



**RECORD OF THE MEETING
OF THE
LEGISLATIVE ASSEMBLY**

**HELD IN STANLEY
ON 28 AUGUST 2014**

**RECORD OF THE MEETING OF THE LEGISLATIVE ASSEMBLY
HELD IN STANLEY ON THURSDAY 28 AUGUST 2014**

Deputy Speaker of the House
(Anton Livermore CPM JP)

MEMBERS (Ex-Officio)

The Acting Chief Executive
(John Barton MBE)

The Honourable Financial Secretary
(Nicola Granger)

Elected

The Honourable Janet (Jan) Lynda Cheek
(Elected Member for Stanley Constituency)

The Honourable Roger Anthony Edwards
(Elected Member for Camp Constituency)

The Honourable Ian Hansen
(Elected Member for Camp Constituency)

The Honourable Michael James Poole
(Elected Member for Stanley Constituency)

The Honourable Phyllis (Phyl) Mary Rendell MBE
(Elected Member for Stanley Constituency)

The Honourable Gavin Phillip Short
(Elected Member for Stanley Constituency)

The Honourable Michael Summers OBE
(Elected Member for Stanley Constituency)

PERSONS ENTITLED TO ATTEND

The Attorney General
(Peter Judge MBE)

Commander British Forces South Atlantic Islands
(Air Commodore Russell La Forte CBE)

DEPUTY CLERK: Cherie Clifford

PRAYERS: Reverend Richard Hines

Apologies (Overseas)

The Honourable Dr Barry Elsby
(Elected Member for Stanley Constituency)

The Honourable Chief Executive
(Keith Padgett)

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**The Record of the meeting of Legislative Assembly
held on Thursday 28 August 2014**

Prayers

Mr Deputy Speaker

Honourable Members, ladies and gentleman, can I just remind everyone about mobile phones please.

Deputy Clerk of the Assembly

Oath of Allegiance, The Acting Chief Executive, Mr Arthur John Barton MBE, BSc

Deputy Clerk of the Assembly

The confirmation of the record of Legislative Assembly held on 26 June 2014.

Mr Deputy Speaker

Honourable Members, do you wish me to sign this as a true and correct record?

Honourable Members

Aye

Mr Deputy Speaker

Thank you.

Deputy Clerk of the Assembly

Papers laid on the Table by the Acting Chief Executive.

Copies of Subsidiary Legislation published in the Falkland Islands Gazette since the last sitting of the Legislative Assembly and Laid on the Table pursuant to section 35(1) of the Interpretation and General Clauses Ordinance 1977.

- Mental Health (Approved Practitioners)(No 2) Order 2014

In accordance with Section 80 of the Constitution the report of the Public Accounts Committee in respect of the

- Media Trust Account 2013
- FI Tourist Board Accounts Year Ended 30 June 2013

The Acting Chief Executive

Mr Deputy Speaker, I hereby lay the aforementioned papers on the table.

Mr Deputy Speaker

The Honourable Michael Poole, I gather you want to say a few words.

The Honourable Michael Poole

Thank you Mr Deputy Speaker, Honourable Members, I just wanted to comment very briefly on the letter from the Public Accounts Committee regarding the Tourist Board Accounts ending 30 June of last year. I am Chair of the Tourist Board but I am also a Member of the Public Accounts Committee. I have to say when this was discussed by the Public Accounts Committee I did exclude myself so I wasn't involved, so I am really responding as Chair of the Tourist Board at the moment.

The letter from the Public Accounts Committee does highlight that in the management letter attached to the annual accounts, they were asking for assurance from me as Chair that the deficiencies that were highlighted have been addressed since the end of June of last year. I would just like to say they have been, the deficiencies were particularly in relation to a lack of policies and procedures in a number of areas. A lot of work has gone in to rectifying that over the last few months, and they were all agreed by the Board in January/February time of this year. They have also been passed to the Treasury as well for their information and for their use as needed. I don't think there is anything more I need to say at this stage, but if people wanted to discuss it with me I am free to do so.

Thank you Mr Deputy Speaker.

The Honourable Mike Summers OBE

Mr Deputy Speaker, Honourable Members, for a matter of information for Members and the public, the Mental Health Approved Practitioners (No 2) Order came about in part as a result of an incident that occurred earlier this year that caused a significant amount of difficulties, particularly for the Police and the Medical Services. We have asked for, quite some time ago, for a review of that incident and the lessons to be learnt. I am just happy to report that that review has now been completed and I would expect to see that at an Executive Council relatively shortly. It's been completed both from the perspective of the lessons to be learnt in the Hospital and the Medical Services, and the Immigration and the Police Services so that has now been done and we look forward to seeing it shortly.

Deputy Clerk of the Assembly

Motions

Motion Number 15 of 2014 by The Honourable Michael Poole

That this House accepts the response from the Governor (in Council) on the report of the Public Accounts Committee on the Review of the Morrison (Falklands) Limited Partnership Agreement.

The Honourable Michael Poole

Thank you Mr Deputy Speaker, Honourable Members, as a member of the Public Accounts Committee, I proposed a Motion in April of this year introducing a report into this House from the Public Accounts Committee relating to the partnership agreement that currently exists between the Falkland Islands Government and Morrison (Falklands) Ltd. The report that came from the Public Accounts Committee highlighted a number of weaknesses in the existing partnership arrangement, and a number of areas that could potentially be improved, and it was said that the current partnership agreement as it stands potentially put Falkland Islands Government achieving value for money at risk.

Today I propose a motion to accept the Government's response to that initial report from the Public Accounts Committee. I am pleased to say that the Government has accepted in full the main recommendations of the Public Accounts Committee particularly in the areas of how the partnership can be strengthened, and we have also accepted as a Government the general theme of the report coming back as well. At the moment, a working group has been formed and is working on improving the partnership structure and that is due to report back to Executive Council hopefully in October, but no later than the end of year.

The full Government response is available publicly for those that wish to see it, so I am not going to read it in full here, but I will just highlight the key areas that are being focused on by the Working Group.

To summarise the response:

- Firstly, the Government, in agreement with the views of the Public Accounts Committee, has accepted that there is value in such a partnership agreement for the Falklands Islands, that it is something that's needed still, I think.
- Secondly we have noted that a number of the weaknesses identified by the Public Accounts Committee in its review which took a couple of years, have already been rectified. There has been a lot of work done in the meantime and I think good progress has been made and there is more to come.
- Thirdly, the Government has accepted the four specific recommendations from the Public Accounts Committee that improvements need to be made in the areas of:
 - Project definition; in the areas of the initial procurement process; and also the ongoing monitoring and delivery of projects.

- We have also accepted that there needs to be an open and honest discussion of risk sharing between Falkland Islands Government and Morrison (Falklands) Ltd and to agree on some appropriate mechanisms for doing this. I think it's right that Falkland Islands Government cannot and should not carry all of the financial risks involved in major capital projects.
 - These changes should result in a much more formalised partnership arrangement.
 - There is also due to be a renewed focus in the new partnership agreement on key performance indicators, and looking at how we can innovate in the delivery and design of projects within the Islands.
- As a Government, I think, we are therefore hopeful that come October time we will be in a position to agree a more fit-for-purpose, formalised and transparent partnership agreement that ensures that both Falkland Islands Government and Morrison (Falklands) Ltd can work together productively on our ambitious capital plan over the coming years.

Mr Deputy Speaker, I support the motion.

The Honourable Ian Hansen

Thank you Mr Deputy Speaker, Honourable Members, the Honourable Michael Poole has, I believe, covered all the issues and the acceptance of the recommendations by the Government. Therefore I am quite content to second this Motion and leave it to other Members to comment if they wish.

Mr Deputy Speaker

Does any Honourable Member wish to comment?

