

# REPORT OF PROCEEDINGS OF TYNWALD COURT (DEBATES AND OTHER MATTERS)

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**Douglas, Wednesday, 21st May 2003  
at 10.30 a.m.**

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Present:

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

**In the Council:** The Attorney-General (Mr W J H Corlett QC), Hon. C M Christian, Hon. P M Crowe, Mr D F K Delaney, Mr D J Gelling CBE, Mr J R Kniveton, Mr E G Lowey, Mr L I Singer and Mr 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 Mrs A V Craine (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); Mr J R Houghton and Mr 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. A F Downie and Hon. J P Shimmin (Douglas West); Capt. A C Douglas (Malew and Santon); Hon. J Rimington, Mr Q B Gill and Mr P A Gawne (Rushen); with Mr M Cornwell-Kelly, Clerk of Tynwald.

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*The Chaplain of the House of Keys took the prayers.*

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**Personal Statement by Mr Singer –  
Item 51 Withdrawn**

**The President:** Hon. members, before I call on the Minister for the Treasury to commence where we left off last evening, the hon. member of Council wishes to make a short statement.

**Mr Singer:** Thank you, Mr President. Thank you for allowing me to make this short personal statement. I would like to inform hon. members that it is not my intention to proceed with item 51 on the agenda.

In response to the statement of the hon. minister, Mrs Christian, yesterday that her department had not made final decisions on the changes to the 24-hour doctor cover and that she would take full account of the consultation replies when formulating her policy for the future of Ramsey Cottage Hospital, I am happy to wait until the report on that consultation comes next month, as requested by this hon. Court.

I would make it clear, however, that I believe the public expression of concern has not wavered and their expression that the department seeks to reinstate 24-hour doctor cover at Ramsey Hospital is paramount. I hope that by the June Tynwald the minister can make positive and reasonable proposals for 24-hour doctor cover throughout the Island.

I therefore, with your permission, Mr President, withdraw the item for discussion, this month.

**Mrs Christian:** There *is* 24-hour doctor cover on the Island.

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

**Mr Cretney:** Well, I would just like to make the point, Mr President, that I heard this news on the radio this morning, for which some of us may have prepared ourselves, and I just think it is rather unfortunate the way events have panned out.

**Mr Singer:** Mr President, may I just say – ?

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**Planning and Building Control (Search Fees etc.) (No. 2) Order 2003 – Approved**

Item 34. Minister for the Treasury to move:

*That the Planning and Building Control (Search Fees etc.) (No. 2) Order 2003 be approved. [SD No 238/03]*

**The President:** We will move on to item 34, hon. members, and I call on the Minister for the Treasury to move.

**Mr Bell:** Mr President, the order prescribes the fee of £40 for a planning search, building control search or letter of comfort issued by the Department of Local Government and the Environment. It also revokes a previous order which was withdrawn at the March sitting of this hon. Court.

Specifically, this latest order has been drafted to address the concerns raised by members at the March sitting. I think it may be helpful if I were to clarify that officers from the Planning and Building Control Directorate of the Department and Local Government and the Environment are always prepared to offer assistance and guidance to members of legislature who make routine general enquiries, whether in correspondence, on the telephone or in person. This policy would also apply to the issues covered by this order, namely general enquiries about planning or building control searches or letters of comfort.

Secondly, it should be noted that searches and letters of comfort, as they are called, relate to written requests for a search report to the Department of Local Government and the Environment by advocates as part of a property conveyance. These requests are clearly distinguishable from enquiries by the general public and property owners about their own homes or business premises. Clearly, requests from members of the legislature are also similarly distinguishable.

However, I should make it clear to hon. members that it will not be possible for a constituent to avoid paying a search fee or a letter-of-comfort fee by arranging for a member of this Court to make an enquiry on his behalf.

When reviewing the wording of the original document, the Department of Local Government and the Environment also took the opportunity to expand the wording so as to clarify the circumstances when and to whom a fee would be charged. The new definitions make clear that a search fee would only be charged following the processing by officers of a written request from an interested person. The opportunity has also been taken to include a new definition of 'interested person'.

The proposed fees are meant to cover the administration costs involved when such requests are received. In recent times, both the planning committee and the building control section have indicated the need for such fees to be introduced, as officers are now spending an increasing amount of time responding to such requests. The department has therefore recommended that a fee of £40 should be introduced. Mr President, I beg to move.

**The President:** Hon. member Mr Henderson.

**Mr Henderson:** Gura mie eu, Eaghtyrane. I beg to second, sir, and reserve my remarks.

**The President:** Hon. member for Michael.

**Mr Cannan:** Mr President, I raised this matter, you may recall, at the previous sitting of Tynwald to the effect that it was ambiguous as to whether MHKs would be charged and I still think this order is ambiguous. In the matter of duty, a constituent member of the House of Keys telephones to enquire what the conditions of the planning approval given to property 'X' 18 months ago were because he has had complaints from constituents that they are not abiding by the conditions of approval. So the constituency MHK rings up and says: 'Can you tell me what the conditions of approval were in respect of the planning consent to property 'X' 18 months ago?' Is the MHK to be charged? (**Mr Bell:** No.) (**Mrs Crowe:** No.) I hope not. I am just seeking clarification because the small print at the bottom says that you cannot do it on behalf of a constituent, but constituents are concerned that somebody is in breach of the conditions of approval. I rest my case.

**The President:** Hon. member for Douglas East.

**Mrs Cannell:** Thank you, Mr President. I have a concern as well regarding the wording on the particular order. The bottom paragraph is re-iterated and very well put by my hon. colleague for Michael, Mr Cannan, because it does say: 'but could also cover a member of the legislature.' 'Could also' also means that there is a possibility a member may or may not be charged and my question to the minister moving this order is – it is either one or the other, the way it is termed, it could be either way – so who is going to exercise discretion and who will make the decision as to whether an MHK or a member of the legislature is going to be charged?

**The President:** Mr Speaker.

**The Speaker:** Yes, thank you, Mr President. I would like to raise the issue of a recent situation that arose in my constituency and just seek some clarification – I do not know if the Treasury minister can respond, but hopefully the Minister for Local Government and the Environment will take the opportunity to respond. Could I ask: what is the situation under these fees? If the planning department receives a complaint from a member of the public that the operation of a business in their opinion has not got planning approval, if then the planning enforcement officer writes to that individual who operates the business and says, 'We understand that you have not got planning approval to operate *x* business on these premises and the category that you are in is not right', and if then the individual says, 'I am sure I have' and has no paperwork but then decides, because of the

letter from the planning officer, to raise the issue with the department and says, 'Can you check whether or not there is planning approval on my property?' will that person be charged because of the initial enquiry coming from the planning enforcement officer? My opinion is that if a complaint arrives at the planning office about a property operating in someone's opinion without planning approval, the responsibility to check the records then rests with the planning enforcement officer and not with the individual.

However, I have to say that the recent case I had was that the individual was written to by the planning enforcement officer, they were told that they needed to apply for planning permission to correct the situation and only because I knew this business had operated for over 20 years carrying out this type of business – as I suppose most of the people in Castletown did – was the individual then able to write in and say, 'This business has actually operated for more than 20 years carrying out this type of business.' The planning officer subsequently provided the information from the files.

So could I just seek clarification: if a query is initiated by the planning enforcement officer and subsequently an individual writes to the department to seek confirmation that in fact they have approval, does that mean that they will be charged for that, when it was initiated by the department itself?

**The President:** Hon. member of Council, Mrs Crowe.

**Mrs Crowe:** Thank you, Mr President. In order to be helpful to the Treasury minister, who of course is taking this through because it is a matter concerning finances, I would like to respond to some of the questions from the hon. members of this Court.

This applies to search fees for properties. Searches are normally carried out on behalf of advocates or interested parties who actually charge their clients for this service. At present the department does not charge for this service. There will be no charge at all for enquiries to the department regarding planning matters. So if there is an enforcement matter that requires an enquiry from any member of this hon. Court or indeed an enquiry about any other type of planning matter, that will not be charged for. These are specific charges for property searches, which take a great deal of time and are what are charged for at the present time by advocates and those dealing in conveyancing at this time.

So what I want to make quite clear is that enquiries from any hon. members of this Court will not be charged for. Certain enquiries to enforcement officers should have been dealt with in a speedier method and I am sorry that Mr Speaker has pointed to a case where he had some problem, but this order is to do with the search fees and those alone.

**The Speaker:** Just some clarification, Mr President?

**The President:** Mr Speaker.

**The Speaker:** Yes, Mr President, on the second page of the order under 'planning search' – and if I can refer the Minister of Local Government and the Environment to the written word there – it says: "Planning search" means a search by the department in its records in response to a written request by an interested person to ascertain (a) whether a planning approval has been granted in respect of a specified property in a specified period.'

**Mr Cannan:** That is what I have been saying.

**The Speaker:** I would suggest that that is slightly different from what the Minister has just said in the Court.

**Mrs Crowe:** No.

**Mr Cannan:** This is what I have been on about!

**Mrs Crowe:** It isn't!

**The President:** I call on the Minister for the Treasury to reply.

**Mr Bell:** Thank you, Mr President. As my hon. colleague, the Minister of Local Government and the Environment, has said, Treasury is really only the vehicle for moving this because it happens to be relating to fees. The technical management of it is something really for the department itself.

My own interpretation, as it has been explained to me, really would confirm what the minister has said as regards the concerns that have been raised, particularly about the rôle of enquiries from MHKs or members of the legislature, and would be that members will be exempt from any charges unless they are specifically being used as a mechanism for bypassing what would be a legitimate search fee for a property transaction. All other enquiries, which we all make from time to time, would be outwith that particular definition and therefore no members would be actually covered.

**Mrs Crowe:** Quite right.

**Mr Cannan:** It is written in there.

**Mr Bell:** As far as the hon. member Mr Speaker is concerned, there is really very little I can actually add to the explanation that has already been given. All I can say is that if, after that, Mr Speaker is still unhappy with the interpretation, if he would either contact myself or more appropriately perhaps the department minister we would be able to get further clarification for it. I am sorry I cannot go into any greater detail; that is really the extent of my knowledge on this, as my department has not been involved in the actual drawing up of this particular measure. As I say, we are merely the vehicle for delivering it to this hon. Court.

I hope hon. members would be prepared to accept those explanations, Mr President, and I beg to move.

**The President:** Hon. members the motion which I put to the Court is that printed at 34 on the order paper. Those in favour please say aye; against, no. The ayes have it.

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

*In the Keys –*

*For: Mr Anderson, Mr Rodan, Mr Quayle, Mr Gill, Mr Gawne, Mr Houghton, Mr Henderson, Mr Cretney, Mr Duggan, Mr Braidwood, Mr Downie, Mrs Hannan, Mr Bell, Mrs Craine, Mr Corkill, Mr Earnshaw, Capt. Douglas and the Speaker – 18*

*Against: Mr Cannan, Mr Quine, Mrs Cannell and Mr Karran – 4*

**The Speaker:** Mr President, the motion carries in the House of Keys with 18 votes for and 4 votes against.

*In the Council –*

*For: Mr Lowey, Mr Waft, Mr Singer, Mr Kniveton, Mrs Christian, Mr Gelling, Mrs Crowe – 7*

*Against: None.*

**The President:** All votes cast in the Council for, hon. members, the motion therefore carries.

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### Welcome to Mr Kniveton MLC

**The President:** Now, hon. members, in having my mind on other things it has been remiss of me, and I sincerely apologise to the hon. member of Council, Mr Kniveton, for omitting to welcome him formally back to Tynwald Court this morning. (**Several Members:** Hear, hear.) Having witnessed the swearing in of Mr Kniveton in the Legislative Council this morning, hon. members, I am more than satisfied that the oath which the hon. member has taken this morning in relation to being a member of this Court, as you all have equally done, was taken with sincere and utmost sincerity and it is a pleasure indeed to welcome Mr Kniveton back to this hon. Court this morning. (**Two Members:** Hear, hear.)

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### Financial Supervision (Overseas Funds) (Exemption) Order 2003 – Approved

Item 35. The Minister for the Treasury to move:

*That the Financial Supervision (Overseas Funds) (Exemption) Order 2003 be approved. [SD No 76/03]*

**The President:** We turn then, hon. members, to item 35 and I call on the Minister for the Treasury to move.

**Mr Bell:** Mr President, this is an order made by Treasury under section 11 of the Financial Supervision Act 1988 intended to give effect to an initiative which I announced in the budget speech of 18th February 2003.

The order provides for a provisional exemption to section 11 of the Financial Supervision Act for collective investment funds where these are constituted outside of the Island but have an agreement with an appropriately regulated licence holder within the Island for their administration or management. Under the present arrangement such funds are caught by the regulatory requirements of two jurisdictions and this order provides for release of those overseas funds from the Isle of Man regulation under certain conditions where dual regulation may be conflicting or unwarranted.

The order also provides that existing funds may choose to remain with the current regulatory regime and provides for a mechanism of interchange subject to notifying the FSC of changes of circumstances.

