

REPORT OF PROCEEDINGS OF TYNWALD COURT (QUESTIONS)

Douglas, Tuesday, 16th April 2002
at 10.30 a.m.

Present:

The President of Tynwald (the Hon. N Q Cringle).

In the Council: The Lord Bishop (the Rt Rev Noel Debroy Jones), the Attorney-General (Mr W J H Corlett QC), Hon. Mrs C M Christian, Messrs E A Crowe, D F K Delaney, J R Kniveton, E G Lowey, Dr E J Mann, Messrs J N Radcliffe and G H Waft, with Mrs M Cullen, Clerk of the Council.

In the Keys: The Speaker (the Hon J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon A R Bell and Mr L I Singer (Ramsey); Mr R E Quine OBE (Ayre); Mr J D Q Cannan (Michael); Mrs H Hannan (Peel); Hon S C Rodan (Garff); Mr P Karran, Hon R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle); Messrs J R Houghton and R W Henderson (Douglas North); Hon D C Cretney and Mr A C Duggan (Douglas South); Hon R P Braidwood and Mrs B J Cannell (Douglas East); Hon J P Shimmin (Douglas West); Mr D J Gelling (Malew and Santon); Hon J Rimington, Mr Q B Gill and Hon Mrs P M Crowe (Rushen); with Mr M Cornwell-Kelly, Secretary of the House.

The Lord Bishop took the prayers.

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Doctors' Lists – People Registered – Question by Mr Karran

The President: We turn to number 2 on the order paper, which is our question paper, hon. members.

Question 1. The hon. member for Onchan (Mr Karran) to ask the Chief Minister:

Will you inform this Court –

- (1) how many people are registered with general medical practitioners in the Island;*
- (2) the total number of residents as given by the latest census figures; and*
- (3) if there is a discrepancy between the two figures can you provide an explanation for the difference?*

The President: I call on the hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I beg to ask the question standing in my name.

The President: Chief Minister to reply.

Mr Corkill: Thank you, Mr President. At the time of the census in April 2002 a total of 79,899 patients were listed as registered with general medical practitioners. The difference, compared to the census findings of just about 3,500 patients, represents a patient inflation figure of 4.7 per cent.

This inflation is made up of various categories of patients. Some patients will have moved to the United Kingdom and have not yet registered with a general practitioner in their new area. Some patients have moved abroad and their registration with a GP on the Island has not yet been terminated. Our broad estimate is that the recent average population movements have

been 1,300 new residents and 400 persons leaving each year. In addition, there are some patients who would not have been counted in the census but for general practitioner registration purposes remain registered with a GP - for example, patients who are ordinarily resident but who spend a large portion of their time off the Island.

Registration with general medical practitioners is not a particularly good measure of population numbers, although it can be used as an indicator of population trends. It should not, therefore, be used on its own to indicate the size of the Island's population as it is inferior to the census figure and does not invalidate the recent census calculations.

The President: Hon. member for Onchan.

Mr Karran: Eaghtyrane, would the Chief Minister like just to clarify again for this hon. Court, what was the latest census figures for the population and what are the figures for registration with general medical practitioners? I think it is important that we have it down in black and white because I feel that the figures do not seem to add up to what I am led to believe are the correct figures.

The President: Chief Minister. Repeat the figures, sir.

Mr Corkill: Mr President, the census document is included in our order papers today, sir, with a vast amount of information there which is in the public domain. I can say again, as I did in my original answer, that the number of patients on GPs' lists is 79,899. The census figure, which I do not have open in front of me, is 76,300 and something, and I think in my original answer I have explained that the two figures mean different things.

The hon. member is concerned about population numbers overall and I would say again that the two figures should not be compared as being meaningful. The only use from a population point of view that you can make of the GP registration numbers is the trend,

and can I say that the real census population grew from between 1996 and 2001 by 6.4 per cent and, during the same period, GP registrations grew by 6.8 per cent, so one figure does in fact corroborate the other. But in terms of absolute numbers I would like to point out how the census is arrived at, because the census records those people present on census night, and there will always be residents who are off the Island and there will be people from off-Island who are temporarily on the Island and so no-one guarantees the absolute accuracy of the figure, but it will always be pretty close to the actual and it is the best calculation that we have. In fact, it is the same calculation that we use each time on the census so that the census figures are meaningful and comparable at each census period. So I think the hon. member is drawing incorrect conclusions by focusing on the GP registration numbers alone.

The President: Hon. member Mr Karran.

Mr Karran: Eaghtyrane, would the Chief Minister do a review of how many are in each GP's list on the Island and have that circulated to every member? And would he also not agree we can then see whether the figures are correct that are being mentioned today or whether they are a lot larger than what has been said in this hon. Court today, in order to reassure members of this hon. Court that they are actually getting the correct figures of the numbers that are on GPs' lists? I believe that they are extremely conservative, what I am being told in this hon. Court from what I am being told by staff.

The President: I would have thought that would have been a matter for the Department of Health and Social Security, but Chief Minister, if you have the figure?

Mr Corkill: Well, obviously from a government point of view, Mr President, we are very keen to make sure that the general practitioner lists are as accurate as possible because they do have an impact on remuneration for general practitioners, and I know that is not the element behind this particular question, but can I say for the sake of clarity, in case there is perhaps a conclusion that GPs are being over remunerated for their lists, that their remuneration package is calculated to incorporate or to include a certain amount of inflation in their GP registration list, for the very reasons I have already stated - that is, that people move, and their registration process takes a little while to catch up. There are people moving on and off the Island. And there I would like to comment on this GP registration list, because this inflation figure over and above our census figure compares more than favourably with most parts of the United Kingdom, where our accuracy of GP registrations is much superior to many parts of the UK and the inflation figure is quite small, whereas in some parts of the

United Kingdom the registration list can be as much as 50 per cent above the actual census population for the area that we are talking about.

I can certainly ask my colleague in the Department of Health and Social Security, the minister Mrs Christian, to find out the figures of patients registered at each general practice and certainly inform the hon. member of what those numbers are. That figure is not in front of me, it is not part of my brief, so I can certainly provide that information for the hon. member, but I wish to reiterate that by focusing on GP registration numbers it is not a guide to the actual total population of the Island's residents. It is not, statistically, the right way to go about getting a figure that we can be relied upon.

The President: Hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. If I could just pick up on the last part of the Chief Minister's answer, he gave the figure that 3,500 more people are registered than as shown on the census, but would he also agree that it is a probability that there are many people who are resident on the Island who are not actually registered with doctors and therefore the figure of 3,500 could be considerably greater than that figure? Therefore, could he possibly outline how the figures are accounted for and what steps are taken to ensure that doctors are paid as accurately as possible, neither underpaid nor overpaid?

The President: Now, hon. members, I do not want to widen this out into a remuneration of GPs debate. Chief Minister.

Mr Corkill: Mr President, I am aware that the Department of Health and Social Security regularly undertakes initiatives to ensure that a low patient inflation figure exists, and it would seem that they have been successful in that when compared to the United Kingdom. They actually target groups of patients who are more likely to be no longer registered on the Island and who would not necessarily be picked up through the usual channels of re-registration elsewhere, so the department does actually contact individuals to see where their registration is in order to make sure that that GP registration list is as close to the operating reality as is possible. So I can assure the hon. member for Ramsey, Mr Singer, that the department is quite keen to ensure that taxpayer's money is not wasted and that GP remuneration is as accurately dealt with as possible.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. It is in response to the answer given in the supplementary by the member for Onchan. The minister said he did not

have the figure, as part of his brief, of the people who are registered with practitioners such as the member asked for, and yet the specific question deals with the amount of people who are registered with medical practitioners. First of all, is there something missing from the Chief Minister's brief in relation to those statistics; and secondly, bearing in mind what we went through in relation to the dentists and the problems that occurred in the Island, will the Chief Minister give consideration and make sure that this problem with general practitioners is not a repeat of that situation?

The President: Now, we are not getting into a dentists and doctors debate either.

Mr Delaney: But it happened.

The President: Chief Minister.

Mr Corkill: Can I say to the hon. member for Council, Mr Delaney, that my colleague from Onchan, Mr Karran, has asked for a practice-by-practice population or GP registration list total and I only have the total for the whole Island, which I have already read out, which is 79,899. I am more than happy to break that down into practice by practice from around the Island. I am sure it will not be too difficult to find the information, but certainly my brief is not deficient in respect of the question that I have been asked. If the hon. member wishes to broaden the question into a debate about dental services –

Mr Delaney: That went wrong.

Mr Corkill: - I am already on the public record about my concerns (**Members:** Hear, hear.) about national health provision. The department is very concerned, Mrs Christian and her department is in dialogue with dentists, and hopefully that issue will be resolved. These things cannot go unanswered, Mr President, if I am given the opportunity to actually state government policy in these areas. The issue before us, though, is about population and I think I have answered that, Mr President.

The President: Dr Mann, hon. member for Council.

Dr Mann: Would the Chief Minister not agree that there may be a closer correlation between the number of personal taxpayers and the adult population if one is wanting to look at the accuracy of the census figure?

The President: Chief Minister.

Mr Corkill: We are now into taxation, Mr President, (*Laughter*) where I tread fearfully forward. Can I just say that the Economic Affairs Division of Treasury has a number of statistical

analyses available to it in order to verify the census which is taken, which we have just come through the process of and which has been published. Statistical population projection is all about having evidence from a number of angles all supporting each other, and people registered for tax is certainly one of those issues that is helpful in that regard.

The President: A final supplementary, hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the Chief Minister not agree that the question is nothing to do with the payments to GPs but about the issue of the accuracy of the census figures, and would he also not agree that at the last census, as I was on the DHSS, the figures were officially 69,000 and the figures in GPs' lists were either 73,000 or 75,000, and would he not agree that the issue is that we need to know what the true figures are and that the GPs' lists, I am led to believe, are more nearer 90,000 than nearer 80,000? Will he investigate whether that is the case or not and will he look at previous years' registrations to make sure that we have an accurate figure to give the true picture of this issue and the picture of population levels on this Island?

The President: Hon. member, the Chief Minister has given the total figure of people registered with general medical practitioners. I fail to think that there is a supplementary there.

Housing Task Force – Question by Mr Houghton

Question 2. The hon. member for Douglas North (Mr Houghton) to ask the Chief Minister:

With regard to the Housing Task Force set up in December 2001 –

- (1) how many meetings have been convened by this committee; and*
- (2) what has been achieved by its existence so far?*

The President: I call on the hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President, I beg leave to ask the question standing in my name, sir.

The President: Chief Minister.

Mr Corkill: Thank you, Mr President. Just before answering this question I would just like to publicly state that the recent census figure is accurate.

Mr Cretney: Hear, hear.

Mr Corkill: Mr President, in answering the hon. member for North Douglas, Mr Houghton's question, can I say that the inaugural meeting of the Housing Task Force took place in January 2002 and the second meeting is scheduled for the near future. The constitution of the committee comprises myself, the Ministers for the Treasury, Department of Local Government and the Environment and the Department of Transport together with their respective senior officers. The remit of the committee is to provide for a cross-departmental forum to identify and prioritise common issues with the overall aim of addressing the housing needs of the Island's population, which reinforces this administration's commitment for more affordable housing and that that be regarded as a top priority.

A cross-departmental acknowledgement of this commitment is essential and would not in my view have been possible without the establishment of the task force. The most significant development where the establishment of the Housing Task Force has been a pivotal part is ensuring a substantial increase in resources in the 2002 budget for housing and housing-related matters. A £20 million housing reserve fund has been established for the first time and there has also been a 100 per cent increase in the local authority vote for planned housing maintenance.

The total capital budget over the next five years of the Department of Government alone is some £96 million, to which can be added a further £88 million over the next five years for the local authority housing programme.

I see the task force playing an integral rôle in the future by ensuring that the capital programme is utilised effectively by identifying any cross-departmental problems that may prejudice the delivery of specific projects against set targets by finding solutions at the highest political level. Thank you, Mr President.

The President: Hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President. Can the hon. Chief Minister clarify that indeed he has only had one meeting, the inaugural meeting, on such an extremely important issue as this and could he undertake in future to take more frequent meetings and report back to this hon. Court on a frequent basis, sir?

The President: Chief Minister.

Mr Corkill: I think I have explained in my answer that this is a co-ordinating rôle, Mr President; it is an over-arching strategic committee which will ensure that departments are working closely together to deliver what is a top priority of this administration. The frequency of meetings will be dependent on the

problems that arise. It is important that the Department of Local Government, which is the lead department in this area, does not exactly have unfettered approaches in terms of it delivering its housing programme, but it is important that other departments of government appreciate the difficulties that the Department of Local Government have in delivering the programme and that they see it as a priority within their departments. My rôle as Chief Minister chairing this strategic committee is to ensure that process. That can be done on an ongoing basis and, when problems arise, we will be meeting in order to make sure that high-level political decisions are made quickly to take the obstacles away.

The President: Hon. member for Council, Mr Lowey,

Mr Lowey: A similar supplementary, Mr President. Would the Chief Minister not agree that when he announced the task force the impression was given to the general public that this was an instrument for immediate action, (**Members:** Hear, hear.) not for, to use the Chief Minister's words this morning, the task force having an influence in the future? Would he not agree that implementing after six months - because we are coming up to six months since the general election - people are getting a little suspicious of talk of jam tomorrow and they want to see results today?

Mr Houghton: Hear, hear.

The President: Chief Minister.

Mr Corkill: Certainly the impact of the committee has been to make sure that proper resources have been delivered through the recent budget of the Treasury minister. I can say to hon. members that the Minister for Local Government and the Environment has held meetings with virtually all the housing developers on the Island to discuss the requirement for an urgent increase in the construction of affordable housing and also the issue of the public sector as well. Without doubt, to make sure that the hon. member for Council, Mr Lowey, is not doubting the situation, there is a number one priority push behind delivering the housing needs of the community of the Island. That has not gone away and the hon. members say 'Well, this may be all talk' - we could have a number of meetings and talk and talk and talk, but can I say, we do not just consider housing when we meet, we consider the issue of housing on a daily basis as a Council of Ministers, and the objective of the task force is to ensure that we do not have obstacles either statutory or policy issues in adjoining departments that stand in the way of progress because we have got some catching up to do. There is housing in the programme that is left over from the previous administration. I am not saying things were not being done in the previous administration, there are things in the pipeline, but it is

how it is delivered and the speed of delivery that is important. Now, if I thought a meeting every day of the Housing Task Force would improve that delivery, we would have one, but this is, as I have said, an overarching strategic committee which is going to deliver housing –

Mrs Crowe: Quite right.