The Honourable Mike Summers OBE

Mr Deputy Speaker, Honourable Members, I was a member of the Public Accounts Committee when it started out on this exercise quite some long time ago, so I am familiar with some of the early work that was done in the Public Accounts Committee. I would like to say from the outset that I have been a great supporter of the partnership agreement. I think it can and does work well in most instances, but it hasn't been updated for a long time and I know the predominant view of the Public Accounts Committee was that it has been left to drift, that is the responsibility of the management collectively and not just of the Director of Public Works or of Morrison (Falklands) and I think there is a lesson to be learnt there.

I was a little bit disturbed when I started reading this that the first paragraph was highly defensive, but we seem to get there in the end. The second paragraph suggests that although there are comparisons that can be made with the UK, the process within the Falklands is unique. I think there is a danger sometimes in claiming to be unique because it tries to take you away from lessons that are learnt elsewhere. I think the fundamental message that came from Mazaars through the Public Accounts Committee was that there are lots of lessons to be learnt because partnership arrangements have worked very well in other places, both at national and at local Government level, but they have developed well beyond what we have.

There are references to ensuring that procedures are either included or referred to in the partnership agreement. The essential thing is, actually, that they are implemented, and that's been part of the difficulty in the past, that we had arrangements particularly for technology transfer and training that hadn't been implemented in the way that was envisaged when the partnership was first brought into being. I think that is an important matter.

My final point is that in the second recommendation there is a sentence that says "the current procurement process makes pricing certainty difficult as it relies on the political decision making being completed in time for up front design". That is absolutely correct, but it also requires the host department for a project having completed its concept design, and the projects that have gone seriously wrong under the partnership arrangements have been those where the concept design from the client department wasn't completed before work commenced. I think there is a serious lesson that perhaps has been learnt there. I think this is a good report from the Public Account Committee; I thank everybody who has put in a lot of time and effort over the months and years to produce it, and to provide us with some guidance on how we can make the partnership work best for the Falklands.

Thank you.

There were no other comments so the response was accepted by the House.

Deputy Clerk of the Assembly

Reports

Portfolio report: The Honourable Gavin Short.

The Honourable Gavin Short

Mr Deputy Speaker, Honourable Members, ladies and gentleman, it has been quite a while since I have given a report on the Public Works Department and there has been a fair bit going on since I last reported to the House, so I shall start off on my gallop around various bits of my empire.

Some weeks ago now, we had the arrival of a snow shower which was the wet claggy type that stuck to power lines and caused a fair bit of havoc. The crew from the Power Station worked some pretty long hours in some pretty unpleasant conditions to get customers back on line just as soon as they could, and I would like to extend my thanks to them for all their hard work that day.

The street lighting up Ross Road West was also knocked out and the decision was made to tackle this as and when time permitted – in amongst the many other more pressing and urgent things that our small crew has to deal with. I am pleased to say that the lights are now back on up that end of town, and the 8th of December memorial is once again cheerfully lit up at night.

I believe that we have either advertised, or are just about to, for an electrician and a wind farm technician and if we can fill those two vacancies then we will be in a much happier place.

I am advised that we are now in a better position with generator sets up at the Power Station, and grateful thanks again to everyone involved.

The wind turbines seemed to be much loved by everyone, including myself, as they are quite elegant things, but this elegance also means that they are much observed and should one be spotted to stop whizzing around there seems to be general annoyance. I believe we do have one turbine down at the moment, and although this does break the symmetry of having all units flapping happily away, I would like to say that we have the number of units that we do to allow for breakdowns and overhauls, so if a turbine is not going it does not mean that the lights are going to go out.

On a vaguely related subject, if you remember a couple of years ago now we had the collapse of a lamp pole on the front road due to not being able to withstand the loading that wet bunting and a splendid northerly breeze put on them. That was traced to corrosion within the pole itself, and the subsequent decision was made that it was not safe to hang the newly imported Christmas lights off them. The search for a new type of manlier lamp pole has been meandering on for some time now. I know the appearance of the Christmas lights means a great deal to some people in Stanley, and I am afraid that I bring potentially sad news to the House. We only have so many people employed by us, and more urgent tasks were given to them, and the lamp posts for Ross Road were very much put on the back burner, however it looks like we have now found a lamp post which is substantial enough to take bunting and Christmas lights but these may not be here in time to be up and ready for Christmas.

As members will be aware, as part of the re-development of the waterfront there are plans to put a pedestrian walkway up Victory Green and it would probably make a lot more sense to do both jobs at the same time – providing that is that the walkway gets the green light, if not then the poles will be done as a standalone project.

The road works on Ross Road have been progressing slowly. This was due in part to taking the time to separate the surface water and foul water (sewerage) systems, and also a real desire to keep access to the West Store open. We will shortly be opening the East access to the Capstan car park and Dean Street and moving the road works along, which will mean the West access to the car park, will be closed. If all goes well, we hope to finish this year's run on Ross Road in an area to the West of the Hairdressers. Whatever happens, we will be gone and Ross Road open by the time the first big tourist vessel is due to hit town. I am also happy to report that this project is still within budget.

Weather also played its part with rural roads with the heavy rains of a few weeks ago having a pretty nasty effect in various parts of the network, including the causeway over to Long Island which, of course, is a tourist destination. As soon as the dry season returns our roads team will swing into action and effect repairs. Some of these may be of a temporary nature as I believe the causeway may need some larger engineering works to make it more robust to the effects of the rains and tides etc.

We also had a culvert collapse which will be sorted once we can access the roads network with the required machinery.

There is an ongoing schedule of culvert inspections and replacements. We are very much aware that there are a number of culverts that are getting to the end of their lives and we will be replacing those as and when. It is very much a case of making a judgement call as to when as we only have a finite amount of men and money and hours in the day, and when we are doing one thing other works have to be set aside. We will get there though.

Grading and capping works have taken place on the road to Moody Brook, west of the Old Butchery site, with a material that is hoped will cut down on the amount of dust that comes off it during the summer and also down around the bottom of the harbour.

We have been out to potential contractors looking for expressions of interest, and now we have invites for formal tenders for the longer term contracts on both East and West, and if all goes well, I think the Tender Board should sit at around the end of September.

Stanley's roads are starting to show signs of wear and tear in places and again, once the weather improves, we shall start a programme of repairs. We have only a very small amount of money for Stanley roads and an accelerated repair or resurfacing programme would mean me going back to the budget process, cap in hand. I am very much aware that we have a finite amount of cash and any approach for more money for Stanley roads would mean something else being delayed or dropped.

There was money allocated for track improvements to the Lighthouse in this year's budget, and it was hoped that we may have had enough spare time within the Public Works Department to do so much and the rest to go out to the private sector, but this may be looking a bit shaky as time is going on, and we are still waiting for feedback from the Environmental Department – alas the days where we could just rock up with a bulldozer, say “the Lighthouse is thataway” and go for it, has long gone. Since writing my report I believe that there is now a lively exchange of emails between Environmental Planning Department and Public Works Department on the matter, and unfortunately it's looking like the initial delay may mean that we no longer have uncommitted manpower and machinery this late into the winter season, but I am sure the situation will become clearer over the next few days.

The quarry continues to function well, thanks to the dedicated crew that we have out there. It is not the most pleasant of places to work, and I am hopeful that some welfare issues will be sorted out both for the quarry crew and also the roads gangs – and sooner rather than later. The new primary crusher is performing extremely well and the front end loader which arrived not long ago is well up to the task of feeding the brute. The works on the new sand production unit and settling ponds continues, and the target date for production is in the first couple of months of next year I believe, which, given the trouble that sand extraction from Surf bay is causing, is not a moment too soon.

The quarry is very much demand driven and there are rumours of some quite large orders in the offing. I would urge contractors to give us as much warning as possible, please, of what they require as if everyone turns up at the same time it will have to be on a first come, first served basis which inevitably leads to some unhappiness. Miracles we can do, but the impossible does take us just that little bit longer.