The FSC are content with this approach, particularly as through other checks and balances such as guidance notes issued to licence holders only those jurisdictions judged to have appropriate regulatory standards may be recognised for these purposes.

The measure is an important part of a package of new initiatives which I announced in the budget, along with some tax and VAT changes, and which are of strategic significance to the potential for growth in the Island's fund management industry. Mr President, I beg to move.

**The President:** Hon. member –

**Mr Gelling:** I beg to second, Mr President and reserve my remarks.

**The President:** The motion, hon. members, is printed at 35. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

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### **Companies Registry (Miscellaneous Fees) Order 2003 – Approved**

Item 36. The Minister for the Treasury to move:

*That the Companies Registry (Miscellaneous Fees) Order 2003 be approved. [SD No 98/03]*

**The President:** Item 36 then, Minister for the Treasury.

**Mr Bell:** Mr President, this order is made by the Treasury after consultation with the Financial Supervision Commission. The Companies Registry charges a fee for providing copies of documents and acting as a commissioner for oaths.

This order increases the fees payable to the Financial Supervision Commission in the Companies Registry by approximately 5 per cent, which broadly represents the inflationary increase since the fees were last increased in August 2000. The fees are increased every two years to ensure that they maintain their value against changes in the RPI and to ensure an adequate fee is charged for the level of service offered.

Under the new fees it is estimated that an additional £2,500 will be collected in the remainder of the financial year 2003-4 and £5,000 in a full financial year. Mr President, I beg to move.

**The President:** Mr Gelling.

**Mr Gelling:** I beg to second, Mr President, and reserve my remarks.

**Mr President:** The motion, hon. members, is printed at 36. Those in favour please say aye; and against, no. The ayes have it. The ayes have it.

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### **Insurance Companies (Transfer of Domicile) (Fees and Duties) Order 2003 – Approved**

Item 37. The Minister for the Treasury to move:

*That the Insurance Companies (Transfer of Domicile) (Fees and Duties) Order 2003 be approved. [SD No 100/03]*

**Mr President:** Item 37.

**Mr Bell:** Again, Mr President, this order is made by Treasury after consultation with the Financial Supervision Commission and the Insurance and Pensions Authority.

The order prescribes the fees to be paid to the Financial Supervision Commission in the Companies Registry in respect of insurance companies that apply to move to or from the Isle of Man using provisions contained within the 1986 Insurance Act. The order increases the fees payable by approximately 5 per cent, which broadly represents the inflationary increase since the fees were last increased in October 2000. Mr President, I beg to move.

**The President:** Mr Gelling.

**Mr Gelling:** I beg to second, Mr President, and reserve my remarks.

**The President:** The motion I put to the Court is printed at 37, hon. members. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

**Customs (Presentation of Goods for Export) Regulations (Application) Order 2003 – Approved**

Item 38. The Minister for the Treasury to move:

*That the Customs (Presentation of Goods for Export) Regulations (Application) Order 2003 be approved. [SD No 174/03]*

**The President:** Minister for the Treasury.

**Mr Bell:** Mr President, the purpose of this order is to apply in Island law the Customs (Presentation of Goods for Export) Regulations (Application) Order 2003. These regulations lay down the form of notification required by the Treasury for goods that are to be exported to a destination outside the European Union. They apply to both paper and electronic notifications.

The regulations supplement article 4(19) of the Community Customs Code, which has effect in the Island under protocol 3 and provides for the layout and particulars required in the said notification. The number and value of direct exports from the Island to destinations outside the EU is relatively low, with most exports going via the United Kingdom, where the necessary notification and declaration would be made. For this reason it is anticipated that the resource implication of this measure will be minimal. Mr President, I beg to move item 38.

**The President:** Mr Gelling.

**Mr Gelling:** Yes, I beg to second, Mr President, and reserve my remarks.

**The President:** The motion, hon. members, is printed at 38 on your order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

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**Dual-Use Items (Export Control) (Amendment) Regulations 2003 (Application) Order 2003 – Approved**

Item 39. The Minister for the Treasury to move:

*That the Dual-Use Items (Export Control) (Amendment) Regulations 2003 (Application) Order 2003 be approved. [SD No 191/03]*

**The President:** Item 39. Minister for the Treasury to move.

**Mr Bell:** Mr President, the purpose of this order is to apply in Island use the Dual-Use Items (Export Control) (Amendment) Regulations 2003 (Application) Order 2003. These regulations amend the principal regulations governing the export of dual-use items, that is items with both a military and civil application.

One change is made to the principal regulations: that is, the list of relevant community legislation in schedule 1(a) to the regulations is updated reflecting changes adopted by the Wassenaar arrangement and the Australia group and also the missile technology régime during 2001-2.

The changes made by this order maintain the Island's export control law in line with that of the United Kingdom. There are no revenue implications and only minimal resource implications, Mr President, so I beg to move.

**The President:** Mr Gelling.

**Mr Gelling:** Yes, I beg to second, Mr President.

**The President:** The motion, hon. members is printed at 39. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

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**Registration of Business Names (Fees and Duties) Rules 2003 – Approved**

Item 40. The Minister for Treasury to move:

*That the Registration of Business Names (Fees and Duties) Rules 2003 be approved. [SD No 96/03]*

**The President:** The Minister for the Treasury to move.

**Mr Bell:** Mr President, this order is made by the Financial Supervision Commission after consultation with the Treasury. The order prescribes the fees to be paid in the Companies Registry in respect of the registration of business names. The order increases the fees payable by approximately 5 per cent, which again broadly represents the inflationary increase since the fees were last increased in August 2000. Mr President, I beg to move.

**The President:** Mr Gelling.

**Mr Gelling:** I beg to second, Mr President.

**The President:** The motion I put to you, hon. members, is that the Registration of Business Names (Fees and Duties) Rules 2003 be approved. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

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**Partnership (Fees) Rules 2003 – Approved**

Item 41. The Minister for the Treasury to move:

*That the Partnership (Fees) Rules 2003 be approved. [SD No 99/03]*

**The President:** Minister for the Treasury.

**Mr Bell:** Mr President, this order again is made by the Financial Supervision Commission after consultation with the Treasury. The order prescribes the fees to be paid in the Companies Registry in respect of the registration of limited partnerships. This order increases the fees payable by approximately 5 per cent for the same reasons as previously explained. I beg to move, Mr President.

**The President:** Mr Gelling.

**Mr Gelling:** I beg to second, Mr President.

**The President:** The motion hon. members is printed at 41 on your order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

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**Customs and Excise (Community Instruments) (Application) (Amendment) Order 2003 – Approved**

Item 42. The Minister for the Treasury to move:

*That the Customs and Excise (Community Instruments) (Application) (Amendment) Order 2003 be approved. [SD No 221/03]*

**The President:** Minister for the Treasury.

**Mr Bell:** Mr President, the purpose of this order is to amend the Customs and Excise (Community Instruments) (Application) Order 1993, inserting a reference to Council regulation [EC No 792/02]. The effect of the amendment is to allow the application in Island law of Council regulation EEC No 218/92, the so-called ‘buyers’ regulation’, in the form as amended by the later Council regulation.

The buyers’ regulation allows for the Treasury to co-operate with VAT authorities in member states so as to provide administrative assistance and therefore facilitate the Island’s participation in the single market.

The amendments made to the buyers’ regulation by the newer regulation allows for co-operation over the special interim scheme for the registration of non-EU suppliers of certain electronic services and the collection and sharing out of any VAT duty from those suppliers. The scheme was scheduled to operate from 1st July 2003 to 1st July 2006.

If the Island is to continue to play its part in the expanding single market it must continue to adapt its legislation and procedures accordingly. To date, no non-EU suppliers have indicated that they intend to register in the Island. Only if they did would this legislative change have any significant impact on resource implications. Mr President, I beg to move.

**The President:** Mr Gelling.

**Mr Gelling:** I beg to second, Mr President.

**The President:** And the motion, hon. members, is that – sorry, Mr Gill, member for Ramsey – (**Two Members:** Rushen.) Rushen. (*Laughter*) I have just moved the constituencies this morning!

**Mr Gill:** Thank you. Could I just ask: I appreciate the final comments from the minister about the resource implications and the fact that there has been no take up indicated so far, but could he give an indication what revenue effect he would anticipate these measures might have?

**The President:** Minister to reply.

**Mr Bell:** Not the faintest idea, Mr President! (*Laughter*) It is something that does not apply to the Isle of Man yet. It is simply keeping the Isle of Man VAT law in line with the United Kingdom and indeed with the rest of Europe, which we are obliged to do under the VAT agreement.

I have had no indication as to what any resource implications might be and presumably we would have no idea until we knew what sort of business it was we were dealing with.

**The President:** Hon. members, the motion I put is that the Customs and Excise (Community Instruments) (Application) (Amendment) Order 2003 be approved. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

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**Manx Radio Trustee –  
Mr David Hathersich-Jones Appointed**

Item 43. The Minister for the Treasury to move:

*That Tynwald approves the appointment of Mr David Hathersich-Jones as a Manx Radio trustee.*

**Mr President:** We turn then, hon. members, to item 43 and again I call on the Minister for the Treasury to move.

**Mr Bell:** Thank you, Mr President. I am pleased to put forward the name of Mr David Hathersich-Jones for approval to his appointment as a Manx Radio trustee.

Mr Hathersich-Jones may be known to some of the hon. members, having business interests in the north of the Island. A copy of Mr Hathersich-Jones’ CV has been circulated to hon. members.

Mr Hathersich-Jones’ appointment, if approved, will fill the gap left by Mr David Evans, former Town Clerk to Ramsey Town Commissioners; I would like to take this opportunity to put on record my formal thanks to Mr Evans for his years of service as a trustee. (**Mr Houghton:** Hear, hear.) I beg to move.

**The President:** Mr Gelling.

**Mr Gelling:** I beg to second and reserve my remarks.

**The President:** Hon. member for Peel.

**Mrs Hannan:** I would just like to comment on the fact that this person is put forward as a trustee of Manx Radio, yet both the introduction by the minister and also his curriculum vitae do not mention any radio-listening. I wonder how this person is going to act as a trustee. I would have thought that David Evans, now retired, might have more time to listen to Manx Radio and therefore might be a suitable trustee.

**The President:** Minister to reply.

**Mr Bell:** Mr President, Mr Evans indicated his wish to step down as a trustee and that is why this vacancy has occurred. I am sure the nominee, Mr Hathersich-Jones's radio-listening is just as diverse as any other name that could be put forward (**Mr Henderson:** Hear, hear.) He did not list the radio stations he listened to on his CV but I assume from my conversations with him that he has a knowledge of Manx Radio and will make a very positive and energetic contribution to it.

The hon. member comments that he is a businessman; I do not see that necessarily should be a reason to exclude him from being a member. The trustees try to represent all views on the Isle of Man. This is a young, successful businessman from the north of the Island and I believe he will do a good job. I urge hon. members to support the nomination.

**The President:** Hon. members, the motion I put is printed at 43: that Tynwald approves the appointment of David Hathersich-Jones as a Manx Radio trustee. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

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### **Standing Committee on Expenditure and Public Accounts – Vice-Chairman and Two Members Elected**

Item 44. Standing Committee on Expenditure and Public Accounts:

*To elect a vice-chairman of the committee in place of Mr Gelling.*

*(If the Court has agreed to amend standing order 5.7(3) as recommended by the Standing Orders Committee, the following are not eligible for election to this committee: the President of Tynwald, the Speaker of the House of Keys, any member of the Council of Ministers, any member of the Treasury. Mr Gelling is therefore not eligible to stand.) The existing members of the committee are Mr Quine [chairman], Mr Earnshaw, Mrs Hannan and Mr Karran.)*

*To elect one member of Tynwald to serve during the life of the House of Keys in place of Mr Crowe (and in the case of an existing member of the Committee being elected as vice-chairman it will be necessary to elect a second member of Tynwald).*

**The President:** Hon. members, we need to elect a vice-chairman of the committee in place of Mr Gelling. Mr Quine.

**Mr Quine:** May I nominate the hon. member for Peel, Mrs Hannan?

**Mr Henderson:** I second that, sir.

**The President:** Mr Cretney.

**Mr Cretney:** Could I nominate the hon. member for Onchan, Mr Karran?

**Mr Lowey:** I second that, sir.

**The President:** Mr Braidwood.

**Mr Braidwood:** May I propose the hon. member for Onchan, Mr Earnshaw, Mr President?

**Mrs Crowe:** I would be pleased to second that, Mr President.

**Mr Rodan:** I rise to second that, sir.

**The President:** Seconded by Mrs Crowe. Three nominations, hon. members.

**Mr Henderson:** Nominations closed, sir.

**A Member:** Agreed.

**The President:** In that case, hon. members, we require ballot papers to be circulated.

For purposes of clarity, hon. members, when your ballot papers have been circulated I will inform the Clerk to read the names.

**The Clerk:** Mr President, the members nominated are Mr Earnshaw, Mrs Hannan and Mr Karran.

**The President:** Thank you. Voting for one, hon. members. I call on the hon. member Mr Kniveton as a teller for the Council, hon. members.

