



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

**HELD IN STANLEY
ON 27 FEBRUARY 2014**

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HELD IN STANLEY ON THURSDAY 27 FEBRUARY 2014**

The Speaker of the House
(Keith Biles, JP)

MEMBERS (Ex-Officio)

The Honourable Chief Executive
(Keith Padgett)

The Honourable Financial Secretary
(Nicola Granger)

Elected

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

The Honourable Dr Barry Elsby
(Elected Member for Stanley 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
(Mark David Lewis)

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

CLERK: Claudette Prior MBE

PRAYERS: Reverend Richard Hines

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

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**The Record of the meeting of Legislative Assembly
held on Thursday 27 February 2014**

Prayers

Mr Speaker

Honourable Members, I bid you good morning and my usual reminder please, to turn off mobile phones, or at least turn them to silent.

Clerk of the Assembly

Confirmation of the record of the Legislative Assembly held on the 31 January 2014.

Mr Speaker

Honourable Members, I have before me a record of that meeting. Is it your wish that I sign this as a true record?

Honourable Members

Aye

Clerk of the Assembly

Papers to be Laid on the Table by the Honourable Chief Executive. In accordance with the Public Accounts Ordinance 2009 Section 11(c), a letter to advise that the Public Accounts Committee have examined the Fisheries Audit Report (July 2013) and have no comment.

The Honourable Chief Executive

Mr Speaker, Honourable Members, I hereby lay the aforementioned paper on the table.

Clerk of the Assembly

Questions for Oral Answer.

Question Number 01 of 2014 by the Honourable Dr Barry Elsby.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, would the Honourable Mike Summers please advise how many Work Permits have been granted to individual adults over the last five years who have subsequently applied to bring family members into the Islands? How many adults and children (and their age ranges) were admitted in this way? Were these family members subjected to health screening and police checks?

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members, I am grateful to the members of the Department of Immigration for some notes on this issue.

The total number of persons over the last five calendar years and up to the 20 February 2014 who entered the Falklands on work permits and subsequently applied to have family members join them is 40.

The total number of persons admitted in this way is 62, that is people who subsequently came. 62 of which 31 were adults, the majority of whom subsequently went on to take up full time employment, and correspondingly acquired work permits in their own right. There were therefore 31 children. The age ranges of the 31 children that were admitted in this way are as follows:

- 0-3 years: 12, 6 of whom were born here.
- 4-10 years: 12.
- 11-16 years i.e. of Senior School age, 7.

All of the family dependants applicants referred to were fully screened in accordance with immigration entry requirements which include health checks and for those aged 16 or older good character checks. I am happy to provide some supplementary information if it is required.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, thank you very much for that information.

Mr Speaker

Are there any supplementary questions?

Clerk of the Assembly

Question Number 02 of 2014 by the Honourable Gavin Short.

The Honourable Gavin Short

Is Falkland Islands history taught as part of the History syllabus, and if so, could the Honourable Dr Barry Elsby please give this House the details.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, I have to thank my Honourable Colleague for the question. I would also like to thank the Education Department for some notes on this subject.

My Honourable Colleague will be pleased to note that History of the Falkland Islands is taught throughout all our schools in the Falkland Islands starting from the very youngest up until the time people leave the Community School.

In Foundation Years One and Two and Year One in the Infant & Junior School the sort of things they learn about are: what life was like years ago compared to how it is now; what toys did they play with then, that they don't play with now; the use of horses, for instance around the streets and on farms, that we don't see anymore.

As they progress through Year Two they start again to talk about how the shops were years ago, what sort of foods could you obtain that you can't see now, and how much better is it now despite how we think there are still problems with food supply. In Year Two they go on to talk about the peat slip as well. Year Three they start talking about the role of John Davis and how important he was in the history of the Falkland Islands.

Year Four moves onto looking at changes in the Falkland Islands since 1982. Then in Year Five they look at life in Lafonia. Not quite sure what they mean by life in Lafonia, but it is to look at how things are in Camp.

Of course when we get to Year Six they are talking about Victorian times in the Falkland Islands, and then, of course, they are moving onto the Alistair Cameron History Project. So there is a fair amount covered then in the Junior School.

When they move on into the Community School, history continues to be taught and certainly in Year Seven and Eight as part of their history lessons, they talk about the Falkland Conflict, but also about the role of the Falkland Islands and Islanders in World War I and World War II, and there are more courses on the history of the Falkland Islands within the citizenship course. For instance, in Year Seven during that course they look at the Falkland Islands from its discovery until the move to Stanley.

In Year Eight they are looking more at the social history of the Falkland Islands, how farming had developed and the change we have seen in the lifestyles out in Camp.

In Year Ten, for instance, there is an in depth study of the political history of the region, the claims by Argentina, what does Self Determination mean and how the Falkland Islands have presented themselves at the United Nations. And of course 2014 is the 100th Anniversary of the Battle of Coronel and the Battle of the Falkland Islands and the whole school, indeed both schools, will be involved in looking at the implications of those battles on the Falkland Islands and indeed on the world.

Mr Speaker thank you.

The Honourable Gavin Short

Mr Speaker, Honourable Members I would like to thank The Honourable Dr Barry Elsby for that very thorough answer that he gave and I am actually very happy with that answer as well because only through knowing the history of your country can you form a national identity. It's only through knowing where you came from can you get a feeling of who you are so, I do thank him and, of course, all the schools for teaching that history.

Mr Speaker

Are there any supplementary questions?

Clerk of the Assembly

Question Number 03/14 by the Honourable Gavin Short.

The Honourable Gavin Short

Can the Honourable Mike Summers please advise of the present situation with the legislation that is required to implement spot fines and when it may be before this House.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members. As you will recall policy approval was given by Executive Council in December 2012 from the drafting of legislation to implement fixed penalty schemes in connection with some Road Traffic Ordinances. This in itself had been conditional on changes to the Constitution some time earlier. Various people were consulted, particularly the Police and the Courts who will play significant roles in administration of the proposed scheme. As part of that consultation a number of practical issues were identified which needed to be resolved.

Revised legislation was subsequently produced in July 2013, but there has been a substantial delay in moving to consult again with the Police and Courts on revised regulations because of staff shortages in the Attorney General's Chambers over a lengthy period. I think we are all aware that they were both short of staff in some areas and had a heavy workload in terms of our other priorities and indeed some important court work.

However the Attorney General's Chambers is now back to full strength with effect from the end of February and the draft legislation is being progressed again. Subject to satisfactory consultation in due course and that the practical issues have been resolved in the revised draft; the legislation should be submitted for approval quite soon. With potential for the scheme to be implemented at the beginning of the new financial year, so by the end of June early July.

The Honourable Gavin Short

I would just like to thank the Honourable Mike Summers for his reply and look forward to seeing it before this House perhaps by June time. Thank you very much.

Mr Speaker

Are there any supplementary questions?

Clerk of the Assembly

Motions

Motion Number 3 of 2014 by the Honourable Phyl Rendell MBE

That this House approves and adopts the attached Terms of Reference and Rules of Procedure for the Prerogative of Mercy Committee.

The Honourable Phyl Rendell MBE

In rising to support the motion I will say a few words about the Prerogative of Mercy, particularly for the public, and the role of the Advisory Committee.

The Advisory Committee on the Prerogative of Mercy is to advise the Governor in relation to his powers of pardon as set out in section 71 of the Constitution. This section allows among other things, for the Governor to pardon someone convicted of an offence, or grant someone respite. This might entail for example letting someone serving a prison sentence attend a funeral of a close relative.

Under section 90 of the Criminal Justice Ordinance the Committee is also under a duty to advise the Governor on licences. Offenders can be released on licence under the current Ordinance and the Governor can vary or cancel conditions of a licence.

There are currently no Terms of Reference for a committee to advise the Governor as the committee meets infrequently. However, the Attorney General considers that it would be prudent to have some guidelines, and he has subsequently prepared some very straight forward Terms of Reference for our consideration today.

The Committee comprises, from the officers' side, the Attorney General, Chief Medical Officer and the Chief Executive and there are two MLAs appointed to the Committee: that is myself currently and also the Honourable Jan Cheek.

The Terms of Reference that the Attorney General has set out for us to consider today really look at procedure and how we would proceed to hear a case. A case would be referred to the Governor and then all the information would be gathered together and sent to the Attorney General and he would then call a meeting of the Committee. The Committee may require further information and have to meet several times.

In addition the offender may be called to answer questions or be interviewed by the panel.

When the Committee is satisfied that it has all the information it needs, the members will carefully consider what advice it is going to give to the Governor and it must give the reasons for that advice. Then the Governor has no obligation to follow that advice.

Mr Speaker, I propose the Motion

Mr Speaker

Seconded by the Honourable Chief Executive.

The Honourable Chief Executive

Mr Speaker. Honourable Members as the Honourable Phyl Rendell said the Committee meets only infrequently, but it is essential that we have proper procedures in place so that we can make decisions that are consistently made and that are based on proper facts and proper processes. So I am therefore happy to second the Motion.

Mr Speaker

Does any Members wish to speak to the Motion? No.

The Honourable Phyl Rendell do you wish to sum up or are you content with what you said?

The Honourable Phyl Rendell MBE

I am content with what I presented.

Mr Speaker

Is there any objection to passing this Motion?

The Motion then that this House approves and adopts the attached Terms of Reference and Rules of Procedure for the Prerogative of Mercy Committee is therefore passed.

Clerk of the Assembly

Motion Number 4 of 2014 by the Honourable Mike Summers OBE.

That this House adopts the attached Protocol on Roles of Members of the Legislative Assembly and Officers of the Falkland Islands Government as approved in Executive Council on 29 January 2014.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members. This is an important document. It is always tempting to think that pieces of work like this are just pieces of bureaucracy, but this is not. This is an important document because as we moved from being part time Members to full time Members the way that we do our business is bound to change. What is expected of us by the public I think is bound to change.

This work started out quite some time ago because even before the advent of full time Members it was identified by the original review of the Government and the subsequent review of the Government by Irene Lucas that there ought to be a protocol that set out where the interface was between Elected Members and the Public Service.

Elected Members are responsible for policy and strategies, the Public Service are responsible delivering it. That is in essence what the protocol says, but of course there is much more detail than that.

Also as we move towards more and fuller internal self-Government Members will want to be taking a more proactive role, a more forward role if you like in the management of the departments for which they have responsibility. That is quite right, but that is not and should not be a mandate to meddle in the affairs and the responsibility of the Public Service to deliver on our behalf.

So the protocol works in two different directions. It makes Directors clear about their responsibilities to keep Members informed as to what is going on in their departments and the policy decisions and strategies that need to be considered. It gives Members guidance on how far they can go in trying to influence management issues that are the responsibility of their portfolio areas. It attempts to set some boundaries. It will be for Members and Directors to work together to make sure that they are clear about what those boundaries are and to create a relationship so that they have a department that is working for the very best interests of the people of the Falkland Islands.

There is a need for all to understand and to operate the boundaries on both sides and that really is the purpose of this protocol.