Sapper Hill housing: there has so far been little survey work done on loop three at Sapper Hill, but work on this project will start in earnest in September. We do already have a

tentative sketched layout for the new phase which, given what is known of the topography should work, and this will be used as part of the consultation process which will be run by the Environmental Planning Department, but the detailed design does need more work to be progressed.

The building of the Government houses on Sapper Hill is progressing well and looks like it should be completed by the target date. We are in the final stages of reviewing how we may wish to progress the next phase of Government housing, and it could be that the decision is taken to go to an open bidding session or an extension of the existing contract.

As I stated in this House some time ago, last season's grass cutting gave me a few extra ulcers, and I said that I would be wanting to be reassured that we have everything in hand well before the start of this coming season. I can report that we are in conversation with people, and I am happy as I can be that by the beginning of this coming season we will have all points covered – which will include the continuation of a town wide spraying programme to combat plant growth on the verges and seams in the roads and pavements, plus keeping the dreaded thistles under control that were proliferating close to sidewalks.

Activity will have been seen at the Public Jetty again, with a digger having taken roost down there. As people will have seen the rather forlorn lone leaning pile from the first attempt has now gone, and the digger will be removing some of the infill to allow the barge that will be doing the pile driving to gain access to the first drill of piles closest to shore. Works will also commence soon on removing part of the T-piece on the old jetty, again to allow the barge access. The start date keeps getting pushed back though. We have no control over this as we are awaiting the jack up rig that is currently working down at the new floating dock to become available. Once it finishes the pile driving work down there it will be heading up our way, but of course, that project has slipped somewhat, but we are hopeful that it should come steaming up the harbour to start our works probably in early October. This, of course, is going to clash with the tourist season, and we will stop works on days when there are large amounts of people around – obviously for health and safety reasons.

The work to upgrade the St Marys Hall so that it can be used, on an interim basis, is underway. We have had one or two hairy moments already – such as a plasterboard famine in the Falklands, but have so far managed to find a solution for every problem that has been encountered. The latest change that we have had to make to our modus operandi was due to local contractors being fully engaged, so we are going to have to use our very small pool of carpenters etc. from the Municipal Section to do some of the works. The lads will be able to do what is asked of them, but it does mean that other works that they were scheduled to do will have to be parked to one side, or at the very least slowed down, and I would ask that people be patient with us during this time. Even with what I have just said, we are confident of bringing the project in on time and the two classes should be in the hall by the time of the Ofsted inspection.

That, Mr Deputy Speaker, ends my gallop around the Public Works Department.

Mr Deputy Speaker

Thank you, any Honourable Members wish to speak.

The Honourable Mike Summers OBE

Mr Deputy Speaker, can I ask the Honourable Gavin Short a quick question about loop three at Sapper Hill? I have seen a sketch design, which I hope is the same one that he has seen, that shows a significantly different type of layout with a mix of different housing types and sizes that would perhaps better suit the demand that we have. Can he confirm that that is the same arrangement, and he thinks that that will proceed on that basis?

The Honourable Gavin Short

I thank the Honourable Member for his question and am happy to confirm that the sketch that I have seen sounds to be the same as you have seen, with different plot sizes, but also whilst not perhaps a complete grid type layout of streets, it will be actually streets with proper corners as opposed to wiggly roads this time. I think as we move into phase three we can at last start looking at a different mixture of houses as I think the first two sections were very much put there for first time buyers to get people into the housing, or get them somewhere to live, as it were. So, yes, I do very much look forward to this new layout, but of course, it has to go out for public consultation, and to a point we will be driven by what comes back from that consultation.

The Honourable Phyl Rendell MBE

Mr Deputy Speaker, Honourable Members, thank you very much the Honourable Gavin Short for that report. I would just like to touch on sand production because you and I did have a visit down to the area where sand is collected locally for constructions purposes for making cement. I note that the sand production from the quarry won't be ready until early into next year. I just wonder if you could reassure me that access to sand where people currently extract it, that is East of York Bay, that there is access so that the principle contractor and others can acquire the necessary sand for construction, because at the end of the day everything is on a cement base and the whole of our construction programme relies on it, and I am anxious that we have got access to sand until we have the source from the quarry and, of course too, when people have to purchase sand from the quarry there will be an additional cost to all that needs to be considered and factored in. I wonder if you can brief us on that.

The Honourable Gavin Short

I thank the Honourable Member for her question. You are correct, we did have a visit down to Surf Bay with Environmental Planning Officer, Public Works Department and of course, the contractor himself. Very little I am afraid has moved forward since then. The contractor is having to double handle the sand to get it to a point where it can be picked up in lorries and brought out, which I had rather hoped would have been cured by now. I have written to the Public Works Department, I think I copied in Environmental Planning Department if memory serves me, asking that this is moved forward, if we can. I think it would have been probably a very good opportunity, when we were putting the site roads in down at Mary Hill for spoil dumping, perhaps to have done something at that stage, but I think that moment has passed.

I have been told interestingly enough that there was some thought that the sand produced at Pony's Pass may not have had the plasticity required, and would have needed mixing with

normal proper sand, if I put it that way. I have now been told that there is a thought that it may be of a type and standard that we may well be able to avoid taking sand from down there completely when it comes on line, but we still have to wait and see that, but from my part I do hope that we can stop taking sand from down there because unless you actually go down there and look, you don't quite realise just how much of those sand dunes we have carted away, and I can see the demand for sand only getting greater as time goes on and not reducing. I do hope that, to come back to your original question, sorry about that, I am becoming quite a politician here talking around your question to avoid answering it directly, I do hope that the Environmental Planning Department and Public Works Department will get in touch with the contractor and start talking to him again.

The Honourable Ian Hansen

Thank you Mr Deputy Speaker, I would also like to thank you the Honourable Gavin Short for his report and I would just like to touch upon roads for a minute, please, if I may.

In the past few years one of the things I think that has been successful has been the spot capping of the worst places on our roads system. Given the fact that there will only be grading crews on the West Falklands and no more Public Works Department personnel this coming season, that looks as though that may have come to an end. While I definitely welcome the involvement of the private sector for longer periods in the tendering process, I was just wondering if the Honourable Gavin Short would perhaps indicate if there is any consideration of some flexibility in their tendering, and whether there would be any consideration given to the re-introduction, or perhaps the inclusion, of spot capping. I am thinking in particular of areas in the Stony Ridge area on its way to Port Stephens, which was on the programme and is an absolutely terrible bit of road, and will only get worse. I wondered if there was any consideration of that.

The Honourable Gavin Short

I thank the Honourable Member for his question. I cannot give you an answer on that, I am afraid, I do not know what the specific details of the tenders are that have gone out, whether that does include scope for spot capping. I can certainly come to the piece of road you are talking about down towards Stony Ridge, having travelled over it you will not get bogged, but it will probably tear your axles out or destroy your undercarriage, I agree. At the Transport Advisory Committee we have asked for the reason why that was never done to be brought back to us because there does seem to be a couple of different stories floating about, and we want to get to the bottom of just why that piece was never done and, of course, the follow up question being when will it be done. I will go and ask those questions though, and will come back to all Members with the answers as to whether we will be spot capping. I believe though there may be actually Public Work Department folk on the West during this summer, that comes from a quick exchange of emails I had with the Public Works Department and our Assistant Roads Engineer, but I will find out and I will come back to all Members on that one.

Deputy Clerk of the Assembly

Portfolio Report: The Honourable Mike Summers OBE.

The Honourable Mike Summers OBE

Mr Deputy Speaker, Honourable Members, I have responsibility for Health and Medical Services, for the Emergency Services and also for Housing.

Just very quickly on Housing, I am happy to report that the addition to the housing pool of the mobile homes at the back of Stanley, I am not sure what the road is called but down behind Murray Heights, and the addition of the new housing on Sapper Hill that is now becoming available has made a substantial difference to the housing list and whilst there remains a considerable list of people desirous of Government Housing, the number of urgent cases now requiring housing is very, very, small indeed so we have made some considerable progress in housing in the last several months.