Mr Corkill: - through the normal government channels (**A Member:** When?) but with pressure, and hon. members are all very keen to see that delivery, government is very keen to see that delivery, the task force was announced in the New Year and we are into April, I understand the clock is ticking, the performance of this administration is going to be scrutinised and we will start to deliver, but it does take a little time and we are working at 100 per cent speed to deliver the housing programme, to deliver the housing needs for affordable housing for first-time buyers, but also, very importantly, the public sector local authority housing programmes as well. There are millions of pounds available in the budget to deliver this programme which I want to ensure as Chief Minister. The Minister for Local Government, my colleague, Mrs Crowe, is working very hard at this. She has got this issue of housing under her own wing, it is not delegated, and I know that this is something that we are all trying to deliver, and I would just ask hon. members to be constructive, because we will get there in due course.

The President: Mr Speaker.

The Speaker: Yes, thank you, Mr President. Taking the last words of the Chief Minister, ‘to be constructive,’ which I am sure all of us are, could I ask the Chief Minister, is the task force aware of the considerable distress being unnecessarily caused to many people in the Island who are being taken off public sector housing lists (**Members:** Hear, hear.) because of the unrealistic gross income level that has been determined by government, and can the Chief Minister advise whether or not the task force has met to resolve this problem, and if not, and if the department has not made a new determination, will the Chief Minister treat this as a top priority, because people are being left in the position where they cannot get on a public sector housing list, they cannot get a government mortgage and they are now having to pay, and can see no future but to pay, between £400 and £500 per month and more to remain in housing? The only effect so far that we have had from the new criteria has been a reduction on those waiting for public sector housing (**Mr Delaney:** Hear, hear.) when the reality is quite the reverse. Will the Chief Minister deal with this matter as a high priority?

Mrs Cannell: Hear, hear.

The President: Now, hon. members, I cannot find anything to do with that opinion of Mr Speaker written down in question number 2. It says ‘How many meetings have been convened by this committee and what has been achieved by its existence so far? I appreciate the point which Mr Speaker is making, but I would ask the Chief Minister to reply as speedily as practical to that particular point.

The Speaker: He mentioned public sector.

Mr Corkill: Mr President, I am very aware of the hon. Mr Speaker’s concerns in terms of what he has just put forward. It has been policy of government to come up with uniform criteria throughout the Island because different housing authorities throughout the Island have had different rules regarding who should or should not be on a public housing list, and I believe it was the view of this hon. Court to try and have some evenhandedness and some fairness throughout the whole Island. Now, we have made that first step. Obviously the issue is concerning a number of members; I know the Minister for Local Government and the Environment, Mrs Crowe, is aware of the issue and, yes, it is on the agenda and we are looking at that situation. I do not wish to progress on that at Question Time, but certainly we understand the whole problem that is occurring. One cannot get away from the basic fact that in a supply and demand economy, a free economy as we have to operate in, there is insufficient supply of housing at this time for the needs of the community, and that has got to be our priority. The issues of how people are on or off a list is a very important part of that process because it is a way of establishing, making clear to the authorities the needs of particular people’s housing requirements, and that remains very much a government priority.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtryane, has the Chief Minister discussed at his recent meetings the concerns of many in this hon. Court over the issue of gerrymandering the waiting lists on this Island, being totally unreasonable and unrealistic? Would the Chief Minister explain to this hon. Court, has he had representation and concerns from most people with any common sense that the idea that allowing the housing developers to be in the driving seat is insane and no wonder we are getting nowhere? And would he also explain, was my letter to the housing minister - or the ‘Minister for Spin’ as far as housing is concerned - that I wrote to her on 21st March asking for a meeting to discuss a possibility of sheltered housing development in my constituency on the blot on the landscape in the centre of my village and for some action to be taken? I am yet to receive any communication from the minister about that. Have those three issues been discussed in this housing team so that we can hear what actually has

been said? Would he also consider that many people outside this hon. Court look upon this, like all the other issues dealing with this housing cancer, as being just some sort of spin to try and get away from addressing the real issues of sorting the problems out, which means affecting the big boys in this community who are doing very nicely out of it?

The President: Now, hon. members, I am not going to accept long questions of opinion rather than a supplementary question which should be to the point. Chief Minister, I expect you to answer the question which was explicit in Mr Karran's first point: has the task force considered the housing list? – 'gerrymandering' was the word which he used. That point and that point only, sir, I wish an answer on.

Mr Corkill: I would wish to repudiate strongly that this government gerrymanders. First of all it was the census figure; there were doubts cast on whether that figure was true or not. I have stated already that is a true figure. Now we are on to housing lists; the figures are being gerrymandered. That is not the case. This government, can I say, Mr President, knows the scale of the problem and is addressing the scale of the problem as best it can, and I would hope hon. members will be able to support us in our endeavours. I am sure most hon. members will be; I am confident in that, but I seek their support also in delivering the housing needs of this Island but, in terms of the accusation of gerrymandering lists, no, they are not. We are transparent, we may have disagreements on some of the criteria and, as I have said, they are on our agenda, but in terms of gerrymandering, never.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. Could I ask the Chief Minister as a supplementary, would he ask this committee that has been formed, at their next meeting, which I understand will be the second meeting, to take into consideration the matters raised by Mr Speaker, please? And could I also ask him to take into consideration the fact that the large amount of people coming into the Island to work at the bottom end of the market on the basic minimum income will qualify them for housing in 10 years' time and, at the rate we are building them, we will not be able to keep up with the amount of people requiring housing in 10 years' time?

The President: Again, Chief Minister, the second part is a matter of Mr Delaney's opinion. You can answer it in the first part –

Mr Delaney: I am asking the question.

The President: - as to whether or not you will take on Mr Speaker's points.

Mr Corkill: Yes, I have already said in my answer to Mr Speaker that it is on our agenda, and on the second point I cannot get into speculation about the hon. member for Council, Mr Delaney's opinion on what he has just said.

The President: Hon. member for Rushen, Mrs Crowe.

Mrs Crowe: Thank you, Mr President. Would the Chief Minister agree that newly introduced schemes generally need some kind of review? We promised to review the common criteria when the scheme was in place. That review has taken place. The statistics from that review and our recommendations will be placed before the Council of Ministers this Friday. Would the Chief Minister agree that that was the way forward?

The President: Chief Minister.

Mr Corkill: I would thank the hon. member for her intervention, which shows that we are dealing with the issue, that the matters are on the agenda and this hon. Court will be informed properly in the normal manner as soon as possible.

The President: Hon. member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr President. Does the Housing Task Force have a proactive approach in respect of housing issues? From what I have heard from the hon. Chief Minister this morning, it is only to deal with problems, so therefore it is adopting a reactive approach. Could he enlighten us at some point as to exactly what the remit is of the Housing Task Force other than to co-ordinate or oversee what other government department are doing if legislation is required or is needed to be amended? And further, would he agree with me that part of the problem that he has heard this morning from hon. members representing the public at large may result from the fact that he has informed us this morning that the minister for the department has housing under her own wing and does not delegate or share any of the responsibility with it, nor with the Housing Task Force who has only had one meeting, and that this may be his main problem?

The President: Chief Minister.

Mr Corkill: The only problems I have, Mr President, are to do with the delivery of affordable housing and public sector housing for the community needs of this Island. They are the only problems I am interested in.

With regard to the operation of departments with regard to how this committee functions, I have said in my original answer what the remit of the committee is.

That is now in the public record, it is in *Hansard* and I do not think I should repeat that.

I wish to finish, if I can, by saying that the task force has been set up by this administration in response to the public outcry which was picked up by all of us in this hon. Court before and during the election period, by some of us a long time ago. We are trying our best and we intend to deliver what we can. These things take a little time and they take construction, not destruction, in terms of how we deliver them. I am pleading with hon. members to be constructive in terms of how we deliver the programme. The budget and the resources that are there are immense, but we have to deliver them in the ground and that is what we are trying to do. I want to make sure, because departments of government have statutory authorities, that every department of government knows what the priority is from the top. This task force delivers that message and I do not expect any department of government to get in the way of progress.

The President: Hon. member for Council, Mr Waft.

Mr Waft: Thank you, Mr President. Chief Minister, would the task force undertake an examination of the long-term strategy for public sector housing (**Mr Delaney:** Hear, hear.) based on the annual social survey, which everybody gets every year, so eliminating, hopefully, the cyclic problems which occur due to the years of no building whatsoever?

The President: Chief Minister.

Mr Corkill: It is eminent good sense, Mr President.

The President: Hon. member of Council, Mr Delaney.

Mr Delaney: I had a similar question to the other hon. member of the Council.

The President: Hon. member Mr Karran, a final supplementary.

Mr Karran: Eaghtyrane, would the Chief Minister consider that we all appreciate his sincerity as far as the issue of housing, but will he at the next meeting raise the issue of my letter of 21st March 2002 which I still have had no active response to here at this sitting, and will he find out, can we have a meeting to discuss the issues which we both share a constituency over?

The President: Chief Minister.

Mr Corkill: I am certainly more than happy to follow through on the member's concerns about his letter.

Public Employment – Reasons for Leaving – Interviews – Question by Mr Karran

Question 3. The hon. member for Onchan (Mr Karran) to ask the Chief Minister:

Will the Council of Ministers consider instituting externally conducted exit interviews in areas of public employment such as nursing and teaching in order to discover the true reasons why staff are leaving these posts?

The President: I call upon the hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I beg to ask the question standing in my name.

The President: Chief Minister to reply.

Mr Corkill: Thank you, Mr President. The answer to this question is no. We believe that staff management issues of this nature are matters for individual employing authorities. Clearly it is desirable for employers to have an understanding of the reasons when staff leave, particularly if there is excessive staff turnover. I am not aware of excessive staff turnover, nor have I any information to suggest that departments are unaware of the reasons for staff leaving government service. Certainly exit interviews, or surveys, take place in a number of areas including nursing and teaching, and the resulting information is available to managers. I see no basis for exit surveys being external. It is entirely normal for exit surveys to be conducted by the employer. Indeed, I am not aware of any instance where that is not the case.

The President: Mr Karran.

Mr Karran: Eaghtyrane, would the Chief Minister, with the excessive costs for recruitment, not agree to bring back to the Council of Ministers a consideration to look in areas such as nursing and in education to have the exit interviews done independently of those two departments of management in order that they will get a true reflection of the real management problems they have got? And would he also not agree that I put this question down to try and help the Council of Ministers with this problem that we all face when we are talking about important issues like children's education and the issue of nursing in our hospitals, in that this is the only way he is going to get a true reflection? They are not going to criticise the very managers face to face as they are leaving the job when they have got no alternatives but to go back into the state system if you are a teacher or if you are in the nursing profession, unless you are going to go into a private nursing home which does not pay anything.

The President: Chief Minister, do you wish to add to the 'no'?

Mr Corkill: Well, Mr President, the hon. member has reiterated his question and I understand what he is saying, but the implication really is that staff are leaving nursing and education as the hon. member mentioned, in excessive numbers for reasons which they are not prepared to explain to their employer and in some way this requires an intervention by the Council of Ministers. I think it is a rather alarmist statement to make; maybe this question, if it is particularly in relation to nursing, would have been better directed at the Minister for the DHSS, but we do have a process when people do leave employment which is organised by the Health Services Personnel Unit and, just to advise hon. members, when people do leave, they receive a termination form with a letter of resignation from the manager, an acknowledgement letter is sent to the employee enclosing an exit questionnaire with a pre-paid envelope, and that letter does invite employees to contact personnel if they require an interview with a personnel officer to discuss their termination. We have quarterly audit reports which are drawn up by the Director of Nursing and Midwifery Services and the Senior Personnel Manager, incorporating all the information received from the questionnaires. For the period October to December of last year, there were 37 terminations within Isle of Man hospitals; of these terminations, 14 exit questionnaires were actually returned which, in the way of these things, is quite a good percentage really. So the exit survey is therefore undertaken independently of the line manager by the DHSS personnel officer and this, in my view and in the department's view, is sufficiently independent.

But there is a relatively low response rate, so the department will not necessarily have a full picture based on the questionnaires received, but there is no compulsion for someone leaving the health service to provide those reasons for leaving, so I hope I can demonstrate that there is an element of independence in the exit procedure and to have it even more external is unnecessary.

The President: Hon. member for Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President. Would the Chief Minister not agree with me that it is astonishing for him to attempt to mislead the public of this Island that he knows nothing of any problems of which the hon. member for Onchan is trying to allude to, when it was only a month ago I moved a motion to this hon. Court in relation to the very problems that the hon. member for Onchan is relating to and that the Chief Minister should acknowledge those problems? And further, does he not agree with me that in that motion I highlighted that there were intimidatory tactics being employed by certain managers within the

Health Service which would stop nurses from filling out these exit forms in the first place and/or other staff throughout government if the same was true and that in fact the call for an independent review is the right way to go?

The President: Chief Minister.

Mr Corkill: Well, we have a difference of opinion on how independent this exit survey needs to be and, in fact, how meaningful such an exit survey would be. Obviously, as employers we want happy and content employees but life is such that there will always be a number of people who leave their jobs for particular reasons, whether it is promotion, leaving the Island, family circumstances - there are a number of issues, and these exit surveys are designed to pick up on those particular trends. To get an absolute figure, one perhaps would have to make it compulsory, and I am not so sure that it would be a good thing to compulsorily ask someone what their reasons are for leaving a particular employment. I would be the first to say that people do not necessarily have to have a reason for leaving their employment if they may just seek a change. The implication is that people in some way are frightened of giving the reasons for leaving employment, and if there is any individual who has experienced that scenario, as Chief Minister I am more than happy to listen to what they have to say in a completely confidential and independent manner so that they can apprise me of their experience. But no-one at this stage has taken that opportunity, and maybe other members have had certain instances where people do feel that they cannot give the reasons for leaving, but I do not believe the problem is of a sufficient size to introduce the measure that the hon. questioner has put in his original question.