**The Speaker:** Hon. member for Ramsey, Mrs Craine, to act as teller of the Keys, please.

*A first ballot took place.*

**The President:** Hon. members, the result of the ballot is that Mr Earnshaw received 11 votes; Mrs Hannan received 11 votes and Mr Karran received 7 votes.

Hon. members, we will vote again, dropping the name of Mr Karran from the ballot paper. You will vote for one between Mr Earnshaw and Mrs Hannan.

Incidentally, hon. members, I think the hon. member for Rushen, Mr Rimington, cannot vote; he came in late.

The same tellers please operate.

*A second ballot took place.*

**The President:** Hon. members, the result of the ballot is that Mr Earnshaw received 14 votes and Mrs Hannan received 15. Mrs Hannan is therefore elected.

Hon. members, since Mrs Hannan was a member of the committee, there is now a necessity to elect someone to replace Mrs Hannan on the committee. So we need two members and I call for two members' nominations for the standing committee. Mr Cretney.

**Mr Cretney:** Could I propose the hon. member for Ramsey, Mrs Craine?

**Mr Lowey:** I beg to second, sir.

**Mr Singer:** Mr President, can I – ?

**Mr Braidwood:** Mr President, could I propose the hon. member for Malew and Santon, Capt. Douglas?

**Mr Singer:** I beg to second.

**Mr Karran:** Can I propose the hon. member for Rushen, Mr Gawne?

**Mrs Crowe:** I beg to second Mr Gawne.

**Mr Corkill:** I nominate the hon. member of Council, Mr Kniveton, please.

**Mr Rimington:** I second, sir.

**Mrs Cannell:** Mr President, can I nominate the hon. member of Council, Mr Singer?

**Mr Karran:** I will second that.

**Mr Henderson:** Nominations closed, sir.

**The President:** Hon. members, ballot papers will be distributed. When you have got your ballot papers again the clerk will read the names.

Hon. members!

**The Clerk:** The members nominated are Mr Kniveton, Mr Singer, Mrs Craine, Capt. Douglas and Mr Gawne.

**A Member:** And it's two, is it?

**The President:** Voting for two, hon. members.

Hon. members, this time would Mr Gelling act as teller for the Council?

**The Speaker:** Hon. member for Onchan, Mr Karran, to act for the Keys, please.

*A ballot took place.*

**The President:** Hon. members, the result of the ballot is that Mr Kniveton received 21 votes, Mr Singer received 7, Mrs Craine received 9, Capt. Douglas received 22 and Mr Gawne received 3. I therefore declare that the new members of the Committee are Mr Kniveton and Capt. Douglas.

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### **Ecclesiastical Committee – Three Members Elected**

Item 45. Ecclesiastical Committee:

*To elect three members of Tynwald to serve during the life of the House of Keys.*

*(The Court accepted the Report of the Select Committee on the Reduction of Standing Committees of Tynwald which establishes that membership of the Ecclesiastical Committee should be reduced to three members of Tynwald. Because the committee is now differently constituted, it is necessary to elect all three members of the committee. The former members were Dr Mann, Mr Anderson, Mr Cannan, Capt. Douglas, Mr Duggan, Mr Earnshaw and Mr Quayle.)*

**The President:** Hon. members, having completed item 44, we then move on to item 45 which is to elect three members of Tynwald to serve during the life of the House of Keys. I call for nominations. Mr Earnshaw.

**Mr Earnshaw:** I would like to propose Mr Anderson, member for Glenfaba.

**Mrs Crowe:** I beg to second, Mr President.

**Mr Henderson:** I second that, sir.

**Mr Singer:** I propose Mr Kniveton.

**The President:** Mr Kniveton moved by Mr Singer.

**Mr Braidwood:** I wish to propose the hon. member for Michael, Mr Cannan.

**Mr Henderson:** I second that, sir.

**Mr Corkill:** I propose my colleague from Onchan, Mr Earnshaw.

**Mr Karran:** I second that.

**Mr Gill:** I propose my colleague for Rushen, Mr Gawne.

**Mrs Crowe:** I will be delighted to second that, Mr President.

**Mrs Hannan:** Could I second Mr Kniveton?

**Mrs Cannell:** Mr President, I would like to nominate the hon. member for Ramsey, Mrs Craine.

**The President:** Mrs Cannell has nominated Mrs Craine.

**Mrs Hannan:** I second that.

**The President:** Seconded by Mrs Hannan.

**Mr Houghton:** Nominations closed.

**The President:** Okay, hon. members, I have six names. We need to elect three members, hon. members.

**Mr Henderson:** Nominations closed, sir.

**A Member:** Agreed. (*Interjections*)

**The Clerk:** The members nominated, Mr President, are Mr Kniveton, Mr Anderson, Mr Cannan, Mrs Craine, Mr Earnshaw and Mr Gawne.

**A Member:** How many do we want?

**Mrs Crowe:** Three.

**The President:** We are electing three, hon. members. Mr Singer, act as teller for Council, please.

**The Speaker:** Hon. member for Douglas West, Mr Shimmin, to act as teller, please.

*A first ballot took place.*

**The President:** Okay, hon. members, the result of the ballot is that Mr Kniveton received 17 votes, Mr Anderson received 25, Mr Cannan received 13, Mrs Craine received 9, Mr Earnshaw received 13 and Mr Gawne received 10. Hon. members, there was a requirement to get 16. In that case, Mr Kniveton and Mr Anderson are both elected and we are required to ballot again for the remaining place. We will ballot, hon. members, between the four remaining members: Mr Cannan, Mrs Craine, Mr Earnshaw and Mr Gawne.

Hon. members, if you have all got your ballot papers you are required to vote for one from the following.

**The Clerk:** Mr President, the four remaining members nominated are Mr Cannan, Mrs Craine, Mr Earnshaw and Mr Gawne.

**The President:** The same tellers continue with the ballot, please.

Perhaps, hon. members, Clerk, it may be a good idea if we distribute another round of ballot papers (**Mr Houghton:** Hear, hear.) so that we had them ready.

**Mr Gill:** Oh, planning ahead!

**Mr Houghton:** We've thought ahead!

*A second ballot took place.*

**The President:** Hon. members, the result of the ballot is that Mr Cannan received 13 votes, Mrs Craine 3, Mr Earnshaw 10 and Mr Gawne 5.

Hon. members, as nobody has been elected, we will have to ballot again and the name of Mrs Craine will be withdrawn from the paper.

The same tellers continue, hon. members. You need to vote for one name from Mr Cannan, Mr Earnshaw and Mr Gawne.

*A third ballot took place.*

**Mr President:** Hon. members, the result of the ballot is that Mr Cannan received 20 votes, Mr Earnshaw received 10 and Mr Gawne received 1. Therefore I declare that the members of the committee are Mr Kniveton, Mr Anderson and Mr Cannan.

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### **Tynwald Honours Committee – Three Members Elected**

Item 46. Tynwald Honours Committee:

*To elect three members of Tynwald to serve during the life of the House of Keys.*

*(The Court accepted the report of the Select Committee on the Reduction of Standing Committees of Tynwald which establishes that membership of the Tynwald Honours Committee should be: Mr President, Mr Speaker and three elected members of Tynwald. Because the Committee is now differently constituted, it is necessary to elect all three members of the committee. The previous members were Mr President, Mr Speaker, Mr Gill, Mr Houghton, Mr Karran, Mr Kniveton and Mr Lowey.)*

**The President:** Having completed item 45, hon. members, we turn our attention to item 46, the Tynwald Honours Committee and again we need to elect three members of Tynwald to serve during the life of the House of Keys. Nominations, please, hon. members.

**Mr Corkill:** Could I nominate Mr Waft, member of Council, please?

**Mr Lowey:** I will second that, sir.

**Mr Anderson:** I nominate Mr Gill, member for Rushen.

**Mrs Christian:** I beg to second.

**Mr Gill:** I nominate Mr Gawne, Eaghtyrane.

**Mr Henderson:** I beg to second Mr Gawne.

**Mr Quayle:** Can I nominate Mrs Craine?

**Mrs Hannan:** I will second that.

**Mr Henderson:** I second Mrs Craine, sir.

**Mr Earnshaw:** I would like to nominate the member of Council, Mr Lowey.

**Mr Quine:** I will second that, sir.

**The President:** If we are content, hon. members, the Clerk will read the names of those nominated.

**The Clerk:** Mr President, I have Mr Lowey, Mr Waft, Mrs Craine, Mr Gawne and Mr Gill.

**The President:** Hon. members, there is a requirement to elect three members. You have your nomination papers, hon. members. On this occasion I call on Mrs Christian to act as teller.

**The Speaker:** Hon. member for Douglas North, Mr Houghton.

**The President:** Hon. members, we will follow the same system: when your ballot papers have been collected, we will have new ballot papers distributed in readiness for the next ballot, if it is required.

*A ballot took place.*

**The President:** Okay, hon. members. The result of the ballot is that Mr Lowey received 17 votes, Mr Waft received 17, Mrs Craine received 15, Mr Gawne received 16 and Mr Gill received 25. Hon. members, I declare that as a result of that ballot Mr Lowey, Mr Waft and Mr Gill are elected to the Tynwald Honours Committee.

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**Standing Committee on Economic  
Initiatives –  
Two Members Elected**

Item 47. Standing Committee on Economic Initiatives:

*To elect two members of Tynwald to serve during the life of the House of Keys in place of Mr Crowe and Mr Singer.*

*(Mr Singer is eligible to stand. The continuing membership of the committee is Mrs Cannell, Mr Gelling and Mr Quayle.)*

**The President:** Now, hon. members, we turn our attention to item 47. There is a requirement to elect two members of Tynwald to serve during the life of the House in place of Mr Crowe and Mr Singer. Mr Singer is eligible to stand.

**Mrs Cannell:** Mr President, I would like to nominate the hon. member of Council, Mr Singer.

**The Speaker:** I would second that, sir.

**Mr Lowey:** Could I propose the hon. member for Middle, Mr Quayle?

**Mr Cretney:** I will have to second that.

**Mr Gill:** Could I propose the hon. member for Rushen, Mr Gawne?

**A Member:** I second, sir.

**Mr Corkill:** Could I nominate the member for Ramsey, Mrs Craine?

**Mr Bell:** I will second that, sir.

**Mr Henderson:** I second Mr Gawne.

**Mrs Hannan:** Could I propose Capt. Douglas, member for Malew and Santon?

**Mr Quine:** No, you can't. Sit down! *(Laughter)*

**The President:** Mr Cannan.

**Mr Cannan:** Can I propose the hon. Mr Speaker, sir?

**Mrs Crowe:** I will second that, Mr President.

**Mrs Christian:** I propose the hon. member for North Douglas, Mr Houghton.

**Mr Earnshaw and Mr Braidwood:** I will second that. *(Laughter)*

**The President:** Mr Braidwood seconds Mr Houghton.

**Mr Rimington:** Has Mrs Craine been seconded?

**The President:** Yes.

**Mr Houghton:** Nominations closed.

**Members:** Agreed.

**The President:** Content, hon. members?

**Mr Quayle:** Mr President, could I just seek a point of clarification?

**Mr Braidwood:** It has been. (*Laughter and interjections*)

**Mr Rimington:** You have not even heard what he was going to say! (*Laughter*)

**The Speaker:** Good job he is not the Speaker, isn't it? (*Laughter*)

**Mr Bell:** It just means that you get two votes, Martin!

**The President:** Hon. members, although Mr Quayle was proposed and seconded, there was actually no necessity for him to be nominated as he is a continuing member of the committee. The Clerk will read the names, hon. members.

**The Clerk:** Mr President, the members nominated are Mr Singer, Mrs Craine, Capt. Douglas, Mr Gawne, Mr Houghton and Mr Speaker.

**The President:** Now, hon. members, you are voting to elect two members to serve during the life of the House of Keys. Two members.

Hon. members, when you have submitted your ballot papers, on this occasion can I invite Mr Gelling to act as our teller?

**The Speaker:** Hon. member for Ayre, Mr Quine, please, for the Keys.

*A first ballot took place.*

**The President:** Hon. members, the result of the ballot is that Mr Singer received 14 votes, Mrs Craine 16, Capt. Douglas 7, Mr Gawne received 4, Mr Houghton received 5 and Mr Speaker received 16. There was a requirement, hon. members, for a minimum of votes to be 17. No candidate has been elected.

In this instance, hon. members, Mr Gawne will drop off the bottom and you will ballot again. Names, hon. members – for purposes of clarity in this instance, I take them myself: Mr Singer, Mrs Craine, Capt. Douglas, Mr Houghton and Mr Speaker. Voting for two, with all the others kept. We are voting for two, hon. members. Same tellers, please, hon. members.

*A second ballot took place.*

**The President:** Hon. members, the result of the ballot at item 47 is that Mr Singer received 12 votes, Mrs Craine received 19, Capt. Douglas received 8, Mr Houghton 4 and Mr Speaker 19. I declare that those elected to serve to the Standing Committee on Economic Initiatives are Mrs Craine and Mr Speaker.