I would just like to express my thanks to the outgoing Housing Officer Bonnie Curtis who's leaving to go to other employment. It's a very difficult job, being the landlord is never going to make you the most popular person in the world, but I think she's done an excellent job at it and I thank her for that and wish her well.

I will talk briefly about the Emergency Services. My report will be short in that section because there isn't too much to report. Happily the Emergency Services are getting on doing their jobs, effectively and efficiently in the way we have asked them to do them and that raises few issues. Just in respect of the Prison, Executive Council yesterday agreed with the Planning Department that the best solution at the Prison at the current time is a temporary solution that is in procurement as we speak. The weight of clients in the Prison in the last few weeks has declined a bit, but we are still in a difficult position, so that is very much welcome and we hope to have that temporary Prison, or that extra additional temporary piece to the Prison built in the next few months. The Director of Emergency Services is in the process of recruiting the additional staff that we require to provide a proper Prison Service in the Falkland Islands.

The Immigration Review Group has met on a couple of occasions recently. Members will be aware, and I hope members of the public are aware, that Executive Council previously has agreed a series of in-principle recommendations to changes in the permitting system and other immigration issues, that now requires some more in depth work to be done on the policy behind those decisions, and the Policy Officer will be coming forward shortly to Members with a proposal as to how that policy can be created. There isn't scope in the Emergency Services Directorate or the Immigration Department itself to do that work, it will have to be done in another way and I very much hope that Members will be flexible in their approach to that so that the essential work of updating the Immigration processes can be carried forward.

I now come to Health and Medical Services. I am very happy to report, and I hope this reflects the view that other Members have, that there has been a general improvement in Health and Medical Services over the last several months. There seems to be a general satisfaction amongst the members of the public with the service that's being provided and certainly the Hospital itself is a very much happier place than it has been in the past. I would like to thank all of the staff in the Hospital who have helped to make that the case.

Of course not everything is perfect, it never is. We are very conscious that there are difficulties with the Pharmacy and with people queuing up in the corridor to receive their prescriptions, and there are a number of things in train to deal with that issue. In the first instance, it's largely about people. Most of Medical Services is about people, we have four employees associated with the Pharmacy, they are all in a state of flux. The Pharmacist leaves in January, two Pharmacy Technicians that we have are locums and the Pharmacy Assistant is in recruitment, but the good news is that we think we are well on track to be able to fill all of those posts. In respect of the two Pharmacy Technicians, we may again need some flexibility from Members to be able to fill those in the way that had been envisaged, we do have applicants and they are applicants in the Islands, but it's not exactly as straightforward as we might have thought, so we are getting there.

In addition to that the Hospital Management staff are reviewing the opening time for the Pharmacy, they are reviewing the arrangements for repeat and urgent prescriptions to see if they can be dealt with more efficiently and effectively, and they have already had meetings with the GPs to talk about prescription practices and the way the prescriptions are issued to see if we can avoid this unpleasant experience for everybody, of having to queue for more than half an hour sometimes in the corridor to collect their prescriptions, so we are dealing with that and we apologise for the difficulties up to this point.

A substantial amount of work is taking place in improving the facilities for the delivery of Primary Health Care in the Hospital. There have been some structural changes to what most of us might refer to as the outpatients section. That makes it possible for not only the GPs, but the visiting specialists and the other health care providers, to be able to do the work that we ask of them, particularly to carry out the screening programmes and the preventative health that we require of them and that is moving forward.

The new x-ray equipment is on the ship, it's on the way, it will be landed here soon and put in place, so that is good news. That is, of course, an essential service, without it we would struggle significantly.

There are a significant number of screening programmes underway. We have talked previously in the Assembly about the bowel cancer screening programme, also the hypertension clinics and diabetes clinics which have all been I hope, now satisfactorily reinstated and are operating well.

I would just make a comment about screening programmes. I was witness to a slightly bizarre series of correspondence between an Honourable Member and the Chief Medical Officer about somebody who thought they had been left off the screening programme for bowel cancer, but were unwilling to have their name revealed. I am afraid that's never going to work. If you think you need to be on the screening programme please contact the Hospital, that's the place to go, talk to either a GP or one of the other medical practitioners, and bring to their attention the issues that you think need to be dealt with.

We have had some problems in creating the list for the screening programme and this is due a series of issues, but the two principle ones are that historically the records for the screening programme were not as good as we might have hoped, and that the EMIS system for patient records and keeping all the lists and things in the Hospital is inadequate. I have asked the previous Director and the current Director to deal with this as a matter of urgency. There is

no danger to individual patients in that individual patient records are properly kept and are properly secured on the EMIS system. What we want do is to interrogate it properly and get data from it. We can't get statistics from it, we can't get programmes from it. That needs to be fixed as a matter of urgency. You can't manage a Hospital properly, you can't manage a Health Service properly, unless you can get that sort of statistical information out and create those lists to support the programme. We have received a report from the Government's IT Advisor on the EMIS system with a programme of action, and both the outgoing Director of Central Services and the IT Advisor are going to work with the Hospital to bring that system up to date. Whether we have to replace it with something else, or whether we can actually upgrade it within its existing framework we are not yet certain, but that definitely needs to be done. Along with improvements to the so called Shire system, which is the stores record system, that too needs upgrading, but that is in progress.

I am happy to say that the Social Service Department is up to strength. There is a new adult Social Worker here now who completes the team, and they appear to be coping well with the workload that they have and doing an excellent job, particularly in child protection work, so that's good news for everybody.

Finally, the Elderly Care Home. I am having a meeting later today with the new interim Director to try and make sure I understand the way forward, or if it doesn't exist, to set the way forward to the new Elderly Care Home to make sure that all parties are working together. I had some really interesting meetings. I never thought I would describe this subject as exciting, but actually I got quite excited about the project when I was talking with a former veteran who runs a string of Care Homes in Southern Scotland, who has offered to give us all the help and assistance we require. It can be, and I think it will be, a really important project for the Falklands, and I hope to be able to get at least initial reports to Executive Council in the next two or three months. The first of them will need to concentrate, I think, on the operating structure for the Elderly Care Home, and the consequent additions to operating cost because there are, and I think we must have always have known, that there are going to be additions to the cost for operating an Elderly Care Home, so I think we need to deal with that in the first instance and made sure we are all comfortable about that, before we do too much work on whether its painted green or pink, or where it goes.

That I think concludes my report on Health & Medical Services. An Elderly Care Home is one of our, I think, most important projects and we will hope to bring something very shortly to Executive Council on that.

Mr Deputy Speaker

Does any Honourable Members wish to reply or speak.

No.

Deputy Clerk of the Assembly

Order of the Day - Bills.

Crimes Bill 2014 - this Bill has been gazetted and required a second reading.

The Honourable Roger Edwards

Mr Deputy Speaker, Honourable Members, in a moment I will be asking Honourable Members to move a second reading of this Bill and should I succeed I will propose a subsequent Motion that this Bill is remitted to Select Committee.

I believe it is useful to Honourable Members and members of the public, both present and listening across the Islands, to understand the process I propose as this makes it clear that it is my wish and intention that this Bill is fully debated by Members of this House in Select Committee. Changes to Criminal Law and the creation of new crimes are matters of the utmost importance to the citizen of these Islands, and I know colleagues in this House will share my concern to ensure a detailed examination of this Bill. Mr Deputy Speaker, this Crimes Bill is a substantial piece of legislation, it brings together in one place the majority of the crimes on these Islands. As things currently stand, and which this Bill will address, anyone wishing to find out what our Criminal Law is would have to look to multiple local Ordinances and UK statutes to find out. This is made even more complicated because on the 31 July 2004 the UK Law which applies here was frozen, that means that amendments made to that law in the UK after that date does not automatically apply here. As a result some modern crimes arising out of international obligations did not apply here. In addition to addressing this, the Bill proposes that other offences could usefully be amended to reflect modern legal thinking. It has become clear to many of us, Honourable Members and the public alike, that our Criminal Law is getting out of date. This Bill is the opportunity to correct this and to make the Law in this area more accessible to the people on these Islands at the same time. The opportunity has also been taken to consider the lessons from other small jurisdictions, and to propose new crimes for this House's consideration which the drafters believe may be of assistance here.

