bureaucracy in the system more efficient, so that it drove funds to the front lines, and at the time I mentioned, in 2014-15, that that was the teachers and the Health Service. I think it is fair to say that our teaching rates of pay have mirrored those in the UK. Are we satisfied with that, when there are deep problems within the education service

in the UK and the rate of loss of teachers is absolutely phenomenal? I do not think that one is going to go away easily and I do urge this administration and the next one to intensify their efforts to make Government more efficient, so that money can go to the right place.

Finally, just one small point, but an important one – and I hope I do not offend those to whom this is addressed, but when some of us were arguing pretty strongly that there was something deeply wrong in the Department of Education, the Members concerned might remember that the departmental Members at the time were vociferous in their defence of the Department, so why is it …? What is the point of departmental membership, if departmental Members cannot see what is in front of them but those of us outside the Department can? You know that since I have been in this place I have challenged the concept and the worth of departmental membership. It is not about being somebody in the Department who does what the Department or the Minister says. You are there representing the people and you must have an independent view. I challenge everybody to conduct themselves, as departmental Members, in the way that I believe they should conduct themselves, representatives of the people and independently minded, because at that point I think it fell down. Why was it that a number of us were pointing to the obvious? Two years ago, I was down in the Department of Education, saying to the CEO, 'What on earth is going wrong in that Department?' Eighteen months later, the departmental Members were vociferously defending the Department. I am just going to leave that question in the air, because I think we all need to – if you would, please – reflect on that.

Thank you.

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

Mr Peake: Thank you very much, Mr President.

Yes, I welcome this Beamans report, and I do trust the Minister and wish him all the best with it. I think it is quite good that you have actually got some clear items to go at. The findings are that relationship was fractured; separating and clarifying responsibilities … These are all good things so that you could have something to work with, and in the long term we will have a board that will then manage the delivery of education and separate it from policy and inspection. That is absolutely great.

We have the CoMin report, and in their response, number 9, they say that the Department and the schools' relationship is based on shared values and mutual respect. That is great, isn't it? That is a value that we all want to work with, and I suppose at some point you have to ask people when they start calling out what they see. If they are not seeing something, when do they call it out, and have they got a route and people they can trust to actually call it out? That is something to bear in mind.

In the next item, number 10, it says teachers feel things are done by the Department to them rather than with them. That is something which I have spoken about in this Court before, about how we can do things to people and do things for people, and that creates dependency and takes away the power from the person, when really we want to try to do things *with* people. We talk about doing things together. How many times have people said 'We have to do this together'? It is easy to say these things, isn't it? But you have actually got to get down with somebody and do it with them, spend the time and do it with them and eventually get them to do it by themselves. That would be great, wouldn't it? So it is just with a little bit of concern I read a bit further, in the conclusions, at number 30, that CoMin has agreed a high-level action plan to be delivered by a project team based in the Cabinet Office. I would like the Minister just to reflect on that, really. Let's not move away from the Department doing things to the teachers, not with them, and just replace it with CoMin and the Cabinet Office then doing things to the teachers.

I do trust you, Minister Allinson, and I do wish you all the best with that, and I know that a lot of people do as well and we are only here trying to help. Hopefully you can take that on board and just look out for that when you are in CoMin and when you are in your Department. With that, I wish you the best.

Thank you very much, Mr President.

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

Mr Hooper: Thank you very much, Mr President.

I just really wanted to sound a brief note of caution in respect of what is actually being recommended here by Beamans.

The investigation and report that was produced by Sir Jonathan Michael was a massive undertaking, a huge piece of work. There was an extremely detailed report produced, with all the recommendations in it justified rationale, data-driven recommendations. This review, on the other hand, was by necessity conducted virtually, over a much shorter timeframe, with a much narrower focus in its terms of reference than that review. As a result of some of these natural limitations, I think the output from this review is also much more restricted.

That being said, I think the conclusions in this report are welcome. I think Beamans have hit the nail on the head. They set out the challenges we are facing quite well. The reason I mention this is because it was a little bit of a surprise to me reading the report that the recommendation made was to mirror the structure set out by Sir Jonathan Michael, when it is clear that they could not have done the same level of work about whether that was the right structure for the Island.

The purpose of me saying this is only to sound a note of caution that we should not necessarily jump, feet first, into a new structure without undertaking enough work to make sure it is actually the right thing to do. It is clear that the education service has problems, but I am a little bit hesitant to jump straight into this proposed structure that might end up creating new problems that we have not foreseen whilst we are trying to resolve some of these existing issues.

When I first saw that recommendation, it seemed to me that perhaps they were jumping the gun a little bit to be recommending that we mirror this untested, untried, Manx Care structure, but then, as I read through the report again, it struck me that actually there were considerable similarities between the structure being proposed and very similar structures that are in use elsewhere, and so perhaps it should not have come as much of a surprise to me as it did that this structure was being recommended.

The structure that we are talking about could be described as 'a single entity established to undertake strategic collaboration to improve and maintain high educational standards across a number of schools, which has overarching responsibility for governance'. The model being proposed has a number of layers of governance. It has a strategic level within ultimate control, and it has a board of directors with responsibility for management and operation of governance functions, again delegated to governing bodies. You may be forgiven for thinking I was reading from the Beamans report when I set this structure out, but am not. In fact, what I am quoting from here, in a roundabout way, is various bits of UK guidance in relation to multi-school academy trusts, so perhaps it is not so much of a surprise that the model being proposed is recommended off the back of this review, because in many ways it is replicating that multi-academy model in the UK.

In the UK, the constitutional set-up of these academies and the way they are governed is contained in the academy's articles of association. In our context, we will have a mandate in the same way that Manx Care has a mandate, but it serves the same function. So, a note of caution that this proposal might actually be taking us down an academy route, which has not shown widespread success in the UK and which, as far as I can recall, does not have support from teaching professionals on the Island.

The thing I find most strange, though, is that I find the recommendation that we need to create an education delivery body a little bit odd. I am a little bit old fashioned in this way, and I remember the days when we used to call a body responsible for delivering education … We used to call them schools. We used to have a person who was responsible for delivering education in schools, and that was the head teacher. I know the lines have definitely blurred over the years, and I think this review is the best opportunity we have to reset this and put this right. I am going

to repeat here what I briefly outlined in the Second Reading debate of the Education Bill. I think a type of Manx Care model is probably very appropriate for our education service, but instead of creating a new education delivery body we should be empowering head teachers to run their schools and to deliver education for students. They should be accountable to their governing bodies, the Department should set out the strategic direction, and inspection should be independent.

This set of principles is basically what Beamans have concluded already, which is why I find it a little bit strange that they have jumped from these very rational and well-thought-out conclusions into this recommendation that we should essentially mirror a structure that exists in the UK, which seems to have potentially the opposite effect of what they are trying to achieve, creating a whole layer of cost and bureaucracy instead of actually empowering schools – as Mr Peake said, actually working *with* teachers and not doing something *to* them.

Hon. Members, whether schools remain under separate individual management, whether some end up being federated, like we already have, whether they have individual boards, regional boards or national boards … All of those are very valid questions to be investigated, but I am just a little concerned here that we might be looking to replicate a quasi-academy model, and I am not convinced that is the right direction of travel for the Island. And so I would just like to echo the Member for Garff here where she said the report should absolutely be the catalyst for change, but it must be positive change.

Thank you very much, Mr President.

The President: Just a reminder, Hon. Members. Sir Jonathan Michael has been referred to once or twice as Sir Jonathan Michaels. There is no *s* on the end: Sir Jonathan Michael.

Mr Thomas.

Mr Thomas: Thank you very much, Mr President.

I am delighted to receive the Council of Ministers' response and looking forward to the action plan that is promised in the January 2021 sitting.

Just three items for my brief speech: the first one is to note the introduction of academies and the academy framework into this debate, and I invite the Minister to squash that idea, as he did in the Committee evidence that was published in *Hansard*, so I think it might be helpful to have that squashed in this forum as well.

The second point is to again join with Mr Robertshaw in congratulating Mrs Caine, the Hon. Member for Garff, for her contribution and also to state … not on behalf of, but I think in association with, in some senses, Mrs Caine, Mrs Barber, Mr Robertshaw, and myself, that we did investigate the whole concept of education in the framework of one public service. It was only Minister Boot who did not really want to go down that route, when we were serving on the Single Legal Entity Committee, so we have actually been thinking about this for three or four years, and if that report was ever made available, the evidence of that could be seen.

But then the most important question is because industrial relations and the industrial dispute have come up quite a few times. The way I read the situation, there are some massive issues in the background to do with pensions and the future of pensions, and to do with revisiting wages in the longer term. I think there might be some short-term gains. I invite the Minister to put on record the very short-term and very clear demands of the unions with which the Department is in dispute, so that the public, through this debate, can actually have a clear statement of what it is the unions are trying to achieve in the short term. That might be helpful, to move on, so that we can actually look at the structure of education and deliver the outcomes that I know the Minister earnestly wants, and I am absolutely sure that teachers want, and I am absolutely sure that parents and young people themselves want – in fact, people throughout life, given the Department's proper policy of lifelong learning.

The President: Hon. Member, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

The Beamans report is incredibly important because it puts in the spotlight several worrying aspects of our Island's education system. It identifies issues and, most importantly, it makes change possible.

In the short term, the action plan is realistic, but it must not simply be imposed. It is a very challenging time, perhaps not ideal, but the action of change in the current environment is incredibly important. The position we are in was arrived at by slow and at times questionable change. What we can now do is produce the positive and real change that is really required. Change is not easy and neither is the current backdrop, but after such a difficult year, we now need something positive to look forward to.

This needs to be embraced by all, so the best ideas and energy can be allowed to go forward, enabling our children to continue to aim for the stars. The Minister has a challenge. He needs to work with teachers, managers, parents, governors, the Department – all key stakeholders must come together. The problem is that this is a most difficult time to do this, but it is a worry that we must not do it in a way that simply appears to have been imposed. The backdrop must not spoil the potential we have really got for change at this moment.

Thank you.