## Standing Orders Committee of Tynwald – Four Members Elected

Item 48. Standing Orders Committee of Tynwald:

*To elect four members of Tynwald, two of whom must be members of the Council and two of whom must be members of the Keys to serve during the life of the House of Keys.*

*(If the Court has agreed to amend standing order 5.6(1) as recommended by the Standing Orders Committee, the membership of the committee will consist of: the Speaker of the House of Keys, two members of the Keys and two members of the Council. Because the committee is now differently constituted, it is necessary to elect all four members of the committee. The previous members were Mr Lowey and Mr Quayle who are eligible to stand.)*

**The President:** We turn then, hon. members, to item 48 to elect four members of Tynwald, two of whom must be members of the Council and two of whom must be members of the Keys to serve during the life of the House of Keys. We need to elect all four, hon. members. I call for nominations.

**Mr Quine:** If I can nominate hon. member for Michael, Mr Cannan, sir.

**Mrs Cannell:** I beg to second, Mr President.

**Mr Kniveton:** I propose Mr Lowey, Mr President.

**Mrs Christian:** I beg to second, Mr President.

**The President:** Mr Cretney.

**Mr Cretney:** Thank you, Mr President. I would like to propose the hon. member for Onchan, Mr Karran.

**Mr Earnshaw:** I would like to propose the hon. member for Middle, Mr Quayle, please, Mr President.

**The President:** Mr Kniveton.

**Mr Kniveton:** Mrs Hannan I propose, sir.

**The President:** Mrs Hannan.

**A Member:** Yes.

**Mr Delaney:** Somebody has got to do it.

**Mrs Crowe:** Could I propose the hon. member of Council, Mr Delaney?

**A Member:** I second that.

**Mr Quine:** Has Mrs Hannan been seconded, sir?

**The President:** Mr Delaney has been seconded.

**Mr Corkill:** I second Mr Quayle.

**Mr Lowey:** I seconded Mr Karran.

**The President:** Yes, Mr Karran is seconded. Mr Quayle is seconded. Mr Anderson.

**Mr Anderson:** I am seconding Mrs Hannan.

**The President:** Mrs Hannan.

**Mrs Hannan:** I propose Mr Gawne, member for Rushen.

**Mr Karran:** I second that.

**The President:** Seconded by Mr Karran. (*Interjections*)

**Mr Corkill:** I nominate the member of Council, Mrs Crowe.

**Mr Earnshaw:** I beg to second, Mr President.

**Mrs Hannan:** I am not sure who has been proposed, but could I propose Mr Lowey, member of Council?

**Mrs Christian:** He has been proposed.

**The President:** He has been proposed and seconded. Are we happy, hon. members? We have three nominations for Council and five, I think, for Keys. I will just confirm with the Clerk to make sure we are on the same basis.

Have you all got your ballot papers, hon. members? You are required to vote for two members of Council and two members of the Keys. The Clerk will read the names, please.

**The Clerk:** In the Council, Mr President, the members nominated are Mrs Crowe, Mr –

**Mr Quine:** I do not think we have all got papers at the moment, sir.

**The President:** Hon. members, wait . . . sorry, Mr Cannan?

**Mr Quine:** I have not got a paper yet. Give me a spare, it will save you running round. (*Laughter and interjections*)

**The President:** Hon. members, you are voting for two members of the Council and two members of the Keys. The Clerk will read the names.

**The Clerk:** Mr President, the members of the Council nominated are Mrs Crowe, Mr Delaney and Mr Lowey. The members of the Keys nominated are Mr Cannan, Mr Gawne, Mrs Hannan, Mr Karran and Mr Quayle.

**The President:** Mrs Christian will act as teller for the Council.

**The Speaker:** Member for Onchan, Mr Earnshaw, to act for Keys, please.

*A ballot took place.*

**The President:** Okay, hon. members, in relation to item 48, the result of the ballot is as follows: Mrs Crowe received 18 votes, Mr Delaney received 17 and Mr Lowey received 29. For purposes of the Council, Mrs Crowe and Mr Lowey are elected.

Mr Cannan received 13 votes, Mr Gawne received 6 votes, Mrs Hannan received 19, Mr Karran received 9 and Mr Quayle received 17. The members elected are Mrs Hannan and Mr Quayle.

So, hon. members, the makeup of that committee is Mrs Crowe, Mr Lowey, Mrs Hannan and Mr Quayle. That completes item 48, hon. members.

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### **Tynwald Management Committee – One Member Elected**

Item 49. Tynwald Management Committee:

*To elect one member of Tynwald to serve during the life of the House of Keys in place of Mrs Crowe.*

*(Mrs Crowe is eligible to stand. The continuing membership of the committee is: Mr President, Mr Speaker, Mr Henderson and Mr Quine.)*

**The President:** So, turn to item 49: to elect one member of Tynwald to serve during the life of the House of Keys in place of Mrs Crowe. Mrs Crowe is eligible to stand.

**Mrs Hannan:** I propose Mrs Crowe, the hon. member of Council.

**Mr Rimington:** I will second.

**Mr Quine:** If I can propose the hon. member for Michael, Mr Cannan.

**Mr Earnshaw:** I will second that, sir.

**Mr Lowey:** Could I propose the hon. member of Council, Mr Waft?

**Mr Henderson:** I second Mr Waft.

**Mr Karran:** I propose the hon. member for Rushen, Mr Gawne.

**Mr Henderson:** I second Mr Gawne.

**The President:** There are four nominations, hon. members. Have you got your ballot papers? Has

everybody got a ballot paper? The Clerk will read the names, hon. members – voting for one.

**The Clerk:** The members nominated are Mrs Crowe, Mr Waft, Mr Cannan and Mr Gawne.

**The President:** I invite Mr Delaney to act as teller for the Council, please.

**The Speaker:** Hon. member for Garff, Mr Rodan, please, for the Keys.

*A first ballot took place.*

**The President:** Hon. members, the result of the ballot is that Mrs Crowe received 9 votes, Mr Waft received 7, Mr Cannan received 7 and Mr Gawne received 7.

Now, hon. members, there is no distinct member who received the least number of votes, in which case standing order 5.3(10)(b) comes into play: ‘Where two or more candidates each receive the fewest votes or all candidates received an equal of votes, the Court shall proceed to vote again on those candidates and the candidate receiving the fewest votes in that ballot shall be omitted from the list of candidates’. Hon. members, there is a requirement for us to vote for Mr Waft, Mr Cannan and Mr Gawne. The one which receives the fewest number of votes will be omitted from the ballot paper when we start the ballot again.

**Mr Delaney:** He’s the weakest link! And no coffee!

**The President:** Now, hon. members, if you would, please, just be . . . Mr Cretney, hon. member for Douglas South, have you voted, sir?

**Mr Cretney:** Yes.

**The President:** You have. Okay, just make sure everybody has handed in their ballot paper.

**Mrs Craine:** Could we have the names, Mr President? We did not have papers.

**Mr Bell:** How many are we voting for, Mr President? One?

**A Member:** It was too quick.

**The President:** You are voting for one. The names are Mr Cannan, Mr Waft and Mr Gawne.

**Mrs Hannan:** Are we voting for the person to stay in or go out? (*Laughter and interjections*)

**A Member:** Thanks, Hazel!

**The President:** You are voting for your preferred candidate, hon. member. We are voting for one. Same tellers, please, hon. members.

*A second ballot took place.*

**The President:** Okay, hon. members, the result of the ballot is that Mr Waft received 15 votes, Mr Cannan received 7 and Mr Gawne received 9. As a result of that ballot, hon. members, Mr Cannan will be taken off the list and so a new ballot will take place between Mrs Crowe, Mr Waft and Mr Gawne. Mr Cannan has been deleted, hon. members; you are voting for one between Mrs Crowe, Mr Waft and Mr Gawne – (*Interjections and laughter*) Same tellers continue, please, until we finish this particular ballot.

*A third ballot took place.*

**The President:** Has everybody handed in their ballot paper, hon. members?

**Mr Quine:** No, I am still thinking about it!

**The President:** Hon. members, please! We have 32 ballot papers and on the previous two ballots we only had 31. Has somebody voted twice, hon. members, or has somebody voted who was not in earlier? This is the difficulty with members going in and out of the chamber whilst a ballot is continuing.

**Mr Bell:** Mr President, I missed the first round.

**The President:** Well, then, sir, you cannot vote. That ballot is to be retaken, hon. members.

**Mr Braidwood:** Mr President, on the initial ballot it was 30 –

**The President:** And one spoilt paper, sir; we had 31. That ballot will be cancelled and you will have to ballot again, hon. members.

**Mr Bell:** Sorry about that. (*Laughter*)

**The President:** Hon. members, it is difficult to watch. It is difficult to keep check on you when you are moving in and out and tellers are moving in and out and we are trying to move on with ballot papers. It either has to be controlled, hon. members, or we will get into wrongly allocating whatever you wish to do. So let us try to be as formal as is practical on these occasions. (**A Member:** Hear, hear.) Has everybody got a ballot paper?

**Mr Delaney:** No, Mr President. This teller has not got a paper.

**The President:** Right, okay, hon. members. You are balloting for one between Mrs Crowe, Mr Waft and Mr Gawne – straightforward and simple. Same tellers.

*A fourth ballot took place.*

**The President:** Hon. members, the result of the ballot in relation to item 49 is that Mrs Crowe received

7 votes, Mr Waft received 20 votes and Mr Gawne received 4 votes. I declare that Mr Waft is elected to serve as a member on the Tynwald Management Committee.

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### Items 50 and 51 Withdrawn

**The President:** Hon. members, having completed our ballots this morning, I can tell you that the hon. member for Douglas North wishes item 50 to be withdrawn. I have heard from the hon. member, Mr Singer, in relation to item 51.

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### DHSS – Reorganisation of Structure – Debate Commenced

Item 52. The hon. member for Onchan (Mr Karran) to move that:

*Tynwald is of the opinion that the Council of Ministers should report back to the October sitting:*

- (a) *whether the DHSS should be divided into two separate government departments, and review the existing departments for amalgamation in order to keep the status quo of the numbers of departments in government;*
- (b) *to investigate the services of the DHSS having more input from lay members of the public; and*
- (c) *to investigate the creation of a health authority or a hospital administration committee and a social services committee, and to review and recommend changes to the structure of the DHSS.*

**The President:** So we turn to item 52, the final item on our order paper, hon. members, and I call on the hon. member Mr Karran, to move.

**Mr Karran:** Hon. members, I move this motion to give an opportunity to the Council of Ministers to report on two issues. Firstly the DHSS as a structure: have we got it right and if not, what needs to be done to improve its effectiveness as far as government is concerned?

Secondly, it is to reclaim the ownership of the health services back for the people of the Island, serving their needs and not unaccountable bureaucracy and self-interest – and there are also similar problems as far as social services are concerned.

As a member of the DHSS in the late 1980s and the late 1990s, I have some experience of this department under three different ministers. The structure simply is not working. We put more and more resources into health; we see more complaints

about longer waiting lists, dental cover problems and cuts in GP services reduced to a danger level, I feel.

As the member who brought in the original Manndoc, I know the problems the minister has with the doctors and the accountants on the other side who know the price of everything and the value of nothing.

However, I am alarmed at what I have seen, even though I do feel that the health services have been allowed to be reduced to somewhat of a political football by many. Effectively we have a member for the health services who has more of a workload than most ministers in the Council of Ministers; we have a member for social services who also has a workload much greater than most ministers; and we have a member for social security who must have one of the biggest votes for expenditure in government and therefore has a huge responsibility.

What does this mean, hon. members? It basically means that civil servants run the show; members are played off against ministers when it suits and at the end of the day policy decisions are far too often left to civil servants who do not have the mandate.

This is especially true with the health services – allowing the elected representatives often to be overruled. Our health service is the cornerstone of a caring society. For example, we heard only yesterday the consultative committee met 19 days ago and we still have not found out what happened – so much for consultation; another cherry-picked system.

The same is true on social services with great powers over parents and the elderly, which I believe create a workload that is too much for an individual member and do not allow them to have a proper grip on what really goes on. I will not elaborate at this time on the separation of the DHSS and what departments should be amalgamated but I would be happy to give evidence to a Council of Ministers' committee if this motion is successful.

I know that we have difficult times ahead. There has been an awful lot of spending which will have to be stopped because this department will be the first to be hit. The refusal to address the diversification of the economic base, moving away more from the finance sector, is going to affect this department.

One of the new departments I would like to see is a proper department of economic affairs, not hiding behind commercial confidentiality or too much secrecy or run like the DTI with its curious commercial decisions when it deals with taxpayers' money. However, this is another issue and I will return to that at a later date.

The issue in front of us today is the DHSS structure as it should be in the future. I believe this is a very important matter which needs to be addressed with regard to effective government for this vitally important department, which helps us to provide the caring side of our caring and prosperous society.