Mr Speaker, I propose the Motion.

The Honourable Chief Executive

Mr Speaker, Honourable Members. As you will be aware I traditionally don't speak on Motions put before this House other than to move relevant Bills. This is because I feel it is for Elected Members to express political views not officials however, on this occasion I intend to break with that tradition since I think this is such an important document.

This is because last November we took an important step in improving the Self Government of our Islands. We elected our first full time Assembly. Some might mistakenly think that we can simply carry on as before, but with even more meetings for us all to attend. Some might even think that is what has happened. However, if that is all we intended then we would be missing a great opportunity. To my mind we must fully embrace this change and the implications and obligations that follow from it.

In the past the distinction between the roles and responsibilities of part time Elected Members and full time Officials has often been blurred and sometimes even non-existent. Although generally this collaborative approach served us well it had its disadvantages. In the future we still need to maintain the partnership approach. We need to be much clearer about who does what otherwise we might have several different threads running with no one assuming overall control. Or worse still several people trying to wrestle control from each other.

Going forward we need manage the process of Government and political leadership more efficiently and more effectively and that is why this protocol is so important. It

sets out clearly and succinctly what the respective roles are and how we should all work together to set and achieve the objectives of Government. All managers within FIG will shortly be receiving copies of the protocol for circulation from the Directors, if they haven't already.

In addition an abbreviated and less formal summary is being prepared as a quick reference guide. I would urge all to read the protocol or the quick guide. Not just Elected Members and Public Servants. It is important that everyone knows who is responsible for what.

Mr Speaker, although this is a fairly short document it is the result of a considerable amount of discussion and effort and I would like to thank in particular the Attorney General for his work on that.

I am not saying that the document is perfect or even that it is cast in stone. It will no doubt develop as our Government develops, but it's a valuable starting point and therefore I am pleased to second the Motion.

Mr Speaker

Does any member wish to speak to the Motion?

The Honourable Ian Hansen

Mr Speaker, Honourable Members, I would just like to say I concur with the Honourable Mike Summers and the Honourable Chief Executive in the importance of this document.

It is very clear in its purpose and I am very pleased to see this Motion come before this House.

The Honourable Jan Cheek

Mr Speaker, Honourable Members, it is a very welcome move. We worked for some time on this document with officers. It is all too easy particularly for a Member with great enthusiasm to overstep their constitutional role. There is also a pretty serious issue in my view of simple courtesy which this I think spells out quite strongly.

I am now on my fourth Assembly. In the past we have unfortunately had occasion as Members to write to another Member regarding their conduct towards Civil Servants. It's a very difficult thing to do and a very sad thing to have to do. We can disagree with the advice given to us by Civil Servants, but it should always be done in a calm, courteous manner, and I am sure the reverse applies to Civil Servants who might disagree with what Members were proposing.

I support the Motion.

The Honourable Phyl Rendell MBE

I would like to rise to support this Motion. I really welcome it. I think it reflects the change in the Government and that we are now full time Members. I have some concerns that am going to address later today about other changes I think we need, but I am very pleased to see this change to Standing Orders. I welcome the opportunity to present Bills. I agree with my Colleagues that we won't be presenting all of them. Some will be highly technical and I am sure we would prefer that our learned officers present those, but I do welcome that move and I am really pleased that the Honourable Chief Executive says that this protocol will be distributed to all the Members of the Civil Service, possibly in a shortened version so that they are aware of the change and how we have thought about how we interface as MLAs with Officers. I really think it is a straightforward and sensible piece of work and I thank the Attorney General for preparing it and I support it.

Mr Speaker

Does any other Member wish to speak? The Honourable Mike Summers do you wish to sum up?

The Honourable Mike Summers OBE

I have nothing further to add, thank you.

Mr Speaker

Is there any objection to passing this Motion? The Motion that this House adopts the attached Protocol on Roles of Members of the Legislative Assembly and Officers of the Falkland Islands Government as approved in Executive Council on 29 January 2014 is therefore passed.

Clerk of the Assembly

Motion Number 5 of 2014 by the Honourable Mike Summers OBE

That this House approves that Standing Rule and Order 47(7) should be amended to read: All Bills presented in the House shall be deemed "Government Bills" unless otherwise stated on the Order Paper. Government Bills may be presented in the House by an Elected Member whose portfolio responsibilities include the Government department responsible for the underlying policy relating to the Government Bill.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members, this is a technical amendment to the Standing Rules and Orders to enable Honourable Members to present Bills to the House. I think this is a very welcome development. It gives increased visibility to Members in terms of their portfolio responsibilities. It helps to make clear I think for members of the public the responsibility that individual Members have for the legislation that is

being passed in their name, and also the responsibility that they have for the policies and strategies that underlie that legislation.

It has been custom in the past for officers to present Bills. There is nothing wrong with that and officers have done a very competent job and having ducked the opportunity to present the Children Bill later on I am sure they will continue to do a very competent job. But I think this is an important development. It is just part of what my Honourable Colleague Phyl Rendell was talking about earlier on about the development of responsibility of members, the development of Internal Self Government and the slow and inexorable move towards a ministerial system.

I support the Motion.

The Honourable Chief Executive

Mr Speaker, Honourable Members as the person handing over the reins I am pleased to second the Motion.

Mr Speaker

Does any Member wish to speak to the Motion?

The Honourable Gavin Short

Mr Speaker, Honourable Members, I would just like to associate myself with the remarks that have already gone before. This is very much part of the evolution in our political system here in the Falklands, and in a way I can see all this flowing from the referendum. I think this referendum was a defining moment in our history and we must make the best of it and not waste it, and keep striving to change our systems here in the Falklands so that we take even greater and greater control as the years go by.

I fully support the Motion.

Mr Speaker

Does any other Member wish to speak?

The Honourable Mike Summers do you wish to sum up?

The Honourable Mike Summers OBE

Nothing more to add thank you.

Mr Speaker

Does any Member oppose this Motion?

The Motion that this House approves that Standing Rule and Order 47(7) should be amended to read: All Bills presented in the House shall be deemed "Government Bills" unless otherwise stated on the Order Paper. Government Bills may be

presented in the House by an Elected Member whose portfolio responsibilities include the Government department responsible for the underlying policy relating to the Government Bill.

The Motion is therefore passed.

Clerk of the Assembly

Portfolio reports and we begin with The Honourable Jan Cheek.

The Honourable Jan Cheek

Mr Speaker, Honourable Members, trade and industry covers so many different areas I have decided to report on a couple of those each time I do a portfolio report.

Firstly, I want to feature the Development Corporation which has gone through a fairly unsettled time and I'd like to express my appreciation of the work being done by the Acting General Manager Martin Slater, and the financial work done for the organization by Rob Granger. In spite of the upheaval, there is good work ongoing by other staff members and I'll just highlight a few of the recent developments.

An Oil and Gas Certification Grant Scheme was approved by the Falkland Islands Development Board on the 14th February. The scheme aims to assist local businesses acquire oil and gas relevant certification by providing a grant of up to 50% or up to a maximum of £15,000 of the total cost. The objective of the scheme is to assist with the preparedness of local business to secure contracts or work from the emerging oil and gas industry in the Islands.

Following on from research and consultations with local entrepreneurs and key stakeholders, proposals for the establishment of a business mentoring scheme, the creation of an enterprise publication and the updating of the Falkland Islands Development Corporation website to assist the Youth Entrepreneurship Scheme (Y.E.S) were approved by the board. Y.E.S aims to educate young people and the public more generally, about business, economics and free enterprise. Through the assessment of the current business environment the Y.E.S project can assist current and future entrepreneurs in maximising the economic potential in the Islands.

You will all be aware of the consultation on a Credit Union and the results of that consultation held last November were presented to the board on the 14th February. Two reports have subsequently been produced based on the results of that consultation and they are available to the public. The board also agreed to approve Phase III of the project which will consist of developing a detailed Credit Union business plan, the recruitment of 'community leaders' for the project and to seek political support to continue the project. On that basis Members have asked the Honourable Michael Poole to represent them on that group.

As Project Coordinator for the Waterfront Development, Falkland Islands Development Corporation has established a working group that involves the Falkland Islands Government, and the key stakeholders and landowners of the designated waterfront area. The Working Group aims to work together and produce a

development plan that details key developments, or potential developments of the waterfront and will include a schedule of works and designation of project managers. The objective is to work towards Executive Council approval for the development plan in July of this year.

Finally on the Falkland Islands Development Corporation the 2014 edition of the Business Climate Survey will be distributed to businesses in April. The results of the survey play an influential role in shaping the Falkland Islands Development Corporation Business Plan by providing direction and identifying issues in the Falklands economy that need resolving, and we are keen that all business owners take the time to complete the survey and return it to the Falkland Islands Development Corporation, as that feedback is critical in making us more relevant and effective in developing the economy and businesses of the Falkland Islands.

The second of my responsibilities I want to do a brief summary of today is the Department of Mineral Resources.

That department with a very small but efficient staff continues to work with licence operators to facilitate further exploration, and planning for the Sea Lion field.

Exploration is expected to recommence during 2015 with a multi-well, multi-operator exploratory drilling campaign covering both North and South Falkland Basin licences. The Falklands has proven itself able to cope with extended exploration drilling campaign and it is anticipated that this will bring opportunities and benefits to the community similar to those arising from the exploration work carried out from 2010 to 2012. The Department continues to progress a Local Content Code of Practice to ensure that local businesses are fully involved with the opportunities that will arise in forthcoming offshore exploration and development.

Less obvious, but still representing a major investment in continuing exploration in the Islands, the recent completion of another extensive 3D seismic survey in the South Falkland Basin has added more high quality data within the licence areas operated by Noble Energy. Offshore environmental survey work continues to gather valuable baseline data. Significant effort is being expended by Falkland Islands Government's consultants at the British Geological Survey in interpreting the wealth of new data acquired in recent years so to provide Falkland Islands Government with an independent view of the offshore prospectivity.

Progress continues with development planning for the Sea Lion oilfield development. The Department has a process of regular interaction with the operator and meets with Premier Oil for a major project update approximately three times a year. The Sea Lion project has now passed the point of concept selection and a Tension-Leg Platform or TLP has been chosen as the preferred development solution. Advanced front-end engineering and design work will now take place through 2014, ahead of the project sanction decision which the operator anticipates will fall in the second quarter of 2015. The operator has expressed a desire to bring in a further partner to join the project, and this represents a very common industry approach to development.

As you all know this takes place in spite of the attempts of the Argentine Government to disrupt our economy and its threats to Oil Companies. I applaud the firm, no-

nonsense stance taken by Oil Companies in the face of such blatant and disgraceful conduct.

Mr Speaker

Does any Member wish to put a question or make comment on that report?

The Honourable Phyl Rendell MBE

Thank you very much my Honourable Colleague.