The President: I call on the Minister to reply … Mr Cannan, did you wish to speak?

The Minister for the Treasury (Mr Cannan): Thank you, Mr President.

First of all, I just want to say, like everybody else, I welcome this report, and in fact I want to acknowledge the role the Chief Minister has played in this for having made the bold decision to actually commission this report. He could have quite easily sat in Council and allowed the ongoing disputes to have rumbled on, and whether some Members agree it could have come sooner or not is slightly beside the point. (**A Member:** Hear, hear.) I think in the end, his role in commissioning this report is to be acknowledged, and maybe it has not made that pleasant a reading for Council, but nevertheless the important thing is that these issues have been brought out into the open and present the opportunity now for the Minister to be able to look at the structure of the Department, its relationship and look for positive change for the future. I do not intend to pre-empt that, and obviously we will be discussing matters with him in Council as things progress.

Achieving positive change does mean that all parties have to engage positively, and it is incredibly disappointing, from my perspective and indeed Council's perspective, but also the community's perspective, that this industrial action is continuing, despite the fact that a report has been clearly laid into the public arena that gives a basis for change.

I just want to pick up, I heard the comment that children's education is not being damaged. I am sorry, there are thousands of parents across this Island who would disagree right now, today, with that statement. (**A Member:** Hear, hear.) There is no extra-curricular sports activity happening in our schools, which is a crying shame, (**Mr Baker:** Hear, hear.) given the situation that is going on around us and the desperate need for our children to be having these types of additional opportunities.

I have clear evidence that catch-up lessons are not being offered to pupils who desperately need additional support and, indeed, have fallen behind with their studies because of the COVID pandemic. I have absolutely clear evidence from one school that parents' evenings have been cancelled as a result, at least one school's parents' evenings have not taken place, and broadly speaking, you only need to go on to the NASUWT website to see the whole list of activities that … Teaching is a vocation: it is not 9 to 12, break for lunch for an hour and resume, as we know, and obviously we have come, over this pandemic, to appreciate the value of our public services.

Let me be clear, I have spoken to multiple teachers across this Island who are not engaged in industrial action who, frankly, disapprove of what has been happening from some quarters. They are doing a remarkable and sterling job, but it is unfortunate that the Minister is not being given

what I would regard as a clear playing field to get on now and really engage to deliver reform. I really do hope in the coming week or two, when he sits down with the unions, which I am sure he will be doing, that people do adopt a sensible view that this report does present an opportunity for providing positive change, changing relationships and building the future of our children's education in a positive way.

One also notes, this is a fairly comprehensive report in many areas, which potentially mentions issues – by bullet point on one or two occasions – that are actually very deep and meaningful, and we have a significant challenge in front of us, as Hon. Members will realise now, with future funding and potential challenges and rearranging financial plans, etc. That is obviously also going to play a critical role, we have talked about value for money, and value for money is going to have to come into determining how and what we mean by that for our critical front-line education Department. That is obviously going to have to be a major point of discussion, alongside our commitments to our Health Service and of course, climate change. There is a lot actually on the agenda.

Broadly speaking, I wish the Minister well in the next few months. I am sure we all do, but I really do hope that those working with him, with his various counterparts across the education service, will really come together to try and work out the appropriate way forward and acknowledge perhaps the realities of the situation that we are all facing at the present time.

The President: Minister to reply, please.

The Minister for Education, Sport and Culture: Thank you, Mr President.

I would thank all Hon. Members for taking part in this debate. We have seen previously that those important aspects of our society which touch people's lives, whether they be health or education or social services, people feel passionate about – and they should do.

I would like to thank Mr Robertshaw for his comments, particularly about the role of Department Members and having an independent view. I think that is very important, and perhaps after the next election we need to have that stressed more in the induction programme, particularly for new Members of this House. It is an important part of scrutiny of our democracy and of our role here as parliamentarians, first and foremost, but also as representatives of our constituents. That has to go right the way through our role.

I would like to thank Mrs Caine for her speech. She says that it is essential that trust is restored. She made comments about the role and position of sports and culture, and I have talked to the people involved in that, and they felt a little bit left out of this review. Again, the Chief Minister made it quite clear that this was a review of education, but we cannot forget the importance of sport and culture in education, and the importance of education in sport and culture: they are all together and actually I agree with that. I think that having this in a single entity makes sense because we can use the facilities we have to enrich young people's education, to enrich their love of sport, but also spread that right throughout people's lives.

I would like to thank Mr Peake for his comments and thank him for his trust. I have to earn that; I do not take that for granted and that is the trust of this Hon. Court, but also primarily the trust of the people who work in our education service and the people it serves.

Mr Hooper made a very good point about caution regarding some of the recommendations. As I said in my speech, we are dealing with some real threats at the moment to our education service, and the Treasury Minister has outlined some of those at the moment. We have to tread very carefully and we have to manage change, but first and foremost, as Mr Moorhouse said, we have to have that change *with* people, not *at* people, and that is really important. So when Mrs Caine makes comments about rearranging the deckchairs, no – we do not rearrange the deckchairs; we just ask people where they would like to sit. That is a much better way of achieving meaningful change that we really need.

In terms of Mr Hooper's comments, which were picked up by the Hon. Member, Mr Thomas, about academies and whether we were heading towards that: personally, looking at the way

academy trusts have worked in the United Kingdom, it has often been quite divisive. We pride ourselves in the Isle of Man as having very much an inclusive education service. With education trusts that compete for pupils with one another, that could be incredibly divisive, both to those pupils and their families, but also with staff as well on our Island.

Mr Thomas also made a comment about the NASUWT and pensions. I have reached out to the union officials and asked them what their residual issues are with pensions, because they were named as part of the ongoing industrial dispute, and I await their reply.

I would like to thank all Members for their comments. This is just the start of quite a meaningful change, but it has to be change with teachers, with parents, with pupils, because at the end of the day, what the report recommends is not a Department-led education service, but a school-led education service. If I can achieve that, Hon. Members, I may have earned your trust.

Thank you very much and with that I beg to move.

The President: Hon. Members, we move to the vote then and the motion is set out at Item 8. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

9. Chief Constable's Annual Report 2019-2020 – Debate commenced

The Minister for Home Affairs to move:

That the Chief Constable's Annual Report 2019-2020 [GD No 2020/0020] be received.

The President: Item 9, Chief Constable's Report, Minister for Home Affairs to move, Mr Cregeen

The Minister for Home Affairs (Mr Cregeen): Thank you, Mr President.

Under section 4A of the Police Act 1993 I am required to move that the Chief Constable's Annual Report 2019-2020 is received by this Hon. Court.

Hon. Members, I should begin today by acknowledging that 2020 has been a year of unexpected changes. I would like to start by recognising the passion and enthusiasm of the late friend of us all, Mr Bill Malarkey, for the continued drive for excellence within the Island's Constabulary. I note that the Chief Constable has referred to this in his letter to me and I would agree wholeheartedly: Minister Malarkey's passing is a loss that is still keenly felt, with little time for reflection as the COVID pandemic was upon us shortly afterwards.

Pausing for a moment to recall the COVID pandemic and how life was changed for us all within that time, I would note how important and vital the role of the Police was during that time in making the population of the Island feel safe. Indeed, the visible presence did much to reassure people that safety was being taken seriously and that our beautiful Island was protected. I would like to take this opportunity to thank my colleagues in the Police at all levels: the police officers, the special constables, the support staff, the community volunteers and those within the voluntary youth scheme for their unfailing commitment during the Emergency. This is a sentiment I am sure Hon. Members will share. (**Several Members:** Hear, hear.)

I appreciate this statement is about the Chief Constable's Report but I believe it would be remiss of me if I did not also congratulate the other services within my Department who have performed so incredibly well in very difficult circumstances during the COVID emergency: the Prison and Probation Service, the Fire and Rescue Service, the Communications Division, Emergency Planning, the Chief Executive's Office and the Civil Defence volunteers.

Hon. Members, it is important to remember that this report summarises the period up to 31st March 2020. The full details of the way in which the COVID pandemic affected the Island's Constabulary will be detailed within next year's report.

Now to the report itself. Hon. Members, as has been the case for some years now, the report is designed to be read online. Embedded within the text of the report are useful links to the ongoing measures, statistics and benchmarking against other jurisdictions that provide evidence of the Force's effectiveness. This allows the report to provide links to both in-depth detail and relevant infographics whilst the report body remains clear and concise.

I am pleased to be able to say again that the Isle of Man continues to be the safest jurisdiction in the British Isles. This is despite seeing an increase in recorded crime in the Island. It should be noted that, once more, the detection rate for crimes is higher than in England and Wales, Jersey or Guernsey. This continues to make the Island one of the safest, as well as most special places to live.

One of the core outcomes this Government is aiming for is that all of us should be able to live our lives safe from crime and danger. Through the continued hard work of our Constabulary and the programme of legislative changes being progressed by my Department, this will continue to be the case. The broad picture within the report shows that most trends identified in the 2018-19 report continue to hold true. The 2018-19 report identified three major themes, issues which continued to remain prevalent in this past year. These are: the trade in controlled drugs; increases in violent crimes; and the increasing number of calls dealt with by the Police relating to mental health. For themes one and two, unfortunately, it is true that both drug crime and drug-related violent crime have increased this year. We have seen, for example, the largest ever seizure of cocaine, and, concerningly, the Constabulary made their first seizure of crack cocaine for several years. The majority of drug seizures are of cannabis.

Some people may feel cannabis is less dangerous than other drugs. However, the same people who supply cannabis to the Island are also those who view the Island as a lucrative market for Class A drugs (**A Member:** Hear, hear.) such as heroin and cocaine. At present theirs is the only purchase route and it is an illegal one that the Constabulary are duty bound to stop.