I now turn to the investigation into the DHSS having input from the lay members of the public. I fought for this when I first became a member of the DHSS. My first minister with his ego trips continued to destroy the morale of the hospital, which was pretty

badly damaged by his predecessor, who finished it off. The new structure has led to scandal after scandal – and there are far too many, from individuals taking their life, possibly over charges, to consultants being paid hundreds of thousands of pounds. I told the minister at the time in front of the consultants that they were only telling him what he wanted to hear, but he did not want to hear that so he made sure that I did not attend any more meetings. So the consultants got their fee of £500,000 and the advice was virtually ignored.

I understand the problems the minister has with some of our medical consultants and they have had it too good for too long and that is part of the problem of the structure. These are just some instances where I believe we have totally unacceptable power because we try to take the ownership of our hospitals away from our people. However, what really saddens me is that not only have the people lost the ownership of the health services but the staff have too.

I understand that the problem has increased further since I left that department. It seems that complaining is a waste of time, although this, I believe, has increased. All we can talk about now is the DHSS jelly factor trying to stop the wobble and pin somebody down. So we have a demoralised staff because they have no-one to turn to to address their legitimate grievances. At the end of the day we are talking about people's livelihoods and the need to build up a relationship with people who are involved with the hospital who they can trust.

I am led to believe, as the former member for health, that clinical governance has died a death with regard to the way we wanted it to happen in order to give real accountability, even though we should have opened it up to a lay body so that we can get it back on the rails: a health service that gives pride back to the staff by them being valued and back to the community that it serves.

As the member who set up social services from day one, I have always believed the biggest mistake was getting rid of the children's committee. Its remit should have been broadened into a social services committee with a cross-section of representation. How many scandals do we have to have before common sense prevails, not just to protect the vulnerable section of our community, but to get the effective services based on benefiting these people and where the taxpayer will not be ripped off time and time again? Surely this structure needs to be investigated! Opening it up would curtail the policies that are made for ministerial vanity and accountancy stupidity, where cost-cutting is undertaken on issues that they know nothing about and end up costing us a great deal more through their stupidity and their lack of knowledge on this subject.

Hon. members, it worries me greatly that we are dependent on the inspectors from the UK as far as our nursing homes are concerned. I battled for years over the need for a lay body to back up and help the inspectors for nursing homes and residential homes, but this was not wanted because it might have meant that the industry might have had to pull up its socks.

I am sure this would help to protect the very vulnerable section of our community, something on the lines of a body system, because there is simply not the time for the professional people to build those bridges to gain the confidence of these vulnerable people. Once again: why can we not have this? It is killed off because of self-interest. How many scandals do we have to have on that side before we get that issue addressed?

I know, hon. members, there are many in this Court who will say, 'Well, we all know that you have never supported the ministerial system.' Do you know why I have never supported the ministerial system – for the information of the new members? It was because the system was made by those who knew who they were going to be in the driving seat and cherry-picked. I have fought in this hon. Court because of the dangers of making sure that we do not get dragged down to the level of too many CPA countries throughout the Commonwealth.

This issue to investigate the creation of a health authority, a hospital administration committee and a social services committee and to review recommended changes to the structure of the DHSS affects us all. It is extremely important for our people. I do not want to join in the political football, which many of the health issues have become, but I do want you to look at the issues, Council of Ministers, and take evidence from different people so that we can get the DHSS to be effective, efficient and work in the way our people want. Eaghtryane, I beg to move.

**The President:** Hon. member for Michael.

**Mr Cannan:** I beg to second, Mr President, and on reflection it is because over the last few weeks there has become a groundswell of discontent over the manner in which the health service, and particularly our primary healthcare, is received by the public. The public, I believe, wish to see a health minister who can devote time to the matters of the National Health Service. People see a growing bureaucracy that does not listen to them, that does not represent their views, and they feel aggrieved because they are paying for the national health through their taxes in one form or another.

Now this is not something that I dreamt up while I was shaving. This is in the newspapers week after week in letters. It is on the *Mannin Line*, which I do not hear but is reported to me. It is in public protest, whether it is marching or at meetings. The people want a health service that they can feel confident with. They want a minister who is able to devote the whole time to health matters – and let us be fair: the Department of Health and Social Services is a massive department with the biggest budget and one person has overall control. It is an administrative system in which, as you all know, by legislation, the minister is the department.

It is for this reason I am supporting this motion: to examine and report back by October, so that we revert to a department of health that can devote its time to health matters, with a minister that devotes the time to

health matters, and that social security and social services are either under the wing of another department or become statutory boards. Those are matters which will be examined if this motion is passed.

I believe it is in the public interest and that the public wish that health, which is so important, particularly to the elderly and particularly to the young people – mothers with young children, who require healthcare. It is a fact that those in the middle age group see doctors less than the elderly or the very young. They feel at the moment that their wishes are being disregarded. They are being fed a certain amount of departmental view on things – I will not use the word ‘spin’ but plenty of people do use that word – and the people’s voice . . . After all, 24 of us here are representing the people and it is our job here – unless I am mistaken – to represent the views of the people who have put their trust in us. I find, in all sincerity, that a very large number of my constituents – those of all shades of opinion – and not only of my constituents . . . Recently I have been receiving a lot of mail and also copies of correspondence that people from various parts of the Island have sent to the minister saying there must be more accountability of the health service because after all it is not the minister’s or the civil servants’ money which is being spent; it is the people’s money and the people say, ‘We are paying for this and we are not getting what we have asked for or what we think we are paying for.’

You have only got to look at the headlines of the newspapers: even this week the banner headline in the *Isle of Man Examiner* was a complaint against the health service, and the week before there were front page complaints and so on. If representative government is to mean anything, if democracy is to mean anything, then surely the people’s voice and their wishes in respect of health must be met and this motion calls for the establishment of a health authority and a hospital administration committee –

**Mr Corkill:** No, it doesn’t!

**Mr Cannan:** – ‘or’, sorry. It may interest some members to know that 20 years ago I was on the then Health Services Board, and the Board of Social Security was then amalgamated with it. So I know just a tiny bit about the past workings of the health service administration, but I feel at least then, under the then chairman, there was contact with the community and community requirements.

One of the interesting things was that while I was there the community wanted hospice care and we listened to them and encouraged it to be established and gave the support and financial support that we could give. It is nothing to do with me, but it is an indication of the need for a health minister to be devoted to healthcare, to provide a national health service that belongs to the people, providing the healthcare that the people wish.

I will take this opportunity to say I went around the hospital the other day and I congratulate all those

who have made this magnificent hospital and created it and it will be a great credit the Isle of Man (**A Member:** Hear, hear.).

That is the one side, but what people are saying who are not within the greater Douglas area, ‘That is great, we appreciate it. That is wonderful but we have been forgotten and left aside and not consulted about the primary healthcare that we wish for.’ And I will not go into it today but there are serious shortcomings and failings in the provision of primary healthcare and if it was not so there would not be the complaints and the protests and the public meetings.

So in this respect, I am supporting this motion because I believe that the Council of Ministers have got to look seriously at what is going on in the health service and the delivery to the people who pay for it and also the accountability of those who administer or are responsible for the health service – their accountability to the people of this Island.

So on that basis, I second this motion. It is for a report and I hope that all members, if they are seriously concerned about the concerns of the public they represent, will support this motion, because the majority – almost everybody, all of us – all our constituents have elderly relatives or young children who are relatives – are concerned about the health service and want a delivery which they can be confident in. Regrettably at the moment – and certainly I speak for the north of the Island – three quarters of my constituency gets its healthcare based in Ramsey. The Ramsey Cottage Hospital, as I said before, is not for Ramsey; it is for the thousands in the north of the Island and there is that discontent, which you already know.

The health service is for *all* the people in the Isle of Man and I say we are lucky to have the hospital – it is magnificent; it is fantastic. Douglas is fortunate, it is within a few minutes of Douglas – as it rightly is because you have got the great majority of the population – but the healthcare is not only for one part of the Island. It should be for everybody in the Island. Mr President, it is for that reason that there needs to be an examination and I hope that members will support this motion.

**The President:** Hon. members, I think it is an appropriate time at which to make our lunch-break. When we return, hon. members, at 2.30 p.m., the next to speak will be the hon. member for Peel, Mrs Hannan.

*The Court adjourned at 1.06 p.m. and resumed its sitting at 2.30 p.m.*

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### **DHSS – Reorganisation of Structure – Debate Concluded – Motion Carried**

**The President:** Please be seated, hon. members. We continue, then, with item 52 and as I indicated before lunch, the first to speak is the hon. member for Peel, Mrs Hannan.

**Mrs Hannan:** Thank you, Eaghtyrane. I think the impression was given before lunch that health services, social services and social security were very separate organisations within the Department of Health and Social Security, and I would like to refute that suggestion because in actual fact the health services, social services and social security are interdependent. What has happened over the last 20 years is that that interdependence has evolved and anyone who has looked at the report that was carried out on the health services in the late 1980s and 1990s will understand why that happened. I could say in my experience – and my experience goes back some 40 years within the health service – is that people stayed in hospital much, much longer (**Mrs Crowe and Another Member:** Yes.) in those days. For a heart attack, if somebody was lucky enough to recover – we did not have all the coronary care and everything like that that we have today – if somebody was lucky enough to survive that, they were in hospital virtually flat on their back for six weeks, prior to getting up, being mobilised and going home and they had to have a home to go to, and someone there who could look after them – the same with nowadays a simple thing, such as a hernia. So things have actually changed so much more dramatically. People live much longer because of medicines that we have and so from being in hospital for maybe a very short period of time to being continued to be looked after – maybe in a nursing home, maybe in a residential home – things have changed, as I say, Eaghtyrane, dramatically.

That puts a responsibility on another service which is social services. In the past we looked after elderly people in a hospital situation, whether they were mentally ill or whether they were just suffering from age. They were in a hospital poorhouse, if you want to go back, but those sort of places with open wards, and that is how you looked after someone. Times have changed. (**Mrs Crowe:** Absolutely!) So much more is happening now in the community and I think some of us cannot get our heads around that: people are being discharged from hospital much sooner –

**Mrs Crowe:** In a day.

**Mrs Hannan:** – the health services have changed so much. We have social workers, health workers, health visitors, mental health workers working now in the community alongside GP practices. Mental health services have now gone into social services, so maybe people are not aware of the changes that have happened over this period of time.

If members go back to just over 10 years ago, social services were being looked after within a very narrow area: child care within the Board of Education. It was the board members that actually controlled those sorts of aspects of child care and this is what the member for Onchan is suggesting that we go back to: lay people looking after what is now a professional organisation. Where we can get professionals we employ them, and we expect them to make the

decisions that I think the member is suggesting that lay people make. We cannot go back to those sort of issues (**Mrs Crowe:** Yes.) of the poorhouse within community settings, by saying, ‘Yes, they can go in there and no, they cannot because we know what they are like’.

So I think we have just got to get away from that belief that things have not changed over recent years; they *have* changed, they have developed a very much more professional organisation, and I would put it to this hon. Court that *we* are the lay people. Who are we responsible to? We are responsible to our electorate and we are responsible to this hon. Court and that is how I believe it should be.

What the member for Onchan is suggesting is that we have lay people and they are responsible to no-one. I really think that we are stepping back again and I believe that we have our standards that we have voted on today, Eaghtyrane, and I believe it is those standards that we should be continuing to have as our actual guidance.

There are just a number of other points, too – that is the general aspect of it – some of the issues that have come up recently with regard to healthcare, and I believe that those are what possibly have given the member for Onchan some encouragement to bring this motion to the floor of the Court. I do believe that there is concern about coverage at the moment, especially primary care, waiting lists, those sort of things. The department takes initiatives to reduce waiting lists from time to time and will continue to do that. However, because of all the media comment recently, people outside now no longer think that there is primary healthcare, whether it is doctor, emergency service or the like. They think that all they have got is those hours – the hours when they are covered, nine o’clock until five o’clock and that is about it. They do not actually realise that the doctors are there now. The people that have been involved in the emergency service, when people do contact the emergency service, do get the doctor and once people have started to use that service they have found out that it is an extremely good service: the doctor is there waiting for calls, not asleep (**Mrs Crowe:** Hear, hear.) going to be woken up, not a doctor having to wait up until 12 o’clock at night to make sure that most of the calls that would come in . . . I know from personal experience, as I have conveyed to you in another place, the difficulties of doing overtime. I know we do not mind doing overtime because we are in it because we like politics, we are in there and we get on with it –

**Mrs Crowe:** Not saving lives

**Mrs Hannan:** – but how many people out there do overtime, do nights and then are expected to work the next morning and cover a full surgery? (**Mrs Crowe:** Absolutely.)

There are these issues that I think that some members have got to get their heads around: things have changed and I would like some acceptance that there is a doctors’ cover that people can ring up. They

ring their own doctors' surgery number and it will either transfer or they will give a number to get service after hours –

**Mrs Crowe:** Excellent service.

**Mrs Hannan:** – and I think that has to be made extremely clear because of the comments that have been made during this discussion of this particular motion.

I do think that some of the issues that have arisen are because of the service that was operated at that time. I think it is an actual crossover of the service and, in a way, I can understand people who have had a service thinking that they are seeing that service being lost.