I would just like firstly to make a comment about the Falkland Islands Development Corporation report that you made. I really welcome the work on a Credit Union I am glad to see that it is going to another stage and my Honourable Colleague Michael Poole will be heading that from a political stand point. I know it's going to be quite difficult and we may not get there in the end, but I think I would commend those working on it to continue to see if it is something that would be feasible for the Falkland Islands. I think it would particularly benefit my constituents in the Camp if it were to be established so I welcome that piece of work.

Secondly, I would just like to associate myself with your comments about the next drilling campaigns offshore that the Mineral Resources Department are supporting and that we hope will take place in early 2015 and all the work leading up to that doesn't come easy, deep water drilling and it will have a massive benefit to our economy when it takes place.

Thank you very much for your presentation.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members, I wonder if I can ask the Honourable Jan Cheek to advise the House what the current thinking is on the need for a Development Corporation and in what form it should be? I have been a big supporter of this as an institution over many years and I think it plays a valuable role but every time we have either personnel difficulties or operational difficulties there seems to be a tendency to want to go back to the beginning and start thinking all over again, whether we need economic development in the Falklands. I wonder if the Honourable Member could just reassure me that we are not going to try and start all over again, all over again.

The Honourable Jan Cheek

Mr Speaker, Honourable Members, I am happy to address the Honourable Member's question.

I am a firm supporter of the Development Corporation. I would be in a very difficult position chairing it if I wasn't. Further to that, there have been, as the Honourable Member well knows, moves to separate the Corporation legally and that has been delayed because of some uncertainties that we have experienced in the last year or so.

He also knows that we are meeting next week to discuss, and I hope, re-launch the Corporation in a similar form, but taking into account any perceived weaknesses and perhaps areas where we can strengthen it. I wouldn't like to pre-empt the outcome of that work in which all Members will be involved and Board Members of the Corporation, but as I said at the beginning, I whole heartedly support the concept of a Development Corporation. We are a developing country and there are lots of things that a Development Corporation can do.

Mr Speaker

Does any other Member wish to speak?

The Honourable Gavin Short

Mr Speaker, Honourable Members, I thank the Honourable Jan Cheek for her report. I would just like to pick up on a couple of points if I may please.

Of course, having Chaired the Falkland Islands Development Corporation for four years, or perhaps three years previously, it is actually nice to see some of the projects coming through now. For example, the Credit Union and Youth Enterprise Scheme, of course, was the brain-childs of the previous General Manager of the Falkland Islands Development Corporation, Mark Boucher, so I certainly would like to thank him for introducing that and I certainly do hope that the Credit Union does come to fruition.

Of course, we still have the Waterfront Development Scheme going ahead and that goes back even further to David Waugh's days with the Corporation, so some of these things do have long gestation periods. but it is nice to see them, as I say, coming through.

The poor old Corporation of course has not been in a happy place for some time now and I do hope we can see calmer waters ahead. I do look forward to that legislation coming through because the present situation that the Corporation finds itself in, again it is not a happy one. There are certain tensions to a position that it is placed in, it is not quite Government, it is not quite independent, it is not really quite anything so I do look forward to that coming through and then being able to finally become more independent and get on with the development matters.

Mr Speaker

Does any other member wish to speak?

We will move to the next portfolio report from the Honourable Dr Barry Elsby.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members my portfolio responsibilities include Education, but also Leisure and Youth Development and Arts and Culture as well, I am not sure why they chose me for that, but there you go.

Today I just want to touch on the early years in the education system. We always used to think that education didn't start until a child entered Year One in the Infant and Junior School and then slowly there was an introduction of what we call Preschool and now we have Foundation Stages One and Two. Of course education doesn't start there even then; it starts in the home, so there is a whole progression from when the child was born until the child leaves our education system. What I would like to bring to peoples' notice is the changes that are going on within the nurseries situation at the moment.

Nurseries in the Falkland Islands are all private and yet they do provide an education for the children. Children learn there. At the moment there are no regulations that affect nurseries, anyone can set up a nursery, there are no standard to work to. There are no checks on people who work there. I am sure that everybody that works in the nurseries in the Islands does their absolute best but it is a part of education in a way. It is preparing the children as they grow for more formal education.

Over the last few months we have had the opportunity of having a Nursery Liaison Officer whose job has been to work with the nurseries to see what the situation is in the nurseries and to work with them to try to develop what the nurseries offer to our children. I am pleased to say that has been a very successful interaction. The nurseries have taken to this lady with open arms. The nurseries here are very keen to raise their standards. Nurseries are very keen to develop, they are very keen to train and so they realise they can do better.

We recently held some training in relation to Children's Safeguarding and I am pleased to say that the majority of the nurseries were represented there because they want to progress, they want to develop.

The nurseries, as I say, are not regulated and at the moment there is no intention to regulate them because the nurseries want to develop a form of self-regulation. They have been working with our Nursery Liaison Officer to come up with a scheme which is going to be labelled a bronze, silver or gold recognition and they will work to the standards that apply to each of those categories so that as they develop they will reach the bronze stage. As they undertake more training and provide more facilities within their nurseries they will move through that. Each nursery will then display on their walls exactly what standard they are working to and what they can offer to the children so parents will know that when they choose a nursery they know what they will be getting. As I say that is a voluntary code of practice and the nurseries are very keen to work towards that. They are also very keen to work with the education system as we see it in the Junior School because what we are looking for here is an extension of the Infant and Junior School if you like into nurseries so that there is a seamless transition from the home, to nursery, and from nursery into the Foundation Stage One and Two and the Infant and Junior School. I think that will happen, I think that development will go on because with so much enthusiasm and determination within the nurseries for it to happen.

We had a little presentation in our last public meeting on education and I touched then on the problems we have with the Infant and Junior School. The problems are one of success in a way, because the Junior School, despite a number of extensions is outgrowing itself. We now have 253 students in the Infant and Junior School and 33

in Camp. All years are now split apart from Year One and Year Six and what will become Year One next year as things move up will have to be split as well so Year One will then be split.

We now are just about to recruit for the latest splitting of a class, Year Four will be split and that takes up the last available room in the Infant and Junior School. That room was the music room, so that has to be sacrificed to enable the classes to be split when they reach the number of 30 which is part of the policy decision we have.

The numbers are growing such that we now have to have staggered breaks within the school day because there isn't enough physical room for all the children to play safely outside at any one time.

There is a lot of work going on into looking at options as to how we can provide more class room space as the school will surely grow as oil development goes on the numbers will grow. We have had I think nine new students in the last few weeks here and I think those numbers will grow and we need more space.

The Infant and Junior School yesterday held a very successful sports day, the weather was perfect and I know they had a good time. Today they are also undertaking a fundraising afternoon. They are raising funds for the local Watch Group but also for Children's Cancer Charity in the United Kingdom called Quick Sergeant. All of the classes within the Infant and Junior School are involved in this but also they have taken a few of the students from Year Ten to come and help organise and run the day and that has been very successful. The linkage between the enthusiasm of the Infant and Junior School and those in Year Ten is going to be very successful I am sure. It is on this afternoon between 1.30pm and 3pm. The weather is excellent so I hope as many people as possible will turn up with some cash that they can help the school in their fund raising activities.

The other thing I would like to touch on in relation to the Infant and Junior School and Camp is the recent visit by a SAMA Veteran, Andy Trish, who has brought a lot of IT equipment for use in the Camp and in the Stanley Hostel. Andy Trish runs his own Information Technology Company down in the South West of England in Cornwall. He was down here on HMS Hermes during the Campaign and he came back as a Veteran in 2012 and went around the various battlefield sites. He also called into a couple of the Camp settlement schools and realised that although the equipment there was perhaps adequate, he knew it could be better. He went home and started raising cash in the United Kingdom then came back this year to present 26 laptops to the Camp schools and also to the isolated families to try to improve their accessibility with the internet. The Hostel has also benefitted from the introduction of the new computers. They have also got a new interactive projector that somehow works by you projecting the screen on a wall, you don't need a proper screen and it's touchable. You can actually touch the wall and the computer will react. I don't understand how that works but I think it is a fantastic move. He will be returning in another year because I think this is a long term commitment he sees here and I am sure that our facilities will develop with his expertise.

The one thing he talked about which is something that has been talked about in the Junior School in Camp for some time is the need to get a virtual classroom running.

By that I mean where people in Camp schools or people in their house at home can actually be seen and can see classes going on either within the Camp schools or with the Infant and Junior School. We have been trying to get that up and running for some years now, but there have been some technical difficulties. SURE is doing a lot of work to try to make this happen, but we haven't yet got there. I see this as an important thing because once we have a virtual classroom so you can actually see what is going on no matter where you are. If you are at home on the West somewhere you can actually then be virtually in the classrooms in the Infant and Junior School or in one of the Camp schools. That will be a tremendous asset and I am sure we will achieve that. There is still more work to do but it does focus around how the broadband or in another form of streaming can work so that it will happen.

The ability to have that virtual classroom isn't just for the Junior School or for Camp. It will also help adults as well because I see a big change coming. We have always had distance learning. People have always been able to access Open University Courses and it used to be that the papers and the bookwork were sent to the Falkland Island Government Office in London and then brought down here and that has changed. Many now do their courses online.

The next step is to have links with a tutor, not by email but by teleconferencing links, so you can actually see the tutor you are working with. I think that will happen and that will also enable us to develop more learning here. We don't do A-levels at the moment, but there is nothing to say we can't do them with the right approach. Distance learning, ideally with a link with a tutor, perhaps even at Peter Symonds or Chichester. Then people who don't want to go off to the United Kingdom or are older, can still do their A-levels, their other qualifications or indeed a degree whilst they are in the Islands. I see that as a big development on the go.

Looking at staffing in the Junior School and Camp we are recruiting at the moment for two teachers for settlement schools. We are also recruiting two teachers for the Infant and Junior School and two teachers as travelling teachers. We have a lot of good candidates who have applied. The interviews are going to take place in March and I am sure we are going to get some good candidates to fill those gaps.

The other thing that has been going on at the moment as you have heard is the Children Ordinance. That is a big piece of work and that will affect our children of course. Also with more effect is the new Education Ordinance that is being developed. That is in its final stages of development and we hope that that will be ready in April. Having heard that my Honourable Colleague has managed to duck out of presenting the Children Bill I am not sure I will be able to duck out of the Education Bill so we will see how that goes with Members presenting Bills.

Finally, I would like to commend all staff in our education system for working so hard to try and improve standards despite what you might read in the Penguin News. Trying to raise standards is not amusing; it's hard, but very rewarding and very necessary.

Mr Speaker

Does any member wish to raise a question?

The Honourable Jan Cheek

Mr Speaker, Honourable Members, a couple of comments and a question.

Firstly, on nurseries, more of a comment than a question because I don't expect the Honourable Dr Elsby to be able to answer at this time. One of the problems with nurseries, which I have been involved in since their starting has been the cost. There are two clear sides to this. There is the affordability for parents but there is the affordability for nurseries to pay qualified staff. We have in the past trained a good number of people in nursery care. Last time I looked none of them were actually working in the nurseries. It is a sad fact that people putting two children into a nursery expect to pay less per hour than they would pay someone to clean their house. Food for thought, not a question.