The President: Hon. member of Council, Mrs Christian.

Mrs Christian: Mr President, would the Chief Minister undertake to ask the hon. member for North Douglas for some facts relating to the allegation of intimidation so that these matters can be pursued in light of the fact that he will not give such information to the department? You have indicated, sir, that you would be happy to pursue those, and if you are regarded as independent, as I hope you are, I hope the hon. member for North Douglas would respond to such an invitation if you are willing to give it, sir.

The President: Chief Minister.

Mr Corkill: Well, certainly I see that as part of my rôle, Mr President, to ascertain the facts, and I think the hon. Minister for the DHSS, Mrs Christian, has obviously since last month endeavoured to get some facts about the situation and we seem to be still

drawing a blank. The offer is there, Mr President, as I have just said.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, a supplementary. Would the Chief Minister not recognise, as the former member for health for the last five years, that many of the issues that he talks about were initiatives that were taken, and would he not also agree that the issue is that by not allowing an independent exit being done by people outside the departments where we have problems, you are not getting a true picture of the reasons for their leaving those areas where we have pressure at the present time? Would the Chief Minister not agree that in the interests of the taxpayer and the cost of trying to recruit people from off the Island in particular areas where we have big problems in education and in the health services, it might make economic sense for him to conduct such a survey for a six-month or a year's period in those two areas in particular where there are pressures regarding recruitment and retention of staff? And would he take it back to the Council of Ministers and see this question in the light of it not being destructive but actually being constructive, to help them in these problems that are affecting all our people we represent?

The President: Chief Minister, I think that is a repeat of the question which was asked before, but perhaps you would care to give a response?

Mr Corkill: Well, I pick up on the assumption, Mr President, that there is in some way some unacceptable level of turnover of employment. Obviously, government tries to minimise that, as I said at the outset; we want employees to be content, to be satisfied professionally and socially with the jobs that they do for government, and that is reflected in the turnover figure in some way. There is an assumption in the hon. member's question that the turnover of staff figure is unacceptably high in some way, and I do not believe it is, particularly bearing in mind we have a full employment economy as things stand at the moment.

I am very happy to talk to the Ministers for Education and Health and Social Security with regard to this exit questionnaire situation, but I have to say at this point I am not convinced that we need the added cost to the taxpayer of an external scenario, and the hon. member did refer to the cost to the taxpayer. To do that externally would encourage cost and I would be asking those particular departments, Education and Health in particular, whether they would see money spent in that direction as a priority in their budgetary processes, because we are all looking for more front-line services.

So, yes, recruitment is difficult and I will undertake to speak to the ministers about this issue. I do not want hon. members to think that that means we are agreeing to the proposal, but we are happy to talk it through and see what the issues are. But if any member of this Court has examples of individuals who are frightened in some way to give the reasons for their termination of employment, I want to know about it. At this stage it would seem that the ministers involved and myself are unaware of any particular example.

The President: Hon. member for Garff.

Mr Rodan: Thank you, Mr President. For the avoidance of misunderstanding, will the Chief Minister acknowledge that as far as the Department of Education is concerned, already teachers and other employees leaving the department are asked to voluntarily complete an exit questionnaire, and a very high percentage do so - 85 per cent last year - and that, given that high response rate of a voluntary system with the wide range of responses given, there is therefore no guarantee that compulsory external interviews would yield the truth of the situation any more than at present?

The President: Chief Minister.

Mr Corkill: Yes, the questioning so far, Mr President, has veered towards the Health Service side. The situation with education is that the percentages and the figures are slightly different; the same principles are there. But yes, I can confirm that last year 85 per cent of the 67 teachers who resigned their posts did give their reason in their letters of resignation and that, I think, is a pretty good guide for management and for government.

Digital Hearing Aids – DHSS Assessment – Question by Mr Singer

Question 4. The hon. member for Ramsey (Mr Singer) to ask the Minister for Health and Social Security:

Has your department completed its assessment of the value of digital hearing aids for issue to NHS patients?

The President: I call on the hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. I beg leave to ask the question standing in my name.

The President: I call on the Minister for Health and Social Security, Mrs Christian.

Mrs Christian: Mr President, I can advise the hon. member that pilot studies within the National Health Service into the use and benefits of digital hearing aids are continuing and a full evaluation report is due in December. The National Institute for Clinical Excellence is due to reconsider the case for digital hearing aids this year and, in doing so, will take account of those research findings.

So far as the service locally is concerned, the modernisation of the hearing aid service is to be the focus of the hospital's audiology department business plan. In this respect links are being developed with audiology services at the various pilot sites in the United Kingdom in the interests of ensuring that our service is in a position to progress the procurement of the necessary IT equipment and staff training, all of which will be essential to support the provision of digital hearing aids under the National Health Service.

The President: Hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. Can I thank the minister for her positive answer and can I ask her then: if the survey that the results come out in December are positive, will it be the intention of the National Health Service in the Isle of Man to ensure that finance is available for the people of the Isle of Man who are hard of hearing to have digital hearing aids issued under the National Health Service?

Mr Henderson: Hear. Hear.

The President: Mrs Christian to reply.

Mrs Christian: Mr President, I do not want to preempt the results of the research, but I think the indications so far are that digital hearing aids are obviously an advance on current hearing aids. We, as a department, normally work on the basis of the results from the National Institution of Clinical Excellence and will undoubtedly wait for their determination on this matter. However, we are, as I have indicated, taking steps to make provision to introduce digital hearing aids, which does require special training of staff and the introduction of special IT equipment. We have made a start on that by linking with the United Kingdom pilot sites to establish what is going to be needed in order not to get the wrong IT equipment, which is a major failure sometimes in the United Kingdom Health Service, and in the expectation that the results of early research will be continued, I feel quite sure that the department will be making bids appropriately to introduce digital hearing aids if the research indicates that that is the way we should be pursuing health care.

Prescription Charges – Changes in Exemption Criteria – Question by Mr Singer

Question 5. The hon. member for Ramsey (Mr Singer) to ask the Minister for Health and Social Security:

Has your department completed its assessment of changes in the criteria for exemption from prescription charges?

The President: I call on the hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. I beg leave to ask the question standing in my name.

The President: Again, the reply is in the hands of Mrs Christian.

Mrs Christian: Mr President, while it is the case that requests are made from time to time to extend the exemption criteria in relation to prescription charges, the department has no plans at present to vary the existing exemption criteria. This arrangement provides for a wide range of exemptions linked to a comparatively low level of prescription charges and offers an appropriate balance towards ensuring that patients are not denied the necessary medications, taking into account both clinical and financial considerations.

The President: Hon. member Mr Singer.

Mr Singer: I thank the minister for her answer but is it not a fact that the department was requested, I think it was, by the Value for Money Committee at one time to look at the various aspects of the exemption schemes, because the exemption schemes are for people with particular chronic conditions, and one of the things you were going to look at was the fact that people who have a chronic condition are in fact exempt from every prescription charge when perhaps that should not be the case? Also, you did assure me that you would look at the possibility of extending exemptions to full-time students. Has that actually been done or are you just saying here, minister, that you do not intend to do anything? Have you, in fact, undertaken that research?

The President: Minister to reply.

Mrs Christian: Mr President, the question of exemption criteria has been discussed a number of times through various committees and in the department over the years, and I did indicate to the hon. member last November that we were not proceeding at that time to vary any exemption criteria.

I think he asked at that time about transplant patients. He has also made enquiry in relation to full-time students. The issue of full-time students is currently on my desk. It has been to the Health Division for their recommendation and I am looking at their recommendation at this time. I think that in that respect we need to make sure that there is a proper integration of support between the Department of Education and ourselves, and whether or not ultimately there will be a decision in favour of full-time students I cannot tell you at this point.

In regard to the question of re-evaluating all the criteria, this would be, in my view, a fairly major exercise which the department, as a new department since the general election, may feel appropriate to undertake but at this point we have not undertaken that. We have a number of issues on our agenda which we are focusing on and we can discuss in the department whether we reach a point where we consider a full-scale revision of exemption criteria should be undertaken.

The issues have been looked at by the professionals, who regard this as a political matter, and indeed, it is a political matter, so that is the position at present. The one issue which is on my desk is in relation to full-time students. Other than that, the department at this time is not intending to vary the exemption criteria.

The President: Hon. member Mr Singer.

Mr Singer: I thank the minister for her answer. Would the minister agree with me, though, that the prescription exemption criteria are basically to the advantage of people who are suffering chronic conditions and in referring, as the minister did, to transplant patients, does she not consider that a transplant patient who has to take anti-rejection drugs for the rest of their life - otherwise they die - should be considered as a chronic condition? On the Island it would cost us very little money, in comparison to other costs, to give this exemption to those people who have suffered or who have had transplants and need the drugs for the rest of their lives.

The President: Minister to reply.

Mrs Christian: Mr President, the question of chronic conditions really relates to those who are not in substantial employment. Now, if a transplant patient is not in substantial employment because of a chronic condition, they may well be exempt. If because of their transplant they are fit and well and able to work, notwithstanding they have to take constant medication, then they are unlikely to come within that particular exemption.

The problem with exemption criteria is that there are very many different individual views as to what the exemption should be. A personal view I would put forward is that it should relate to a medical condition

and to income and anything else should not be a consideration. However, that has not been the view of this Court in the past where age seems to be a consideration.

The question the hon. member asked about constant medication is something which applies not only to transplant patients but, of course, to other conditions, and so I do not think that we should be picking them off one by one unless it is decided that we take a thorough review of the basis on which exemptions are to be made.

Severe Disability Allowance – Question by Mr Singer

Question 6. The hon. member for Ramsey (Mr Singer) to ask the Minister for Health and Social Security:

- (1) *How many persons are in receipt of severe disability allowance;*
- (2) *what is the cost annually to your department;*
- (3) *on what grounds can severe disability allowance be refused; and*
- (4) *does a recipient of severe disability allowance lose that benefit on reaching pensionable age?*

The President: I call again on the hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. I beg leave to ask the question standing in my name.

The President: I call on Mrs Christian, Minister for Health and Social Security, to reply.

Mrs Christian: Mr President, as at the end of February this year there were 254 people in receipt of severe disablement allowance on a transitionally protected basis, and the budget for it in the current year is £572,000.

Since 9th April last year, access to the benefit was closed for new claims and claims from that date from persons incapable of work because of sickness or disability have been taken instead under the incapacity benefit provision. There are therefore no grounds upon which access to the benefit can now be allowed. Those who are currently in receipt of SDA and who still remain entitled to it when they reach pensionable age may continue to receive an element of SDA if their rate of retirement pension and any pension supplement is less than their former rate of SDA. If that is the case, then the amount of SDA awarded will top up their rate of retirement pension including any supplement to the level of their former SDA award. If the rate of retirement pension and pension supplement is greater than the rate of SDA which they had received before

getting to retirement age, then the SDA element disappears.

The President: Hon. member for Ramsey.

Mr Singer: Would I be right then, minister, in saying that the department considers that a pension is a benefit, whereas most people would consider it as a right for people who have gone through their working life, and is it not also a fact that when somebody reaches pensionable age they do not suddenly lose their severe disability, therefore they are being penalised, where some people get the full pension these people are getting the pension and having maybe up to £40 a week taken off them when they are still severely disabled?

The President: Mrs Christian.

Mrs Christian: Mr President, I think the hon. member has a fundamental misunderstanding about the function of SDA payments. SDA and retirement pension are both intended to go towards a failure to earn - replacement of earnings, in other words - and there always has been and continues to be an earnings replacement rule which does not allow duplication of payment. Therefore, when pension comes into payment, SDA ceases. That is because it is an income replacement payment. The hon. member should be aware that if a person is severely disabled they will also receive disability living allowance, which does not stop when they reach retirement or pensionable age. This has been the case since SDA was introduced back in the 1970s and this has always been the rule which has applied in relationship between SDA and pension payments.

**Manx Electricity Authority –
Inspections on Customers’ Installations
Question by Mr Houghton**

Question 7. The member for Douglas North (Mr Houghton) to ask a member for Trade and Industry:

Why has the Manx Electricity Authority ceased inspections on customers’ installations?

The President: I call on the hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President, I beg leave to ask the question standing in my name, sir.

The President: On this occasion I ask a member for Trade and Industry, Mr Singer, to reply.

Mr Singer: Thank you, Mr President. The MEA is an independent body set up by Tynwald and the DTI is the vehicle through which questions to the MEA are answered in this parliament. The MEA has not carried out inspections of customers’ installations for a number of years, except in cases where the customer is extremely concerned and cannot get an electrical contractor to respond quickly enough. Responsibility for the electrical installation within any premises rests with the property owner. Whereas the MEA has the ability to carry out inspections, they are not equipped to remedy any faults which might be identified, and these would have to be dealt with by a qualified contractor. The customer probably gets, therefore, a better service if they engage a contractor to carry out both the inspection and any work which may subsequently prove necessary. I say this because the MEA would charge for an inspection and then the contractor would charge to rectify any fault.

The President: Hon. member Mr Houghton.

Mr Houghton: Thank you, Mr President. Can the hon. member for the department confirm whether the MEA will be in a position to offer independent inspections and report on the condition of domestic or commercial electrical wiring installations as a permanent service in the future? It is vitally important that this is done by the MEA and not an outside contractor, sir.

The President: Mr Singer.

Mr Singer: Mr President, if a concerned customer approaches the MEA to express their concern about their installation, firstly the MEA would advise them to contact a qualified contractor to test the system and to rectify any problems, and I say this because they do not actually have qualified engineers to go out and repair the problems. They can report –

Mr Houghton: I am not asking them to repair, just . . .