Honourable Members will be aware that this Bill forms part of a significant programme of Law revision which Executive Council have committed to supporting over the next two years. As a result, I expect you will be hearing a great deal from me as this programme continues.

Mr Deputy Speaker, although extensive, this Bill does not deal with all areas of crime. No changes are made in the policy areas of firearm, drugs, road traffic and animal welfare, or in relation to regulatory offences or emergency powers. Our existing Laws in these areas will apply, unless and until this House chooses to change them. The majority of this Bill's 605 clauses deal with offences which already exist on these Islands, but new offences are proposed, many in accordance with internal best practice. It is not anticipated that these offences will be used often in our community, but we should prepare for the possibility that a greater number of visitors will come to our Islands to support the Oil Industry for example, or other aspects of our economic development. It is best that our Law reflects the correct international standards.

The new offences proposed are human trafficking for exploitation, forced marriage, corporate manslaughter, possession of weapons on school premises, interception of electronic communications, bribery and criminal trespass. There is also a proposal for introducing an offence of causing an unreasonable noise nuisance, which has been useful when introduced in St Helena and Gibraltar. I am aware that Honourable Members are keen to debate this in Select Committee should this Bill be promoted to that stage, as I hope. The Bill also includes

provisions for a range of orders which enhance the powers of the Courts to protect citizens. Such orders will be available in relation to the offenders who pose a risk of sexual offending, and in relation to forced marriage and domestic violence.

Mr Deputy Speaker, this Bill is worthy of this House's consideration and I beg to move the second reading of the Bill.

The Honourable Mike Summers OBE

I support the Motion.

Deputy Speaker

Does any Honourable Member wish to speak to this Motion.

No.

The Motion is that the Bill be read a second time, is there any objection to passing that Motion?

There is no objection, the Bill will be read a second time.

Deputy Clerk of the Assembly

Crimes Bill 2014.

The Honourable Roger Edwards

Mr Deputy Speaker, Honourable Members, I have already spoken about my concern that a Bill of this importance is properly examined by Select Committee. I beg to move that the Crimes Bill 2014 be remitted to a Select Committee comprising of all Elected Members of the Legislative Assembly, and under the Chairmanship of myself, the Honourable Roger Edwards.

The Honourable Mike Summers OBE

Mr Deputy Speaker, in rising to support that Motion I would just like to make this comment: that it's unfortunate, but necessary that we have had to embark on the revision to the criminal law, without having first had all the policy issues debated by all Members through Executive Council. That's not really the way to carry forward legislation, but the practicalities of getting this massive amount of work done dictated that that was probably the only way that we could do it in the circumstances.

I would therefore commend anybody who has an interest in the Criminal Law to pay attention to the Select Committee because, almost uniquely, the level of debate on policy issues in Select Committee will be much higher than it normally is, but with those few words I support the Motion.

Mr Deputy Speaker

The Motion is that the Crimes Bill 2014 be remitted to a Select Committee comprising of all Elected Members of the Legislative Assembly and under the Chairmanship of the Honourable Roger Edwards.

Does any Member object to that Motion?

There is no objection.

The Bill is therefore referred to a Select Committee of the Elected Members of the Legislative Assembly.

Deputy Clerk of the Assembly

Criminal Procedure and Evidence Bill 2014 - this Bill has been gazetted and requires a second reading.

The Honourable Roger Edwards

Mr Deputy Speaker, Honourable Members, as with the Crimes Bill, in a moment I will be asking Honourable Members to move a second reading of this Bill, and again, should I succeed I will propose a subsequent Motion that this Bill be remitted to Select Committee. It is important that the provisions of this Bill are fully debated by Members of this House in Select Committee.

This Bill is even more substantial and far reaching than the last one. It touches upon all areas of the process for the detection, investigation and prosecution of crimes. In short, it contains all our rules on criminal procedure and the law on evidence in criminal proceedings.

As with the last Bill, one of the principle benefits of the Bill, if passed, will be that our law on these matters will be easily accessible in a single Ordinance. It will supersede seven Ordinances and eight UK statutes (15 full pieces of legislation) that we currently have to refer to. Our Law will be clear and available to all, recognised difficulties in interpreting and applying our current Law in this area have been addressed, and both Law and Procedure has been brought up to date.

Mr Deputy Speaker, this Bill makes a number of changes, and I would like to take the opportunity to outline them briefly now for the benefit of the House.

The Bill makes provision for clearer responsibilities for the review and oversight of the criminal justice system by the creation of a Criminal Justice Council, and also by preserving other key decisions for the Governor and Executive Council. The governance structure proposed ensures the correct separation of responsibility between Judiciary and Government, and contains all the Government's elements of a fully effective criminal justice system, but on a scale suitable for the current community and the foreseeable future. The arrangements give responsibility to the Criminal Justice Council to ensure practices and procedures are continually kept up to date.

It is proposed by the Bill that a number of offences that could previously be tried in the Magistrates Court can now only be tried in the Supreme Court. In accordance with international human rights standard and article six of the Falkland Islands Constitution, this ensures trial by jury is available for all citizens facing the potential for a life sentence of imprisonment and that hearings are conducted by the senior and more experienced judge. I will not trouble the House with a full list of these, most serious, offences (as these are already listed in the explanatory notes which accompany the Bill which has been published in the official gazette).

Mr Deputy Speaker, a full review of maximum sentences has also been completed, and it is proposed that some maximum sentences be reduced to keep them within the jurisdiction of the Magistrates Court, whilst maintaining appropriate penalties.

In relation to police powers, it is proposed that Police Officers are given the power to grant bail after arrest, to grant 'street bail' and to impose conditions on police bail. This should create efficiencies by removing the need to bring a suspect to the Police Station to grant Police bail. The right to appeal against the refusal of bail, by both defence and prosecutors, is proposed as is the potential to introduce electronic monitoring of persons on bail, and as part of a sentence using 'curfew tags' if the decision is made to introduce tagging technology and equipment onto the Islands.

It is proposed that Police powers to stop and search are extended in line with the UK, so for example, Police Officers will be able to stop and search people and vehicles in anticipation of, or after, violent crime.

Police detention periods have been reviewed and amendments are proposed. New provisions on retention and destruction of samples and DNA profiles have been aligned with clearer human rights standards.

The Bill proposed the introduction of conditional cautioning for adults and youths (which will be supported by detailed Attorney General's guidelines).

In relation to court procedure and jurisdiction, it is proposed that an accused person's first appearance will always be in the Summary Court. This will increase the roles of JPs and local justice. The role of JPs will also be expanded.

To provide flexibility and to increase access to justice, the Chief Justice and the Senior Magistrate will be granted the ability to exercise certain judicial functions while outside the Falkland Islands, in certain circumstances.

It is proposed to widen the eligibility groups for jury service in line with UK practice. This should help with the inherent difficulties with assembling a jury in a small community.

The Court's powers and procedures have also been fully reviewed.

The Law of evidence in criminal proceedings has been reviewed and updated. This includes the ability for adverse inferences to be drawn from a suspect's silence in certain circumstances, in line with UK practice.

The treatment of witnesses has also been considered. Provisions are proposed for the use of live (electronic or video) links in all courts when a witness is not available on the Islands, or to protect vulnerable witnesses. This is together with recognition that a wider range of people should be extended protection as vulnerable witnesses.

In relation to sentences, the provisions have been completely reviewed and overhauled. This includes widening the range of community orders available and the simplification of custodial sentences for youths and young offenders. The ability to mix and match sentences is included and the courts will also be given the ability to defer sentence. Importantly, the voice of victims and their families can be heard, with the introduction of Victim, Family and Community Impact Statements which will be available to the court at the time of sentence.