Hon. Members, I remain concerned that the trade in drugs remains a significant threat to the safety of our Island. As the Chief Constable points out, the harm caused by the drugs and by the people who trade in them cannot easily be overstated. Addiction, health problems, mental health problems, violence, theft, debt, financial crime and, sadly, death are all consequences of drug trafficking. As has been brought to the attention of Tynwald before, there is a clear correlation between drug seizures by the Constabulary and violence related to drug debt enforcement. In other words, those seizures of both drugs and cash create debt problems for the drug dealers who cannot pay their suppliers. This results in escalating violence. Whilst the average person is very unlikely to be caught up in this type of violence, society in general needs to be aware of this.

Mr President, let me be clear. Hon. Members, if someone is coming here to deal in drugs or crime, we *will* make it increasingly difficult for them to do so. My Department will continue to support the Constabulary in combating this scourge on the safety of our Island. My Department is continuing to progress towards establishing a Border Agency in order to ensure more effective measures are in place to protect the Island from organised crime and address the increase in drug imports. (**A Member:** Hear, hear.)

Violent crime continues to rise and can be directly linked to the supply of drugs, with a 49% increase on last year in serious assaults being recorded. This sharp rise, however, can be attributed to proactive measures taken by the Police. In particular, the collaboration with the Public Health Directorate and Noble's Hospital in providing the Police access to anonymised assault data. This data has been crucial in identifying violent crime linked to drugs.

In spite of this increase in serious assaults, levels of personal safety are far higher in the Isle of Man than elsewhere in the British Isles. Hon. Members, this report shows that the Constabulary remains the most successful in the British Isles with the highest detection rate and the lowest level of recorded crime.

The third theme is with regard to mental health issues being dealt with by the Constabulary. The Constabulary has continued to work with a variety of partner agencies including the ambulance service and the emergency department at Noble's Hospital, but perhaps most importantly with the Department of Health and Social Care. In the 2018-19 annual report, the Chief Constable wrote about the trial secondment of two mental health professionals to the Police. This enabled direct input to both operational officers and to the public contacting the Police for help. These resources have proven to be invaluable in making a real difference to vulnerable people. This progressive approach to complex mental health issues provides an alternative pathway, which previously in many cases would simply have resulted in a person being placed into custody.

Hon. Members, I am pleased to report that during 2019-20 the number of professionals providing this service increased from two to three and funding has been secured to enable this effective approach to continue. The additional funding for more neighbourhood policing teams resulted in new teams becoming effective during the third quarter of the year, which unfortunately was then disrupted by the COVID pandemic. Effective neighbourhood policing is, as the Chief Constable indicates, critically important in keeping the Isle of Man safe.

Another key area highlighted by the Chief Constable's Report is the increase in Financial Crime, which is up 49% on last year. This increase can be attributed in part to the change in how these crimes are recorded, but has also been affected by three important factors.

Firstly, an increase in cybercrime, criminals who use telephone calls or the internet to commit a fraud. Secondly, improved access to the data held by Action Fraud UK, which allows the Police to see and record complaints made by local residents direct. Thirdly, the successful collaboration with high street banks in training staff to be alert to people who are most at risk of being defrauded.

The Economic Crime Unit continues to focus on addressing criminal activities that have the potential to damage the Island's reputation and international financial standing. The Financial Intelligence Unit continues to have increasing demands on its resources and as a result makes more referrals to the Economic Crime Unit for investigation.

In 2019-20 youth offending rose slightly, with the increase being less than in the previous three years. There were 187 individuals referred to the Police Early Action Team, the team which has replaced the Youth Justice Team. Half of all offences of thefts by young people were of alcohol. The Constabulary's approach to youth offending aims to stop them from offending by using diversion schemes, focusing on using restorative measures that stop the criminalisation of young people.

Hon. Members, it is positive to see that the Constabulary over the last year has undertaken to audit its own practices, policies and procedures to support a more inclusive workplace.

I am delighted to report that thanks to financial support from the Treasury and technical support from the Cabinet Office, a new computer system for the Constabulary went live in June 2019. This one system has replaced over 60 legacy systems and will ultimately result in an almost paperless criminal justice system within the Constabulary. I am sure that over the coming years we will see more and more the usefulness and effectiveness of this new system.

The Department recognises the strength of public feeling with respect to the harm caused by offences of a sexual nature. The Sexual Offences and Obscene Publications Bill is set to have its Third Reading in the Legislative Council on 27th October. The Bill will empower the Constabulary to investigate a wider variety of offences, including those committed electronically. I would like to take this opportunity to commend the work the Constabulary undertakes in investigating these crimes and seeking justice for victims and their families, which is outstanding.

I do recognise that we still need to do more for victims of sexual offences. That is why I am working together with my colleague, the Minster for Health and Social Care, to develop a new sexual assault referral centre for the Island. This will mean victims of these crimes will no longer have to go to the UK for examination and people can receive the support they need in one place.

Other key areas touched on by the Chief Constable's report include the increase in resources approved by Treasury. The Chief Constable and I are grateful for the recognition that these additional resources were necessary to ensure the effective operation of the Constabulary in dealing with the multiple demands it faces.

I note with concern the increasing levels of overall sickness in the Police. Some of this increase is due to longer term sickness related to psychiatric conditions from exposure to trauma. Resources have been allocated to help to improve the identification of those at risk of falling ill and offer support. This is particularly important as many of the Constabulary's front-line staff are young in service. We ask a great deal of these men and women and we have a duty to support their physical and mental health.

Hon. Members will note once again that in the related report of the Police Complaints Commissioner for the period, the number of complaints against the Police is just six. Considering the level of activity from the Police this really is impressive.

Mr President, I agree with the Chief Constable that in light of the COVID pandemic the future is difficult to predict and the world is and will be a very different place. However, we as an Island community can continue to have confidence in our Constabulary, and the work undertaken to keep us safe.

I finish by offering my thanks to the Chief Constable, his officers, special constables, support staff and the many volunteers who work tirelessly to ensure that the Island is a safe place for us all. (**Several Members:** Hear, hear.) Their work is vital and my Department is proud to work alongside them to ensure that we all live in a healthy and safe Island.

Mr President, I beg to move the Chief Constable's Annual Report.

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

Mrs Barber: Thank you, Mr President.

I beg to second the report and commend it to the Court for its openness, honesty and for the challenges that it presents to us.

I would like to offer my thanks to all members of the Constabulary and the many other areas within the Department of Home Affairs who are part of that wider team working non-stop to keep our beautiful Island safe, not just during the ongoing COVID-19 pandemic but year round. We should thank them not just for their approachable manner, their accessibility within our neighbourhoods and their willingness to let people have selfies wearing that famous white helmet … *(Laughter)* But we should also thank them for their resolute attitude to the unseen work: the tackling of serious drug crime, economic crime, child sex offences and domestic abuse, to name but a few.

Once again, yesterday, the Chief Constable's award gave a sobering opportunity to recognise the work of our Constabulary, their partner agencies and the general public to keep our Island safe. Our Police work long hours, they make sacrifices in terms of their family, and they do that to ensure that the Island that we all live in is safe. And, as always, we must remember that behind the statistics are victims and their families, and we must continue the important multi-agency work to ensure that they are fully supported as they find themselves in a place that they never wanted to be.

I beg to second.

Thank you.

The President: Mr Speaker.

The Speaker: Thank you, Mr President.

It is the Ghost of Christmas Past, isn't it, I suppose? But I do rise to support the report, the Minister and the Constabulary. I am delighted at the culture of continuous improvement that pervades the Constabulary and takes it from strength to strength. Although, as the Chief Constable

is in the Gallery, I should note that the Minister's Policing Plan does not actually have smart objectives in it and I am sure he would be quite relieved about that.

I do want to raise the issue, however, of joined-up Government in dealing with some young people at the margins as a single issue, amongst the many good news stories he highlighted in his report. The Minister will recall the existence of the Youth Justice Team, which was well supported by the Police and Probation services, but the word used in the report is 'collapsed' when funding support was withdrawn from the Department of Health and Social Care, removing the social workers and the health worker that was seconded. It has been a real positive seeing mental health professionals embedded within the Constabulary, which in part plugs the gap in 24/7 mental health crisis support that has *long* been identified, but I still get the sense of unfulfilled promise and the collapse of the interagency approach to this vulnerable group.

I do not want to paint a bleak picture, Mr President. Police referrals to the Youth Justice Team fell from a high I think of 405 in 2012-13 to 259 in the previous administration, and it is pleasing to see the continuation of that downward trend to just 187 in this year's report. However, I know that events over the summer have raised concerns in the community into youth offending. Fortunately, these have not been repeated and persistent, but they do warrant some attention.

So I do just want to ask the Minister whether we still have the five-step escalation process in dealing with disorder offences, from informing parents up to anti-social behaviour orders so that the response is proportionate to the offence and the background of the individual. Because – and this will come as no surprise to the Minister – I am interested in outcomes and am worried that in this area we are dealing far more with disposals and activity than outcomes.

It is good to see core recidivism down again with barely imperceptible numbers of repeat offenders coming back after three offences to that youth team. However, it is further up the age range that I would want to focus on. It used to be a source of pride that about 60% of young people placed in work or training were still engaged six months later. Ultimately, what we all hope for is not just to correct offending behaviour but to identify the cause and maximise the life chances of individuals who come into contact with the Police in this way – something really that we have just come from in the previous debate. This is not a job for the Police alone and I am keen to know what the Department and the Constabulary are able to do in terms of furthering this objective in joint working.

Our Constabulary is something that our Island should be very proud of. I mentioned some of those successes earlier and long may it continue. I wish the Minister every success going forward.

Thank you, Mr President.

The President: Hon. Member, Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane.

I would like to start off, as I usually do with the presentation of the Chief Constable's Report, with a massive thank you to him and the officers of the Isle of Man Police Force, our Constabulary. I am eternally grateful, as are many of the public I speak to, for the public safety duty they perform in the face of considerable personal danger, faced with being attacked, spat on, punched, assaulted at times, and all the rest of it that goes with the job, and certainly attending dangerous scenes, crash sites, a whole plethora that we are all well aware of. So, a huge commendation to the Chief and the officers of the Isle of Man Constabulary, an absolutely sterling job and I for one am certainly proud to walk down Strand Street and see our bobbies with their white hats on.