In my own area, I was disappointed to be losing our cover for our particular area and to have our own doctors covering that area but the majority of the doctors voted for – as it was as that time – the Manndoc service and my constituents have had no problems with the Manndoc service as it operates. (**Mrs Crowe:** Hear, hear.) We are 20 minutes away from the service – we will probably be a little bit less when it moves to the new hospital – and I do believe that my constituents have been served well by that. (**Mrs Crowe:** Yes.) They do not seem to have any regrets about those changes. They know that they can telephone the doctor and they get a doctor there who is prepared to look after them, whether it is a bank holiday, evening, night or weekends.

I do think it is unfortunate that the member for Michael raised the issue that was on the front of the paper this week with regard to the time it took for a doctor to go to see a deceased person.

**Mr Singer:** More examples.

**Mrs Hannan:** The only reason I am mentioning it is because he blamed it on the health service. (**Mrs Crowe:** Yes!) The responsibility is clearly of the department of Home Affairs! A sudden death is a Department of Home Affairs issue and it should be dealt with as such (**Mrs Crowe:** Yes.) and there is a police surgeon there to cover that. I do not think we should distort the issues which are before us. (**Mrs Crowe:** Absolutely.) I think it is very emotive to use these issues and I do understand that the coroner mentioned these issues but I think that the coroner should have actually been very circumspect in his comments –

**Mrs Crowe:** Quite right.

**Mrs Hannan:** – because I think he should have realised that maybe he should have referred it to the Department of Home Affairs or the health department and said it is something that they should look at. I do not think he should have been criticising doctors for not turning up without knowing the full aspect of the situation. How would it be if that doctor was actually looking after someone and trying to save someone's

life (**Mrs Crowe:** Exactly.) as opposed to attending to someone who was a sudden death?

Now, Eaghtyrane, I am saddened that this particular issue is before us today. I do not believe that ministerial government was brought about to ensure that those of us who were looking at this particular issue would become ministers. The ministerial system came about to be more efficient within government – not parliament. I believe that suggestion has paid off. I am quite happy to work within a ministerial system. I have every confidence in my minister and that is why I am standing up here today (**Mrs Crowe:** Hear, hear.) because I have confidence in the minister.

The member for Onchan has criticised previous ministers; I think that the pressure – the DHSS is such a public organisation – does bring added problems with it.

The member for Michael was speaking about 'someone who is responsible' and I know where he is coming from on this particular issue, but could I put it to the member for Michael, and to this Court – we have had a few ministers – the pressures on that particular member of the House of Keys are extremely considerable? The minister prior to Mrs Christian taking up her position was Bernie May, a very capable minister (**Three Members:** Hear, hear.) – extremely capable – and he lost his seat. That is the high profile nature of this particular post and I would suggest that this particular Court supports the Minister for Health and Social Security. (**Mrs Crowe and Another Member:** Hear, hear.) more than in actual fact it does at the moment. The constitution of the Isle of Man says – or at least Tynwald and the House of Keys – that a minister can be in the Legislative Council. Until that constitution is changed then it is up to the Chief Minister who is a minister and that is how it is until you can change it.

I think you have to remember the issues: yes, people are concerned that it takes a long time to have an operation but I think we would be criticised and certainly doctors would not like it if they did not have a waiting list and they did not keep up their professional experience by doing operations, by sitting around waiting for somebody to be referred to them and they could come in a week on Thursday to have their operation. So there has to be a waiting list. Because of the wear and tear and because people are living longer, the issues of hip replacements and heart operations have developed over that period of time to give many more people in our community a better quality of life, along with all the other illnesses and diseases that the health service has to cope with.

I spoke initially about 40 years, over the last 40 years the changes have been absolutely remarkable (**The Speaker:** Hear, hear.) and not just medicines, the actual pills. There are many people who complain about the size of our medication bills – quite considerable – we have had it this sitting, in the Value for Money Committee, but the point is that people take medication and they can remain at work and remain in here. They have operations and they go back to work. They have cataract operations, which I would like to

see upgraded so that we get the very best of cataract operations. (**A Member:** Hear, hear.)

So all these sorts of issues which I believe have been made, they have given people in the Isle of Man a better quality of life (**A Member:** Hear, hear.) and it is not just up until the health service was separate from social services; it has been during the time that they have been together over the last 17 years and the important thing is that we recognise that, the health service and the social services, which actually support people earlier coming out of hospital so that they do not remain in the acute beds for too long. We are developing Southlands. We are developing other units within the place to give better care to not only elderly but also to young, disabled people within the community, day centres and day support within these particular areas.

So do not tell me that what we have got now is not a better health service, (**A Member:** Hear, hear.) a better social service (**Mrs Crowe:** Absolutely.) and a better social security service; we have, all working together, and I believe that is how they should remain. Thank you, Eaghtyrane.

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

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

**Mr Henderson:** Gura mie eu, Eaghtyrane. We seem to have lost the way on this particular motion, as far as I can see. There has been a lot said, it is an emotive subject but the motion as put is so broad and wide-sweeping, I suppose, you can just about throw anything you like into it.

However, there is one thing I think I would like to make clear from the outset – and I think I will get the backing from my hon. colleague opposite, Mr Karran. This motion and what I am about to say in no way whatsoever attacks or denigrates the hard-working members of our health service – far from it. It is a shame that that twist has to be brought in, as it does every time we have some of these debates, Mr President, and I have been accused of hacking away at staff morale and denigrating the hard work. That is not true. I can stand here this afternoon, Eaghtyrane, as a health service employee for nearly 20 years, as a hospital manager, as the nurses representative for the Transport and General Workers' Union for 10 years and indeed their current parliamentary representative and put some input into this debate and I think I know what I am talking about to a little extent anyway.

There is certainly one thing and it is not about pulling the staff or the hard work to bits or some of the marvellous achievements that we have come to see. Dare I say it, Mr President, as one of the biggest opponents against the new hospital before its inception, I can say now that we have a marvellous facility? I have to admit that – despite the cost and one or two other things, but in the round we have a marvellous facility.

What we have here is an attempt to examine certain elements of that facility – and I use the 'facility' directed against the DHSS as a whole – some minor parts in it but enough to bring a national concern and enough to bring this motion here this afternoon.

As I say, Eaghtyrane, those are the bits I will be talking about and in no way do I want to hear hon. members come back later on and try and spin it around some other way. I put my marker down now: that is not so.

Eaghtyrane, it comes as no surprise that after the four years of being elected in this hon. place, I have had my concerns and I have expressed them. I brought a motion to this hon. place last year expressing my concerns with regard to standards, management of staff and a whole host of other things and they still stand true, Eaghtyrane, even to the extent where I have attended now four if not five of the Chief Minister's briefing meetings where we go through the proposed policy for the year to come. I put my input into those meetings, I enjoy going and I enjoy meeting the senior officials and the ministers and to my knowledge, regarding the input I have had at the DHSS table every time – I have expressed my concerns – and I have never ever had an acknowledgement from anybody to let me know that those concerns have been taken on board and built into the policy document for the DHSS, or indeed an invitation from the DHSS to come down and see them and expand on what my concerns were or what I would like to see in the policy document. I find that a shame.

What I also find a shame is – and perhaps a bigger shame and perhaps one of the things that the hon. member for Onchan, Mainstyr Karran has brought here – as a matter of fact there is not one single senior DHSS official sat on that balcony (**Mr Houghton:** Hear, hear.) this afternoon, Eaghtyrane, and I think –

**Mrs Crowe:** Because they are all working.

**Mr Cretney:** Because they are all delivering the health service.

**Mr Henderson:** I do not accept it. This motion has been on this order paper for some time. The officials have known all about it and there is no reason at all why one or two of them could not have sat here this afternoon and listened to what –

**Mrs Crowe:** They hear it all the time!

**Mr Henderson:** – is being said, taking notes or even helped the minister out in her response and I find that an absolute disgrace (**A Member:** Hear, hear.). We saw the same thing at the Chief Minister's policy debate: not one senior official here apart from, and it can be done, to answer the member for East Douglas, Mr Cretney –

**Mr Cretney:** South Douglas.

**Mr Henderson:** – South Douglas, I beg your pardon, sir – when we see the Chief Constable turn up for things (*Laughter*) and there may be one or two others (*Interjections*) so it can be done, Eaghtyrane, so if there is a will there is a way. So I do not accept that everyone is too busy. I cannot see how a chief executive or his senior officers could be too busy to attend here for half an hour to listen to this very important debate.

Having said that, Eaghtyrane, I have raised concern after concern in this hon. place, waiting lists being one of them, the amount of time it takes hip replacement patients to be seen, the fact that GPs are quite blasé when people arrive at their surgeries in pain and agony wanting to get moved up the list because they cannot stand it – doctors just saying, ‘Oh well, there is not much we can do, I will send a letter but tough, you will have to wait like the rest!’ (*Interjection by Mrs Hannan*) Now, that to me is not quite right and then we have the heart patients’ waiting list: people are actually dying on waiting lists to be seen. It is a massive, massive subject, Eaghtyrane.

Then we also have the social security/social services side of things: again, issues which I have raised continually, which I continually question, complicated order after complicated order that arrive here every month that we have to grapple with, continual changes being made to the system. We have seen cuts to certain things, we have seen things slid sideways and all sorts of adjustments being made and I think really the hon. member Mr Karran has got the right idea here in that we do need to have an assessment of these departments and of whether they do need to be split up. I think they do, and I am glad that the debate is going the way it is and bringing all these things to the fore because it is about time, Eaghtyrane, and I just hope that at the end of the day, hon. members will vote for this assessment – that is what it is. The hon. member is not asking to make sudden changes; he is asking for a situation to be looked into.

At the peril of repetition, we have got the doctors’ crisis at the minute, we have got the dental crisis going on and we have still got problems with pensioners in nursing and residential homes and with pensioners having to give up their own homes, selling them and so on.

If this encourages a shake-up in procedures and practices being put in place or even new policies then I think it is an excellent way forward. I do not view it as an outright destructive attack on the DHSS – far from it. It is actually what we are here for: to examine the standards of service that are going on and to ensure that they are operating at the very best but across the whole range, Eaghtyrane. Lots are, but as I say, some are not and that is quite obvious.

We have heard some very good contributions today, highlighting some of the areas that are not actually performing up to where they should be. I think it is right and proper that it should be discussed and that we should vote for this motion here today, Mr President. Thank you.

**The President:** Hon. member for Rushen, Mr Gill.

**Mr Gill:** Thank you, Eaghtyrane, I will be brief. We read initially the motion from Mr Karran, which is in three parts, which when I read, as a former employee in the DHSS, I thought there was a lot of sense in it. In an organisation which has increased in size and scope in each of its three divisions and each division is bigger than a separate department in its own right, it makes perfect sense to review that and to take stock of its rôle and its political leadership so I have no doubt with that.

I did recognise that in the slightly intemperate polemic that we heard from the mover in his overpersonalised introduction to support this – that is a matter for him but certainly the principle is there. I do recognise it and I do think it is a sensible practice to review all parts of government to see if they are the most efficiently led and providing the best services that are possible.

Of course, there is an inherent difficulty that the bigger an organisation gets, the most resistance there will be to that kind of scrutiny from certainly the officers at the head of that because, to put it bluntly, their pay reflects the size of the organisation they head up.

So we have to accept that fact but the only reservation I would have, sir, unless I hear something compelling from the next speakers, lies with the last sentence, which is ‘and to review and recommend changes to the structure of the DHSS.’ I think that is extremely prejudicial; that is suggesting that there will be changes that will be recommended. Now, quite possibly that will be the case but it is prejudicial and it certainly gives lie to the fact that this is open and trying to be a transparent way of having a clear review without an agenda behind it. I think it gives lie to that argument, sir.

So, yes, I do think that the motion as it reads makes perfect sense and I would be minded to support it but I am just conscious, sir, that some of the speakers that we have heard so far – and I am certainly not going to speak strongly in favour of the DHSS, although I could do at length, in many of their practices and equally I could, I am sure, be constructively critical of members of the DHSS, as we all can. That is not the issue before us; the issue before us is the motion and whether we should review it and, Eaghtyrane, I believe that that is sensible. Whether the timescale that is built into it allows for a proper review is a matter that perhaps the minister might advise us on but the principle certainly, sir, I would be minded to support. Thank you, Eaghtyrane.

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

**Mr Houghton:** I thank you, Mr President. I think the hon. Court and the speakers who have spoken in this debate thus far really are leaning – with the exception of perhaps one or two – towards the fact that

the whole thing does require to be reviewed. I would support that entirely.

For instance, if we just move away from the health services because that has had a battering enough I think in debates thus far and prior debates to now, the social services division has grown out of proportion. We are all pleased and I support the current member for social services at the moment about the fact that it has wonderfully grown, but it has grown out of control and we are throwing money at social services and not properly managing it. That is one of the main reasons I particularly support this debate.

The whole issue needs to be looked at. It is a massive portfolio now in social services; it could be a ministry of its own. I know that because I was one of the previous members to it and it has grown to an even greater proportion since my time in social services.