Mr Singer: - they will go, if necessary, to report if there is a concerned customer who is not happy with the situation.

Mr Houghton: Thank you.

**Isle of Man Constabulary –
Recruitment – Manx Family Connections –
Question by Mr Houghton**

Question 8. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Home Affairs:

In respect of the Isle of Man Constabulary policy of recruiting constables into the Isle of Man force with Manx family connections –

(a) *has this policy been abolished; and*

(b) *if so, why?*

The President: I call on the hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President, I beg leave to ask the question standing in my name, sir.

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

Mr Braidwood: Thank you, Mr President. The Isle of Man Constabulary's policy in relation to the recruitment of constables with Manx connections remains the same: potential recruits who do not have a Manx connection will not be considered for employment. The constabulary remains committed to the community and to recruiting the highest calibre of officer.

The President: Mr Houghton.

Mr Houghton: Thank you, Mr President. Would the hon. minister agree that, by right, police officers who have served in a UK force and who are related to a Manx person should continue to be recruited to the Isle of Man Constabulary as the hon. minister has said, and that this valuable measure should never be the subject of abolition or consideration thereof, sir?

The President: Mr Braidwood to reply.

Mr Braidwood: Thank you, Mr President. I totally agree with the comments made by the hon. member for North Douglas, Mr Houghton.

**Isle of Man Constabulary –
Local Recruitment –
Question by Mr Houghton**

Question 9. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Home Affairs:

(1) *Has the Isle of Man Constabulary decided not to recruit locally in the future; and*

(2) *if so, why?*

The President: Hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President, I beg leave to ask the question standing in my name, sir.

The President: Again I call on the Minister for Home Affairs, Mr Braidwood.

Mr Braidwood: Thank you, Mr President. The policy of the Isle of Man Constabulary is to recruit locally and to employ transferees from other forces. Those officers with an Island connection should be pre-eminent. There is no plan to change this policy, sir.

The President: Hon. member for Douglas North.

Mr Houghton: Thank you, Mr President. I thank the hon. minister once again for his positive response to the continued policy of local recruitment into the Isle of Man Constabulary. However, does he not agree that matters such as this should never be allowed to be considered at internal level at all, and would he not further agree that many of those internal committees within the force should themselves perhaps be abolished so that more time could be spent on doing the job expected by the public, which is feeling collars, sir?

The President: Well, we are not going into a police debate, either, but Mr Braidwood, reply to the first part of that.

Mr Braidwood: Thank you, Mr President. I believe the questions emanate from a business case which was proposed by the training sergeant to the Forces Policy Group. Now, that proposal was submitted because the training sergeant was concerned that the skill profile of the Isle of Man force was inexperienced. Over the last four years probably 40 per cent of the Manx force have under four years' experience. This proposal was rejected by the Forces Policy Group.

The President: Hon. member for Douglas South, Mr Cretney.

Mr Cretney: Yes, would the minister agree with me that perhaps the most important rôle of the constabulary is that of crime prevention rather than feeling collars after the event?

Several Members: Hear, hear.

The President: Mr Braidwood.

Mr Braidwood: Mr President, I totally agree with my colleague, the Minister for Tourism and Leisure, the member for South Douglas.

**Rehabilitation of Offenders Act –
Interdepartmental Talks –
Question by Mr Henderson**

Question 10. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Home Affairs:

What talks have you held with the Department of Trade and Industry following the introduction of the Rehabilitation of Offenders Act 2001?

The President: I call on the hon. member for Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President, I beg leave to ask the question standing in my name.

The President: The Minister for Home Affairs to reply.

Mr Braidwood: Thank you, Mr President. There is no statutory obligation for my department to consult with the Department of Trade and Industry under the Rehabilitation of Offenders Act. However, when my department is approached by another department for advice on this or any other matter, my officers are always happy to help in any way they can.

The President: Mr Henderson, a supplementary, sir.

Mr Henderson: Thank you, Mr President. Is the minister aware that the spirit of the Rehabilitation of Offenders Act 2001 is in danger of collapse due to a hiatus whereby a released offender has the minimum of a year before he can have any previous conviction removed from his record? Therefore, if that person is trying their very best to find employment, they will not be able to do so by virtue of the declared conviction on any application form. Also is the minister aware that the Job Centre for instance is not able to offer any constructive guidance to such persons wishing to lead a more constructive life and they are left hanging in limbo?

The President: Mr Braidwood, Minister for Home Affairs.

Mr Braidwood: Thank you, Mr President. My department is not an employment agency. I cannot comment on the agency or the employment agency's attitude to offenders, but what I would like to say is that my department brought forward this Act so that offenders or people who had convictions in the Isle of Man could be on an equal footing (Mr Karran: Hear, hear.) with those people who came to the Isle of Man and who had had convictions and whose convictions had been spent under the UK's Rehabilitation of Offenders Act. I also would like to add, I think it

would be quite wrong if a conviction is spent immediately after a person is released from either prison or has had an order against him. The minimum amount of time, as the hon. member has said, is one year.

The President: Mr Henderson.

Mr Henderson: Thank you, Mr President. I think the minister has misunderstood the intent of what I am seeking here this morning. I will repeat to the minister: could he confirm there is a hiatus between somebody being released from prison for a conviction of the minimum of a year, whereby if they want to try and amend their ways they have got to try and find some sort of employment? That would need some sort of addressing, and would he agree with me that in order for his Act to work properly in the spirit of which it was intended, his department does need to talk to the Department of Trade and Industry and the Job Centre to make this work? Would he agree with that?

The President: Minister for Home Affairs.

Mr Braidwood: Mr President, I would agree with the hon. member, yes there is a hiatus of one year, or six months for a person under 17 years of age, but it is entirely up to the employers if they want to employ a person who has a conviction, not the Department of Home Affairs.

The President: Hon. member for Douglas North.

Mr Henderson: Thank you, Mr President. I thank the minister for his response, but does he not see the common sense and logic in where I am going in that his department needs to discuss with the Department of Trade and Industry and with the employers to find out if there are any sympathetic employers out there who may well be willing to trial out folk who have been released from prison to give them a chance? Would he think that is not a good idea to correct this current hiatus?

The President: Minister for Home Affairs.

Mr Braidwood: Mr President, my department consists of the Probation Service. The Probation Service helps those people who had orders against them (A Member: Hear, hear.) and will help to try to get these people into employment. I have already said, Mr President, it is entirely up to the employers if they employ a person.

Mr Henderson: To talk to them.

**Isle of Man Constabulary –
Discussion of Policies with
Tynwald Members –
Question by Mr Houghton**

Question 11. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Home Affairs:

Do you concur with the fundamental right of a member of the Isle of Man Constabulary to discuss force policies with a member of Tynwald?

The President: I call on the hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President, I beg leave to ask the question standing in my name, sir.

The President: Again, the answer is in the hands of the Minister for Home Affairs.

Mr Braidwood: Thank you, Mr President. Every individual has a right to discuss matters of concern or interest to them with their elected representatives. In certain circumstances police officers, in common with other public servants, have restrictions placed on their private lives. This is an integral and necessary part of policing, of which all officers are aware. The public has a strong expectation that police officers will have a high personal and professional standard. The Isle of Man Police Discipline Regulations 1995 place restrictions on officers which are necessary for the disciplined operation of the police service.

Article 6 of the discipline code creates an offence of improper disclosure of information. It is clear from the regulations that members of the police force are not permitted to discuss force policies with a member of Tynwald unless they have proper authority. Any officer convicted of an offence under the discipline code is liable to a range of penalties, which can include dismissal from the force. Historically and for sound reasons this element of the regulations is intended to maintain the political independence of the constabulary.

I am happy to support the rights of individuals to consult with the elected members, but these rights bring with them a responsibility for persons in a position of trust, such as police officers, to act in a way that is consistent with the proper functioning of the organisation that they serve, which exists for the good of the community.

With regard to members of the constabulary specifically discussing force policies, the Chief Constable has a well established consultative mechanism involving both the Police Federation and the Staff Association of Civilians working for the police service in which matters of mutual interest, including policy formation, can be discussed in an open and effective way. Meetings of this type are held

on a monthly basis and represent the proper forum for discussions on police policy, including any areas of disagreement. What neither I nor my department condone is the unauthorised release of any material relating to policing in the Island through improper channels or in any way which is irresponsible or disloyal.

The President: Hon. member for Douglas North.

Mr Houghton: Thank you, Mr President, and I thank the hon. minister for his comprehensive reply in answer to my original question. However, does the minister agree that the Isle of Man Constabulary is accountable to this hon. Court, which provides funding and other resources for it to operate, and is it not therefore that those policies should be indeed themselves scrutinised by members of this hon. Court, and does he not agree that threats of dismissal for police officers who contact members of Tynwald are indeed at the very least contrary to their human rights? Thirdly, how does the minister account for the contradiction to my concern and that that is published in the force policing plan and has been laid before this hon. Court today - and I quote an extract: 'It is essential that views of the community are channelled through political representatives into our planning processes. This allows us to be properly scrutinised, and secondly, we have nothing to fear from such political accountability, which we welcome and encourage?' - and so do I, sir. So how does the hon. minister account for those three important points, sir?

The President: Minister for Home Affairs, Mr Braidwood.

Mr Braidwood: Mr President, I had no problem in police officers trying to formulate or discussing with their representatives on forming police policy, but what we were talking about is policy which is already in force. Those regulations, which are the 1995 Isle of Man Discipline Regulations, were passed by this hon. Court. The police know how they should act. I have already said in my previous answer that there is a forum for the police and individuals to discuss with the Chief Constable, with the Police Federation and the Association of Civilian Workers.

Mr President, the foundation of the police force is based on honesty, integrity and trust (**Members:** Hear, hear.) which should apply to all the force. Unfortunately, there are certain individuals in the police force who have leaked information, which can be detrimental to the police force and could be detrimental to cases which could come in front of the courts.

Mr Houghton: Rubbish!

Mrs Hannan: And individuals.

Mr Braidwood: And therefore, Mr President, I honestly believe that officers should act in a correct and honest way and represent their police force as in the Isle of Man.

The President: Hon. member for Rushen, Mr Rimington.

Mr Rimington: Thank you, Mr President. Would the minister agree with me that the release of precise details of a police case before it has completed the judicial process to an hon. member of this Court who then expresses those details on the floor in another place, is both highly irresponsible and inappropriate?

Mr Cretney and Mrs Hannan: Hear, hear.

The President: Minister to reply.

Mr Braidwood: I totally agree with the hon. member for Rushen, Mr President. I believe it is absolutely intolerable that information is released to the public and members of this hon. Court which is totally inappropriate and which has not gone through the proper channels.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the minister not agree that there is a fine balance as far as this question is concerned? Would he also not agree that it is not just with the police force, but the Civil Service and other areas where there is an issue of confidentiality? Would he also consider that it is important that hon. members in this hon. Court should be fully informed of important issues within the police force, but that members of this hon. Court have also got responsibilities with that information and there is a fine balance? Would he assure this hon. Court that we will not have a situation where either the policemen or civil servants feel that they are unable to talk to members of Tynwald who act responsibly to inform members of Tynwald, and would he also look into the issue of whether we need a proper police authority that has representation from all walks of life throughout the community so that we do get the broadest formation of policies of the police force, which we do not seem to get at the present time?

The President: Minister to reply.

Mr Braidwood: Thank you, Mr President. In answer to the final part of the question, we have a Police Consultative Forum who go around and then put their input into this hon. Court and also talk to the constabulary in the Isle of Man. Yes, there is a fine line, and I am not denying anybody's right to approach their Member of the House of Keys, (**Mr Henderson:** Hear, hear.) but what I am saying is

that there are regulations in force which stop the individual police officer without authority in communicating different parts of that policy to his constituent MHK. I have already mentioned there is a forum for consultation. I know the Chief Constable would be quite willing to discuss with the hon. member for Onchan, Mr Karran and the hon. member for North Douglas, Mr Houghton, and have discussions if they feel there are problems in the police force.

The President: Hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. Could I ask the minister, can he understand that there is a wide-ranging interpretation of the word 'policies' and discussing 'policies', because different police officers may well interpret it in different ways and there is often an excellent rapport between members and the policemen in their local station. (**Mr Houghton:** Hear, hear.) Does the minister not feel that perhaps guidance is needed to be issued to the police so that when a member walks into the local police station for a discussion on local policies they are not put on their guard and that member is made unwelcome, because there are cases where local policy discussion is only to the advantage (**Mr Henderson:** Hear, hear.) of the public, to the police and to the member.

A Member: Hear, hear.

The President: Minister to reply.

Mr Braidwood: Mr President, I am quite willing to have this discussed in my department and with the Chief Constable and, if guidelines should be issued, we will discuss those and, as the hon. member for Ramsey, I will hopefully have those guidelines set out to the police.

The President: Mr Delaney, hon. member for Council.

Mr Delaney: I am delighted with the last answer, Mr President; could I just ask for this assurance: that before guidelines are put out, members of this Court are consulted on what those guidelines are (**Mr Houghton:** Hear, hear.) so the rights and interests of any Manxman or person on this Island who wishes in confidence to talk to a member of Tynwald on a matter he thinks appropriate, the same as any other member of the public, is between him and the member. What happens after that might be a case of *sub judice* or something else which would cause a problem, but every person speaking to a member of Tynwald, particularly the House of Keys, I would suggest, talks in confidence (**Mrs Cannell:** Hear, hear.) and has a right to do so. Would the minister agree with me on that?

Mr Houghton: Hear, hear.

The President: Minister to reply.

Mr Braidwood: Mr President, what I am saying there is a fine line to be walked -

Mr Delaney: That is right, but it is a layer.

Mr Braidwood: - and, as the hon. member for Ramsey said, depending on local issues and what discussion can take place. However, if it is an internal force's matter, then the officer is bound by those 1995 discipline regulations. I am not condoning any misinformation coming out of the police force; what I will say is I will go back to my department and we will talk with the Chief Constable and, if guidelines need to be issued they will, and if it is the will of this hon. Court, I will put them forward.

Mr Delaney: Thank you very much.

The President: Hon. member for Ayre, Mr Quine.