Now to some of the issues within the Report. I have to take the Shirveishagh to task first, with regard to his usage of 'health problems'. He separated out, from health problems, mental health issues. I would say this to the Shirveishagh, and it is nothing personal but I think we need to banish the separation of those two phraseologies. They are one health issue: you can have physical health issues, you can have mental health issues. We need to get rid of the stigma of the past; it needs to be binned forever. There just are health issues, however they present themselves, so I would just like that straightened up a bit, Eaghtyrane. We are into 2021 now.

I have fought long and hard here for the rights of people who suffer from mental health issues and it is absolutely tremendous to see the development with the community nurses working at Police HQ. I remember several years ago, before we had this, having a heated debate in the boardroom of Markwell House, the then HQ for the DHSS, and being firmly told by senior officials that there was no chance on God's earth that there was going to be any mental health resource working from Police HQ or with police officers at that time, and I have had fierce set-tos here ever since. It is so pleasing to see now where we are and the demonstrable significant effect having mental health professionals working alongside police officers has had. I have harped on here at length about what used to happen. I will not go into detail, but it was nothing to do with the Police. It was not their fault. It was society, the public view of mental health, and us in Tynwald – our expectations of what we thought the Police should do. And now the balance has been struck at a much better equilibrium and we are seeing the results of it and the fact that it probably saves resources in doing it this way round.

I would say to the Shirveishagh, and indeed the Health Minister, I would hate to see this resource subsumed back into the Health Service due to constraints, COVID, whatever. We have a brilliant initiative here. It has been shown to work in the likes of Bristol, in the UK. The results are phenomenal. Let's keep and value what we have got. We have upped it by one staff member, and it needs to be progressed, not pinched back; (**A Member:** Hear, hear.) I think that would be a general regression.

I would also like to commend the police officers, some months ago, whom I observed having to handle a mental health issue. It was a Sunday afternoon, probably there was no one else on call to do it, so the Police get the job. Not their fault, but it is what is expected of them. Anyhow, I have to commend again the officers in charge of that operation, who attended an older lady who was very obviously distressed, and the patience, dignity and professionalism that the officers showed in handling what could have been a potentially violent situation, assisting the lady to the police car without any problem whatsoever. Going back 20 or 30 years, I think there might well have been a very different outcome, so well done to those officers. I have written to the Chief Constable on that particular measure. Absolutely tremendous, the way that that was done.

The final point I want to touch on, Eaghtyrane – and I am sorry to labour on a bit, but it is important to our society – is the drug issues that are highlighted by the Chief Constable in the Report. I think the final phrase there, somewhere, is the most telling few words in the entire document: we need to wake up. I really do think that is true: we do need to wake up to the situation. At a Tynwald briefing on the matter we were informed that possibly we are looking, at a guesstimate, at £1 million a month illegal, illicit trade going on in the Isle of Man with regard to this. This has escalated monstrously over the last couple of decades into something that, to me, is quite frightening, to the point where I have booked in to see the head of the Constabulary's drugs squad next week for a more in-depth briefing, to get a feel for the full picture that is going on here.

The extraordinary level of youth involvement is frightening. I can personally vouch for 13- and 14-year-olds who have been involved in the smoking of cannabis, and one 15-year-old who was involved in the sale of it in and around school premises. That tells you the actual situation, and we do need to take stock of that. I know resources are stretched and I know we have been hit with COVID-19, but as I said earlier about conservation issues, these serious social public issues cannot be just left either. It needs careful manning and we may have to look at resources going forward again, because the situation has developed, over the past 20 years since I have been here, into something that is almost recognisable now, involving organised criminal gangs and so on, from predominantly Liverpool, although there are London links as well, I am given to understand. That tells you the complexity and the ingenuity of these operations, and it will inform us that when Home Affairs come to us for additional help at some point, I think we are going to seriously need to think about that in order to try to disrupt what is going on here, especially for our younger people.

To those who are harping on about cannabis from the outside and throwing stones in here, I can say, from my own mental health professional experience, yes, you can shout all you like, but the issue is, which has already been highlighted, it is a starter drug. It may be fine for one or two people at a party, but it is the trouble it leads to and the addictions it can lead to following on from that. I support its use for medicinal purposes, that is a separate argument, but what is going on out there on the street and how kids are started on cannabis and so on, and where it can ultimately lead … I think we need to be very careful in how we manage this particular situation.

Gura mie eu.

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

Mr Shimmins: Thank you, Mr President.

First of all, I would like to welcome the commitment from the Minister to combat the criminal trade in drugs. That came out very loud and clear in your speech, Minister. I think we all are really concerned about the damage that drugs are doing to our Island and our society.

I also welcome the commitment from the Minister on establishing the Manx Border Force. Last week, the Chief Minister advised that the Border Force should be operational by April next year. I am unsure whether or not this is going to sit in Home Affairs. I understand they are still working around various parameters of what that would look like, whether it would be part of the Police or what sort of agency. That is not my question, so don't worry, I am not going to press you on that. I guess the underlying feeling I have about this is, given the seriousness of the drugs situation and also given some of the other issues – perhaps not crime issues – that we are dealing with on the Island at the moment, it does feel really important, so I would encourage the Minister to get a wiggle on, in terms of the Border Force. April feels quite a long way away, and the sooner the better, really, please.

I also would like to thank the Minister for his thanks, for Treasury and the funding that Treasury has provided. It is not often that Treasury gets positive feedback *(Laughter)* in this Hon. Court, so it is great to hear that the taxpayers' money that we are allocated by Treasury is helping the Constabulary effectively combat crime. That is really good feedback, so thank you.

I would now like to move on to road traffic collisions, and I would just like to quote from the Chief Constable's Report. He said, amongst other things:

> the Island's approach to the speed of vehicles, to the setting of speed limits and the enforcement of the law are the most significant factors in securing safety improvements.

Paraphrasing perhaps, but what I understood from the Chief Constable's Report is we are still seeing significant levels of collisions and really the most effective thing that we could do is start taking some difficult decisions, either on speed limits or on the enforcement of the law relating to speeding.

In the last few weeks we have seen two pedestrians run over by drivers in separate incidents. Tragically, one person was killed in Ramsey, and a person in Douglas was hospitalised. Both of those serious incidents. And every three days we see roads being closed across the Island due to what are termed as 'single vehicle collisions'. Usually, we see upturned cars, mangled, in photographs on social media, pretty much on a … certainly not a daily basis, but a weekly basis.

Mr Henderson: Or sitting on trees.

Mr Shimmins: Or sitting on trees, perhaps, as Mr Henderson says. Sometimes, because of the construction of these vehicles – because cars are much safer these days – people walk out, incredibly, from really badly mangled cars, which now benefit from crumple zones and airbags. Tragically, that is not the case for those pedestrians. That is a tragic thing for their families, and I

am sure we all really sympathise with what they have had to endure over the last few weeks as a result of these collisions on our roads.

Just last week I also saw that the Roads Policing Unit issued a public appeal for people to slow down and drive more safely because they were seeing an increase in the number of collisions, and consistently that is people generally driving, in the view of the Roads Policing Unit, beyond their abilities. I think we all know the situation is not great in terms of road collisions, and the question I have for the Minister for Home Affairs is: previously, he has resisted any changes to speed limits – is that still his position? Perhaps he would like to explain that to this Hon. Court.

Thank you.

The President: Hon. Member of Council, Miss August-Hanson.

Miss August-Hanson: Thank you, Mr President.

I would just like to say that it is very relieving to hear that the Sexual Assault Referral Centre (SARC) is moving along nicely. It was good to get a commitment as well from the Department of Health and Social Care's Minister regarding that, in answer to my Written Question in September, so I will look forward to the update in December on the SARC. I hear that there is some need in resourcing for particular specialist roles, so I will look forward to that update. It has been a long time that victims of sexual offences have had to travel off Island, children and adults, for this testing, and it is quite appropriate that we address this, so I appreciate the fact that both Ministers are very much on top of that now. I shall not go into too much detail about the Domestic Abuse Bill and the Sexual Offences and Obscene Publications Bill. We know that the Domestic Abuse Bill we have signed today and the Sexual Offences and Obscene Publications Bill will be arriving in Council on the 27th, as the Minister has said, for its Third Reading. Those are going to create such a level of cultural shift on our Island. I hope that Manx residents are taking note of these two Bills going through, and how important it is that good strategy is put in place, as it will be key to positive outcomes.

I would like to thank the Isle of Man Constabulary, particularly the Chief Constable, again for his candour – very frank, very honest – about the problems that are taking place that he is very much aware of and that his officers are on the front line of. We do see an awful lot of the same problems reoccurring, and he was quite honest about that in the Report as well, which I appreciate, but clearly there are areas for improvement. Perhaps that would come via our input – whether support for Treasury bids regarding training and support in that direction, I think that it is always very important that those are considered very carefully.

Young people – Mr Speaker talked about the Youth Justice Team collapse and that we need to keep looking at this, this joint working, that it is a problem. It really is, and I think that there are so many of us in this room who have encountered this at some point or another, with constituents, or when they have been looking at the Domestic Abuse Bill or the Sexual Offences and Obscene Publications Bill and talked to various different agencies that are interacting with people who have dealt with such matters or been victim of such matters. This does need dealing with quite desperately, particularly the relationship between the Isle of Man Constabulary and children and families, on which I am hoping that eventually they will come to some better agreement than what is currently in place. On both sides I believe there are acknowledgments that there is not a perfect relationship and it can be improved.