The department of social security could be put back into a board structure because although it deals with the most, as far as money paid out by this hon. Court, it has a staff of about 70 to 80 people and it is tied in by point of law by this hon. Court. It does not have a large staffing and it could be controlled by, I would have thought, a board chairman, as far as its day-to-day running is concerned; the remainder of it has to come back before Tynwald.

So you are looking at the health services, the department of health and separately social services division, which is another animal – a very, very out-of-control animal, the way I would look at it, set against health. In all fairness, by the time the Minister for Health and Social Security has cleared her portfolio of research and considerations in health, she cannot then – nobody can – turn to another large area, which is the social services division, to start looking and delving into that area. She just simply has not got enough time in her own capacity as minister for that area. It is a point that I did note: even with the chief executive of the Department of Health and Social Security in my time in the DHSS, I noticed that even that particular official did not really have time, after he had finished all the other workings of the department, to start carefully looking into, considering and concentrating on the issues to do with social services, which themselves are now quite massive.

Social services are something that we all would wish to support and we all feel that by paying these millions and millions into it we are getting value for money. I say we are not getting value for money in social services. However, obviously I support social services 100 per cent, but as a leaner animal than it actually is now, and that can only be done by a proper survey into those issues.

What I would also ask, if it does go back to the Council of Ministers, is for the Chief Minister to arrange that the survey is done on an *independent* basis because that is where the whole issue fell apart when I had my care homes investigation done by the Council of Ministers. Where they went wrong in this – and I made this clear to the Chief Minister – is they used senior social services management to advise the Council of Ministers. That is where the problem lay in

this area and that is what must be eradicated from this. Otherwise it will be rubbished, I promise you, by many members of Tynwald, if the survey is not done independent of those senior management officers who are actually there now, both in health and in social services on this particular issue. That is what I would strongly support, sir. Thank you.

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

**Mrs Christian:** Thank you, Mr President. I think various contributors have started on the issue on the order paper and wandered away from it (**A Member:** Hear, hear.) with regard to their own agendas or particular concerns. If we are to consider what *is* on the order paper, Mr President, I have to say as the minister for this department that I have no real difficulty with this matter being reviewed. (**Mr Delaney and Mr Cannan:** Hear, hear.) It is not a unique occurrence. It has been reviewed in recent years, in terms of whether or not it should be one large department or in some way subdivided. Indeed, it was certainly considered within the last four years, I believe, but at that time it was considered inappropriate to make any changes, given the substantial portfolio of work and major schemes which were underway, which would have had to continue at the same time as dismantling a department, which in itself will be a tricky exercise.

So it is not that the matter is ‘hands off our department; we are not going to have anyone look at it’. There is no problem so far as I am concerned with the review. It is interesting that different members have reflected different views as to what might happen. We have on the one hand a suggestion of a department devoted to health, on another issue, and perhaps the position in the past, that social security could more readily be taken from the department and moved perhaps to Treasury or some other area.

My hon. colleague, Mrs Hannan, has made a very, I think, considered contribution to this debate, indicating the interrelationships (**Mrs Crowe:** Yes.) between all these areas which are valuable and need to be sustained. Irrespective of taking bits of it off and tacking them onto somewhere else, those relationships will still need to be maintained, and I would reiterate and agree with her that the developing relationship between health and social services is a very intricate one now with mental health cover, for example, being entirely within the sphere, except for acute services, of social services and these are changes that members broadly speaking may not be aware of.

I would also acknowledge the very considerable workload which my colleagues in the department undertake with respect to the various divisions. (**Mrs Crowe:** Yes.) They are indeed probably heavier than some ministries, but I do feel I have to take issue with the mover of the resolution in terms of elected members being overruled, the reference presumably being the elected members not being listened to by, in the view of certain members, the non-elected minister.

(**Mr Karran:** No.) I consider myself to be elected and I can tell you, it is my belief that most of the members who have worked with me in the department have *not* been overruled (**Mrs Crowe:** Hear, hear.) to any great extent. In fact, probably the person with whom there have been most disagreements on policy have been between myself and the hon. member, which may be something that lies behind this particular (*Interjection by Mr Karran*) motion.

Nor would I accept, Mr President, that I am not accountable; I am indeed accountable and I think it is illustrated both at public meetings in recent times and in this Court. I am accountable.

The hon. member who moved the resolution has covered a wide range of areas which were perhaps not specifically related to the motion and he throws in phrases about scandals; it is always this smoke-and-mirror stuff without substance and if we want to look at issues (*Interjection by Mr Karran*) which he is concerned about, fine.

The hon. member does point out that the department has difficulties from time to time in respect of considerable costs, perhaps, in relation to suspensions from duty and all the rest of it. (**Mrs Crowe:** Yes.) Those are difficulties we have to manage, but at the same time he has a view that there are demoralised staff. I have a view that in most areas at the moment and in particularly in healthcare there are some very enthusiastic staff. (**Several Members:** Hear, hear.) So there are different perspectives, Mr President.

I do not know what will come out of this if the Court agrees to go ahead with it and I do think that members in the department feel that a good job is being done with the structure that we have now. (**A Member:** Hear, hear.) However, we are happy for it to be reviewed.

In terms of comment by the hon. member, Mr Henderson, who has said that we have never invited him to discuss the issues that he has raised at Council of Ministers' meetings, at the last meeting he was very specifically invited to speak to the director of nursing and midwifery with regard to the management training programmes available to staff. I wonder if the hon. member has taken up that invitation.

**Mr Henderson:** The letter has gone.

**Mrs Christian:** Oh, the letter has gone?

**Mr Cretney:** In the post.

**Mrs Christian:** I would also say, (*Interjections*) as this is an issue which is addressed to the Council of Ministers . . . If it is in the post we hope it will get delivered within a month! (*Laughter*)

**Mr Houghton:** And not shredded!

**Mrs Christian:** The hon. member has referred to morale issues, as I think has my hon. colleague. There are always two perspectives in a large organisation

with large numbers of staff and certainly we would want to address any morale issues. The hon. member has a very specific remit, as he has indicated in his remarks, in relation to that issue. He does take the view of one side.

I do think also that members sometimes, in talking about a large department, say that it is too big, it is impossible. I think that comes down to whether or not members think they are there to manage departments or whether they are there to deal with political matters and policy. Now, I accept that sometimes they are hard to separate, but if you have a very large department then you have to concentrate on policy issues and, indeed, the other members of the department do a lot of the delving into the nitty-gritty of the running of the department and that is the way it has to work.

Now, with regard to comments about GPs being blasé, officers are not here, heart patients are dying on waiting lists – all these are matters which have been airing before this hon. Court and answers have been given to those issues. They are not really matters which I think can be particularly addressed by this resolution.

Coming back to the order paper, I have no problem with an independent body investigating the need for more lay input from members of the public. We all have different views as to where that lay input should be, how extensive it should be, what its remit is and what their responsibility and accountability is as lay people.

With regard to part (c), the investigation of the creation of a health authority or hospital administration committee, I think my hon. colleague from Peel has indicated that those are issues which are historical and probably have little value or benefit today.

With regard to a social services committee, the hon. member may consider that is necessary for lay input and perhaps overlaps with the one before, but to have the whole thing reviewed, that is a matter for the Court and I do not think we would have any objection to it. It will take time up; it will take the resources of the department to provide information to the Council of Ministers on those issues, as indeed would attending here as officers to sit in this Court and listen to an issue which is going to have to be gone over again if it is accepted by the Court anyway. Officers do indeed listen from their offices via the telephone, it is possible to hear what is going on here without (**Mrs Crowe:** Absolutely!) sitting in the Court all day. (**Mrs Crowe:** Exactly.) Again, I do think –

**Mr Delaney:** You could be on a golf course and hear it!

**Mrs Christian:** – that the burdens of the officers in this department are such, vis-à-vis the basic work of the department, the major projects of the department and the frequent questions and resolutions in relation to the department keep them extremely busy and it is no surprise that they are not sitting here to listen to a resolution.

So, Mr President, just to sum up, if the Court is of a mind to carry out this review, I have no problem with that at all.

**The President:** Hon. member for Ayre.

**Mr Quine:** Thank you, Mr President. I think the first thing I would say is that I appreciate the openness and the willingness expressed by the minister who has just taken her seat, in saying that she has no objection to an examination of this nature being carried out. I appreciate that, I think that is a very healthy line to take.

However, I think there are one or two points that I would make on this, and if I could start with this: it is more than 10 years now since the issue of the DHSS structure has been looked at, certainly as far as my knowledge goes. If there was something done within the Council of Ministers, I think that may be separate, but in terms of my recollection there was an exercise some 10 years ago. Indeed, I was involved in that exercise, I was member for health at that time, and –

**Mr Cannan:** A good job you did, too!

**Mr Quine:** – it flowed from, in fact, as hon. members that were around at that time will remember, a report that was published under the confidential heading – but, of course, the difference between open and confidential in Manx politics is about 15 minutes, sir, anyway. (*Laughter*) It was what we referred to as the Pool report and so there was an examination done at that time. I know there were three parts to it.

Moving on from there, I think it was the following year, when the hon. member for Onchan, Mr Karran, and I were in the DHSS at that time, there was an examination done and a paper prepared by the department, at the time when Mr Cain was minister, and that recommended a division of the department – even at that time, that was recommended. I think I am right in saying that that went ultimately to the administration committee of the Council of Ministers and I am not quite sure what happened after that. Nothing happened in terms of the proposals to restructure but obviously there were other discussions that followed on from that.

From my own notes at that exercise, I am aware that the case was made to make adjustments to the structure. It was made on a number of grounds and certainly some of them I have a note of here. One, of course, was that the size of the department's budget in relation to the total government expenditure was very, very large indeed – disproportionate, in some ways, to the political balance within the Council of Ministers; there was an issue of, given the size of the expenditure and the resource, resource control over that span; there was the question of what was held out to be an excessive political span – in other words, the span was too big to expect a realistic impact of political influence into the scene; and there were also issues to do with how government targeting and government priorities could be fairly assessed, given this

disproportionate amount of resource that was put under one political wing of the Council of Ministers and there were other reasons.

So, that was the situation then and, as I say, there were other reasons for it as well, but it is my belief, sir, that the case for restructuring – 'downsizing' is what we would refer to today – has been greatly increased in recent years. Expenditure compared to what it was in 1999, of course, has greatly increased. The extent and the complexity of the services, as it impacts on all three divisions, is very much greater than it was in 1999 when the recommendation to restructure was made by the department. Certainly, the burden that falls on the minister and on the political members is substantially greater than what it was at that time. Indeed, from the minister's point of view alone, we only have to look at our order paper for Tynwald to look at the number of orders – in the main, I think, social security orders – that she has had to read up, present and answer questions on; it is a mammoth task. Of course the resources under management, that has greatly increased as well, so the point I am making is that if there was a case in 1999, given what has happened since then, I would suggest that, *prima facie*, there is an even greater case now to look at this issue seriously.

Moving on from there, sir, I think that, although this may be disputed, it is my reading that there are indicators that there is greater public dissatisfaction with the service now than was the case at that time – in the main, perhaps, because public expectations have increased and therefore, if we are not meeting them, they are not going to be particularly happy about that. Service provision is certainly an issue – the public are looking for greater service provision and as the public see it and indeed as I see it, in some areas we have seen a slide in service provision; we have seen a retrograde movement. You can look towards the dentists' scenario, the doctors' scenario, no matter how much justification there may have been for change in those areas from the public point of view they do not see that as a plus, they see that as a minus.

**Mr Cannan:** They pay the bill.

**Mr Quine:** I do believe that in recent years the whole question of public input and public consultation in relation to services has changed and not for the better. (**Mr Singer:** Hear, hear.) We had, albeit with a quite different framework, I believe, a much better outreach to the public to get views 10 years ago than we have today. Waiting lists – there is a whole list of things which to my mind and I think in the minds of a large section of the community represent some slippage rather than some enhancement of the levels of service.

I do not want to draw personal cases into it but the minister is aware and I am aware that there are cases happening –

**Mrs Crowe:** Of course there will be.

**Mr Quine:** – and the facts attached to those cases are indicative of a service that is unacceptable. (**Mrs Crowe:** Oh!) It is unacceptable, I would suggest, for a patient living in the far north of the Island who has been discharged from hospital to be told, or for the family to be told, ‘Right, put that patient in a car and get the patient up to Noble’s and I will see the patient in Noble’s’, against a backdrop of the patient having been in hospital, violently ill, in great pain. It is unacceptable for a 999 call to produce an ambulance that takes an hour to get down to the north, back up to Douglas and then into the queue to get through the A and E to see a doctor – these are not the pluses, sir, these are minuses.

**Mrs Christian:** There is no change in that.

**Mrs Crowe:** Absolutely not. It has always been the same.

**Mr Quine:** One other aspect that I would touch upon. I think it is prudent to look, as part of this exercise, to other jurisdictions, not because (*Interjection by Mrs Crowe*) there is a strict parallel going to be drawn between other jurisdictions and ourselves; I do not think that is the case at all. That is not necessarily the case, but I think that if we have a jurisdiction such as Jersey, for example, who have recently started from a clean sheet of paper and looked at this issue and come up with a proposed structure that looks at its social services, its health services, (*Interjection by Mrs Crowe*) its social security services, that certainly warrants examination and as we are aware, they have had such an exercise and they have come up with an entirely different (**Mrs Crowe:** Privatised.) proposal to address this from what is wrapped up in our current structure.