Mr Quine: Yes, does this prohibition extend to police officers who are members of the Police Federation? Are we saying that police officers, representatives of the force, embodied in the Police Federation are not able to make contact with members of this hon. legislature?

The President: Minister.

Mr Braidwood: Mr President, I am not saying that at all.

The President: Hon. member for Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President. I would like the minister to answer the hon. member for Council's question with regard to any member of the Isle of Man public, approaching their MHK in confidence about any matter, not requesting that MHK to make public anything, but can we have a positive assurance from the hon. member of the Home Affairs Department that he can give out a message today that he concurs that any member of the Isle of Man public can contact their own MHK under whatever circumstances for an in-confidence interview and that they can approach their MHK under those circumstances?

The President: Minister to reply.

Mr Braidwood: Mr President, I said right at the beginning in answer to the hon. member for Douglas, Mr Houghton's question that every individual has a

right to discuss matters of concern or interest to them with their elected representatives.

**Manx Cheese – Price Collapse –
Future for Dairy Farming –
Question by Mr Quayle**

Question 12. The hon. member for Middle (Mr Quayle) to ask the Minister for Agriculture, Fisheries and Forestry:

With regard to the recent collapse in the price being achieved for exports of Manx cheese –

- (1) what are the implications for the viability of the Isle of Man Creamery and the Manx dairy farming sector; and*
- (2) what additional measures will be introduced by your department to assist in the short-term survival and long-term future of the Manx dairy farming sector?*

The President: I call on the hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr President. I beg leave to ask the question standing in my name, sir.

The President: I call on the hon. member for Rushen, Mr Rimington, Minister for Agriculture, Fisheries and Forestry.

Mr Rimington: Thank you, Mr President. I thank the hon. member for his question, which gives me the opportunity to advise hon. members of recent developments within the dairy sector and I am afraid the answer will be at some length.

Due to the finite nature of the Island market for liquid milk, some 75 per cent of all milk produced is manufactured into cheese. The sale price of cheese is therefore critical to the amount that the creamery can pay for its milk and, as a result, to the income received by the Isle of Man dairy farmers.

The hon. member refers to the recent collapse in the price of cheese for exported Manx cheese. I can confirm that last year exported cheese was achieving £2,250 per tonne. The current price being achieved is £1,745, a fall of over 20 per cent. If prices do not recover, the creamery is looking at a shortfall in its projected income for the year of some £900,000. This means that in 2002 the price the creamery can pay for milk will require to fall from a projected eight pence per litre to 15.5 pence per litre. As the cost of production for a litre of milk is a minimum of 20 pence per litre, Manx producers are likely to be operating at a financial loss from this month onwards.

The creamery is producer-owned and is operated under the Agricultural Marketing Act by the Milk Marketing Association. Its fortunes and those of its producers are as one. The current lower income for the creamery and its members has occurred at a time when the creamery has been forced to consider the disposal of whey, not through sewage outfall but through a dedicated treatment plant. Funding for such a plant will come principally from the producers themselves. Therefore, at a time when reserves should be becoming established for this capital investment, the creamery is being forced to dedicate most of its resources into paying producers. Like other organisations, the creamery can continue to operate by reducing the cost of its raw material from its suppliers, but this downward spiral can only go so far. No producer can afford to produce milk for 15.5 pence per litre. Already since 1999 the number of dairy producers has fallen from over 100 to 76.

The present situation, if left unchecked, could therefore see producers either go out of production entirely or switch into other farming systems or, for those who have sufficient capital, to survive a period with low incomes. The creamery without supplies would inevitably have to cease operation. It currently provides employment for 100 staff and supports many other businesses on the Island.

I shall now turn to part (2) of the hon. member's question in order to outline what the department hopes to be able to do to assist. The department has in place the Dairy Cow (Financial Assistance) Scheme which was introduced in 2000 to operate for a period of five years by providing for the payment of a maximum of two pence per litre to producers in cases where the average annual price received from the creamery falls below 20 pence per litre. The industry received £780,000 from the calendar year 2000 and £274,000 in 2001 under these arrangements. The scheme was introduced shortly after the creamery appointed a new chief executive and established a five-year business plan to convert from the sale of low-value commodity cheese to the higher value Isle of Man branded mature cheeses. The creamery was aware that it was vulnerable to the market price for commodity cheese, and diversification into the niche market for higher value cheese, matured over 12 to 15 months, was believed to be the best way forward. My department believes that the principles behind this business plan still remain valid. Unfortunately, only 70 tonnes of mature cheese are presently maturing for sale, but these can expect to receive a price of £4.5,000 per tonne when sold. The business plan envisages the amount of mature cheese increasing year on year until, by the end of 2004, some 500 tonnes of mature cheese will be sold. As I have said, the existing support scheme will increase the producer price by 2 pence per litre if prices remain depressed for the rest of the year.

The department has considered further options to assist producers of milk. The retail price of milk 41 pence per pint has not been increased on the Island

since September 1996 while the costs of production have risen with inflation. It is therefore reasonable to expect some increase in the price of milk, even if not to the full extent of inflation. Whilst all of the proceeds of such a price rise would not go back to the producer because it is distributed over all the milk purchased by the creamery, not just the 25 per cent of milk which is used for local sales, an increase in price would obviously be of benefit both short-term and long-term to the dairy farmer. An increase in the price of milk could, therefore, be authorised by the department and is under active consideration.

In conjunction with the Treasury, the department has been considering the provision of emergency financial support. I can therefore advise the House that my department is hoping to approach Tynwald in May with a proposal to advance further assistance to the creamery in order that it might increase the monthly purchase price to producers for each month starting in April through to December. The sum of £556,000 will be sought as emergency aid to the industry. Such aid would increase the producer price by an average 2 pence per litre for the remainder of the year. Such payments should at least provide producers with breathing space and maintain cashflow during the summer months.

The proposed emergency support will not, however, be made without conditions. Treasury and my department agree that the dairy industry needs to justify any further expenditure on it. Emergency support can only be that: to meet emergency circumstances. The dairy industry cannot and should not come to rely on the expectation that financial support will always be forthcoming. An emergency, if it occurs every year, may reveal a more fundamental problem with the industry. The department will therefore, with Treasury approval, be commissioning an independent report into the creamery and the dairy industry on the Island to determine the future for dairy farming on the Island, whether the present scale of operations is beneficial, whether the creamery's business plan and timescale for changes are correct and achievable and ultimately therefore whether government's investment through continued support is justified.

The President: Hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr President. May I thank the hon. Minister for Agriculture, Fisheries and Forestry, Mr Rimington, member for Rushen, for his comprehensive replies and I should like to express thanks to his departmental officials for so speedily considering a support package which hopefully will enable the dairy sector to overcome the present crisis. The minister states that the cost of production for a litre of milk is a minimum of 20 pence. Presumably, then, he is of the opinion the milk producer will need considerably in excess of 20 pence per litre to achieve

profitable production. No doubt he will wish to address the situation.

Could I also ask him if he is aware of the following points and ask him to take these into account? The turnover of the creamery is £12 million, 90 to 95 per cent of which is retained or returned to the Island's economy. He mentioned 100 people employed at the creamery, but overall I understand there are 500 people, taking into account the farmers and allied businesses. The quality of life that we all enjoy in the Isle of Man is in large part due to our wonderful countryside and relates to the way in which it has been farmed. (*Mr Delaney interjecting*) (*Laughter*)

Finally, Mr President, the number of dairy farms that he referred to, falling from 100 in 1999 to 76 in 2002 - I think many people in this hon. Court would be shocked to think that it was over 400 dairy farmers a little over 20 years ago.

Mr Cannan: Question!

Mr Singer: Am I right . . . ? (*Laughter*)

Mr Quayle: I would ask the minister if he is aware of those particular points, and could he take them into account with what I have mentioned? Thank you, Mr President.

The President: Minister.

Mr Rimington: Thank you, Mr President. Yes, I am aware of the many points that the hon. member for Middle has made and yes, very much so, the number of producers has fallen over the years dramatically down to the present figure of 76. However, what we must take into account is that the actual number of livestock involved in dairy production has not decreased. It has, in fact, generally increased, although there has been a marginal decrease in this last year and the volume of milk production, i.e. productivity of the industry, that has gone to the creamery has been increasing year on year over the last period until that volume has now just stabilised in the last year or so.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. In the excellent questions being placed before the minister and Tynwald today, could the minister – I did not hear it in his written reply that he read out - tell us: when does the minister or his department expect the collapse that occurred in this very vital market is going to have a turnaround and come back, because otherwise we will not be talking about this financial burden for this financial year on the Treasury minister but he will have to make provision for coming years, and I wonder if somebody has analysed that situation, and would you tell us when you expect it to return? Secondly, can I ask: if you are going to spend a large amount of

money on this very needy cause, could you do two things: first, consider putting a sum to one side to help the excellent management you have there to get out into the wide world and find a new market for our product, because it is not just a case of stacking it then dumping it, we can actually get out there and market it? And secondly, as any housewife will tell you in the Isle of Man, Manx cheese is no cheaper than the English cheese they are competing against on our own Island, and yet the taxpayer of the Isle of Man is expected, rightly so, to subsidise the product. Let us encourage our own people, minister, to eat our own product at least rather than dump it and let somebody else have the benefit of our subsidy.

Mrs Hannan: Hear, hear.

The President: Minister to reply.

Mr Rimington: Thank you, Mr President. Yes, I obviously agree with many of the points the hon. member has made on the issue of the forecast for the market. The collapse has come for two reasons: one is related to foot-and-mouth; there was an expected shortfall in dairy production last year and therefore people increased their production to meet that expected shortfall and in fact the supply became greater than demand, so production increased beyond what was necessary. Therefore milk was in surplus. That was one factor which started depressing the price of commodity cheese. The second factor was that the international market in skimmed milk dry powder has depressed, and therefore resources have been diverted in the cheese market. There is over-supply in the market, not just in the UK but wider than that. For that reason you can see that the creamery is not able to accurately predict that that was going to happen. The forecast for the markets to start improving is hopefully towards the end of this year, but that obviously has to be tested with reality, and one of the points of the review that we are going to commission will be to analyse these aspects of it which are critical to the future and ensure that the money that is going in is well spent.

Secondly, I would point out to the hon. member that on the Isle of Man we are now producing a very good Isle of Man mature cheddar. We are producing our oak-smoked mature cheddar and a very good black pepper mature cheddar which are being marketed strongly on the Isle of Man and also across the water. The production and marketing of cheese, though, cannot happen overnight. You have to be sure that you have got the quality, the consistency of the product right, and that again does not happen overnight. The cheese has to mature for 12 to 15 months before it can actually start going out into the marketplace, but moves are afoot there to try to penetrate that market across and steps have already gone in that direction. There are a number of chains in the north-west of England which are now taking Manx branded

products, and that is the way forward in the future and I think the hon. member is very right to say to people on the Isle of Man: 'Yes, we should support our own local industry –

Mr Delaney: At the right price!

Mr Rimington: At the right price. Well, I buy Manx cheese from my local supermarket and it is at the right price.

Mr Delaney: Is it?

Mr Rimington: And I would also say - I use this opportunity while I am in this Court today - to people out there in the Isle of Man: if you value your landscape, if you value your community, go out and buy Manx cheese, go out and buy fresh Manx milk, because that is a quality hygienic very good local product (**Mr Henderson:** Hear, hear.) and if you are really short of money, go and buy that disgusting stuff they call long-life milk, but if you want to support your local industry, go out and buy a fresh pint because it is well worth the money.

Several Members: Hear, hear.

The President: Member for Glenfaba.

Mr Anderson: Thank you, Mr President. A couple of supplementaries to the hon. minister. While congratulating the minister on his intervention in the crisis of the dairy industry and the measures he has outlined today - I am looking forward to progressing those plans in the coming months - can he confirm that the existing support scheme will be reviewed in the light of the cost of production figures that his own department will be collating from his on-farm costing schemes and also with the input of other farming organisations on the Island, look at cost of production figures so that 20 pence a litre that he mentioned during his remarks might be reviewed? And secondly, can he confirm that his department did return, last financial year, over half a million pounds that was actually earmarked for the dairy industry but actually was not needed, and that if a roll-over scheme had been in place, he would not have needed to come possibly to this House next month with a financial resolution?

The President: Minister to reply.

Mr Rimington: First of all, can I say that, yes, we will obviously be reviewing the Dairy Cow (Financial Assistance) Scheme and representations have been made to us by many parts of the industry on what is the correct way forward to that and whether we should build within that, for the remaining two or three years of the scheme, some small inflationary element and that will be considered, but we expect that

consideration to take place at the latter end of the year prior to the payments being made in the next year.

Secondly, on the issue of a roll-over scheme, that is a new concept to which I do not think Treasury is particularly alive to or aware of. The purpose of the Dairy Cow (Financial Assistance) Scheme was to underwrite - and I emphasise that word *underwrite* - the dairy producers. It was not to automatically give them money. It was to say that, yes, if market conditions were depressed then the department would come in with a level of support up to a certain level and therefore the amount of money that was released varied in the last two years: one was £780,000, I think, and the £200,000, and that depended on how the industry was doing in that particular year. So that money was not earmarked for the dairy industry as such; it was earmarked to underwrite the dairy industry and it cannot roll over and there is a cap as stands on that scheme of £880,000 representing two pence per litre and the possible production level.

The President: Hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you. The minister answered my question.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the minister not agree that the department is looking at the long-term survival of the Manx dairy farming sector? We have already had one meeting on 4th April to look at other areas where we can use dairy produce in other ways in order to accrue more capital value for the basic produce, and would he say that that has also got to be part of a package if we are to look at the long-term industry. It is not just to look at areas where there has been far too much production in recent times as far as the dairy industry is concerned.

The President: Minister to reply.

Mr Rimington: Yes, very briefly. I think that is true of all of our agriculture products: actually we must not just look at it as a commodity but to gain higher value from that product, and the department will be looking at that and encouraging moves in that direction.