Second point I just wanted to pick you up on the staggered breaks. As long as I can remember and from the first phase of that building which I attended I think late 1957 early 1958 we had different breaks, different age groups. It is important to make sure that the boisterous and burley eleven year olds don't trample the four and five year olds underfoot and separation whether by time or by space is always desirable.

Finally my question: when will consultation begin on the new Education Bill please?

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, my Honourable Colleague raises some interesting questions and some points that I have been discussing at length regarding costs to the nurseries. I have visited all of the nurseries here now and all the nurseries are keen to develop, but cost is a huge issue to them. There are two concerns. Most of the nurseries say we are keen to improve our standards, we are keen to train people but of course we will probably then have to pay people more and most people working in the nurseries are not that well paid. Many of them are on just over £5.80 or £6.00 an hour. One of the fears of the nurseries is that if they train their staff they might then want to develop themselves more and move to become a Learning Support Assistant in one of the schools. That is their concern.

The concern of cost I agree £2 pounds an hour is nothing and yet the nurseries are fearful that if one of them raises their cost to £2.50, £3.00 or £4.00 an hour, if one of the nurseries is still only charging £2 all the parent will choose to go the £2 an hour nursery. It is a real fear to them, but whether it would happen in practice or whether parents would accept they have to pay a little bit more and choose to send their children to a nursery that offers better facilities and better surroundings and better education only time will tell, but I think we are going to have to look at this, as Members, to see if we need to provide any support or not, but it is certainly a problem.

The consultation on the Education Bill will happen once the draft document is here and we certainly intend to involve the parents and indeed the whole community with that.

The Honourable Gavin Short

Thank you Mr Speaker, Honourable Members, I thank the Honourable Dr Barry Elsby for his report and there are just a couple of comments really. I tend to keep away from education for a fairly obvious reason that I have a youngster in the system.

I was rather amused with your, what I took to be a link you made between our burgeoning young population, which I presume is the birth rate and the quality of our schools. I am quite interested to see it. I may have misunderstood you I am sure I did and am being slightly facetious.

There are two things I really wanted to pick up on was the visit of Andy Trish who was down here. Myself and the Honourable Phyl Rendell popped into one of the schools on our tour at North Arm and saw some of the equipment he had donated and it is really, really good. I would like to publically thank him for that.

Perhaps the other point I would just like to make is you touched on recruiting. Yesterday morning I popped on the Infant and Junior site just to make sure that the sports were still on and saw on their page a job advert for a teacher. I had a look to one side and have also seen that they had been tweeting the same thing. I would just like to thank that department for being so proactive for getting things out and for getting it out there. For giving people the chance to know what is happening here in the Falklands rather than just perhaps just waiting for it to go in the trade journals or whatever you call it for teachers. I think probably there are a few departments around here with in the Falkland Islands Government that could learn a lot from that approach taken by the Education Department.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, I too would like to formally extend our thanks to Andy Trish, I don't think I actually said that in words when I was speaking, but yes, of course, we are very appreciative of everything he has done and the continuing links he intends to develop.

Yes, I have been very impressed by the Infant and Junior School, Camp Schools and Community School it's a dynamic system at the moment and as you say their recruitment policy of tweeting, Facebook, not Facebook, their webpage it's going forward and I have been very impressed with the way they are conducting themselves.

Mr Speaker

Does any other member wish to comment or have a question?

We move to the next portfolio report from the Honourable Ian Hansen.

The Honourable Ian Hansen

Mr Speaker, Honourable Members, my portfolio responsibilities lie with Central Services. It covers a wide range including Human Resources, IT, Leisure Centre, FIGAS, Courts Administration, Communications and Fox Bay Village to name a few.

Today I will only have time to address a few of these responsibilities and I have chosen those that have issues that I think concern the public this time.

I will begin with the Leisure Centre and an update on the swimming pool. With regards to the swimming pool I can confirm that the channel in the swimming pool has now been fibreglassed. The pipe work and adhesives were flown to Montevideo on American Airlines from Heathrow via Miami and we have received confirmation that the materials arrived in Montevideo on Monday morning. With a lot of help, much appreciated help, from the Uruguayan Chamber of Commerce and South American Atlantic Services Limited (SAAS) we have managed to source resin and fibreglass materials. All this will be shipped on the Sea Scout departing Montevideo tomorrow. Hopefully to arrive in the Falklands on Thursday 6 March.

Now ideally we would like to start fitting the pipework on Monday 10 March as soon as the materials arrive. Unfortunately, we need a qualified engineer to help with this. We did contact the original engineer in Chile who previously fitted the pipework and although he would be very happy to come to the Islands he cannot come until the 22 March because of passport issues. Therefore we have contacted the original contractor Dave Roberts in the United Kingdom, and he is looking for an engineer to fly down to assist with the installation. He is optimistic that this can happen.

To sum up. Providing we can get an engineer to start laying the pipework from 10 March, Dave Roberts the contractor will then fly to the Islands on the 16th March to arrive on the 17th. He has suggested that he will begin fibreglassing the pool on Tuesday the 18th. He has suggested that it will take roughly one week to repair and fibreglass and three days for the fibreglass to dry. It will then roughly take four days to fill the pool and around 20 days to heat the water to the required temperature. He has agreed to stay on the Falklands until the pool is full and the filtration pumps have been turned on to make sure everything is going right.

Provided we can find an engineer and everything goes to plan the pool should be completed by the end of April. However, there is always a however, engineers are committed to making sure this job is done in a thorough and proper manner. If they do find something they are not content with and it isn't quite right in the course of fitting pipes, there is the possibility there may be further slippage. I would like to stress that, if this does happen, this is simply because the engineers are totally committed to doing the job properly.

I will now move onto communications and the transmission of FM to the Falkland Islands, island wide. As we know there is a three phase issue of getting FM out to the Islands. The first phase has been completed. Byron Heights is transmitting on 97.4 on the West Falklands and so is Mt Alice. That pretty much covers everywhere. There are gaps to be filled but that comes later in the programme. Port Howard and part of the East Falklands are reliant on Mount Maria and the old system. Unfortunately a few days ago that system on top of Mt Maria went down. Therefore Port Howard and certain parts of the East Falklands now have no FM radio. Fortunately we got onto this straight away and the Public Works Department have generously offered a generator from Hill Cove to be moved to Port Howard, in the settlement at Port Howard, so therefore we won't have to worry about the mountain anymore. Bill Pole-Evans has agreed to wire it up. I was talking to Bill this morning

and within the next few days hopefully Port Howard and those placed on the East Falklands that haven't any radio will be back on.

I would like to take this opportunity obviously to thank the Public Works Department very much for their quick response in saying yes to the generator and of course Bill Pole-Evans for agreeing to connect it. Of course I would like to thank Lynn Brownlee for all the work she did over the last few days. It took a lot of her time.

In respect of the work at Sussex on Phase Two there is some slippage of a few weeks and that is purely down to lack of man power and physically getting the work done. I believe it relates to cementing a base for the transmitter. Hopefully, once the manpower is available, things will get back on track.

The third responsibility of my portfolio I will just briefly touch upon today is Human Resources.

We have a new Director of Human Resources, Graeme Jackson, who has been here for just over a month. Some of the things he is looking at are as follows:

I believe there has been a review of medical recruitment and a strategy developed to ensure that we have arrangements in place for the refreshing of contract and locum staff. The first outcome of this new approach is to advertise for all vacancies that are likely to arise over the next 12 months. A United Kingdom Recruitment Agency has been engaged to coordinate this work and this will include provision for technical skills screening as well as screening for organisational fit.

Falkland Islands Government is now registered with the Ministry of Defence Resettlement Service. Vacancies can now be listed on the resettlement website which is available to all those due to leave military service in the next 12 months and for those who have left in the last 12 months. I believe already some limited success response wise has been achieved by this.

Following the request by MLAs to undertake research into what attracts contract officers to the Falklands. A specification is being developed with the aim of conducting a review and producing a report for consideration in April.

Finally a pay review. Work is continuing with Hay Group to develop a specification for a pay review and a bench marking exercise. Hay Group are being used in the initial stages as they are best placed to advise given we use the Hay Group job evaluation system. Subject to an accepted fixed price quotation being received the first phase of the pay review will be undertaken during April with an initial report available in early May.

Thank you Mr Speaker.

Mr Speaker

Are there any questions or comments from Members?

The Honourable Phyl Rendell MBE

I would like to thank the Honourable Ian Hansen for that report. Particularly the report on the transmitters and the progress with the three phases to improve radio for the Camp. I think it will be very helpful for people to hear today just what has been happening. It is very disappointing, of course, that Mount Maria transmitter has gone out and that people have not been able to receive radio in their homes. I am glad to hear that there has been cooperation and Public Works Department have found a generator and thanks again to Bill Pole-Evans to get it linked up. It just goes to show how things can be fixed quite quickly, but we must get these phases rolled out as soon as we can so that the Camp can enjoy good radio coverage, particularly with winter coming on.

I would also just like to touch on your portfolio responsibility for Human Resources and, of course, we welcome the new Director. I think a lot of good work is now going on there to speed up much of the work that the Human Resources Department have been quite bogged down, in the past.

I would just like to ask the Honourable Ian Hansen for assurance that when a contract officer is coming to the end of their contract and they would like to renew and stay in post, that this is speedily addressed. I am aware of contract officers who do not get an answer as to whether they can have another contract. They often have a partner who is in another job in the Falklands and they are playing a very useful role. We all know that continuity is the key to the Falklands so I wonder if you could assure me that Human Resources are looking to advise people and encourage them to stay here and letting them know that they are welcome; and they are not just left hanging, and then they sometimes see a job advert overseas and apply for it and go because they have no security of employment.

Thank you.

The Honourable Ian Hansen

I thank my Honourable Colleague for those comments and questions. I will deal with the last one first.

Yes, as it happens I spoke to the Director of Human Resources yesterday on that very issue of making sure that people know they are wanted back in the Islands, and there was a case in point that was happening, I can assure you that that will happen and indeed this certain individual has been told that they will be welcome to stay and it is a very good point. It is something I think we have been very remiss about in the past.

Just on the issue of the FM or the radio transmission. The only actual phase that I say has slipped is phase two at Sussex and that is simply because of a labour thing. It may make phase three slip a little bit as well I really don't know that. There will be gaps to be filled at the end of the day once everything is up and running and those gaps might or will obviously include whether people can receive FM in their houses or wherever.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, I would like to thank the Honourable Ian Hansen for his update.

I wonder if I can just ask him to explain a bit more on the Human Resources Department. You talked about locum agencies being engaged to fill posts. Is that across all aspects of Falkland Islands Government or is that for one department and if so can you give us any ideas of the likely cost of that service year on year.

The Honourable Ian Hansen

Thank you for that question, but I am very sorry I can't give you that answer at the moment, but I will find that out and inform you of the situation.