My colleague on Council, Mr Henderson talked about the youth, the issue around young people and illicit drugs. I circulated yesterday an account from a very well-respected Manx resident who was grateful to receive the opportunity to be able to add that voice into the mix, and I would like to be able to read that account out for the benefit of *Hansard* and for the benefit of those members of the public who have not been able to receive that email, so I will do. Sorry, please excuse me, I am a little bit shaky at the moment; I am quite tired. This individual's account starts thus:

> I'm sure I'm not the only nice middle-class parent who has been threatened, and has had to threaten, drug dealers, or who has had to pay thousands out of my own hard-earned savings to avoid a youngster being beaten up or worse by these scum.
> Wonderful place the Isle of Man. Safe, unpolluted, real sense of community—fantastic place to bring up children.
> All absolutely true but there is a poison here that we cannot ignore. It's a poison that harms our young people physically, mentally, emotionally and financially. It robs them of life chances and the opportunity to fulfil their potential. That poison is the illegal drugs trade, whether it's weed, ketamine, cocaine or heroin.
> Don't ever think for a moment "it's only weed and my teenager will grow out of it". The weed for sale today has the strength of what used to be called skunk. Twenty years ago "weed" contained levels of THC of 1% to 3%. Now the typical range is 15% to 20%. Regular use removes ambition and energy from even the brightest youngsters. Behaviours change. They become withdrawn and secretive.
> Don't all teenagers? No — nothing like to this degree. Weed is mildly addictive chemically but socially it is highly addictive and incredibly difficult for a young person to break away from. If they buy weed, they will be encouraged to try other drugs. The same dealer will sell ketamine, cocaine and heroin. Fortunately heroin has a real stigma attached to it so few teenagers try it but "ket" and "coke" (or "beak" as it's affectionately known) will very much be on offer.
> A dealer will give the child ket or beak to try. They are usually older teenagers or in their early 20's. Some young dealers in the lower levels have perfectly normal jobs in banks, CSPs or trades such as joinery or painting and decorating. I use the word child to reflect the naivety and vulnerability of the young person. Once they have tried ket and / or coke they will be made to pay for it. As soon as they don't have the cash to pay they are given stock to sell. They begin to have a role and, they may think, status. They feel part of something exciting, grown up or edgy.
> Unfortunately, they naively sell to friends of their own age who don't pay immediately. Too much is sold on "tic" and often too much is used by themselves. Huge debts mount up—thousands of pounds within months. That is when a child shows the stress and irritability of a businessman drowning in debt. Attendance at school drops off to allow deals to be made or dealers to be met. Grades fall off a cliff. The child starts leaving the house at strange hours of the day — 2am meetings with dealers or customers.
> Adults start buying off them.

This person says:

> I have intercepted texts to my youngster from a mum living in a £400K house on a very respectable estate wanting to buy coke from my youngster. These people perpetuate the trade on the Island. They perpetuate a trade that ruins kids' lives. They are distracted from activities such as sports and education that will provide a good future because they have been dragged into a cycle of debt, buying, selling to use and worse. If debts are not paid beatings are the norm. A young ex-colleague who couldn't pay off a debt was raped by a dealer. Yes, a 22 year old boy raped by a 30 year old man for a debt of less than £500. Think about that the next time you pass round the "charlie" / "snow" / "beak".
> The impact on parents is dreadful. Anxiety about the youngster and the difficulty in handling the related situations can split couples. Parents often withdraw thousands of pounds of their own savings to pay off a child's debt. Teenagers end up lashing out at siblings and parents through the stress of their situation — in even the nicest of homes. This is NOT a problem isolated to "poor" areas. It is a poison that flows throughout the Island with many, many people putting a brave face on things as they go about their daily lives. As a community we must do everything we can to push the tide back. The public need to inform the police and the police need to arrest and secure prosecutions. Importers need to know that this is a high risk market for them. Parents and teachers have to be vigilant and ask why a child suddenly loses interest at school or grades fall. Schools need to motivate and educate.

When I read that yesterday, before I had it circulated to Hon. Members, it really did affect me, and the individual who handed me this was worried for that person's family, that there might be identifying comments within that, but that individual was absolutely desperate that Members of this Court, whether they be in Departments, Statutory Boards Offices, parliamentary Committees … if they can in any way reflect on how their positions across parliament and Government might help mitigate some of this, that person asks that you do so and you think carefully.

Separately, regarding the borders – actually, no, it is quite related – I have every faith that this will be dealt with sooner rather than later. There is a bit of a fight. This individual is quite scared for children across this Island who are involved in this and what might happen once the border situation changes.

Thank you, Mr President.

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

Mr Peake: Thank you very much, Mr President.

Obviously I welcome the Chief Constable's Report and thank him very much for it. It is great to see the words 'The Isle of Man is *still* the safest jurisdiction in the British Isles.' While some of the recorded figures have increased, it is still a very safe place and, as the Minister said … Perhaps his third theme, he said, was mental health. Well, it is great to see that increased focus on that issue, with mental health professionals working alongside the Police from that initiative with the mental health triage project, which started in May 2018, where they had, that month, 30 events and within two months they had doubled that to 60 events. I know that might sound a bad thing, but actually it just shows that the project was working and they were able to engage with people and help them, but here we are two years later and it is still an average of over 70 events a month. But again, we have heard today that there is extra personnel there, so we now have three people working alongside the Police. I am glad to see they are taking it seriously.

Maybe one thing that I am grateful for in the Report is the graph that you have here, but it might be helpful if we could perhaps understand – as Mr Speaker said, to deal in outcomes – what the benefits are of this and where the benefits lie. Are the benefits in the public who attend or are involved in those events, or is it the fact that the Police are safer because we have mental health professionals there? Or is it just that it is less work and less cost for the Mental Health Service? It would be great to have that outcome perhaps alongside what the events are – but thank you very much.

Thank you, Mr President.

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

Dr Allinson: Thank you, Mr President.

I would like to thank the Chief Constable for his Annual Report. It obviously touches on the challenges faced by the Constabulary during the lockdown period, and I think all of us need a bit of time to process and reflect what we have gone through in the last six months and so I look forward to next year's Report, which will cover the time from 1st April onwards.

The Report highlights a rise in violent crime predominantly related to the market for Class A drugs, but also highlights the damage caused by sexual offences against both men and women and the long-term harms that can cause. The statistics underlying the Report show an increase in the number of reported rapes, but unfortunately a decrease in the detection rate. I hope this reflects increasing reporting and a growing awareness of issues around consent and coercion. In his Report, the Chief Constable stresses the need for developing a sexual assault referral centre and, like other Members, I welcome the co-operation between the Department of Health and Social Care and the Department of Home Affairs in terms of accelerating the development of a physical space where all victims can be assessed and treated with dignity and respect. This is important because this can be provided whether they have reported the crime to the Police or not, but also this needs to be combined with a wraparound service of trained staff with the right skills to examine, treat and store evidence for people and stop the necessity of the victims of crime having to travel across to be examined, thus potentially adding to their trauma.

The Chief Constable stresses again that the Force provides policing with the community and not against it, and his Report continues to show the widespread use of recreational cannabis on our Island. Despite what we have said – and, I suppose, our gut reactions about drugs – I think it is widely recognised that the so-called 'war on drugs' has failed. This was a term first used by President Richard Nixon back in 1971, and by 2011 the Global Commission on Drug Policy concluded that the policy had failed and, in certain jurisdictions, had had devastating consequences for individuals and communities.

In 2018, we had the Substance Misuse Strategy, which set out the results of a joint strategic needs assessment for those affected by both drug and alcohol dependence, including families and young people. It stressed that a package of support to help people was needed to help them recover and rebuild families and communities. We gave a commitment to consider a minimum

unit pricing of alcohol, review the evidence of clinical effectiveness of medicinal cannabis but also undertake an evidence-based review decriminalising small amounts of cannabis for personal use.

I think during the health emergency we saw very much that, as a Government and as a legislature, as Tynwald, we governed with consent, that the way the community came together to help each other was critically important. The Chief Constable has often stressed the words of Sir Robert Peel, in terms of 'the police are the public and the public are the police', and I think that consent, that policing, is incredibly important but it depends on decent legislation, and we, as politicians, have a crucial role to play in updating our laws to reflect our society and help the Police work with our society to keep it safe.

I am very proud to be a part of an administration which has passed the Equality Act. We are progressing the Sexual Offences and Obscene Publications Act, we have just passed the Domestic Abuse Bill and will be soon introducing the Justice Reform Bill, which are all key bits of legislation that allow better policing, that allow us to help, as representatives of our community, to achieve that. But I really do think it is time we turned our attention to reviewing our attitude to illegal drugs, to look at our legislation around this and perhaps to consider repositioning this from predominantly a law enforcement matter to one that is intrinsically about harm reduction and public health.

Thank you, Mr President.

The President: Hon. Member for Garff, Mrs Caine.

Mrs Caine: Thank you, Mr President.

If we accept the definition of insanity as to do the same thing and expect a different result, we are all insane. We have increasing drugs activity, organised crime and even county lines operating on our Island. Young people and their families – as described and reported by the Hon. Member of Council, Miss August-Hanson, ordinary families – are getting involved in drugs, in accepting illegal drug deliveries, and many are subject to more violent crimes as a result.

I am grateful to the Chief Constable for his presentation to Members and his frankness that the Island will likely lose its 'safest place' title this year. I do not blame the Police for that. Trends recorded in the Report and the increasingly frequent drugs seizures throughout this year by police must give us all grave cause for concern. A million pounds' worth of drugs recovered in each of the past three years makes me wonder how much is getting through – and where are these consumers? And the Police estimate a £1 million a month lucrative market on the Isle of Man for drugs, so something is not working. What can we do to remove the illegal drugs market? How can we stop so many people in our community getting into drugs, receiving drugs convictions and jail time for either receiving or dealing in illegal substances?

More than a year has passed since the public consultation supported the Island permitting medicinal use of cannabis. Less than 1% of respondents opposed permitting medicinal use of cannabis, but still we do not have that available for those who find it gives relief for various conditions, and some of them turn to criminality in order to assist and ease their conditions. There was another protest outside this Hon. Court at lunchtime, with members of our community questioning when we will enable medicinal use of cannabis, enjoyed in so many other areas. Why are we so slow to change the law? And also, why have we not changed the law on permitting the cultivation and manufacture of medicinal frameworks? How excruciatingly slow has that process been to establish a regulatory regime and allow the manufacture and cultivation of medicinal cannabis to go ahead?