**Sewerage Act –
Rôle of Local Authorities –
Question by Mrs Hannan**

Question 13. The hon. member for Peel (Mrs Hannan) to ask the Minister for Transport:

- (1) *What rôle do local authorities play in relation to the Sewerage Act 1999; and*
- (2) *should they provide emergency cover and then reclaim the costs from your department?*

The President: I call upon the hon. member for Peel, Mrs Hannan.

Mrs Hannan: Eaghtyrane, I beg leave to ask the question standing in my name.

The President: I call on the Minister for Transport, Mr Shimmin, to reply.

Mr Shimmin: Thank you, Mr President. Under section 2 of the Sewerage Act the department and local authority may enter into an agreement whereby the department delegates certain drainage functions to the local authority. My department has delegation agreements in place with the following local drainage authorities: Douglas, Onchan, Ramsey, Peel, Port Erin, Port St Mary and Castletown. The delegated functions are defined within schedule 1 of the agreements with the local drainage authorities and relate to the day-to-day operation and maintenance of the sewerage systems. My department meets in full the actual costs incurred by each of the local drainage authorities in undertaking these delegated functions. Several of the local drainage authorities employ their own dedicated drainage staff and workforce and are able to provide out of hours and emergency cover to deal with blockages and other matters. The smaller authorities which do not have the necessary resources rely on cover being provided by the Department of Transport Works Division. Again, my department meets in full all costs incurred by the local drainage authorities attending to any emergency call-outs.

The President: Hon. member for Peel.

Mrs Hannan: Yes, is the minister aware that all the local authorities that he has named have a dedicated workforce that can be called out at any hour?

The President: Minister to reply.

Mr Shimmin: I would have to confirm that, sir. I will have to get back to the member.

The President: Mrs Hannan.

Mrs Hannan: If I could ask another supplementary: if it is out of hours, would government pay the overtime involved? Would the government pay the double time? Would government pay treble time if it was Sunday or whatever?

The President: Minister, I think you said yes.

Mr Shimmin: Yes, Mr President. The issue is one where emergency cover obviously takes place outside of hours. In my first answer I did say that we meet in full all of those costs.

Kewaique-Richmond Hill Road - Intention to Close - Question by Mr Lowey

Question 14. The hon. member of the Council (Mr Lowey) to ask the Minister for Transport:

- (1) *Is it the intention of your department to eventually close the Kewaique-Richmond Road;*
- (2) *If so, what are the reasons for such action;*
- (3) *Do you intend to consult road users; and*
- (4) *What is the timescale?*

The President. Hon. member for Council, Mr Lowey.

Mr Lowey: Thank you, Mr President. I beg leave to ask the question standing in my name.

The President: Again, it is for the Minister for Transport, Mr Shimmin to reply.

Mr Shimmin: Thank you, Mr President. I can confirm, in answer to the question from the hon. member for Council, that it is currently my department's intention, of completion of phase 4 of the Douglas inner link road scheme, to close to vehicular traffic the junction with the Kewaique Road at the foot of Richmond Hill. I also recognise that the member for Malew and Santon, Mr Gelling, has been in recent correspondence with my department over this matter.

I am advised the decision to close the junction at the bottom of Richmond Hill was taken in November 2000 by the then Ministers for Transport and Local Government and the Environment. Officers from the Department of Transport had been in detailed discussions for many months with the architects' section of the Department of Local Government and the Environment and their traffic consultants to devise an acceptable junction layout that would cope with the anticipated traffic to the new energy-from-waste plant. Initially a roundabout was proposed and, in addition, the Department of Transport were requiring under reserve planning matters that the new access to the new energy-from-waste plant would have the visibility splay onto the Richmond Hill-Kewaique link road improved in order to be appropriate to the increased traffic anticipated on that road. At all times the main priority was the safety of road users.

After much discussion it was found that to achieve our objectives would require either additional land to be purchased from private land owners or the removal of trees designed to screen the energy for waste plant. The decision taken was not to go ahead with the new roundabout but to close the junction and require all traffic to and from the south to use the Spring Valley roundabout. To assist traffic using Kewaigue Hill and the old Castletown Road, my department sought Treasury approval to bring forward stage 4 of the road island road improvement into this year's capital programme, which I hope to bring to Tynwald in July of this year. This project is expected to last 12 months with the hopeful completion of July 2003, whilst the new energy-from-waste plant is scheduled for completion in January 2004. At that time, and subject to statutory procedures under the Road Traffic Regulation Act 1985, it is proposed that the junction at the foot of Richmond Hill will be closed to vehicular traffic. All traffic to and from the new energy-from-waste plant will take access from the Douglas inner link road from at the top of Kewaigue Hill. I can confirm that at present there has been no consultation with road users although the publicity given today may help to generate a level of public discussion. (*Laughter and interjections*)

I have arranged a meeting between myself and the Minister of the Department of Local Government and the Environment in order to confirm that all options have been adequately evaluated and that the proposal I have announced today is the best one in regard to efficient use of roads and in particular, the safety of road users.

Mrs Hannan: Hear, hear.

The President: Hon. member of Council.

Mr Lowey: Would the minister not agree that the first principle of open government (Mr Delaney: Hear, hear.) demands that the people know how their lives are going to be affected, and if a decision - a decision, not a decision in principle - to close the road was arrived at in the year 2000, it seems a little bit late to have meaningful discussion -

Mr Delaney: Policy document.

Mr Lowey: - with road users in the year 2002 and to get this question placed on the order not by the department itself but by a member asking the question of whether this is about to happen? Would the minister not agree that that is not a satisfactory state of affairs?

Coming to the state of the road and the traffic, is the minister and his department aware that the traffic congestion at the crossroads at peak times morning and evening at present (**Mr Delaney:** Hear, hear.) is unacceptable and how can channelling extra traffic into that particular bottleneck improve road safety and the comfort of road users?

The President: Minister to reply.

Mr Shimmin: Thank you, Mr President. The principle of open government is one which the Council of Ministers have reconfirmed, it is one that we will always strive to do but it means many things to many people. (*Laughter*) Certainly consultation is difficult -

Mr Karran: Germany used to say that! (*Laughter*)

Mr Shimmin: Certainly consultation on a scheme of this size is difficult - knowing who are the road users - as there is an absence of a body who would be directly affected. However, it is certainly one by which I am sure now we will evaluate the strength of the feeling from the people using that area.

I would, however, try and draw to members' attention to the fact that we are not replacing like with like. The amount of improvements which are designed by the department on the road island facility means that we will have a greatly enhanced opportunity of people travelling from the roundabout down into the new section of the Old Castletown Road. A vast amount of taxpayers money has been invested in this scheme and we are not going to be trying to funnel them into a route which is an unacceptable width at present.

What we are attempting to do is make sure the pieces of the jigsaw are in place well before any of the proposed changes and I would say that my department is graphically aware of the traffic congestion and it is a constant problem that my department is tasked with, trying to manage it. The hon. member and members of Tynwald will be aware that were we merely to siphon that level of traffic congestion up through a road which has the new incinerator or energy-from-waste plant's access it would cause considerable risk to road users. The whole principle behind this scheme is for the safety of road users. Were we to be proposing to close it now, then certainly it would create further problems. It is my department's intention to work closely with government departments to ensure that what is in place will actually be more efficient and safer for the road users on our ever-increasing roads which are becoming congested, not just from that section but from all areas arriving in Douglas. That is a major issue for government to deal with. It can be handled in many different ways. We are looking at a scheme which is now still over 18 months away. I have assured the House that I will be discussing with the Minister for Local Government and the Environment if there are any options which would be more desirable than the one proposed. However, having looked into this in recent weeks, this is one where the proposal is not as stark or problematic as some would suggest. It may bring considerable improvement, sir.

The President: Hon. member for Douglas South, Mr Duggan.

Mr Duggan: Thank you, Mr President. It is quite alarming this, because of all these extra vehicles through my constituency. Has the minister actually done a count of the vehicles on the road that is going to be closed and the additional vehicles which will be coming down Spring Valley? At present, as you are well aware, the traffic is way up past Hodgkiss's nurseries. There will be complete chaos.

The President: Minister.

Mr Shimmin: I do take exception to the idea that there will be total chaos; I think it is a glib comment to make. (*Interjections*) My department is endeavouring to improve a situation rather than to exacerbate it. What we have is a dangerous junction where anybody who uses Richmond Hill and that area of the Island already experiences considerable risk. It is one where a roundabout positioned at the bottom of Richmond Hill was a consideration. We will be re-evaluating to confirm that decision, but if the hon. member from South Douglas is suggesting that we siphon the same level of traffic up that hill whilst we have got a new incinerator commissioned in that area, I think that the very people that he represents will find it is a greater risk rather than lesser.

The chaos would only be done if it was to be introduced tomorrow. We will have invested thousands of pounds of taxpayers' money to enhance the road infrastructure in that area because we fully appreciate the risks and the problems that would be caused. The new proposals will involve considerable improvements in the Spring Valley roundabout area which includes widening all the entries to the roundabout, not to change the actual roundabout which, when it was built, was designed and people complained it was too large. This is an integral part of the inner link road scheme and the works that will be done at that roundabout will enhance the visibility and make it safer and easier for people to access road island.

Concessions regarding the closure or the partial closure of this junction were also looked at, and if the hon. member for South Douglas is concerned that the safety of this access to the new incinerator would lower the standards from desirable to minimum, then certainly I am not going to be the Minister for Transport who is satisfied with minimum standards for road safety in an area which is increasing with volumes of traffic.

The President: Hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr President. I just wonder, as part of the evaluation then, could the Minister for Transport perhaps look into the situation of considering some of the vehicles going from Richmond Hill to Kewaique, perhaps light vehicular traffic, being able to continue to use the road but the traffic that will use the energy-from-waste plant could

access that by coming from the Kewaique direction towards the Richmond Hill. That might be one way in which traffic could continue to operate satisfactorily down through into South Douglas.

The President: Minister to reply.

Mr Shimmin: Yes, no government department takes decisions lightly. These issues were, of course, looked into. It is one which I will be confirming with the Minister for Local Government and the Environment as to whether there are any alternatives that are viable. However, when one considers the amount of traffic which is going to be using the new energy-from-waste site - and those are large slow-moving vehicles - to continue to put traffic moving up that road will cause dangers to road users. We will look again at that and I give the assurance that that has been and will be re-evaluated, but it is not a case of purely doing things as the roads are now; before any of these proposals there will be considerable enhancements which will actually make it easier for the vehicles, and the department is well aware of the desire to improve this entrance into Douglas and a major part is to avoid the congestion seen every day at Quarterbridge. If we can make it attractive to take vehicles from the south of the Island through a route which is specifically designed to modern standards rather than the rural country roads that we are currently using, then I believe that more people will be encouraged to use those roads. That is why my department has invested for many years large millions of pounds: to try to enhance, to give a better gateway into Douglas. Anything we will do will be with that in mind but also the safety of road users.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. First of all, would the minister not agree with me that at the time of the roundabout being constructed it was not the size, it was the cost of £160,000 which was the issue the public and the other representatives were complaining about? Secondly, would the minister consider that 15 years ago, when we looked at the incinerator and the controversy was up then when it was passed by Tynwald, it was alteration of the configuration of the entrance to the incinerator which was designed the best way to solve the problem of the traffic going in and out of that as recommended by the new hon. member who raised the point in relation to his constituency entrance down there at the incinerator? The situation is: will the minister agree with me, wouldn't it be nice in a democracy for even the ministers to know what the situation is in relation to a major change in traffic flow problems which are going to cost so much money on a new ring road round this large town of Douglas, and would you take the message back to your department once again that it is

not the officers that run the Isle of Man, it is the politicians under the form of the government they have elected to do so? Please, minister, let us get the act right for once and find out what democracy is. It is us on behalf of the public, not your officers on behalf of them.

A Member: Hear, hear.

Another Member: You are wrong!

The President: Minister to reply.

Mr Shimmin: Mr President, I welcome back the hon. member for Council.

Mr Delaney: Thank you very much.

Mr Shimmin: I am glad to see he is back in fine form -

Mr Delaney: You see me; I am back. *(Laughter)*

Mr Shimmin: I am not sure why it is that politicians believe that every other government department is run by civil servants but not their own. **(Two Members:** Hear, hear.) It is an issue whereby I, as all politicians, are birds of passage. We come into a department, we inherit certain proposals and projects, we evaluate them and we take them forward if we believe they are fair. Certainly, from my department's position I am very fortunate to have in charge of highways the hon. member for Ayre, Mr Quine **(Members:** Hear, hear!)*(Laughter and Interjections)* who was previously involved in the Department of Local Government and the Environment with responsibility for the new energy-from-waste plant.

Mr Delaney: But he was not there in 1990-2000.

Mr Shimmin: The issue of historically going back and I am sure we all can do so - about criticisms of the past - the department that I currently represent has fine officers and fine politicians. We will be doing the due scrutiny on behalf of the public that I would expect from every member of this hon. Court, and any slur or intention to imply the politicians do not make decisions in the government departments is one which is an easy comment to make, but in evidence we will judge ourselves as to whether that is the case. I was not around at the time of the roundabout, and whether the cost at that time was excessive. However, in hindsight -

Mr Delaney: It was.

Mr Shimmin: - it was probably a very well developed investment because the size of it was appropriate for the needs that we will now operate.

The hon. member talks about 15 years ago, and again I defer to his greater longevity in this Court and that he understands those issues, but democracy is what it says: we are here to represent the people.

Mr Delaney: That is right.

Mr Shimmin: The representation of the people is easy to criticise when a government department takes actions which in the short term appear painful, but we are often criticised for failing to look at the bigger picture in the longer term. The issue with regard to these road developments are ones which are doing exactly that, and in the past, when the money was not available, we suffered from inadequate roads and the infrastructure on the Island. My department is attempting to enhance that to a level which more adequately accommodates the vehicles moving around the Island. That cannot be done overnight; however, we are getting ever closer to an opportunity of having a route from the south of the Island which will make it much easier for people to travel into the centre of Douglas. *(Mr Delaney interjecting)* Now, if hon. members think in the short term that we should fail to take regard of the bigger picture, then I think they do a disservice to the members they represent. It is our belief that when this work is completed it will actually enhance both the safety and the smooth, efficient operation of vehicles coming into Douglas from the south of the Island. If we were not to believe that, if the ministers and myself choose to say this is not the best route, we will look at alternatives. Those have already been evaluated by politicians, by officers and this is a solution to a difficult problem and I regret that the public and the members of Tynwald are always looking at the negative rather than looking at the benefits that this will actually bring.