The Honourable Jan Cheek

Mr Speaker, Honourable Members, just a very quick query on radio. Of course it's very important that FM is improved and rolled out everywhere, but please can I put in a plea not to forget Medium Wave. The transmitters is obviously a bit shaky, 531 was off again this morning, but it is reliable and even if there is a mountain or a stone wall or a steel wall in the way, you can pick up Medium Wave.

The Honourable Ian Hansen

Thank you the Honourable Jan Cheek for that comment. I did not realise that MW 531 was off this morning. I certainly will not be forgetting about MW as being a strong supporter of sport there is no way I shall let MW be forgotten.

The Honourable Michael Poole

Thank you Mr Speaker, Honourable Members, I would like to thank my Honourable Colleague for his update as well. Just a quick question in terms of the planned work on a pay review. Can my Honourable Colleague assure me that the pay review will look at benchmarking against the local private sector as well at looking at overseas terms for contract officers as well?

The Honourable Ian Hansen

Thank you, Mr Speaker. I haven't got the actual detail of how the pay review will work apart from what I stated here. I would imagine that would be the case but I can find out for sure. I am sorry I don't have more information at the moment.

The Honourable Chief Executive

In response to the question that has just been asked I can confirm that the review will look at local comparability, in fact it will look at comparability of jobs across the entire Civil Service.

Mr Speaker

Any other questions or comments?

We move to the final portfolio review. The Honourable Mike Summers.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members, I have portfolio responsibility for Health & Medical Services which includes the Social Services sector and also for the Emergency Services which includes the Police, Fire, Customs & Immigration and FIDF. I also have responsibility for housing. Rather than pick out one or two bits in my portfolio range I will try and give a little bit of a flavour of what is happening in each of those areas where it is important.

I don't think anybody is in any doubt that the Health & Medical Services section including the Social Services has been under a huge amount of stress for quite some years. Many of us have had experience of how that affects both the staff internally and how it manifests itself to the general public.

As I said at the public meeting the other day, the Health Service is a little bit fragile, but actually it's coping, I think very well, and we have seen some significant improvements in the last few weeks.

On a staffing basis the new Hospital Manager arrives on the 20th March. That is a very welcome addition to the staff because it will relieve the Director of a huge amount of day to day internal responsibilities that keeps her away from some of the other strategic issues that I know she is keen to address. The new Laboratory Manager also arrives in March, and we have a Practice Nurse and District Nurse now in place, and two Health Care Assistants have been appointed to support the Ward and Primary Care. From a nursing perspective, and from the perspective of the welfare of patients, we are now relatively well covered, but it is still sometimes a bit thin.

We have a full complement of GPs, but not necessarily in the way that we would like to have. We do have a full team of doctors. They are not all full time or permanent I should say. We still rely to an extent on locums. The comments that the Honourable Ian Hansen was making earlier about locums and the work that the Human Resources Department is doing to ensure that we have a continuity of doctors will inevitably mean that for the next 12 months or so at least, I think, we are going to rely on locums. The reason for that is that when we advertise for doctors at the current rates of pay that we offer we get very, very few suitable applicants. There is a key issue there to address, and I know that the Director of Health Services and the Director of Human Resources are engaged in this issue and giving it some thought as to how to proceed. Not only do we demand a wide range of capabilities of GPs, but also are not offering the sort of money they can receive elsewhere for doing something that is probably significantly less complex. We have to give that a good deal of thought.

Unfortunately the Chief Medical Officer has recently resigned for personal reasons. That is unfortunate and we do now need to give serious thought as to how to fill that

post, and again, I know that the officers who are responsible for this are working on how best to go about filling that gap.

Happily, in the Social Services Department we are now fully staffed, and that includes two advanced Child Care Workers. We have a very good Probation Officer here at the moment, and a new substantive Probation Officer will arrive in early April. That Department has been under a good deal of stress, given the amount of child safeguarding issues that it has had to deal with in the last several months. Some of it not easy to deal with, all of it requiring detailed work and detailed attention to make sure that the correct information is presented to court to bring those responsible for child abuse in our community to book. I am very happy to see that that has been happening in the last two or three months.

In the Health Service Department, I am happy to say that the Dental Department is working well. The Chief Dentist, I am not sure what his title is, seems to be very happy and everything is working very well and we have a very full card of Visiting Consultants to continue to provide specialist advice.

I would just mention that the Directorate, as well as providing Primary Care, Hospital Care, Dentistry, Social Services and supervising medical treatment overseas which is another burgeoning budget that we constantly have to deal with, is also working on developing a Care for the Elderly facility which is a requirement that I think all Members strongly support and will certainly come up in the budget, there are some outline thoughts for that. The Director is responsible for writing the Vulnerable Persons Strategy. We are promised that in March and I know that it will be delivered, that has taken a huge amount of time. She is also responsible for the Children Bill along with the Attorney General's Chambers and that too has taken a large amount of time. The Director chairs the Safeguarding Board which brings together various Directorates to make sure that children are properly looked after in this community and that too takes some commitment.

The one other development in Medical Services I would like to mention is that one of the doctors has undertaken a study of medical treatment overseas over the last several years to look at what medical treatment overseas has been called up, what the effect of it has been for the patient, what their experience has been and what the outcome has been as far as they can ascertain. I think that will be a useful piece of work in trying to inform how we dealt with medical treatment overseas in the past which is, I think, still going to be a big piece of our budget going forward.

I will leave Medical Services for now and talk about the Emergency Services.

Obviously, they are largely lead by the Police. The Policing Plan for the coming year was presented to Executive Council in January, so Members are already familiar with that, they are very, very busy with Child Protection issues and bringing some existing cases to court and investigating other cases that might exist. That is taking up a huge amount of their time. They haven't lost focus on the need for community policing and crime prevention and the normal sorts of things they have to do in their daily life. These other issues aside, they are now fully staffed from a Policing perspective.

As Members will be aware, the prison provides some cause for concern. It is full, and it is, according to the Prisons Advisor who visited relatively recently, “not well staffed”. We had the opportunity of a discussion this week with a visiting Forensic Psychiatrist, Dr Tim McNerny, who spoke to Members about rehabilitation for prisoners, so there is clearly some stuff we are going to have to do. That involves capital works. I think it is inevitable we are going to have to extend the size of the prison. Where to do it, how to do it and those sorts of things the Director of Emergency Services is now working on and that will be in front of us for the budget session.

A lot is going on with the Police. I think Members are aware that certainly there are some individuals in the Police who have been under a huge amount of stress. It is not easy dealing with child abuse cases day in and day out, and they do need a bit of a break from time to time, but fortunately we are now fully staffed.

On the Fire Station, we are well equipped in the Fire Station except that the buildings are falling down. So, again there is another capital works issue that we will have to deal with and, of course, we know that the Fire Station occupies quite a valuable site in the centre of Stanley. We will need to give some collective thought to whether and when we relocate the Fire Service because that I think is key to a lot of the other things that we want to do in terms of capital works.

Customs & Immigration Department has just sort of toddled along as it very often does, but there are immigration issues that we need to deal with, and I think we are reasonably clear what they are. I do remain concerned about the split of responsibility for Policy and Immigration between two departments, and I think we are going to have to manage that very carefully, otherwise we will get into the position where you have one group of people saying “well that is what we going to do”, and another group of people saying “well that wasn’t our idea, we wouldn’t have done it like that”. We will just have to be very careful about that, but we need to use the resources that we have got.

It has been a good cruise season so they have been very busy with that, and it is nice to see that the Department has been able to respond to all the requirements put upon it by both the cruise industry and the fishing industry recently.

In terms of the Falklands Islands Defence Force, again they are reasonably well catered for, they do need a new radio system and that will come up in the capital budget. I have raised recently an insurance issue about which I have some serious concerns, and the Falkland Islands Defence Force command has raised with me, and I think others, concerns that the training provision between the Falkland Islands Defence Force and Her Majesty’s Forces in the Falklands is not what it used to be. I think we need to address that and see what the issues are, and make sure we are making the very best use of all of our resources.

Finally on Housing, two issues here, we have a severe problem in housing. I am not sure how I collected all the severe problems in one portfolio responsibility, but there we are. The allocation between local and contract housing is causing us some angst. We are severely short of houses in the local housing sector and inevitably in the

budget we will have to address how we are going to build more houses for the local pool.

The coming online of the temporary home park behind Murray Heights will be a significant advantage and relieve some pressure, but it is temporary and I don't think anybody should necessarily want to be living there for extended periods of time.

Lots of issues to deal with, and in that vein I have suggested to Members and officers, and I think it has been accepted, that the Housing Committee as currently constituted is inadequate to deal with housing provision from a strategic and policy perspective, and it needs to be reconstituted and reformed. That work will begin to take place relatively soon.

There is a common theme that runs through my portfolio, and it is a theme that appears in the Islands Plan, and that is to have a safe and well housed society. We will in all the Directorates strive to do that to the very best of our ability, not only for residents, but also for visitors, and not only for adults, but also most particularly for children.

Mr Speaker

Are there any questions or comments upon that report?

The Honourable Michael Poole

Thank you Mr Speaker, and I would like to thank the Honourable Mike Summers for his very clear update there.

Just a quick comment on the Immigration side of things, and clearly as my Honourable Colleague has mentioned, the Immigration Review at a policy level sits with the Policy Unit which is within my portfolio, and Immigration at an operational level sits with the Honourable Mike Summers in his portfolio. I don't think this is an insurmountable problem, clearly we need to talk about things and make sure we are communicating, clearly both at an MLA level and at an Officer level to make sure that we end up with an Immigration System that suits our purposes and our strategic aims as well. So just to note, I really don't see there is a particular issue.

The Honourable Ian Hansen

Yes, I too would like to thank the Honourable Mike Summers for his update.

I just have a quick question on the facility for the elderly. As you stated, I think you are quite correct in saying that Members are supportive, but in the short term, because I realise it creates extra workload for the current staff of the hospital even though they do a great job, it is a lot more work involved, has it been considered, or would there be any merit in considering, employing extra staff who perhaps specialise in looking after the elderly, as an interim solution. I realise there would be accommodation issues and obvious budget implications, but has this been considered at all?

The Honourable Mike Summers OBE

I am not aware, because I hadn't asked the question that it has been specifically considered. I have no doubt whatsoever that the Medical Services Department would be delighted, absolutely delighted, if they could employ another three or four people to help either in that area or in various other areas.

Just to comment a bit further on the Care for the Elderly facility. The very broad conceptual idea is that there should be a new building, possibly across the road in that corner of the football field that is effectively not used. The Director is in correspondence with the Planning Office and the Department of Public Works to try and flesh out some of those ideas so that we can bring them to Members to consider on a broader policy and strategy basis. The concept has to try to be to have that facility as close to the hospital as we can reasonably get it so that staff resources as they currently exist, can be shared between the two facilities.

Mr Speaker

Are there any other comments?