Given the illegal drugs market in the Island and all the criminal behaviour it leads to, the impact on families, the threat and increasing evidence of violent crime, isn't it time to assist the Police with a radical change of policy? The Chief Constable explained that even getting the Mr Bigs, the people higher up the organised crime food chain operating out of Liverpool … those drug gangs are replaced with another within three weeks of disruption, the Island being such a lucrative drugs market. That is not going to change unless we change. I fear for my children and their friends being

exposed to such widespread drugs activity and the accompanying violent crime spilling out into families and the community.

To stop the insanity of increasing crime rates, of exposing our community to illegal drugs and criminality, and to prevent our police officers facing increasingly violent and frequent attacks, isn't now the time to consider a radical shift in policy? Firstly – and I find myself in agreement here with the Hon. Member for Ramsey, Dr Allinson – should we permit access to cannabis for medicinal use and also consider decriminalising it, and perhaps all drugs, to remove the criminal element from the ever-increasing market on the Island? Of course this would need to be accompanied by education and support for those who abuse substances, but it is apparent to me that the current policies have failed. They have failed the Police and they have failed our community. It is time for a rethink, for a proportionate, pragmatic response to an issue that is getting worse under the current policies – something that will protect the Island from further crime. I do not say this lightly, having first-hand experience and a lot of sympathy with the Hon. Member of Council Mr Henderson's points about cannabis being an access drug. Friends of mine had brothers who took cannabis, skunk, unregulated strong drugs in their teens and suffered a lifetime of mental health issues. I know the impact on families, but that is under the current law. So what are we going to do to change this?

Since this morning's announcement, I worry that the focus of a Department that is going to be the Department of Home Affairs and Justice could well be on restructuring that Department into the combined Department and not prioritising social policy reform to meet the needs of the Island. I also worry that the creation of a new Department and the planned inspection of the Constabulary and Fire and Rescue Service in the next year could take the focus off effective government in this area. It is going to distract us from important social policies that need our focus. And without wanting to repeat parts of my education report speech, we need to be confident that the scope of that new Department is appropriate, that it benefits people and improves social policy on this Island, that it enables better outcomes for people. Will the focus be on criminal justice solely, can the Minister reveal? I would not want it to consume social justice or social policy elements, community support services including drug and alcohol teams, housing, and early help and support. Surely, for the best outcomes for people, these need to be kept separate from criminal justice, or that is going to create social inequalities in terms of sentencing. I would like reassurance there will not be scope creep in the new Home Affairs and Justice Department. If the new Department's remit is broad, will it criminalise those who are most vulnerable, would be my fear. Social policies are not their remit, and while the co-location of mental health support within the Constabulary is a positive move, we need social policy and services to be centred again on the citizen and organised at a more strategic level.

Returning to the worrying headlines in this Report of the increase in crack cocaine, violent crime and illegal drugs, I would like to see the proposed Border Force policing our ports managed by the Constabulary. We must give them tools to disrupt the serious criminal activity that threatens our Island's safety. I would just like reassurances that social policy cannot and will not be in their remit, but that we will consider it and consider it soon.

On a local level, there remains concern in the community about an incident in Onchan where a woman was found dead after a disturbance, plus reports of residents repeatedly reporting anti-social behaviour in certain streets. A significant factor that changed in Onchan was the closure of Kenyon's as a place where young people could hang out. Again, I believe that developing social policy, a holistic look at all policies that impact on people and the community, more engagement with early help and support, along with central Government working with the local authorities and the community as a whole need to come into the mix here.

The Police do an excellent job in increasingly challenging times and they have my gratitude and huge respect, but they need to be supported by more innovative social policies. If the Police have increasing crime to deal with now and in the future, then we accept some responsibility because it is our policies that are failing them.

I could go on but I will leave it there. Thank you, Mr President.

Announcement of Royal Assent –
Divorce, Dissolution and Separation (Isle of Man) Act 2020; Domestic Abuse Act 2020;
Elections (Keys and Local Authorities) Act 2020; Public Housing Act 2020;
Registration of Electors Act 2020

The President: During this pause in the debate, Hon. Members, I can announce that Royal Assent has today been given to the Divorce, Dissolution and Separation (Isle of Man) Act 2020, the Domestic Abuse Act 2020, the Elections (Keys and Local Authorities) Act 2020, the Public Housing Act 2020 and the Registration of Electors Act 2020.

A Member: Hear, hear.

Chief Constable's Annual Report 2019-2020 –
Debate concluded –
Motion carried

The President: I call on the Hon. Member of Council, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

I wanted to stand up and support the statement from the Minister and to thank very much the Chief Constable for his Report. I am not going to talk very long, but I wanted to flag in particular that the happening again of neighbourhood policing is *very* much welcomed. So to thank the Minister and the Police and, since Mr Shimmins has mentioned it, the Treasury for that.

I have had positive feedback about early intervention and that also links with many of the other points made about young people. I think that in situations where people were previously thinking, 'There is no point in phoning up and reporting this', there have certainly been instances pointed out to me where actually that *has* been really worthwhile, and they felt very encouraged to have that immediacy in attendance of the Police and interest at local level. So I am really pleased about that.

Also to add to the other comments about the Border Force. Very supportive of what the Minister is pursuing in this. I also think that it would be a real shame if it did take until April next year. It clearly has got much more value beyond … We have been talking about in the context of the COVID response, but actually it is incredibly distressing to hear some of the things we have heard today. So it is much more important than that. I do not know what the configuration would be, but I would support that, and I hope it does come about much sooner than April.

To pick up on some of the points I think the Minister mentioned about the Public Health Directorate being involved in the response to do with assaults and possibly also domestic abuse, there are valid points that have been made around the fact that we do have the legislation forthcoming very soon with the Sexual Offences Bill, the Domestic Abuse Bill – and, as we have just heard, we *have* that. However, there is a whole other range of things that need to happen to protect people and to have the right interventions that is absolutely beyond legislation.

I think that certainly it has been picked out to do with the Domestic Abuse Bill. I know I have written to the Social Affairs Policy Review Committee. I have circulated that to Members. I think that actually the Department of Home Affairs has a really tough job in dealing with this stuff in isolation, so this multi-agency working, this cross-Department matter has to happen. I am not expecting Home Affairs to deal with this by themselves. It takes so much more than that. We cannot expect the Police just to deal with it by themselves. So in terms of the joint working, I just wondered then if the Minister is minded to develop work *very* seriously with other Departments and expertise that I believe is available to build out this proper strategic response and approach

an intervention in both domestic abuse and also in terms of dealing with victims of sexual offences, too.

Thank you, Mr President,

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

Mr Thomas: Thank you, Mr President.

I think we have to remember that we are here to receive the Chief Constable's Report, and my speech will be about that, and it will be about another couple of things that have been said by other people in the context of receiving the Chief Constable's Report. One point I wanted to note in the spirit that Mr Shimmins talked about Treasury, I saw in the Report really excellent data, well-presented and well-analysed. I saw in the Report the statement from the Chief Constable that several years ago he was critical about the Constabulary's use of information technology, but now he is proud of their great achievement through Connect which came online in September 2019. I just wanted to read out what he actually wrote about that, because I think this is an inspiration for all of us as we go about imagining a new One Public Service.

What the Chief Constable said was:

> The delivery of Connect was effectively a complex change programme, with business processes, operational methods, investigative techniques and the management of crime all needing to change. A team of ICT specialists was supplemented by a group of serving and former police officers, who provided expertise and leadership to enable the system to be introduced …

– with training, and a support package, and so on and so on.

Basically, the Chief Constable thanked Treasury for their support and thanked GTS in Cabinet Office for their support; and in the same way that Mr Shimmins had to mention that Treasury does not often get a thank you for their support, I wanted to bring to your attention the people at GTS actually had thanks inside that and that is a great achievement and is a lesson to us all.

The second point I wanted to make briefly is that all sorts of debates have been hinted at around what the Chief Constable has written in his Report, which we are receiving today. We have gone from road safety, and perhaps we could have a useful debate on the Road Safety Partnership progress report. We have talked about drugs, and sexual referral, and adverse childhood experiences, and early support for children and all sorts of social policy aspects. Earlier on today the credit for Housing First was put somewhere and from what I heard from the third sector during the Covid-19 worst days, what the third sector needed was a political champion for what they were trying to do with the Police and with the Probation Service and all the people who are involved in dealing with the *immediate* problem of a social issue, which is what to do once you have a lockdown.

I do not think the Chief Constable made enough inside this Report this year of the massive contribution that people from across the DHA made towards making massive practical steps to get to a Housing First policy, which we have now accepted as Government change. I just wanted to put that on record. But also to encourage the Minister for Home Affairs to accept the challenge in his summing-up remarks to actually say, why don't we come back to this Hon. Court for a debate based on evidence with a proposition around all of those social and other policy decisions that have been made?

In that context, I want to say my final point, which is that we have heard all sorts of characterisations about what is going to happen on the border. We have heard the entity that might come to exist is being called the Border Force or the Border Agency. We have heard it led by the Constabulary, we have heard it led by the DHA. When I reported on the completed action in the Programme for Government in 2017 I made it very clear that we had to separate border control and border security. Border control was about immigration and it was about customs; border security was about the detection and prevention of criminality, and the border security part was the one for the Constabulary.

I announced that they were investigating a Passenger Travel Information Scheme. The extra bit that is not in the Chief Constable's Report that the Minister added in when he was introducing the Chief Constable's Reports about the Border Agency, combined with what the Chief Minister said last week in the House of Keys about the borders policy and giving us a timetable of April. I think we really need to have a debate in this Hon. Court on all of the implications of what we are all talking about. Some of us are very enthusiastic about the context arising from COVID-19, but there are also many people in our community who are concerned about what this means and what this *might* mean.

There has been a long tradition in the Island of going to Liverpool to go shopping and going to Liverpool to watch football games without taking any sort of travel identification documents. There are all sorts of people who pride themselves on not having a passport in the Isle of Man. We really need to put on the record what the facts are about where we are and where we might be going to and actually have a debate so that Tynwald can determine some sort of policies earlier rather than later. I invite the Minister, in his closing remarks, to commit to a debate on the emergent border framework and border policy earlier rather than later – if the Minister is actually the one leading this excellent cross-Government investigation to tackle criminality, but also to deal with customs and immigration.