Beyond sentence, the Bill proposes the option to release some types of prisoner on licence in certain circumstances, compliant with our Constitution and European Convention on Human Rights. The Bill also gives courts the power to 'bar' people convicted of certain offences from working with children or vulnerable adults.

Finally, Mr Deputy Speaker, the question of appeals against conviction, as well as the role of the constitutional Advisory Committee on the Prerogative of Mercy, have been examined and proposals made for practice and procedure.

Mr Deputy Speaker, this bill is worthy of this House's consideration and I beg to move the second reading of the Bill.

The Honourable Mike Summers OBE

Mr Deputy Speaker, Honourable Members, this piece of legislation is arguably the more important of the two, from a perspective of the citizens of the Falklands, because it describes not crimes, but the way we deal with them, and it much more importantly deals with the reflection of our culture on the way that we deal with crimes with witnesses, how the courts interrelate with the rest of the community, it is an important piece of work. Like its predecessor it contains a very large number of policy decisions that need to be clear. Members need to be clear of what the policies are that lay behind the Bill as written. The creation of the Criminal Justice Council is an important, and certainly necessary, but quite sort of radical move forward in terms of the administration of justice in the Falklands, and Members will need to give considerably thought to its makeup and how it is proposed to operate.

Mr Deputy Speaker, I am happy to second the Bill.

Mr Deputy Speaker

Does any Honourable Member wish to speak to this Motion.

No.

The Motion is that the Bill be read a second time. Is there any objection to passing that Motion?

There is no objection.

The Bill will be read a second time.

Deputy Clerk of the Assembly

Criminal Procedure and Evidence Bill 2014.

The Honourable Roger Edwards

Mr Deputy Speaker, Honourable Members, I have already spoken about my concern that a bill of this importance is properly examined by Select Committee. I beg to move that the Criminal Procedure and Evidence Bill 2014 be remitted to a Select Committee comprising of all Elected Members of the Legislative Assembly and under my chairmanship, the Chairmanship of the Honourable Roger Edwards.

The Honourable Mike Summers OBE

Mr Deputy Speaker, I am happy to second that Motion, with the same provisos that I did with the first Bill, but the issue about taking legislation before policy is not satisfactory so it is important that we spend all the time we reasonably can and must in the Select Committee to ensure that the policy is correct, I second the Motion.

Mr Deputy Speaker

The Motion is that the Criminal Procedure and Evidence Bill 2014 be remitted to a Select Committee comprising of all Elected Members of the Legislative Assembly and under the Chairmanship of the Honourable Roger Edwards.

Does any Member object to that Motion?

There is no objection; the Bill is therefore referred to Select Committee of the Elected Members of the Legislative Assembly.

Deputy Clerk of the Assembly

Motion of Adjournment

The Acting Chief Executive

Mr Deputy Speaker, I beg to move that House stands adjourned *Sine Die*.

The Honourable Jan Cheek

Mr Deputy Speaker, Honourable Members because I am going to be absent for the Select Committees on the two Bills I would like the indulgence of the House to say a few words generally on both while I am in the Islands.

I would like to make the point first that we didn't suddenly become aware two years ago that our laws were in need of updating, there have been several pieces of work done over many years, certainly I am aware of several since I was first elected in 1997, but this looks like being the most comprehensive and well thought-out, so far. But let's not delude ourselves that it's going to be the last by any means.

I would like to thank those who have worked on it. It's been a huge task and I really welcome the move to update and improve the quality of our Laws, and to make them easily accessible to everyone. It's always said that ignorance of the Law is no excuse, but if it's hard to find out what the Law is then perhaps people do have a little excuse.

I am also very pleased to see that we will again be making proper use of the Summary Court, and I hope that consideration will be given to enhanced and consistent training for Justices of the Peace, in order that the Summary Court may retain its credibility.

I very much regret that I will miss the Select Committee meetings, but will let colleagues have my thoughts on some elements of the work, and I have already expressed some unease, as they know, about noise nuisance being potentially made a crime. Whilst, of course, people need protection from persistent and invasive noise, how will "reasonable noise" be defined, reasonableness can be very subjective and I wouldn't like to think it will impinge on normal activity. The noisiest thing I hear from my house is not the pub four doors down the road, but the launches answering emergency visits of ships late at night.

I would like to take this opportunity to congratulate students and teachers on the good results we have heard about, they are the culmination not of weeks and months of work, but years of work and the culmination of the support and encouragement given by parents as well as teachers.

As I mentioned, I will be missing the Select Committee, so I can assure my colleagues that my arrangements were in place and my flights booked, long before we knew the dates of these meetings, it was not intentional.

I will be attending the Northern Hemisphere meeting of Stanley Services Ltd which I Chair as a representative of the Falkland Islands Government and then joining the Honourable Ian Hansen at the Party Conferences, Labour in Birmingham, Conservatives in Manchester and then I will be off to the Liberal Democrats in Glasgow, by which time Ian will have escaped to other business.

During the conferences we will, along with our London Representative Sukey Cameron and younger assistants, who are joining us for single days, speak to hundreds of Party Members and other visitors. Visitors at the conferences can include diplomats and politicians from many other countries. There is an international day at each conference when we see a large number of such people, so we will be able, as always, to put out our chief messages and correct the many misconceptions that people still have. Arguably the number of people we may be able to influence, or at least better inform, represents great value for money and the preparatory work done by Sukey Cameron and her colleagues in Falkland Islands Government Office is most valuable.

We have to be aware that, of course, the United Kingdom is a friendly power and it's the one we choose to be an Overseas Territory of, but a second generation is now growing up in the UK, born since the events of '82, so it's more important than ever to make sure they are well informed. We have to pay attention to our friends, potential friends, neutrals and non-supporters alike, we will even talk to the enemy if they come and visit our stand.

I support the Motion.

The Honourable Phyl Rendell MBE

Thank you Mr Deputy Speaker, in rising to support the Motion I just wanted to touch on a couple of areas, but firstly I am very aware that starting next week we start 11 half days of Select Committee on the Crime Bill and the Criminal Justice Evidence Bill, the magnitude of reading has not escaped me, and I look forward to it, in fact, and will endeavour to give it my very best as all of us will, but it is quite a challenge I think for us as a small Assembly, and as my Honourable Colleague Mike Summers has said, we do have to watch out because we will be touching on some new issues that we don't have policy decisions on through Executive Council, so we have a massive responsibility ahead of us here.

Last weekend a number of us went to the West Falklands and we had two meetings on the West, at Port Howard and Hill Cove. I would just like to thank all the people on the West who attended those meetings, gave up their time, particularly those who did the catering, there was Paula, Crystal, Gabrielle and Danny that did a splendid spread at Port Howard in the evening and at Hill Cove, Sammy and the community put on a really nice lunch and the discussions were the better for it. I think we came away with some good suggestions from our constituents, and proposals, and we will bear those in mind and take them forward, and in fact some of the points raised we have already taken action on since our visit.

This afternoon, as a very refreshing break from the Legislative Assembly, we head out to Hope Cottage for another meeting with the North Camp people, and any others that travel to that location. I would just like to say that I think as an Assembly we are trying to vary where we go in the Camp, we haven't forgotten Goose Green and Fox Bay, we will be back, but it's good to go to different locations, to give people in different locations perhaps less travel time and perhaps more incentive to come to our meetings and furthermore, I have taken on board the comments at Farmers' Week, where it was pointed out that people do like one-to-ones around the kitchen table so I, for one, hope to do more of that as well, perhaps in the summer months, but we are trying to vary where we go and have a varied audience.

I think we hope that might spill out into Stanley, and again we might address how we can meet constituents in different ways in Stanley. We have the public meeting, we tend to traditionally have it in this room, and we have also made ourselves available on Thursday evenings for constituents to come and visit us, but we need to continually think about how we can ensure that we can meet our constituents in perhaps a more informal way.