The President: Hon. member for Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President. Would the hon. Minister for Transport not agree with me that any glibness that has been exuded this morning is coming from him in his reproach to members of this hon. Court **(Mr Delaney:** Hear, hear.) in voicing their concerns? And, further to that, would he not agree with me that any exceptions to be taken should be taken with the amazing policy inconsistencies of a department that are driving this plan here we are discussing this morning, planning of the insane, would he agree with that and would he also agree that we will get traffic mayhem?

The President: I do not think he will agree with any of those, *(Laughter)* but nevertheless he can reply himself.

Mr Delaney: He can argue on behalf of the civil servants, you see, so he will not agree with it.

The President: John Shimmin.

Mr Shimmin: I will apologise to this Court if it is interpreted as glibness. I am attempting to make the point that difficult decisions are taken in order to try and manage a difficult traffic issue in and around Douglas. To classify it as insane or chaos is one which brings in defeatism.

This department will attempt to improve things. At an ever-increasing number of vehicles on the roads, with roads which everybody appreciates are in a poor condition, which everybody appreciates were not designed for the volume or the size of vehicles currently using them, we will never cease to try and be upgrading the infrastructure and the quality of the roads around the Island.

A Member: Traffic management policy.

Mr Shimmin: Traffic management policy will always underpin on road safety. The Isle of Man has a difficult record of large numbers of accidents for a population of this size. Part of those accidents are caused by potential inconsistencies of speed limits, inconsistency of quality of roads and certainly, I would say, inconsistency of quality of driving. We will never admit failure with regard to the traffic management of the Isle of Man. It will be at the forefront of the member for Ayre, myself and anybody who follows us to try and deal with a difficult situation, and I do believe that this constant negativity assuming failure says more about the people who say it rather than the reality of those of us attempting to get on and do the job.

The President: Hon. member for Malew and Santon.

Mr Gelling: Yes, Mr President. I would just make two comments to the Minister for Transport. It is really a plea that when they are looking at, as he said, the wider issue of transport, since the Old Castletown Road has been shut for 12 months, everybody takes the least line of resistance, which is up through St Mark's to hit the roundabout at the top of Spring Valley. What I would suggest to the hon. minister is, when he is consulting will he please look at the situation because to use the new, very expensive road down through the Nunnery - I know that people will turn off just after Ballasalla and instead of going up through St Mark's they will go down through the Old Castletown Road and they will come in that way, because that is the least line of resistance - a road which is not built for fast and a lot of traffic. So what I am just saying is, that is the one thing I would hope they would look a little further at, but the other is that we must not forget, of course, that this is not a new site. The site of the incinerator is the one which every truck in the Isle of Man descended upon when the pulverisation plant was there, so it is nothing new. It is a thing that has

happened in the past. (**Several Members:** Hear, hear.) I know the hon. minister was not around at that time in parliament, but nevertheless, surely the statistics will show how many vehicles were coming from all parts of the Island. I know the refuse has increased, but nevertheless it is something that is worth consulting on.

The President: Minister.

Mr Shimmin: Mr President, I do fully expect that there will be considerable discussion on this issue in the next few months, and certainly any member who wishes to get further briefings can do so by contacting me and I will arrange that on an individual or collective group, to come and actually understand the reasons. I do agree with the hon. member for Malew and Santon that drivers do take the least line of resistance. It is for that very reason that we do have some of the problems on our roads in the Island at present. What we have got are pinch points, particularly round the Quarterbridge when talking about arrivals from the south of the Island, and to try and avoid that people will use other routes which are not sufficiently high quality roads. It is our desire and intention to actually produce an alternative which is more desirable, which is smoother flowing and which will actually encourage people to use the main roads rather than the rural back roads.

The issue regarding previous movements in and out of this area, although relevant at the time, is one where I believe that time has overtaken us with the speed, the volume and indeed the type of vehicles that would be using this area. If I could safely stand here and avoid any road closures, then I would do so. If I believe that this is the safest way of improving this junction, then I will stand here and sell it back to you as being the correct decision. We have time, we will look at it. I am sure hon. members will follow this up further, but I would give the message out to yourselves and to the public that this is an area which is not taken lightly. It is not officers saying that they want to do this for any personal reason; this is politicians being advised as to the alternatives and making a decision which they believe to be correct.

The President: If we are intent on finishing our question paper, hon. members, by 1 o'clock I suggest you keep an eye on the clock. Hon. member for Council, Mr Lowey.

Mr Lowey: Thank you, Mr President. Three supplementaries - I do not wish to be a Cassandra; I can assure the hon. minister of that. When we were brought down to see an incinerator in the heart of London we were told that it integrated with the community, and there was no third-of-a-mile-longer sections of the road shut round that incinerator and that is in operation now. I would remind the hon. minister that this particular road is one of the widest roads

(A Member: Hear, hear.) on the Island. It is a quality road; coming down Richmond Hill, it is one of the widest roads that can be possible. So, to be fair to the minister, he mentions the ring road. The ring road was meant - forgive me if I am wrong - as a design to alleviate the traffic from the harbour area of the capital, and here we are going to be putting traffic on to that road that is actually trying to get into the town.

Now, in simple mathematical terms, shutting this one side of the triangle and making traffic travel twice as long - and that is what you are doing: you have got to go up to the thing and then back down, whereas at the moment . . . and I think the suggestion that perhaps you can make it a one-way road seems to me to be perfectly sensible, but to shut the road completely seems to me, in layman's terms, an unacceptable solution to a problem which I accept the minister and his department and officers have to try and deal with, but the three questions (*Interjections*) are, is the ring road now being misused as its original intention? Secondly, why do we need to close the road because the incinerator is bringing material into it when other areas have incinerators and they do not shut roads? And the third point is, how can shoving twice as much traffic onto a pinch point make it travel twice as quickly - to use the minister's words 'improve the traffic flow into and out of Douglas?'

The President: Minister to reply.

Mr Shimmin: Taking the three questions, Mr President, firstly, the misuse of the title in the link road is one which has concerned me and the department and it is not the purpose, as outlined by the hon. member for Council; however, that is how I initially understood it. The inner link road is actually a means of moving traffic more quickly around the Douglas area, including entering into Douglas, and I think the terminology is one which we may have to revisit.

Secondly, when there is an incinerator in London the traffic is not moving at the speeds that could possibly be done at the bottom of Richmond Hill, and if people are jumping across that junction the hon. member, who uses that road, will be aware there are difficulties of speeds, with cars coming down from Douglas to build up speed to go up Richmond Hill, which was the original reason why a roundabout was being looked at. So if you were going to have a larger number of vehicles travelling across the road in order to get up to Kewague, that would actually mean we had to slow down the vehicles coming from Douglas. Twice as much traffic moving hopefully twice as quickly or even better is one where it is actually more efficient.

There are alternatives for this site; each brings with it difficulties. If there are ways of avoiding a full road closure, I myself, the department and the local government department will look into it. It is one where, at present, the best solution available is the one

that I have outlined this morning. I do believe that we have an opportunity that comes along to try and enhance the facilities of the roads. I think people are looking at this as being purely a negative and I do believe that if I can make available a briefing to members they will actually see the positives which come from this scheme. It will not be ideal for people in its creation, but after its completion there will, I believe, be marked improvements.

The Speaker: That is right. You are right.

The President: I think if the road is to be closed it will be a Tynwald decision.

**Tourist Attractions and Entertainments –
Financial Support from
Local Authorities –
Question by Mrs Hannan**

Question 15. The hon. member for Peel (Mrs Hannan) to ask the Minister for Local Government and the Environment:

Can local authorities financially support tourist attractions and seasonal entertainments from their rate revenue?

Mrs Hannan: Eaghtyrane, I beg leave to ask the question standing in my name.

The President: I call on the Minister for Local Government and the Environment.

Mrs Crowe: Thank you, Mr President. The answer to the hon. member for Peel's question is yes. The Local Government (Entertainments) Act 1950 provides that local authorities may in any year expend a sum not exceeding the proceeds of a rate of 4p in the pound on their district in improving or prolonging the visiting season in their district and increasing its advantages as a pleasure and health resort in any form or manner which the commissioners shall from time to time consider desirable.

I believe, with regard to the Peel Town Commissioners, their rent revenue would enable them to expend, in whatever way they determined, a sum in the region of £10,000.

The President: Hon. member for Peel.

Mrs Hannan: Just for clarification, Eaghtyrane, could I ask the minister, can this support be given even when charities make a collection at these events?

The President: Minister to reply.

Mrs Crowe: It is not my understanding that we put any barrier with regard to charities making a collection at any events organised by local commissioners and local authorities in any way, but indeed I will check up on that for you.

Mrs Hannan: Thank you.

**Local Authority Housing –
Unoccupied Houses and Flats –
Question by Mr Lowey**

Question 16. The hon. member for the Council (Mr Lowey) to ask the Minister for Local Government and the Environment:

- (1) *What is the average length of time taken to re-allocate houses/flats that become vacant;*
- (2) *would your department consider schemes to allow new tenants to take on properties in poor decorative order and give those tenants rent-free periods, to speed up turnover; and*
- (3) *how does your department monitor houses that are not occupied?*

The President: Hon. member for Council, Mr Lowey.

Mr Lowey: Thank you, Mr President, I beg leave to ask the question standing in my name.

The President: Again, the Minister for Local Government and the Environment to reply.

Mrs Crowe: Thank you, Mr President. When a property becomes vacant by termination of a tenancy and as soon as the keys are handed in to the housing section, the housing section undertakes an inspection of the property to determine its suitability for re-letting. The length of time it takes to bring the property up to a suitable standard before it can be allocated to a person on the waiting list can vary, and can vary greatly, depending on the condition in which it is left. In the 12 months from April 2001 to March 2002 72 properties were re-let to new tenants. Three properties are still subject to maintenance work. The average time for maintenance work for re-letting was 24 days, with an average of £2,000 having been spent on each property. However, during the past year, we have dealt with two properties which needed an exceptional amount of work to be carried out. In fact, it required some £10,000 worth of work before they could be re-let.

With regard to part (2) of the question, there are a few cases where the work required is only internal redecoration and these are normally done within the

week, and there are some instances where the housing maintenance section is unable to undertake the decoration work immediately and, with the agreement of the new tenant, the tenant is provided with the paint and materials to undertake basic redecoration themselves, after which there is some recompense by way of a rate rebate. I should emphasise, however, that whenever a property becomes vacant the department does insist upon a full inspection of that property to determine, for example, whether installation of replacement windows or kitchen improvements are required, and we also check the safety of oil, electrical, heating and plumbing elements. In addition, the general state of some of the properties handed back to us may require additional work, particularly if the tenant has carried out unsatisfactory alterations.

Now, whilst I fully appreciate the need to turn empty properties around quickly, a new tenant, who may be acquiring their first home, rightly expects the property to be in a good standard and condition.

With regard to the final part of the hon. member's question, there may be occasions when the property appears to be unoccupied, but whilst the rent continues to be paid the department cannot take action unless there is particular evidence to show that the tenant does not intend to return. There may well be circumstances, for instance, where a tenant is hospitalised or families circumstances require them to temporarily live elsewhere. In such cases, when the department is informed, a full investigation into the circumstances will take place and the appropriate action will take place. Thank you, Mr President.

The President: Hon. member for Council, Mr Lowey.

Mr Lowey: I thank the hon. minister for her reply. Could I take the last query part? Would the minister not agree that while readily accepting hospitalisation and family circumstances - and I readily accept that and she would accept that - when the department is informed that houses are lying empty, not being occupied and to be told that the rents are being paid by another arm of government, i.e. the Department of Health and Social Services and there is no incentive on that particular individual to live in that property, then is that reason why the department can forestall on that tenancy? In other words, although the rent is being paid, nobody is actually living in the property. Is that not a reason why the department should act and relieve that person of that tenancy?

The President: Minister to reply.

Mrs Crowe: Yes, Mr President, and indeed it will do so. If we are informed - and on many occasions we are not - that there is a property that is empty and even if the rent is being paid, we will make enquiries as to why that property is empty, and particularly at this time when I am in need of houses for re-letting. We do

very carefully investigate the reasons that properties do lie empty. As you say, the rent may well be being paid, but that is no reason that the property should remain empty and we will make enquiries as to why that property is empty.

The President: Hon. member for Douglas South, Mr Cretney.

Mr Cretney: Thank you, Mr President. Could I ask the minister, does the Department of Local Government and the Environment have the powers to investigate the performance of local authorities in this regard? I regularly receive representations about the amount of time that Douglas Corporation properties lie empty, and obviously the deficiency is made up 100 per cent by government on this.

The President: Minister to reply.

Mrs Crowe: It is a matter of concern for me, the way maintenance is being addressed, and I am having a meeting with the Douglas Housing Authority regarding problems that have been addressed to me about the length of time that properties remain in a void state. So, yes indeed, I do hope that we will be able to help and encourage the re-letting of properties in a very speedy manner, because that is what is required.

The President: Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Thank you, Eaghtyrane. I wonder if the minister could confirm that all local authorities are expected to hand over properties to their new tenants after being painted and decorated and the plumbing and heating and everything else checked?

The President: Minister.

Mrs Crowe: Yes, indeed, we would expect that any housing authority takes due care when re-letting to tenants, and that things like the heating and electrical elements and plumbing are checked before re-letting.

The President: Hon. member of Council, Mrs Christian.

Mrs Christian: Would the hon. minister confirm that it is not normally the case that the Department of Health and Social Security would be the tenant of your properties but would in fact be paying on behalf of someone else and therefore that it is not our department which would be seeing empty properties lying around in its name?

The President: Minister to reply.