In certain islands the border agency also includes trading standards and the like. Where are we going with all this? We need to have that discussion and make the decision.

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

Mrs Poole-Wilson: Thank you, Mr President.

I will be brief in my contribution. I would just like to echo those Hon. Members who have welcomed this Report and, in particular, the openness of the reporting and the culture of continuous improvement. The Chief Constable and the wider Constabulary's commitment to engagement with the Constabulary Inclusion Scrutiny Group is one way in which I have experienced first-hand the drive to hear and act on critical feedback. This openness, this commitment to continuous improvement and the values-led leadership in the Constabulary are to be commended and to my mind underpin a positive organisational culture in our Constabulary.

It is no accident in my view that we see operational effectiveness both on the front line and in the delivery of Connect going hand-in-hand with a positive organisational culture.

I would also like to echo comments from Mr Speaker and other Hon. Members about how we fully address a cross-Government positive intervention and diversion of young people. This is particularly so when it comes to wider education and support to avoid our young people, particularly our most vulnerable young people … But as we know, as we have heard so powerfully today, no one should think they are immune from the risks that the Chief Constable has outlined. But how do we avoid them becoming involved in drug-related crime?

I, in common with other Hon. Members, have heard anecdotally of many of our young people now being involved in this type of crime. I do believe, as the Hon. Member for Garff has said, that we have county lines activity. I have a particular concern in my role as Chair of Saint Christopher's Trustees, Isle of Man about the vulnerabilities of our looked-after young people. So I would welcome in particular understanding more about the work of the Police Early Action Team. I note from the Report how many referrals have been made – 187 young people have been referred. But what is interesting is how far that work is working, what is missing and what else is needed. To that end I would echo the comments of others about how we adopt a more holistic approach to support the Police in their endeavours to divert our young people from really damaging crime

The edges of where policing ends and other social policy begins are our biggest challenge I think that is flagged from this Report. (**A Member:** Hear, hear.). The Chief Constable's Report flags how important it is now for us to grasp this challenge and really address it.

Thank you, Mr President

The Speaker: Hear, hear.

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

Mr Quine: Thank you Mr President.

I speak as a proud Manxman when I say what an esteemed privilege it is to address this Hon. Court and I would also like to thank the Chief Constable for his Report

The sentiment regarding the white helmets worn by our police officers was particularly enjoyable to hear. However, I would like to draw Members' attention – and I am sure the Hon. Member of Council, Mr Henderson, will agree – that the wearing of the helmets is not exactly a tradition of the Manx Police Force, but was also employed by forces in the United Kingdom. As a lad growing up – (**Mr Henderson:** Summer issue.) indeed, it was the summer issue, and would be worn by the officers from 1st May to 30th September inclusive. So just perhaps something we may wish to debate, but at some other time.

Mr President, may I wholeheartedly associate myself with the Minister's comments with regard to the tribute paid to the various branches of our Emergency and Volunteer Services. They are a credit to our Island and deserve the support and assistance of all of us. I particularly welcome the Minister's comments regarding community policing, and I earnestly trust it will play a significant part in combating the kind of anti-social behaviour which sadly blights significant parts of the constituency which Mrs Christian and I represent, and return a sense of safety and reassurance to many in our community.

I would also like to associate myself with the Hon. Member of Council, Miss August-Hanson, with regard to Item 9, the Chief Constable's Report, and identify myself fully with the sentiment expressed in its content. Our children, often the most vulnerable in our society and who I am sure all Members will agree deserve our fullest protection, continue to be targeted by those seeking to steal their youth so they may peddle this poison. I can think of at least half a dozen children who I went to school with who did not live to see the age of 30 – all dead through drug overdoses.

Mr President, I can personally attest to the worried parent with whom the Hon. Member, Miss August-Hanson would appear to have been in correspondence, and she is not alone when she states in what she relayed to us, particularly with reference to: 'Having to pay thousands of pounds of their hard-earned savings to avoid youngsters being beaten up by these scum!'

The point of departure for the vast majority of crime committed on our Island is the illegal drugs trade. It, and those involved in it, inflict a torrent of misery on many good, decent people, and I earnestly hope that we continue to stand up against those involved in the higher echelons of this repugnant trade.

Thank you.

Several Members: Hear, hear.

The President: If I am not mistaken, Hon. Members, that was the Hon. Member for South Douglas, Mr Quine's maiden speech, but perhaps Members would allow me on your behalf to congratulate him for it.

Several Members: Hear, hear.

The President: The Lord Bishop.

The Lord Bishop: Thank you, Mr President.

I would indeed have congratulated the Hon. Member on his maiden speech, but you have done so for me, so thank you indeed. (**The President:** No problem.)

I had in mind also during the previous debate, when we were hearing the vast number of partners with whom the Education Minister was required to liaise, I was reminded of a line in a

theatre farce where someone says, 'I wouldn't want my worst enemy to work in education'. *(Laughter)* Well I think that is true, but I would also add, Mr President, 'I am not sure I would want my worst enemy to work in policing'.

What I take from the Chief Constable's Report, as I thank him for it and as I thank the Minister for introducing it, is the idea that policing is essentially a deeply stressful activity. We read in the Chief Constable's Report about how much of the *very* limited amount of absence on the part of his officers is due to psychological issues. Policing takes its toll. It really does and I think at this stage in the debate my contribution to it might simply be to look at the human reality of policing to ask us to reflect, for example, what it means for the Chief Constable or for his senior commanders when they need to make a decision about whether to deploy armed officers; about what it might mean for a junior officer who has to make a decision about whether to use that level of force when one is dealing with a constantly evolving community and society in which increased issues of mental health lead people more readily to use violence and indeed lethal force.

I reflect also as I have done in previous years, and as my hon. colleague on Council has said, on the utter value of what is called 'values-led leadership' and the relationship between that and operational effectiveness. (**Two Members:** Hear, hear.) Clearly that has its relationship also to the work done on the Inclusion Scrutiny Group.

I think my reflection around all of those things and around the continuing commitment to neighbourhood policing is that, among many other things, what our Constabulary gives us is a real sense of social capital. We could look elsewhere in the world at the moment and see terrifying examples of what happens when you have a significant disconnect between a society or community on the one hand and its police force or constabulary on the other. We can see some terrible examples of that.

My question to us would be: what is it that a police service says about the society which it serves, the society from which it recruits and, indeed, the society which it shapes and moulds? I suggest to us this evening that in our Constabulary we have a really good model of that sort of social capital: a Police Service, a Constabulary which indeed does shape and mould our society as well as protecting it.

So, Mr President, as I welcome the Report, as I acknowledge the work of the Chief Constable, the Constabulary and all who work with him, so I commend us I think to absolute investment in our Constabulary. Investment that is holistic and comprehensive; investment that is not just financial but also political, social, moral and indeed spiritual.

Thank you, Mr President

The President: Hon. Members, having reached eight o'clock, I would advise the Court we have one Hon. Member on my list left to speak before I invite the mover to wind up. Would it be your wish we complete the Item tonight? Is that agreed?

It was agreed.

The President: Agreed.

In that case, Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

I too thank the Chief Constable for another really clear, transparent Report that is always, not necessarily a nice read, but a welcome read, with lots of facts in there that everybody can relate to. I do commend the Chief Constable for that.

I just have a couple of questions, really, for the Minister. I want to start, because obviously one of the things which I did raise way back in November 2017 was mental health support for the Police and then subsequently that was implemented. But the Minister in his opening remarks said that there are going to be three mental health nurses working, going forward. Bearing in mind that I believe the Police do 12-hour shifts, so that is two nurses, possibly four to cover the 24-hour

shift, but then you have got leave, you have got that … Is three really enough, Minister? Is there a business case going forward to perhaps support the Police further with this?

That leads, really, on to my next question for the Minister. Does the Chief Constable have free rein to write whatever business cases he wishes, to be able to request additional resources to support him in what he knows he needs to tackle going forward? Or does the Chief Constable get a budget and have to then try and make his resources meet that budget? Is there an opportunity here perhaps that the Chief Constable, hopefully whilst it is in his reign, to go to a zero-based budgeting opportunity, so that the focus for the budget for the Police is where the Chief Constable knows it needs to be spent?

I do wonder, how many business cases has the Chief Constable submitted and how many have been approved, and have they actually reached Treasury? I just wonder if the Minister could comment on that.

I did state this at the briefing that the Chief Constable did for all Hon. Members: really about separating financial crime from the operational elements of the Police. Certainly I felt that there were more officers focused on financial crime than on drugs crime in the Island, and it certainly seemed quite a low number. I do wonder whether there is an opportunity, whilst you are looking at changing the Department structure, to make sure that the right structure going forward is in place so that we can be fighting every corner of the drugs world/underworld that we know about in the Island.

To be honest, I am really pleased to hear everybody talk about it today, because it has been one of those taboo subjects that people, and particularly past administrations, have not wanted to talk about. But it is an issue in the Island. I am sure many of us know the impacts on families and young children, and we do need to be making sure we have got the right resources for the Police, even if it is just an interim uplift in budget for them to tackle that with a more focused approach for maybe 12 to 24 months.

I do also want to just briefly talk about the border controls. I am sure when the Chief Constable started his career he was very aware that there were police sitting down at our ports, airports and boats for every sailing that came in, and we had many more sailings and many more … We maybe had less flights in at the time, but we certainly had many more sailings. I have actually stood down there at the times when the CID were present in the Sea Terminal, and as a local you knew that they were there behind the two-way glass, and you knew that is where they were based. But I have sat there when we were still have boats coming in from Scotland and six boats a day, and people used to get off the boat and say, 'Have you still got the birch? Are the Police still here? Are they at the ports?'

Now, that was a deterrent and I think we can talk about Border Force, we can talk about the Police and the protection of the ports, but there are ways in which we have done this in the past. It is not new. I do not know why it was lost. I can only assume it was cuts in resources, so the Police had to look at how they were going to police the Island, but we are really, everything that we have talked about today, we are going back to what we were doing. Same with education. We are going back to possibly a board structure that worked well.