I, too, would like to associate myself with the comments of the Honourable Jan Cheek regarding the GCSE results that came out this week. I would like to congratulate all the young people that had results this week, those particularly going on to Peter Symonds College and Chichester College, but also those people that are going to join the workforce in the Falkland Islands. We need every one of you to join the workforce and make a

contribution to the economy of the Falkland Islands, and those young people that are going to take up training opportunities, traineeships and apprenticeships, are extremely valuable to our economy and the community, so I commend them to work hard at those pursuits.

Furthermore, I would like to also congratulate the staff. It is a culmination of many years of work, and congratulate all the staff at the Community School for providing such a good set of results this year.

Mr Deputy Speaker, I support the Motion.

The Honourable Gavin Short

Mr Deputy Speaker, Honourable Members in rising to support the motion, although we perhaps did agree that we wouldn't all speak again thanking Richard Hines for what he has done here in the Falklands, I just would like to associate myself obviously again fully with remarks made by my colleague, the Honourable Phyl Rendell, when she was speaking to Richard. I'm obviously a very firm unbeliever if that's the correct expression, but I have grown to appreciate and respect Richard and can pay him no higher accolade than saying that he was indeed a thoroughly decent bloke, and after seeing a certain photo that was posted on Facebook of him, I can also say that without the shadow of a doubt that, he was and probably still is, a thoroughly groovy one as well.

It is also a rather special day for me in a way because just along the table from me sits Mr Deputy Speaker, Anton Livermore, with whom I meandered through Stanley school. Yes, it probably wasn't a very nice experience for you, Anton, but it is probably fitting that he sits where he does, and I am slightly around the bend because he was always the more sensible of the two of us.

I would also like to associate myself fully with the remarks of the Honourable Phyl Rendell regarding Camp visits, not only are they thoroughly enjoyable, but they are also quite illuminating for an old "died in the wool" townie like myself, and I actually do find them very, very useful to get out and see life from a different perspective, because I think it is sometimes all too easy to sit in Stanley and think this is the centre of the whole universe, it isn't, Stanley is not the Falklands.

I would like to touch one other item before resuming my seat, and that is the state of the pavements and the grass verges in parts of Stanley. There are places where people have been either running over the grass verges, churning them up or fetching mud out of their properties onto the pavements and roads, and in some places in town, the pavements are a no-go area for pedestrians – unless they wish to take the risk of going base over apex.

As a matter of decency, could those who make the mess – both private individuals and builders alike, please clean up after themselves. As far as the verges go, we could start putting lumps of rock down on them to stop them being parked on or churned up, but I think it would be rather sad if it came to that.

The real power to do something seems to lie within the much awaited new Road Traffic Ordinance which has been on the to-do-list for a couple of decades, it seems now. I believe that the reason that progress has not been made on this is quite simply the lack of people.

Someone needs to drive it forward and turn policy into legal words. I believe we probably have a person in the Falklands who could do this, and I am also going to take a guess that there may not be the money available to do it. I believe the Policy Unit and Royal Falkland Islands Police will be having a conversation about this issue very, very, shortly.

I believe if there is a will, then this is doable. I go further, and would say that we have a few important pieces of legislation that we should be progressing, but aren't, and the only way that I can see to do it is to either hire someone locally, or fetch them in, and whatever the piece of legislation is that is required that would be the very reason for their existence and that is all they would do until that piece of work is finished, and then it's end of contract and we move onto the next piece of legislation and hire another person to retire to a broom cupboard somewhere to turn policy into law. As I said, this is about the only way that I can see that we make progress. Certainly, throwing the hands up in the air and shrieking that it's all too difficult is going to get us nowhere – and fast, whilst in the meantime verges get cut up, vehicles park with gay abandon on pavements and pedestrians have to use the road to avoid both the parked vehicles and the mud on the footpaths in places, which doesn't really say much for our civic pride – does it?

I thank you.

The Honourable Ian Hansen

Mr Deputy Speaker, Honourable Members, my Honourable Colleagues already mentioned to the visits to Hill Cove and Port Howard, so I won't go over them again, apart from the fact that they were, I think, very helpful to us.

Also one of the main issues that was addressed at these meetings was the FM radio and where we are on that, so I will just briefly run through that for information. As I speak, we do have an independent individual from the United Kingdom down here, who is conducting an acceptance testing exercise, along with a member of Falkland Islands Government and the contractor. They will be visiting as many settlements and locations as possible and they will be testing the radio reception in as many places as possible. They are not going to be able to go everywhere, so I would please ask anyone who doesn't see them to, at least, please feed information into either myself or Lynn Brownlee at the Secretariat, and let us know what your reception is like. This will last for approximately two weeks and then we will be given the information from this individual. We as an Assembly will be given information and then the decision will be made on gap filling and so forth. We have no intention, well I am sure this Assembly has no intention, of signing off the contract until we are content that the radio reception over the Islands is as well as it can be, and nobody is left without a reasonable radio reception.

The MW frequencies of 530 and 550 have been off for some time, but I have been informed that on the 27th September there will be fitters arriving in the Islands to remedy that situation, so I am assuming that within a week, hopefully, those two frequencies will be back up and running, so that will be good news.

I would like to thank Simon Fletcher, our Director of Central Services, for the services he has done over the past years he has been here. He leaves tomorrow I believe. I think at times, we as an Assembly have been guilty of perhaps overloading him with tasks, it's very easy to say

“well give that to Simon to do”, but he has accepted that with good grace and not only accepted it with good grace, but got on and done the work in a very professional manner. He will, in fact, still be working for Falkland Islands Government on a part time basis up until December, so that a lot of the projects that he is involved with just won’t come to an end, and they won’t stall, and hopefully his successor will arrive in early January, I believe.

I would also like to thank the Fox Bay Village Agent as this is the last Assembly before he will be leaving Fox Bay. I would like to thank Mark Jones for the work he has done down there. He has been, I think, very helpful and I wish him well in his new life as a farmer. Unfortunately, we don’t have a replacement at the moment. The job will be advertised again, and I do hope that we will get somebody as enthusiastic as Mark was to fill the post.

Finally Mr Deputy Speaker I would like to welcome home our Clerk of Councils, and this is in no way denigrating the work that our Deputy Clerk of Councils has done, but I am sure we all look forward to having Claudette back here at the next Assembly or the one after.

Thank you Mr Deputy Speaker.

The Honourable Michael Poole

Thank you Mr Deputy Speaker, Honourable Members, firstly just to welcome you to this House and hopefully we will see you back soon, Anton.

Just a couple of quick items from me to finish, firstly I would like offer my congratulations to Clare Cockwell for her recent Chevening Scholarship award, and to wish her all the best come September when she goes away to UK to study. It is great to see that we have been successful in that scholarship award twice in recent years, and I think it highlights a broader point as well that there is a lot available outside of Falkland Islands Government for such studies. There is the Stanley Services Scholarship award, which I have personally benefited from in the past, and that happens annually. There is the Shackleton Fund, there is the Chevening Scholarship, and there is any number of other private funds and charities that are available to people as well, not just for post-graduate studies, but for overseas studies more generally, so I would encourage people that are looking at training to look and find out what is available before they perhaps think about approaching the Falkland Islands Government.

The second item from me is a slightly dry one and it was mentioned earlier in this meeting that as portfolio holder for Environmental Planning I, alongside the Honourable Jan Cheek, sit on the Planning and Building Committee and at our last meeting we agreed as a Committee to go out to consultation on the next phases of Sapper Hill. As the Honourable Gavin Short had mentioned, that consultation is going to ask questions of the public around plot sizes, around road layouts, the density of the development generally, and the amount and type of green space, the access to the common, and also garden size and a potential provision for allotments in the next phases of the Sapper Hill Development.