Mrs Crowe: Yes, indeed, I do believe that the hon. member of Council in his question was referring to benefits that were paid to a person and paid to be used for housing. We do know, of course, that in many instances these benefits are not being used for the purposes that they are given.

Calf Sound – New Café – Question by Mr Quayle

Question 17. The hon. member for Middle (Mr Quayle) to ask a member of the Manx Museum and National Trust (Mr Speaker):

With regard to the replacement of the café at the Calf Sound, has an opportunity been taken to –

- (1) provide a new café of sufficient size to meet expected increased demand; and*
- (2) incorporate toilet facilities that are accessible to visitors and walkers to the Calf Sound area when the café is open and when it is closed?*

The President: Hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr President, I beg leave to ask the question standing in my name.

The President: Mr Speaker.

The Speaker: Mr President, in answer to part (1) of the question, the development of the new building at the Sound by Manx National Heritage will bring a number of improved facilities for the tourists and for residents, which include a new café, an interpretation of the area and its significance and much improved toilet facilities that will be to a high modern standard and will include facilities for the disabled. We believe the new facilities at the Sound will be welcomed and will meet the needs of visitors and residents visiting the area.

In answer to part (2) of the question, the new toilet facilities incorporated within the new centre, along with the interpretation of the history and the significance of the area, will be available to all visitors free of charge at all times when the building is open.

With regard to the provision of the public toilets when the new building at the Sound is not open to the public, I can confirm that it is not the general policy of Manx National Heritage to make provision for public toilets within their developments which would be available at times which are outwith their normal opening hours. If a need for public toilets in any area is identified, then this is clearly a local authority responsibility. In this instance, however, in an endeavour to be helpful and to assist with the provision of a new public toilet facility at the Sound, which

would be available outside the operating times of the new centre, Manx National Heritage has made what we believe to be a generous offer to the Rushen Commissioners. Manx National Heritage offered the commissioners the use of the adjacent stone barn, which is in the ownership of Manx National Heritage, together with a financial contribution from Manx National Heritage of 50 per cent of the costs of the installation of the new public toilet facility, with the other 50 per cent of the cost proposed to be borne by the Rushen Parish Commissioners. In addition, Manx National Heritage offered to undertake all the works involved with the installation of the new toilet facility. However, although initial agreement has been reached with the Commissioners for the provision of this new facility at the Sound, the Rushen Commissioners have now, unfortunately, declined to make any financial contribution to the provision of the new out-of-hours public toilet facility (*Expressions of disapproval*) and therefore no such facility is now likely to be available to the public.

Mr Cannan: Shame!

Mr Houghton: What is going to happen?

The Speaker: Finally, Mr President, I can confirm that Manx National Heritage is still happy to progress the proposed agreement for the provision of a new out-of-hours public toilet facility at the Sound, if the Rushen Parish Commissioners still wish to see such a public facility being available when the new centre is closed to the public. However, the commissioners must be willing to make a financial contribution as outlined. Thank you, Mr President.

The President: Hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr President. I would like to thank Mr Speaker for his informative replies and firstly ask him to clarify the number of people that can be seated inside the café.

In regard to the provision of toilets, I understand that Rushen Parish Commissioners acknowledged that they would be happy for the old toilets to be demolished providing that new ones were created within the barn which the Speaker referred. I would have hoped that if it was not possible to reach agreement prior to demolition of the old toilets, it would have been desirable to design the new café so that the toilets within the premises could be accessible from within the café and by those people outside, (**Mr Houghton:** Hear, hear.) whether the café was open or closed. This is an area of outstanding natural beauty. Walkers from Port Erin and Port St Mary obviously walk to and from the area. The tourists and the visitors will rightly expect facilities (**Mr Houghton:** Hear, hear.) to be available and without the need to have to go into the café. The café,

obviously, is only open during its limited hours and this facility had been in operation by Rushen Parish Commissioners for 40 years, they were quite happy to continue, as I understand it, maintaining the replacement toilets if they were indeed provided.

Could I then suggest to Mr Speaker, to address the matter, could he use his good offices to perhaps organise a meeting between Rushen Parish Commissioners, Manx National Heritage and the Department of Local Government and the Environment in an effort to resolve this entirely unsatisfactory situation. Members of the public will be quite rightly appalled that the facilities, while greatly improved within the café and the heritage and visitors' centre, will be that much worse in relation to the provision of toilet facilities down in that area.

The President: Mr Speaker.

The Speaker: Thank you, Mr President. As hon. members will appreciate, I have come in at the later stages of this as a member of Manx National Heritage, but can I say that in looking at the information that has been made available to me and taking that into account we must not forget that the provision of public toilet facilities in a local authority area is first and foremost the responsibility of the local authority, nobody else. Now can I then make it clear that in the discussions that followed - and I again go on the information before me - Rushen Parish Commissioners, I am advised, indicated on 29th January 2001 a willingness for the existing toilets to be closed and that they did that with a view to knowing what the scheme was. The Rushen Parish Commissioners then, on 20th February 2001, had a site meeting, inspected the plans and confirmed their full support for the project, including the toilets, and further advised that on 27th March 2001 Rushen Parish Commissioners confirmed agreement to the new toilet facilities in the new building and agreed to the demolition of the existing outside toilet block - that is, the existing building that was there. On 18th May 2001 I am advised that Rushen Parish Commissioners confirmed the legal deed in relation to the ownership of the existing toilet block. They also confirmed that they have a statutory duty to provide public toilets in their own area and also, on 13th June 2001, Rushen Parish Commissioners requested that space be made in the barn owned by Manx National Heritage for the installation of a 24-hour public toilet facility and therefore requested that that be at a peppercorn rent, which I understand was agreed to. On 26th June 2001 I am advised that Rushen Parish Commissioners wrote to the Chairman of Manx National Heritage, thanking them for the offer of the barn, but did express concern about the subsequent cost implications for the provision of the new toilet block, which I understand was to be £13,000, their contribution to be half of that, with the other half coming from Manx National Heritage. I understand then that later on, on

20th July 2001, Rushen Parish Commissioners then rejected the trustees offer and sought the total funding from Manx National Heritage.

I think it is very unfortunate that the situation has arisen where it looks like the public themselves may lose out on a facility at the Sound. I am sure we all are aware of the importance of this area for people. I do believe, though, that the 50 per cent offer from Manx National Heritage, who have no responsibility whatsoever in the provision of public toilets for a 24 hour period is a generous offer and I hope that Rushen Parish Commissioners would be able to look towards making a contribution of 50 per cent towards that cost, taking into account the benefit of this facility outside the operating hours of the Sound's new centre.

As far as whether or not I would use my good offices to organise a meeting, I can advise that the hon. member for Rushen, Mr Gill, went to great lengths to encourage a meeting between Rushen Parish Commissioners and MNH, which was held with a director of MNH. I do know there were concerns and the meeting did not result in anything in terms of a change of attitude. I am more than happy to go back to the executive committee of Manx National Heritage and talk to their chairman, the director and the other members of the executive with a view to seeing whether or not we can have an early meeting with representatives of Rushen Parish Commissioners, but I have to say, they cannot shirk their responsibilities if they wish to have a toilet facility available at times outside the operation of this centre. As I said in my initial answer, the centre itself will provide toilets available to the public free of charge when the centre itself is open for public use.

**Police Officers – Carrying of Guns –
Question by the Speaker
for Written Answer**

Question 18. The hon. member for Castletown (Mr Speaker) to ask the Chief Minister:

- (1) *What is the policy of the Isle of Man Government when the United Kingdom Government permits police officers in the United Kingdom to routinely carry guns when officers are on duty; and*
- (2) *will you confirm that a government proposal to permit police officers of the Manx constabulary to routinely carry guns when officers are on duty will be subject to the approval of Tynwald Court before such a policy is implemented?*

Answer

- (1) The United Kingdom Government do not permit police officers in the United Kingdom to routinely carry firearms. This is a matter for individual chief constables and operational policies relating to firearms are very specific in nature. The constabulary here scans the local and international environment to identify issues that are likely to impact on the policing of the Isle of Man. At this time, as a result of the scanning process, the department does not view the routine arming of police officers in the Isle of Man as likely in the short to medium term. As such the issue does not form part of our current planning process. The constabulary is not considering any unilateral measure to routinely arm police officers.
- (2) Operational policing decisions are the responsibility of the Chief Constable. A decision to deploy firearms is made on the intelligence and evidence that is available at any particular time.

Whereas there is little likelihood of police officers on the Isle of Man ever routinely carrying firearms, should this be deemed necessary, the Minister for Home Affairs would consult the Council of Ministers concerning the circumstances involved and statement would be made to Tynwald Court.

**Government Departments –
Agency-Supplied Staff –
Question by Mr Houghton
for Written Answer**

Question 19. The hon. member for Douglas North (Mr Houghton) to ask the Minister for the Treasury:

In respect of agency supplied staff –

- (1) *what is the total number of staff employed by each government department;*
- (2) *what is the approximate cost of this provision;*
- (3) *what is the approximate equivalent weekly remuneration paid to government employees for undertaking similar duties;*
- (4) *what is the difference on a weekly/annual basis; and*

(5) *how do you propose to remedy the excess cost to government?*

Answer

The information necessary to answer this question is not held centrally and needs to be collected from each department. In the time available it has not been possible to do so. When the information has been collected and collated a detailed answer will be circulated to members.

However, in order to allow that to happen it will be necessary to seek further clarification from the hon. member on a number of points regarding the question, and I request that he contact me to enable me to obtain such clarification.

**Hospitals – Suspension of Doctors,
Consultants and Specialists –
Question by Mr Henderson
for Written Answer**

Question 20. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

In respect of Noble's Hospital and other hospital and community services both general and mental health, are there doctors, consultants or medical specialists currently suspended from their place of work, and, if so –

- (1) *how many, what grades and what areas of health care;*
- (2) *how long in each instance;*
- (3) *if there are suspensions are these staff on full pay, and, if so, what is their monthly salary, and how long have they been suspended in each case;*
- (4) *if there have been any suspensions as above, have any medical locums been employed to cover any difficulties caused by these suspensions, and, if so –*
 - (a) *how many;*
 - (b) *what grades; and*
 - (c) *what is their monthly salary?*

Answer

- (1) Currently there are two members of the department's medical staff suspended from

work, one being a consultant surgeon and the other a consultant psychiatrist.

- (2) The consultant psychiatrist was suspended from duty with effect from 23rd April 2001 and the consultant surgeon with effect from 8th May 2000.
- (3) Both post-holders are suspended on full pay, their salaries being in accordance with the terms and conditions of service for medical and dental staff.
- (4) The two posts have, as far as is possible, been covered by locum consultant appointments. In the case of the consultant surgeon, a long-term locum appointment has been secured; the consultant psychiatrist on the other hand has been covered by a series of locum consultants as and when available.

In all cases, the salary and other entitlements paid to the locums have been subject to negotiation on an individual basis.

**Director of Public Health Promotion –
Undertaking of Initiatives –
Question by Mr Henderson
for Written Answer**

Question 21. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

Has the Director of Public Health Promotion undertaken job specific initiatives in relation to –

- (1) *the hyperbaric chamber/hyperbaric medicine;*
- (2) *diabetes, and especially its effects on the younger sufferers;*
- (3) *chronic pulmonary disorders/chronic obstructive airways disease;*
- (4) *cardiac and circulatory problems; and*

is it acknowledged that breathing difficulties are one of the highest symptom-causing disorders on the Island and are the top-ranking disease in the UK, followed by heart disease?

Answer

I can confirm that the department's Public Health Directorate has taken an active rôle in relation to each of the issues referred to.

It is indeed true that breathing difficulties are one of the highest symptom-causing disorders on the Island.

**Director of Public Health –
Liaison with Health Study Staff –
Question by Mr Henderson
for Written Answer**

Question 22. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

Is there any close liaison between the Director of Public Health and the staff who are undertaking your department's Epidemiological Island Health Study, and if not, why not?

Answer

If the question refers to the Health Behaviour in Schoolchildren Survey which was carried out in late 2001 and early 2002, I can confirm that this was led by an epidemiologist with the Public Health Directorate, with contributions from representatives of the Department of Education and the Chief Minister's Drug and Alcohol Strategy.

**Director of Public Health Promotion –
Question by Mr Henderson
for Written Answer**

Question 23. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

- (1) Is there a full-time post within your department of Director of Public Health Promotion;*
- (2) how long has this post been running since it was first initiated;*
- (3) who is the current post-holder;*
- (4) what salary does this position attract;*
- (5) what expenses is the post-holder eligible to claim;*
- (6) what is the general remit and purpose of this post;*
- (7) how many main public health promotions have been undertaken since the post was created; and*

(8) how many members of the public attended in total for all such occasions?

Answer

- (1) There is a full-time Director of Health Promotion on the establishment of the Public Health Directorate.
- (2) The post was created on 1st October 1989.
- (3) The current post holder is Mrs B V Quayle.
- (4) Currently £32,387.
- (5) Like all public servants, the post-holder is eligible to claim for travel and subsistence expenses.
- (6) Under the original rôle specification for the post, the Director of Health Promotion is responsible 'for promoting, organising, and developing health promotion services in the Island, and for stimulating interest and awareness of health promotion in co-operation with other departments.'

(It should be noted that the health promotion function within the Public Health Directorate was strengthened in 2001, by the appointment of a public health specialist and a Senior Health Promotion Officer.)

- (7) Although special events are sometimes held to promote specific health initiatives, recent examples being World Aids Day and advice to young people on drug abuse, the main thrust of health promotion activity is directed towards target groups or media campaigns (e.g. Presentations within schools, radio/newspaper adverts and interviews on specific topics.)

The approach, which is often undertaken in partnership with other agencies, is obviously intended to maximise the impact of the health promotion message upon the general public.

- (8) Numbers not recorded.

The President: Hon. members, I think it is an appropriate time at which we adjourn. I think the answer has been given; if any member wishes to follow it up further I am sure they have the ability so to do. Thank you, hon. members, the Court will resume its deliberations at 2.30.

The Court adjourned at 1.13 p.m.