So hopefully we are all heading in the right direction, but some of these things are not new, and I do wonder, it was mentioned at the briefing with regard to advanced passenger information, prior to April, coming forward with a Border Force and a process for that, advanced passenger information via the Steam Packet surely can be already achieved. I do not understand why we cannot be achieving that now. If the Minister can do anything about that prior to bringing forward a full way forward for the borders, I think people in the Island would really appreciate that.

I also want to talk about community policing, and obviously the Hon. Member for Garff mentioned with the situations that we have had in Onchan recently, certainly the Constabulary have been very supportive of ways forward and we have had a public meeting in Onchan which they attended. I think the additional budget for community policing will also help with identifying the people that are involved in drugs on the ground and without having the Police in the communities, understand the families in the communities and the links to the families, we are not

going to move forward. It is not necessarily the crime coming from the UK: it is in our own communities. And if the Police can be in the communities, actually getting to know families and understand them, I think it will be really beneficial.

Just briefly, just to continue with the Hon. Member for Garff, Kenyon's has not closed, it just moved – just with regard to the community system. So it is still there.

Then my final comment is with regard to cannabis and the criminalisation of individuals. I do not think changing the law is going to help change the chemical reaction on some individuals and I think we seriously need to consider, going forward, whether we really do want to relax the laws on cannabis depending … Every individual reacts totally different to the chemicals, and I do have concerns about that. But for medicinal use, I agree we should be a bit further down the line.

Thank you, Mr President.

The President: I call on the Minister to reply.

The Minister: Thank you, Mr President.

I will try to be brief, but we have a number of comments.

I was going to start with Mr Speaker, but I think the story told to us by the Hon. Member of Council, Miss August-Hanson, is a worry for us all. (**Mr Robertshaw:** Hear, hear.) It is disturbing, and as a parent you worry about it all the time. You worry about who is out there, if somebody starts pressurising them, and I really have sympathy for that person, because it can just destroy lives. I think that comes out in the Chief Constable's Report, about the dangers of drugs coming into the Island.

You are in a situation there that, over the COVID period, the Constabulary have had a huge increase in the interception of drugs. In one way that shows how porous our borders have been. People are now finding different ways to get drugs into the Island because they see it as a lucrative area for them. They do not care about what happens to the people in the Isle of Man. They are just concerned about the money that it is going to put in their pockets.

I would also like to thank the Hon. Member of Council, Miss August-Hanson, for the work that she has done with the Department on the legislation that she has helped us with, and Hon. Members when we have worked through the Domestic Abuse Bill. I know it had been stuck for a little while, and I am really pleased that the Hon. Members have worked with us to try and get that Bill through, because it is something that we really have to get in place, because some of our legislation has been outdated. We have been behind.

I think during the COVID period, domestic abuse became one of those areas that got flagged up because people were in houses, they could not get out, and they could not see people and the tensions in those houses. I do thank the Hon. Member of Council for her assistance in the Department in helping us with that legislation.

While I am on that: the SARC. We now have got a project manager, and we are looking to set up a steering group very shortly.

The borders: yes, the opening of the borders is a concern for the Constabulary because the interceptions that they are getting through couriers, through the post office and people just turning up at the boat 30 minutes before they go and putting a fictitious name down and coming into the Island. We do not know who is coming in and who is causing damage to our society.

I disagree with the Hon. Member, Mr Thomas. Do you know what – if you are coming in and out of this Island, what is the issue with showing who you are, if you have nothing to hide? These people are doing damage to our young people. Do we really want to allow people to come into our Island without knowing who they are and what they are up to? I have no issue of going through any port and showing some form of identification of who I am. Are we not here to try and protect the people that we are put here to represent? And surely just one small thing to see who is coming here is worth that, because I do not want somebody coming to the Island dealing drugs that is going to take the life of one single person here.

If I go back on to Mr Speaker, the five step action plan, there are several steps that they are looking at. What we have got is the Early Action Team, and what I think we should probably do is to put a briefing on to Members to explain what the Early Action Team is doing and going part into more joined-up working: working with Education to educate young people of the risks that they are going to come across; even educating parents to realise the identifier of what might be happening if a young person is getting involved.

A naïve part of me: I would not even know what cannabis smells like. The Chief Constable has offered me to go to the Station some time to smell it, so that I would recognise it! *(Laughter)* But there is naivety. Not sampling it, Mr Speaker!

My weakness is – I hate it but … Cadbury's chocolate. *(Laughter)*

The Speaker: Other brands are available.

The Minister: Yes.

I would like to thank him for recognising the work of the officers, and all Members have clearly identified the difficult job that police officers face on a daily basis.

I think one of the concerns, as was mentioned, was the incident down in Port Erin, and officers having been confronted with over 20 people and the way that they dealt with that, I think they should be commended. Young officers having to deal with that number of young people in an aggressive atmosphere – I do not think any Member would expect that to be happening in the Isle of Man and it is a shame that this happened. I hope it does not happen again. I hope there are ways that we can work with people to try and ensure that this does not happen. We are working with Health and Education, and Public Health.

Mr Shimmins, the Border Force: it is a key priority of mine to ensure that we have something in place. A big concern of both mine and the Constabulary is that when the borders open what are we going to get? We have had mention about people being in debt. The likelihood of some people coming over here to do enforcement action because of drug debt is a huge risk. It is a huge risk to the people involved and it is a huge risk to the Constabulary when they start to engage, if they get called out to these things. I believe that the Border Force will try and intercept some of these individuals, as we have seen in many programmes on television about border forces, border agencies. All that information needs to be in a place where it can be accessed without having such huge delays put in it that a person could enter the Isle of Man and leave before we have actually known about it.

Speeding: we are working with the DOI, and the thing on speed is it has to be evidence based. One of the incidents that the Hon. Member was talking about involved a friend of mine, his son. He was involved in one of those incidents and it was in a built-up area. I think one of the things that we are all worried about is young people going out at a younger age and if they are involved in a traffic accident when they go out the door, walking to school and it is a huge concern –

Mr Shimmins: It is a collision. It is not an accident. It is a collision.

The Minister: A collision, sorry. There no longer an accident; it is a road traffic collision.

So we are working on evidence-based speed limits. There are some of the ones that I have seen around in single-track lanes – derestricted. You wonder why, in a lane six-foot wide, have you got a derestricted sign, a single path? We need to have that reviewed.

If I move to Mr Peake, the mental health professionals are a benefit both to the Police going there at the time and to the individuals when they turn up. I have actually had somebody contact me in the middle of the night: previously they did not know where to go to get some mental health support at a crisis time and they have rung round multiple numbers and eventually, now, they will phone the Police because it is a clear point. I think by having them embedded with the Constabulary, it is a real benefit.

Mrs Caine, drugs: I agree, the enforcement is only one part. Education and enforcement are also vital. She talked about cannabis. That is actually with the Department that you are in. The Department for Enterprise, Department of Health and Social Care and the Cabinet are working on this. I do have a concern when she says about decriminalising all drugs. The effect it has on people, however small the amount, it can affect people differently and decriminalising it, what will it do for our international reputation and for people travelling?

Hon. Member of Council, Mrs Lord-Brennan, on the domestic abuse: I would like to thank her for her support on that. Neighbourhood policing has been brought back in and I think most communities appreciate it, seeing somebody walking around. They cannot be everywhere. Unless you were given an unlimited budget, they just cannot be everywhere. They cannot be 24/7 down your street, my street. It is something that we are going to have to deal with. But there is a part of it that comes on to us, the public. If you see something going on, report it. We have some responsibility on this as well.

We are producing a violent crime plan in reducing violent crime, and we are working with Public Health, following the Scottish example. So that is being worked on.

Mr Thomas: I would like to thank him for his comments. Information-sharing for children in homes where there is domestic abuse, that is part of it.

Mrs Poole-Wilson: I am grateful for her positive comments and support her views on the multi-agency working, and this is something that we really have to do. During my time at Education, we were trying to work with other Departments, and sometimes it is not easy. Some of the stuff that we have pushed forward through – we were looking at Operation Encompass, and that now has started to bring some positive outcomes.

Mr Quine: I would like to thank him for his comments and for his maiden speech there. Just for a bit of information for the Hon. Member, the white helmets were started in 1961 – I am not too sure about the other ones that were on the promenade at the same time – and have been around since 1999, being worn full time.

Mr Bishop … Sorry, the Lord Bishop. *(Interjections and laughter)* Sorry, I was listening to John Bishop the other day. *(Laughter)* It is not the same one! Different accent, Lord Bishop.

The Speaker: Keep digging!

The Minister: He is right about the toll that it takes on police officers. Having to attend some of the incidents that they do, for a young officer for the first time turning up at an accident, if there are fatalities, serious injuries, it must be one of those things that can stay with people for a long time.

And yes, mental health; now part of the big 20+ Crisis team from Mental Health, Ms Edge. So we are working with mental health so that it is going there. The Police have had close to zero budgeting for a number of years now. Two years ago £4 million in additional funding to the Constabulary, so we have had additional officers. So there is stuff that we are doing.

Mr President, if I have forgotten somebody, I am sorry, but I must thank all Members for the support that they have given to the Constabulary. I would like to again thank the Chief Constable and all his team, on behalf of this Hon. Court, (**Several Members:** Hear, hear.) for the work that they carry out in difficult circumstances and especially over the COVID period. It is one of those things that I think can be easily overlooked, but I would like to pass on my thanks to the Chief Constable.

I beg to move.

Several Members: Hear, hear.

The President: Hon. Members, I put to the Court the motion at Item 9 that the Chief Constable's Annual Report 2019-20 be received. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

Thank you, Hon. Members. A fair wind seemed to build up as we went on through the day –

The Speaker: Sorry to hear it. *(Laughter)*

The President: – and we completed a fair bit of business, and we may well do the same tomorrow. We stand adjourned until 10.30 tomorrow morning.

The Court adjourned at 8.22 p.m.