The Honourable Gavin Short

Thank you Mr Speaker, I would like to thank the Honourable Mike Summers for his report. Just a quick question please on the medical side of life. You touched on nurses, doctors and such like but I believe we are also having, if I could call it, a mini crisis in the drivers department. I believe we have one driver away ill at the moment which is causing some ripple to go through that Department. I believe there was an instance of one chap who actually did a night shift, there was no driver so he carried on going through the day. That was about an 18 hour shift, I think, which is probably from a Health & Safety perspective, not very good. Also Engineering, I believe we are short in Engineering too, I am just wondering where we are with that because that must be causing a strain on the folk who we have left as well.

The Fire Service, I totally agree with you their sheds will eventually fall on their heads that is for sure, some of the RSJs I saw in my time, there is nothing at all between them and the ground nowadays, they are floating in mid-air. I believe there was outlying plans for the Fire Brigade going up Lookout Rocks way, which as you rightly say will open up a nice bit of real-estate, nice and central, and we could probably make very good use of it.

With that though I will sit down, oh sorry, one other question, has any thought been given to splitting Immigration away from Customs and putting them perhaps more in with the Police Department?

The Honourable Mike Summers OBE

Mr Speaker, I thank the Honourable Members for his question. There have been some issues with support staff in the hospital as well as front line staff. I am happy to report that a new evening Security/Ambulance Driver has been appointed, I am not sure what the start date is, and that there is a full complement of

Driver/Ambulance/Security men for the team. We were informed of that at the recent Health & Medical Services Committee meeting, so I very much hope that that information supersedes the problem that had been brought to your attention.

A temporary Handyman Post has also been appointed to support the Estates team during a period of illness. There is a requirement still to address the issue of whether the Estates Manager is to be replaced and in what form, and I think once the Hospital Manager is in place that is one of the issues that will need to be addressed.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, I would like to thank the Honourable Mike Summers for his report, but can I pick up a couple of points regarding the problems of sex offenders in our community at the moment, especially with my Children's Champion's hat on. I would like to echo his thanks to the Police for all the hard work they have done and the difficult work of dealing with such an emotionally distressing crime. I think we see the success of their work in the number of people who have been found guilty lately.

As we have talked about before, locking people away is only one part of the solution. One day those people will be released and it behoves us to make every effort to rehabilitate them such that when they are released they will no longer present a danger to the community. We need to work as hard as we can to achieve that, and as the Honourable Mike Summers said, we had a meeting recently with a visiting Consultant Psychiatrist who gave us some insights from his experience of working with people in the United Kingdom, and I am sure we will learn a lot from that.

The sort of rehabilitation we are talking about is working with the Probation Officer to try to address the underlying problem of the person, as to why they engaged and why they feel it was necessary to engage in sexual activity with children. We need to push at that very hard. We need to recognise that some people in the prison environment need access to education to get their educational levels up higher, but also maybe to develop skills such that when they are released, and they will be released, they are able to take part in the community again. To have a job in the community, because what we wouldn't want is people to be released with nothing in their lives to occupy themselves, and thoughts then would turn to all sorts of other things. I think as a community, we need to accept that we have done very well by addressing the problem up to now, but we have to accept that we have to rehabilitate these people. Part of that will be seeing offenders out in the community under supervision to attend work, to attend education, and I think that might be distressing to some people, but it is an essential part of rehabilitation such that when they are released into the society again the chances of them reoffending are greatly reduced.

Mr Speaker

The Honourable Mike Summers do you wish to respond?

The Honourable Mike Summers OBE

Mr Speaker, I am not sure that I heard a question. Just to reflect on that, there are a number of areas in which that issue needs to be addressed. In the Vulnerable Persons Strategy there are a whole series of areas that need to be looked into. We commonly think of vulnerable people as children, perhaps the disabled, the elderly, sometimes the not so well off single mothers, and people alike, but there are also two other groups of people that the Vulnerable Persons Strategy will need to address. One is the victims of crime and there are those around in the community who have been the victims of this abuse, and there are the prisoners. It might seem like an odd idea to many that they should be regarded as vulnerable people, but they are in their own way and particularly on release. I agree with you wholeheartedly that we have to make sure that they are, as best as we can, prevented from reoffending.

There are two or three ways in which we can approach that. One is through the provisions of the new Prisons Ordinance which is currently in preparation, another is through the proper provision of appropriate facilities when we extend or build a new prison, which I think we are going to have to do. I think we are almost resigned to that. The other is in the revisions to the Criminal Law which are currently taking place, which can make provision for different types of sentencing and different ways of dealing with prisoners and prisoners on licence and under supervision, and all that comes together as one sort of quite large subject as we go forward.

Mr Speaker

Any other comments or questions? No.

Clerk of the Assembly

Order of the Day: Bills.

The Protection from Harassment Bill 2014. This Bill has been published in the Gazette and requires a second reading.

The Honourable Chief Executive

Mr Speaker, Honourable Members.

On 20 January the Magistrate's Court ruled in the case of the Crown -v- Kevin McLaren that the Protection from Harassment Act 1997, which is United Kingdom legislation, does not form part of the law in the Falkland Islands.

Our own Interpretation and General Clauses Ordinance provides for the application of certain United Kingdom legislation here in the Islands. In particular, section 78 of that Ordinance provides for some laws to apply through a process known informally as "automatic updating"

According to the Revised Edition of the Laws, the Protection from Harassment Act 1997 does apply because it augments two other UK laws which already apply in the Falkland Islands based on section 78(2) of the aforementioned Ordinance. However

the judgment determined that this position is not correct and that “*the provisions of the Protection of Harassment Act 1997 are not incorporated into Falkland Law as an augmentation to either the Offences Against the Person Act 1861, or the Public Order Act 1986 or both*”.

This Bill seeks to address the situation by introducing legislation to ensure that the position which was believed to have existed for some time is regularised. It does not amount to any change of policy, but would simply put the law back in the position it was widely believed to be in prior to the decision of the Magistrate’s Court. In particular it does not reflect the “stalking” provisions which have more recently been included in the law in the UK. This is because those provisions would not have applied through “automatic updating” of UK legislation.

In summary the Bill specifies conduct which amounts to harassment, provides for its prohibition and specifies the penalty for committing the offence. It also provides for a victim to bring civil proceedings where there has been harassment and for the court to award damages to the victim for anxiety or any financial loss resulting from it. There is also provision for the court to grant an injunction to restrain the defendant from pursuing any such conduct.

The Bill goes on further to provide for the prohibition of conduct which puts other people in fear of violence and provides for the offence of racially or religiously aggravated harassment. It outlines different defences that a person accused of the offence may bring as well as the penalties applicable for the offence. It also provides for the courts to make a restraining order against the defendant so as to stop the defendant from continuing with conduct which amounts to harassment or causes fear of violence. Finally, it provides for the non-application of this Bill where the Governor can certify that any conduct (taken as harassment) related to national security, the economic well-being of the Falkland Islands or for the prevention and detection of serious crime.

I beg to move that the Bill be given a Second Reading.

Honourable Financial Secretary

I second the Motion.

Mr Speaker

Does any Honourable Member wish to speak on the principles of this Bill? No, there is to be no debate. Is there any objection to dealing with this Bill by the short procedure? No objection. Does any Member wish to propose any amendments to the wording of the Bill? There are no amendments. I declare that the Bill will be read for a third time and do pass.

Clerk of the Assembly

The Protection from Harassment Bill 2014.

The Children Bill 2014.

This Bill is being presented under a Certificate of Urgency and has not been Gazetted and requires a first reading.

The Honourable Chief Executive

Mr Speaker, Honourable Members.

This Bill is being presented under a Certificate of Urgency to allow it to come before the House today rather than the sitting at the end of March as originally scheduled.

I propose the first reading of the Bill.

The Honourable Mike Summers OBE

I second the Motion.

Mr Speaker

Honourable Members, the Motion is that the Bill be read a first time, is there any objection to that Motion? There is no objection. The Bill will be read a first time.

Clerk of the Assembly

The Children Bill 2014.

The Honourable Chief Executive

Mr Speaker, Honourable Members.

This Bill is intended to repeal and replace the existing Children Ordinance, which dates from 1994. The existing Ordinance is based on United Kingdom legislation from that time, although with significant gaps; which are thought to reflect a lack of relevant resources available in the Islands then. The Ordinance has not been amended since to reflect either changes to UK law and practice, nor to reflect improved resources in the Islands, for example the Social Services team has developed significantly over the last 20 years.

The new Bill re-states the text of the existing Ordinance with some minor modifications, but also includes substantial new provisions which are intended to bring the law up to date. The need for the law to be updated was identified some time ago, and confirmed by the Lucy Faithful Foundation Child Safety Review which was agreed by Executive Council in September last year.

The fundamental purpose of the Bill is to improve child protection practice, procedure, and standards, in the Falkland Islands.

The content of the new Bill is very much based on equivalent provisions from the United Kingdom. However, not all United Kingdom equivalents are included. A

staged approach means that the Bill reflects what are believed to be the appropriate standards required of child protection in the Islands at this time. More complex regulation, such as involving special guardianship, has not been included. This needs to be kept under review to ensure that we maintain an appropriate standard of child protection for the Islands now and into the future, in particular as our community changes and develops.

I will first summarise the key areas of change proposed by the Bill:

In Part 1 of the Bill, clause 5 would provide for an unmarried but registered birth father to automatically have parental responsibility for their child. Parental responsibility is the phrase used to refer to the legal rights, duties, powers and responsibilities which a parent has in relation to a child. The existing law requires such unmarried fathers to make an application to court for parental responsibility.

Part 3 of the Bill is entirely new, and would make provision for support including accommodation and funding by the Government for children in need of such support. Importantly, this will provide a legal framework to provide early help to families to prevent future crises. It also imposes a duty on the Government to identify and assist disabled children, and to maintain a register of disabled children.

Part 6 of the Bill is entirely new and would introduce some regulation of private fostering of children so that the Government is aware of any children living in the community with non-family members. In this context private fostering essentially means the live-in care of a child under 16 for more than 28 days by a person who is not the child's parent or close relative.

Part 7 of the Bill is also entirely new, and would provide a statutory basis for the Safeguarding Children Board which currently operates on a non-statutory basis. The key objective of the Board is to coordinate Government functions for the purposes of effectively safeguarding and promoting the welfare of children in the Falkland Islands.

Secondly, a number of less significant areas of change would also be given effect under the Bill, which I will touch on briefly.

Part 4 of the Bill duplicates existing powers to make care and supervision orders in relation to children, but also contains some new elements.

In particular, Clause 49 would impose a duty on the Government to produce a plan for the future care for a child when such an application is made to the court.

Clause 54 would empower a court to make education supervision orders, which are specifically focussed on a child of compulsory school age who is not being properly educated.

Schedule 3, which supplements Part 4 of the Bill, would also restrict the court's powers to require a child who is the subject of a supervision order to be examined or treated outside the Falkland Islands - to ensure that the law reflects Constitutional protections for freedom of movement.

Finally in relation to Part 4, clauses 57, 58, and Schedule 4 would empower a court to exclude a person from a family home to protect a child from significant harm, in connection with an interim order concerning the care of a child.

Part 5 of the Bill, which duplicates existing powers to protect children through a process of assessment and emergency protection orders, also contains new provisions.