These are important issues and it’s right that Falkland Islands Government consults on them before they go to a formal planning application, which I think has been done in the past, that the built environment is incredibly important and I would encourage people to engage with that process in the coming weeks.

Thank you Mr Deputy Speaker. I support the Motion.

The Honourable Mike Summers OBE

Mr Deputy Speaker, Honourable Members, I would like to associate myself with the thanks to all those people who have served the Falklands and are leaving, and welcome back to the Clerk.

It struck me as rather odd to see John Barton taking the Oath of Allegiance after 25 plus years of service of the Falkland Islands Government, he comes to the House and takes the Oath of Allegiance, but welcome to the House for the first time having been acting Chief Executive on a number of occasions before, this is your first time in the House.

I have relatively recently returned from the Commonwealth Games in Glasgow. I obviously didn't see the coverage here, but I saw some quite good coverage in Glasgow, happily. I would just like to thank everybody who was associated with getting our team to Glasgow, those people who sponsor, those people who support the clubs who put in a lot of work to prepare athletes, the parents in particular, who spend a lot of time assisting their children to get to events and support them financially, the community and the House can be absolutely assured that we have very significantly more people in the world now who know about the Falklands, and who understand the Falklands, and who understand our issues. Those young athletes make lifelong friends sometimes with people they compete against, or people that they meet during the games, and it is a really valuable experience for them personally and for the Falkland Islands.

The Honourable Gavin Short raised an issue just recently about the Road Traffic Ordinance. I generally try not to comment on what other people have said in the Motion for Adjournment because I don't think it's fair, but I would just mention that there was a meeting relatively recently of some Members with the Chief Police Officer and the Director of Public Works about the Road Traffic Ordinance, because there are a number of concerns in both Public Works and the Police about the consequences of not updating the Road Traffic Ordinance, and there are some things that we are conscious of that need to be done, and this is in addition to the proposals that are already on the table to apply certain provisions of the Road Traffic Ordinance to Camp Roads. The issue is not one of writing the legislation, the issue is one of writing the policy. I alluded earlier in this meeting to work that needed to be done to set down the policy in respect of the Immigration Ordinance and the discussions that were to take place between the Chief Police Officer and the Policy Officer have in fact already taken place in terms of whether we can use an existing resource for both of those pieces of work to be done in tandem, and we wait to hear whether that's possible or not, so the Road Traffic Ordinance may be back on the agenda, in due course.

I would just like to thank all those people who have worked on the Museum Project in the last several months. The formal opening of the Museum is almost upon us, and I am sure we have all been invited. I know it will be exciting to go and see, it won't be the completely finished product because it will go on for years developing and developing and developing, but I was in there yesterday and had a look, and it does look really exciting. Once again, it's a community project, they are all volunteers, they have given up their own time to do this, I think they have done a fantastic job and it is going to be a huge addition to the infrastructure

of the Falkland Islands and particularly to the tourism infrastructure. So many, many, congratulations to all of them, and I thank them for the time that they have put in.

On a slightly less happy note to finish, I went with my wife last weekend or the weekend before, for a stroll to Gypsy Cove and I was delighted to see that somebody, and I don't know who, has been commissioned to redo the paths that go from the car park around to Gypsy Cove and they seemed to me to be doing a very good job of it and that was great. There didn't appear to be too much collateral damage in the process. I understand from more recent correspondence I have seen, that in the last couple of weeks there has been a huge amount of collateral damage around the Gypsy Cove area, and quite a mess has been caused. If I could just please make a plea to whoever has commissioned that piece of work, and as I don't know who it is, or whoever is responsible for supervising it, if they would please go and have a look and just make sure that any vehicles running over the terrain around Gypsy Cove are absolutely essential and they are not causing greater mess than we are fixing.

On that rather dull note, I will support the Motion.

The Honourable Roger Edwards

Mr Deputy Speaker, Honourable Members in rising to support the Motion for Adjournment I would like to just touch on a couple of things.

I, too, would like to thank all those who attended the meetings that we held in Camp, both at Port Howard and at Hill Cove. I thought that they were reasonably light hearted, but at the same time very informative. I would like to pick up on two things that came out of those meetings.

Firstly is the fact that there is a case of where there was possibility of one of the Camp settlements not getting a travelling teacher for the full time early in the new school term. Alarmingly, this was picked up by others on Facebook who were not aware of what was going on behind the scenes, and it was taking on quite a nasty trend and I hope this doesn't continue. I myself am not a Facebook user, but it was brought to my attention and so I sought information. In fact the Head of the Infant and Junior School has been working quite hard behind the scenes resolving this problem. There were three options, one was to try and rearrange the teacher's programme and things so that she could find a teacher on a temporary basis until the new Camp teacher arrives, to arrange for the child to be taken to one of the Camp schools, so that they could attend there on a daily basis, that would be very difficult to find someone who could drive them, the vehicle and all the rest of the bits or indeed bring the child into Stanley, which again would have been very difficult. I am pleased to report that they have rearranged teacher schedules and programmes and there will be a teacher for the first two weeks of term at that Camp settlement.

As I say, it was rather alarming to see the trend that was going on Facebook by people, other people who were not directly involved. I thought it was bad news, but thankfully the problem with the travelling teacher has been sorted out, and I thank the Head of the Infant and Junior School for all her hard work in getting that resolved.

The other item that was raised at Hill Cove in particular was regarding pensions and the payments of married couple supplement, and if I may take the opportunity while we are on

the air and broadcasting across the Islands, may I read the information that I have got from the Pensions Office, and I thank Jody for this information.

Under the 1952 Ordinance there were specific provisions for female contributors, specifically married females, where in the majority of circumstances they were not able to make contributions. Due to this, females were therefore not able to receive a pension in their own right. A married couple's supplement would be granted to a male claiming a pension who was married which would increase their monthly pension to account for both the husband and wife. The 1996 Retirement Pensions Ordinance removed the differences between males and females, although provisions such as the married couples supplement are still available for those married males who contributed in the 1952 Ordinance. The married couples supplement is granted when the male claims his pension, if their partner claims at a later date, the married couples supplement will be stopped if her pension is more than the monthly married couples supplement. However, if the pension would be less, based on the number of contributions made, the married couples supplement will continue to be paid. For those individuals who have only contributed under the 1996 Ordinance there is no married couples supplement, as all members contribute and receive a pension in their right, there are no differences between males and females, therefore from this date the inequality has been removed. However, to prevent those who had contributed under the 1952 Ordinance being disadvantaged, the married couples supplement continues to be paid to those eligible males.

I can discuss with individuals if they wish more fully, but I thank Jody from the Pensions Office for giving us that information.

I too would like to align myself with my colleagues who have commented on the good results from the schools, 16 of the 26 students have earned sufficient points to be able to go away for further education, and I hope they take the opportunity to take that up. Congratulations to the students and to the teachers involved.

During the portfolio reports earlier, my colleague the Honourable Gavin Short mentioned the tracks, and this was picked up by my colleague the Honourable Ian Hansen about spot capping. We know that the Public Works Department are sending graders over to the West to go over all the roads however, I would like to point out that there is very little material to grade, so in fact they will have very little effect on the roads. Actually the tracks are getting so thin they are actually beginning to collapse, the substructure is giving way and even between Fox Bay East and Fox Bay West we have two large holes, and along the road when we were visiting the Camp at Port Howard and Hill Cove, there were many other places, some are marked with cones and others are not. There is also considerable erosion due to the wet winter where the sides of the roads have been washed away and in one place almost half of the road has been eroded, so we will need a dedicated team to at least patch those dangerous areas during the next few months, and I urge those who are putting out the tender to make the tenders flexible enough that all this work can be completed. I know it's hard work and Public Works Department do a very good job on the roads and so on, on the tracks, but we do need some serious amount of work done, and on that note, Mr Deputy Speaker, I support the Motion for Adjournment.

Mr Deputy Speaker

Honourable Members, the House stands adjourned accordingly.