The first of those would impose a duty on the Government to make enquiries in relation to children in certain circumstances; in particular when there is reasonable cause to suspect that a child is suffering significant harm or is likely to suffer it. That is contained in clause 69.

Clause 70 would empower a court to include additional requirements in an emergency protection order requiring the disclosure of a child's whereabouts and also allowing the entry and search of places for children.

Part 8 of the Bill largely repeats existing miscellaneous sections but contains new elements which would supplement existing provisions in relation to supervision orders, and supplement the new sections in Part 6 about fostering; by empowering the court to issue warrants for search and entry in connection with those two things.

Parts 9 to 11 of the Bill contain technical sections about regulations, UK legislation and repeal of the existing Children Ordinance, but would also make new provision to the effect that regulations made under equivalent English law should be had regard to by way of guidance, pending the making of our own regulations under Falkland Islands law.

I beg to move the second reading of the Bill.

The Honourable Mike Summers OBE

I second the Motion.

Mr 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.

Clerk of the Assembly

The Children Bill 2014.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members, the policies that underlie this Bill have not yet been discussed by Honourable Members, that is because we wanted to move this process on as quickly as we could, and there are practicalities between delivering the policy advice and drafting the legislation that were best served by bringing all things

together. For anybody listening to this today who might wonder what happened to the policy debate, it hasn't yet taken place. There are a number of issues that underlie this Bill about the relative responsibilities of the state and parents; about the responsibilities of the Crown, of the Government, to intervene in certain circumstances and whether that infringes on people's fundamental freedoms or not, and a whole plethora of things like that need to be discussed and debated.

The underlying principle, of course, is that children must be protected and in that we will all be at one, but there is no single way of doing it and just adopting the legislation that has been put in place by others isn't always the best way of doing it for us. We will take significant guidance from the way that the law has developed in the United Kingdom to inform our own discussion. There are some very important principles of what our community is like in this Bill, and the extent to which we believe as a community that the Government has the right and the responsibility to intervene in particular sets of circumstances. That being the case, I would like to propose that the Children Bill 2014 be remitted to a Select Committee comprising of all Elected Members of the Legislative Assembly under my chairmanship, we then can discuss and debate the policy issues and the legislation. It is proposed that the first meeting, if this is agreed, would be next week on Monday afternoon.

The Honourable Dr Barry Elsbey

Mr Speaker, Honourable Members, I would like to second the Motion. I think this is very much an important Bill. As the Honourable Mike Summers says, we haven't yet had the policy discussion and I think bringing it forward as a matter of urgency and putting it before the Select Committee gives the opportunity for everyone to discuss it in more detail, and also for the public to hear that debate.

Mr Speaker

Does any Member wish to speak to that Motion? No.

The Motion is that the Children Bill 2014 should be remitted to a Select Committee comprising of all Elected Members of the Legislative Assembly and under the Chairmanship of the Honourable Mike Summers. 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.

Clerk of the Assembly

Motion for Adjournment

The Honourable Chief Executive

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

The Honourable Ian Hansen

Mr Speaker, Honourable Members, in rising to support the Motion for Adjournment I will be very brief. I would just like to initially thank the staff of the Falkland Islands

Community School for all the information and advice they gave students last night. It was very impressive the way they handled everything and hopefully the help and advice they gave those students to choose subjects that will shape their future and hopefully, the Islands' future. It was very much appreciated.

Traditional values are important, we should never forget our tradition, without going into detail, I would just like to take this opportunity to extend my thanks to my colleagues in Executive Council for finding a solution around a traditional issue which concerns Camp Sports and then bringing that solution to Standing Finance Committee for approval and implementation. I thank them for that.

Finally, Mr Speaker, I believe that this is our Attorney General's last Assembly, or at least last active Assembly, and I would like to thank him very much for his input over the years he has been here, and if I am wrong in that assumption then I apologise, it's not that I am trying to get rid of you.

Mr Speaker I support the Motion.

The Honourable Phyl Rendell MBE

Mr Speaker, in rising to support the Motion I would like to say a few words about Standing Orders and how they relate to full time Members of this Assembly and the impact that they may have on future elections.

At the first meeting of Legislative Assembly I did stand up in the Court and Assembly Chamber and comment that I had hoped that there would be a lot more younger candidates standing for the Camp in the future, and being elected to the Assembly. Certainly younger than me anyway. During the election a lot of people expressed concerns about fulltime Membership and the ability of younger Camp residents with families to stand for election because of the amount of time they would have to be away from their families, we are talking about four nights a week for four years. You are going to be away from your family far more than you are going to be with them under the current rules.

People have continued to express that concern to me. I know the next election is a long way off, but I think you always need to think and plan and ensure that you are encouraging people who are considering entering politics. I am not for a minute advocating that any future MLAs representing the Camp would not carry the same burden of work as their Stanley colleagues, but I do think that Standing Orders as written currently are not really flexible enough, even though my colleagues might beg to differ. The statement in Standing Orders is that "MLAs will be available to attend to government business in Stanley from mid-day on Monday until 4:30pm on Thursday". I think the wording really does need to be addressed and as I have said it is really going to impact on family life for younger people that live on West Falkland or even on the Islands.

I do think that people should be able to work in their constituencies. Stanley Members are in their constituency. I do think that, at the moment possibly and as we bed into this fulltime role, that Camp representatives' time in their own constituency will be really quite limited if we stick rigidly to that Standing Order and I do think

that we should make better use of telecommunications. I refer to my Honourable friend Dr Barry Elsby's comments about the virtual classroom. I think in time we should be looking at technology and seeing how that can help and support people to be present at meetings, virtually perhaps if not physically. I really do think we have got to develop this. The Falklands is a large geographical area and we do represent all of it, and I think to be only perhaps in Stanley much of the time is not really something that is representative for everybody.

I have raised this matter with my colleagues quite recently but they felt it was too soon to be amending Standing Orders, but they are willing to review the matter in two years' time when perhaps the role of fulltime Members has bedded in a lot more. I accept that decision and I trust that we will be able to address it then.

Lastly, I would like to associate myself with some of the comments made by my Honourable friend Ian Hansen. I am extremely disappointed that the Court yesterday found that they were unable to give an occasional licence to the two Sports Associations on the East and West Falkland for their social events next week. The Darwin Harbour Sports Association has been meeting for more than one hundred years, it is actually older than the Stanley Sports Association I believe, and West Falklands Association too is extremely historic. This is a great time in the Camp when it is the end of the season when everyone has worked hard, got all the shearing done, they have worked to that day, it's time for people to get together and from isolated farms and celebrate and have a few good Camp activities. As I say, it has been going on for more than a hundred years, and I really do think it is regrettable that the Court made that decision yesterday.

I would like to thank the Attorney General for all his work he has done for the Falkland Islands Government, and I think I said some words at the last Legislative Assembly meeting and I didn't realise how quickly it was going to be that it would be your last, and I do wish you well in the future.

Mr Speaker, I support the motion.

The Honourable Gavin Short

Mr Speaker, Honourable Members just in rising to speak to the Motion for Adjournment I find quite amusing actually for a "dyed in the wool towny" that what I am about to speak is in fact almost all Camp matters, so maybe there is some sort of conversion going on here.

This is very much stuff relating to the Public Works Department of course, the Honourable Phyl Rendell and myself together with the Assistant Road Engineer, Sebastian Reid, went for a two day whistle stop tour of the roads of the East which, of course, is very important for me, because if I am to have that in my portfolio I really needed to see what it was like out there.

We didn't get everywhere, we didn't get quite down to North Arm or indeed up to Cape Dolphin and into Salvador. I have every intention of going to those places before I am done, and I also have every intention of going back when the winter is here, when I can see the roads at their worst. There is one thing that did very much

come through to me as we travelled around, was that the material used on various sections of the road varies greatly. Some of it is very good, other stuff I can certainly see with the least shower, it is going to rut up. So, it has given me a greater understanding of what folk in the Camp have to put up with. It certainly hasn't made me an expert on roads, I think for that you actually have to be out and living in the Camp, living with them if you like 24 hours a day.

The road show moves onto the West next month. We shall be over there for I think it is a couple of days going round and I have every intention of going back after that to try and finish off and having a further look around. Some of the hills on the East actually scared me slightly but I am told they are nothing compared to what you will see on the West! I am probably going to sneak a bottle of gin out with me just to calm my nerves. I do look forward to getting onto the West and meeting the people and of course speaking to them because they are what this is all about. It's the people out there who those roads serve and who can better tell me what it's all about. I do look forward to that.

Just a quick heads up, there is a problem with the causeway out to the Wreck. We were a little slow off the mark in identifying which causeway it was, but it has now been identified, and I believe Transport Advisory Committee has given their approval for the expenditure of monies to get that done. This is good because it was actually a safety issue. One side of the causeway was eaten away and at high tide the water comes over that causeway, so someone not knowing that hole was there could well have put a wheel into it and flipped over. I'm glad that is now going to be fixed. I certainly would also like to thank Gerald Dixon at the Wreck for his patience because, of course, when he was phoning me about it I had yet to see this causeway and I probably came across as being not too with it during his initial phone calls.

I would very much like to associate myself with the comments that have gone before about the Camp Sports. I have only ever been to one Camp Sports. That was at Fitzroy and almost nearly killed me when I was a young man, and I have never been back since. What I would say though, that to someone from outside it may look like a strange tradition, but what I would gently like to remind people, is that it is our tradition, it is our country and it is up to the people in the Camp if they wish to change the way that they do things, that is up to them, I don't think we should be trying to force anything on them.

Grass cutting, I would just like to apologise to the people of Stanley, we got off to a pretty rough start, but we have made some adjustments and I believe things seems to be going a lot better now and I hope that continues in this vein.

We have had a couple of visiting groups over here recently; we had the Uruguayan Parliamentarians with Jaime Trobo whom we had seen before. It was good to see them back and I think they went away with a far better understanding of what the Falklands is all about, and of course our right to exist and to trade with whom we want and how we want. I know at the moment we have another group in the Islands now, which is made up of people from Uruguay and Chile that we met yesterday, and I think they too will go away with a far better understanding of what the Falklands is all about. We certainly will continue to travel the World, and indeed some of us are working towards one or two trips away now which I certainly won't be giving details

of in haste, because I don't want to flag the enemy with what we are up to. There is really no substitute for fetching people down and letting them live amongst us for that week to talk to who they want to, ordinary people and find out what the Falklands is all about, that we are not some sort of down trodden colony paid to stay here by the British Government and indeed kept prisoner by the British military, was one thing I saw in the papers. If we are prisoners, then we are very happy prisoners.

We have the budget galloping up towards us. In the election campaign I toted up some of the promises that were made and found that the Falklands had probably been bankrupted three times over. Reality bites in a couple of weeks' time when we have to sit down and say this is the money that we have, how are we going to divide it up for the betterment of our people and Country?

Finally before sitting down, I too would like to associate myself with thanks extended to the Attorney General, Mark Lewis, it has been great working with you. I would like to go further and say thank you for your work with the Archery as well, that is something that has really taken off in the Falklands and indeed I believe we came back clutching medals from our first forays. Thank you for that and perhaps I can give you no greater accolade than to say that I found you to be a thoroughly decent chap.

Mr Speaker, thank you very much.

The Honourable Mike Summers OBE

Mr Speaker, Honourable Members, I seem to have spoken rather a lot today so I will be brief. I would like to wish the Attorney General all the best for his future after he leaves and if I can just say the same on behalf of our absent colleague today, the Honourable Roger Edwards who couldn't be here for medical reasons, and I should have mentioned that earlier when I answered a question on his behalf. We wish you the very best in your future.

I would like to thank the Honourable Barry Elsby for raising the issue of child protection in his Motion for Adjournment last month whilst I was absent overseas on other Government business. It is an important issue; we have had the opportunity today to speak a lot about child protection. It is the theme of this quarter for the Assembly and we will continue to make sure that the children in our society understand the dangers that might be out there. This is still by-and-large a very safe society, not let's get ourselves over exercised about this, it is a very safe society for children. My little grandchildren and all your grandchildren are free to walk around the streets quite safe, but there are issues that we need to be conscious of, and we need to deal with and we will deal with that. There is to be a programme of public education starting relatively soon, I think my colleague will raise that issue in the Safeguarding Board this afternoon to make sure that a public campaign starts as soon as we reasonably can. It is a good time for it to be happening because the context is there right now.

My only other issue is to remind that, assuming the airbridge took off from Ascension some hours ago, the Commonwealth Games Queen's Baton will arrive at Mount Pleasant this afternoon at 3pm. There is a very busy programme for it for the rest of

the afternoon and all day tomorrow and for Saturday morning that I hope is available to everybody. In particular, this evening at 6.30pm at the Jetty Centre, the Queen's Baton will arrive on the launch from HMS Clyde and be formally received at the Jetty Centre this afternoon. I hope all Members present and all members of the public who can will be there waving flags and supporting. This is the build up to the Commonwealth Games in Glasgow in July and I hope we put on a really good show. I support the Motion.

The Honourable Michael Poole

Thank you Mr Speaker, Honourable Members, firstly I would just like to associate myself with the comments earlier regarding the Camp sports, also thank the Attorney General both as a MLA over the previous few months and as an officer for two and a half years previous to that Very helpful, very supportive and straightforward and some great advice, I really appreciated it.

Just a couple of quick issues, firstly, I would thank my Honourable Colleagues for allowing me to be the political lead on the formation of a Credit Union. Hopefully we can do some work over the rest of this year looking at the business case for this and getting into the detail of the feasibility. There is quite widespread support for this initiative and there is definitely a need for it as we have seen from the feedback already. I would like to thank Michael Betts and the Falkland Islands Development Corporation team for the work they have already done on this and look forward to helping drive it forward over the next few months.

On a similar positive note, I would like to thank a small group people who have done a lot of work over recent weeks on Cape Pembroke. There is a group that have taken to calling themselves the "Common Sense Group" which I think is very apt. They have come up with just a very brief paper that Members will be seeing shortly, talking about how we can better manage the Cape Pembroke area so that it is there for future generations, and we can all continue to enjoy it in a sustainable manner which I think is most needed and I think there are some practical things we can do during the budget process that will be very positive steps to seeing that achieved.

Mr Speaker, I support the Motion.

The Honourable Jan Cheek

Mr Speaker, Honourable Members, I do have great sympathy with the words of the Honourable Phyl Rendell on the demands on Members, but I wish we were only required to be available from Monday lunchtime to Thursday evening because my experience so far, and we are a few months down the line now, has been that we are required to be available from Monday morning to Friday evening and as late as 7.30pm some evenings recently. I wouldn't like to think that because Camp Members didn't have the time to spend in Stanley that their constituents would be under represented if a lot of that work is really important. I think what we have to get to the bottom of is how many meetings do you really need, and when are you supposed to do the work to prepare for those meetings, or the work created or okayed by the meetings. Something I think we all have to focus on pretty sharply on over the next few weeks.

At our 12 December meeting I mentioned the excellent Lucy Faithful Foundation Report, and I said that I looked forward to seeing the recommendations implemented, particularly the one for a public education campaign and I was very happy to hear the Honourable Mike Summers allude to that. We need to help parents and all others responsible for children to protect their children, and for children to protect themselves. In a world where they are bombarded constantly by TV, popular music, strongly sexualised images, it is difficult for them to know when something is wrong. That campaign is very important and it needs to touch on all the electronic means by which abusers are now operating. I'm aware that the Safeguarding Committee is working very hard and the departments concerned, but I would hate to see further delay. Cases are emerging almost as we speak and we need to address that without any further delay.

On a much happier note we really missed the opportunity at our last meeting to say our farewells to Governor Nigel Haywood. I'm sure most of us somehow assumed that he would still be here at the time of this meeting and hadn't really focused on which flight he was getting. He has rightly been a popular Governor. He was tremendously helpful to Members over the several years that we built up the Public Diplomacy campaign, his advice in that was invaluable. He will be remembered I think, as probably one of the most hospitable Governors. He did list the number of occasions that his recently decorated chef had catered for which many, many residents and visitors enjoyed and he did it all with a great sense of humour which I am sure continued as the planned detonations didn't quite go off as planned. Of course, I join others in wishing our Attorney General, Mark Lewis the very best wishes for the future and thanking him for all his work in the time he has been here. I support the Motion.

The Honourable Dr Barry Elsby

Mr Speaker, Honourable Members, I too feel I have spoken quite a lot at this meeting, so I will keep my comments short. I too would like to associate myself with the comments made by other Members and thank the Attorney General for all his help, advice and service to the community in the time he has been here, and I wish him well in the future. I would also like to join with other Members who have expressed concern and distress about what went on in the Court yesterday in regards to the issuing of licences for Sports. I think it was Charles Dickens who said "Sir, the law is an Ass"; I don't think there is an issue with our licensing laws. Thank you.

Mr Speaker

I think, just the Attorney General to respond, if he will.

The Attorney General

Mr Speaker, Honourable Members, it's very kind to have the privilege to address Legislative Assembly. I normally find myself speaking on the end of questions of which I have no notice, and sometimes, have no idea of what the answer was. At least the Clerk tipped me off and I have spent some of the time whilst listening to you all speak, to jot down a few things that I would like to say.

I gather Mr Speaker that there is no time limit. Excellent!

I think privilege is the right word, I have felt incredibly privileged to hold the role of Attorney General for the Falkland Islands for three years and it has been an absolute privilege. When I look back at the things that I have been here for and participated in and witnessed, it has been a life enriching experience for me being here. I was privileged to be here for the 30th Anniversary of the Conflict, that was a very moving and important occasion and I fully appreciate that you can't understand what that means from an outside prospective, but being here and listening and talking to people and being here for the celebrations of the liberation has been a privilege.

Being here for the Referendum has been a privilege. I was scared rigid during the preparation for it and absolutely delighted when we got the clean bill of health from the observers when they said we ran the referendum to international standards and we met those. Nobody can point at our referendum and say that there was anything wrong with it, or any fault with it, and it is a clear indication of the Falkland Islands position.

Privileged to have hosted the Attorney Generals' Conference when Dominic Grieve came down. A fantastic event, people went away buzzing from being in the Falkland Islands and it took quite a bit of effort to get it here.

Privileged to have experienced the way of life, coming into a community cold, not knowing anybody is not an easy thing to do. I found the people to be universally welcoming. I found that it is a community where you get out of it what you put into it, and if you make the effort then people respond to that and they respond positively to it. As a consequence, I had a go a sheep shearing; I can tell you that it takes me somewhere between 10 and 15 minutes to shear a sheep. I can also tell you that the sheep did walk away afterwards. I have been out motor biking with the motocross people from Goose Green to Walker Creek and they were very tolerant of me driving my tractor whilst they buzzed around on motocross machines. I had a fantastic weekend away. People can wax lyrical about the wildlife and the stunning beauty of the islands, it is all true and I have had a great time exploring. It has been a privilege.

The people I have worked with have been a privilege as well. I am very pleased to be associated with Members of Legislative Assembly, it has been a pleasure and privilege working for all of you, and the previous Members that didn't win their seats back or didn't stand last time. I think the Falkland Islands and Falkland Islands Government punches well above its weight and I think we have some quality people working here and some quality staff. I very much enjoyed working with Corporate Management Team, the Chief Executive and Financial Secretary. I would have to make a special mention to Ros Cheek, my deputy, who without her support, the job would have been a damned sight harder. You have got an excellent person working there in that role. I have to mention Barbara Steen who has looked after me completely from day one and I'm sure she will continue until I leave, she has been a real help.

I ought to mention Archery. I am just grateful that the Falkland Islands indulged me. I do remember at the interview being asked what my hobbies and interests were and I said Archery, and the panel said bring your kit down and we will help you start a club,

so I took that at face value. People seem to like it, more than that there are some people here who are very good at it, and it's reminiscent of the Star Wars scene where (I can't remember who played it) where the student has now outgrown the Master. There are a number of archers in the club, who are better than me, and it grieves me to say that, but they are better than me. We did win a good clutch of medals in Guernsey, and I am absolutely confident that the team are going to do incredibly well wherever they compete. There are some very good people there and the club is strong and will continue on, that is all good.

There has been some challenging stuff, we have had the Lucy Faithful Foundation report to deal with, and I think the Government responded very well to that, it is something we can be proud of. We have made progress on a number of areas, it is a challenging role, but I have to say for my part that Attorney General has to be one of the best legal jobs in the World I think. I don't know what the future holds for me, I'm hoping that I will carry on working in Overseas Territories which is what I am hoping will happen, but we will see what happens.

What I can promise you (and I am reaching the end of my speech) is that even when I do leave the islands I hope that I will be able to come back again one day, particularly to see how you have coped with oil and all that brings, but what I can promise is that I will be going away from here as an advocate for the Falkland Islands, it is a great place, so thank you very much for having me.

Mr Speaker

Honourable Members, the House stands adjourned accordingly.

Response to Supplementary Question on Portfolio Report by the Honourable Ian Hansen

The Honourable Dr Barry Elsby

I wonder if I can just ask him to explain a bit more on the Human Resources Department. You talked about locum agencies being engaged to fill posts. Is that across all aspects of Falkland Islands Government or is that for one department and if so can you give us any ideas of the likely cost of that service year on year.

The Honourable Ian Hansen

A contract has been awarded to a UK agency to manage the immediate vacancies within the Health Directorate. Two companies provided competitive quotations. The contract has been awarded to Osbourn Thomas who provided a competitive and value for money proposal.

Their proposal includes provision for advertising across a range of health media including print and on-line; long listing of candidates and full assessment of candidates. The aim is to present the Director of Health with a shortlist of suitable candidates during April.

This is a one off contract to deal with the forthcoming vacancies and the final value of the contract is dependent on the final selection of media options, the number of positions that are taken forward and the successful appointment of candidates.