Now, I have two further points to make and I see Mr President shaking his watch (*Laughter*) –

**The President:** A quarter of an hour up, sir.

**Mr Quine:** I did not think we were on an adjournment debate! What I was going to say was two things, sir. Firstly, I would have been happier if this exercise had been a select committee exercise. I think in fairness to the department, in fact, it would be better if this was looked at by a select committee because the way that we are going to go about it now is that it is going to be an in-house exercise done within the department and put through the Council of Ministers for us to see. As was pointed out by one contribution already, there is going to be a heavy reliance upon the staff within the department, and I know that would come either way, but there is a greater likelihood of bias being detected and addressed in a select committee process than through an in-house government exercise. So I would have been happier, but if this is the way that the mover wants to proceed then I have no objections to that.

Just one final comment on the motion itself, sir, and that is: I am quite happy to support the motion. In

doing that I do not take what is written in the motion too literally because it does not necessarily represent my view; the point I am making is that I will be endorsing this motion because I believe the need for an exercise to be conducted to examine the best structure for the DHSS, to have a fresh look at that, is there. I am certainly not suggesting that necessarily I would support all the elements which are really reflected within this motion itself. Thank you very much, Mr President.

**The President:** Hon. member for Onchan, Mr Corkill.

**Mr Corkill:** Thank you, Mr President. I have listened carefully to the debate and I have found it very interesting. Can I start from the point of when the Council of Ministers looked at the agenda paper, we saw item 52 and we carefully went through each proposal within it and we had a feeling of ‘Why not? Why can this process not be done?’ and so we were not opposed to what the hon. member was seeking as written on the order paper, in terms of the examination that the mover was requiring.

So I was very disappointed when I heard the mover’s comments in trying to endear hon. members to support the motion because he gave me 10 reasons not to support the motion (**Mrs Crowe:** Absolutely!) for the one that I might have done, but having seen through all of the fog of the rhetoric that the hon. member creates from time to time, in promoting his cause . . . Get rid of the fog, let us see what the actual written word is.

So I stand to actually support the examination of the issues that are being promoted, but I have to say that there have been elements of the debate, not just from the hon. mover but also from one or two others that I do not think are particularly helpful either.

So there is a commitment there, as the hon. minister has already indicated, but I would draw members’ attention to paragraph (a). We have heard a lot of debate in this debate about the DHSS and its structure, that it is time to have it looked at, that it is 10 years since it was looked at; I believe it has been looked at since then, in fact. The hon. member who has just resumed his seat mentioned 10 years and he gave a number of reasons why the DHSS should be looked at – size of budgets et cetera. However, in paragraph (a), the second line goes on to say: ‘and review the existing departments for amalgamation’ and I think this debate has missed out on those words because to assume that that is a small issue because we are trying ‘fix the DHSS here’ . . . I do not believe the DHSS is broken (**Mrs Crowe:** Exactly.) in any way whatsoever, and I think there have been vast service improvements over the years. One of the issues that was mentioned was about public expectation. Is it not good that we have a community that feels as though it can have that expectation and that perhaps we may be able to deliver things that were never dreamed of (**Mrs Crowe:** Absolutely!) only 10 years ago? That is the business we are in and certainly (**Mrs Christian:** Hear, hear.)

one of my *raison d'être* for being in politics is to get involved in public service delivery and that is pretty important for most of us, I guess –

**Mr Cannan:** That is what we are all in for.

**Mr Corkill:** Absolutely, the member for Michael. One member said that October might be a tight timeframe. When you start looking at these other aspects that may well be the case and so I make that as a note of caution.

**Mr Earnshaw:** It does not say which year.

**Mr Corkill:** My hon. colleague, Mr Earnshaw, says it does not say which year! I am assuming October 2003.

There is another issue: in my rôle as Chief Minister of the Council of Ministers, I have already had tentative discussions with the Chief Secretary and two or three months ago tentatively asked her to consider looking at government departments and the structures of government departments to see whether there is a need to look at restructuring – very tentatively – inasmuch as with this whole process of corporate government we are all about delivering value-for-money services to the public we represent. I had asked her to start looking at a number of issues to see whether we can create some efficiencies and some different balances. So I guess that there are a number of members thinking that maybe it is time to have some sort of appraisal of our departmental structures, and I think that is a healthy thing that politicians should be doing. I think it is the very thing – in terms of policy and what our rôle is – that we should be looking at, as opposed to hands-on-management type issues which other members have drawn the line on – although it is admitted that it is not always easy.

The hon. member, Mr Quine, mentioned a couple of things wrapped up in the overall ethos of what he was putting across about the slide with regard to dentistry. I would suggest that there are probably as many people, if not more people than ever before, actually being treated by dentists on the Island –

**Mrs Crowe:** Yes.

**Mr Quine:** By the NHS?

**Mrs Crowe:** Yes.

**Mr Corkill:** – but the big pressure – and I am on public record over and over about this – is that there is an imported culture (**Mr Cretney:** Hear, hear.) (**Mrs Crowe:** Yes.) in that pressure of trying to be like the United Kingdom. (**Mrs Crowe:** Right.) (**A Member:** Yes.) I do not like that; hon. members do not like that and the public do not like it and the department is dealing with that very sentiment by its policy in trying to deliver NHS dental services.

**Mrs Crowe:** Quite right.

**Mr Corkill:** Negotiations with professionals are difficult – we know that with doctors at the moment; it has been very difficult with dentists for a period of time. I would say to them here and now that I want the dentists to come along on the NHS ride, not on their own private insurance agenda, and that is the job that we have to do in that particular area. So to say that the dental service is sliding – there are changes being attempted but at the end of the day, we are looking at what the public actually receive and how they receive it, and as far as I am concerned, if we want to have maximum dental protection for our community there are two things that I know in my heart are the best for the public. The first is the National Health Service dental service, available appropriately for everybody, (**Mr Karran:** Hear, hear.) regardless of cost. Secondly – and this is controversial and it is something that has been left out there – is that fluoridation of the water is another single measure that would be useful. That is a personal opinion and it is controversial, I know, but with what I have read and what I understand and what has been promoted, fluoridation would improve the dental care of this Island, particularly as there is no naturally occurring fluoride in our water whatsoever. So, I may have set a hare running there, Mr President, but that is something I believe in.

Now, I just wanted to put across I think, Mr President, that this is a motion that the Council of Ministers is quite happy to pick up and run with, but it is a large subject and there is a lot of consultation to be done.

The hon. Member for Ayre is always a very trusting sort of soul! (**Several Members:** Hear, hear.) He does not think in-house scrutiny is such a good thing. (*Interjection by Mrs Cannell*) Can I assure him that it would be thorough scrutiny and it will not be completely 'in-house' because this type of process will inevitably involve all members of Tynwald and a great number of people in order to come to the right decision.

I would also point him to the fact that in the island of Jersey, (**Mrs Crowe:** Yes.) nearly everything is centralised, (**Mrs Crowe:** Privatised.) with the exclusion of the peripheral areas of that island, and that is not something that I would wish to particularly endorse in relation to the Isle of Man, which is different. So I think we have to be a little bit careful about how we draw parallels with our cousins down in the Channel Islands. I would caution him about saying that they have got it right; they have reviewed things and they have done it their way for their island and I would suggest that –

**Mr Karran:** We do not want it their way.

**Mr Corkill:** – we have to do the same.

**The President:** Hon. member Mr Karran to reply.

**Mr Karran:** Eaghtyrane, I would like to thank my seconder for his support as far as this issue is concerned, for at least getting this issue debated. I do

not wish to turn this motion into just a political football regarding the present difficulties in the north and in the south of the Island. I think this is far too much of an important issue.

I am somewhat disappointed, Eaghtyrane, with the member for Peel trying to make out that I want to bring back poorhouses. Does she not realise that one of the first things I did when we went to social services and we started social services (*Interjections*) that the situation was that we changed Glenside from being a geriatric hotel? I fought to shut down Cronk Grianagh for years and unfortunately I left before . . . There would have been an ESMI unit put there, if I had been there after the five-year period; we brought in extra care, made sure that we did not have a situation in our residential homes so that people were frightened when they got ill that they would be thrown out. We changed all that so I think it is a little bit unfair (*Interjection by Mrs Crowe*) to try and give the impression that somehow we want to bring back a poorhouse situation.

The same with care in the community: I do not need lectures about the situation as far as social services are concerned, as one of the ones who was the architect from the days when my uncle who was mentally handicapped and my grandmother saying, 'Pray Johnnie will die before us' simply because the fact was that he was going to be thrown into a lunatic asylum when she died. We put those rungs in the ladder and I do think it is quite unfair to try and make out that somehow we want to bring back the poorhouse and we want to bring back the old system.

**Mrs Hannan:** No. I never accused you of that at all; you were not listening!

**Mr Karran:** And the structures that –

**Mrs Hannan:** I was speaking about the movements that had taken place –

**The President:** Hon. members!

**Mr Karran:** The fact is that somehow because we have got great pride in the fact that now disabled young people who have muscular dystrophy do not end up having to put into a separated school unit for the mentally handicapped at Glencrutchery; that would not happen today. Those things were developed under the 1986/1991 arrangements, when I first went to social services so I do not want it to go back to that, Eaghtyrane, and I do believe that things have changed from all recognition (**Mrs Hannan:** Yes.) in the last 15 years –

**Mrs Hannan:** That's what I said!

**Mr Karran:** – but the problem is that that does not mean that we have to just have a free-for-all and allow the situation where we have people who are totally unaccountable for their actions, and I believe that that is the case at the present time.

As far as Manndoc is concerned, I understand the problems. If the doctors had had their way with the Manndoc there would not be half the resources that are in the Manndoc at the present time, but we would not compromise and we kept them on six months' notice when we allowed Manndoc to happen, in my time as a member for health. It can be done, Eaghtyrane, if the political will is there; when the political will is not there and people are ignoring the general public and what they need for the ministerial system, that is when the services get attacked.

I would just like to say something to the hon. member: the issue is not about it being an MLC or an MHK –

**Mrs Hannan:** Maybe not with you!

**Mr Karran:** No, not with me. Quite frankly, it is not with me because at the end of the day the individual would not be there only for me in 1996 being prepared to take on the opportunity of being the member for health, when everybody had the opportunity at least twice before I did so, so I do not want that. My issue was that the labour-party vote was to allow the Chief Minister to pick his team. I cannot complain – we voted with one vote to keep that situation – if he wants to use the living dead (*Laughter*) for the House of Keys –

**Mr Delaney:** Give more thought to the living! (*Interjection by Mrs Crowe*)

**Mr Karran:** – and that is the position here so I am not interested in that.

I was interested in her issue about how the doctors want waiting lists. An awful lot of these consultants want waiting lists to encourage people to go onto the private lists; there is no doubt about that. I have fought – I remember people screaming 'shame' at me. I have neither chick nor child, but the situation is that if I had a child and I was told that he was not going to have his hearing sorted out for six months because I could not see a consultant and he was going to lose six months of his educational period, then I would pay the £75, as it was at the time. I remember in that period between 1991 and 1996 people screaming and shouting, 'Shame, shame, shame!' The problem was that it is about ownership of our health services. That is what this debate is about: ownership, making sure the staff feel valued, but also making sure that the people outside know it is *their* health service and it belongs to them.

So, I do hope that that does dispel any ideas of wanting to go down the old system of where it was.

I thank the member for Douglas North. This is not an attack on the staff; it is an attack on the structure of the DHSS. I do believe, as I have had the experience of being there for 10 years of its 17 years' life that things are not right and they are not getting remedied efficiently.

As far as the member for Rushen is concerned, he is quite right: there is always a danger that as far as the

more that you get under you the more the pay is – the law of Parkinson. However, I have to be perfectly honest with you: this is not something that is a unilateral problem of the DHSS. This is a problem that we have got in most departments of government so it would be unfair for me to criticise the DHSS over other departments and this motion could, maybe in one way, when they are looking at the issue of amalgamation of the departments, be looked at, because I do believe that there are efficiencies without having to attack the quality of service to our people in my opinion, so I thank him for his support.

As far as the hon. member for Douglas North, Mr Houghton is concerned, yes, I am concerned. As the person who set up the social services, we never wanted Cummal Shee. The name, Eaghtyrane, might have been a better advertisement from Adrian, as ‘the dwelling of peace’, but it certainly was not the dwelling of peace down there for my ex-constituents when it was done for political reasons, when the professional advice was that they should have split the Cummal Shee facility from a therapeutic to a juvenile justice unit. It was not allowed to happen before this minister’s time simply because it would have caused embarrassment in the Council of Ministers and that is why, sir, you have had so much money wasted for so many years. It is because of that, and if we do not have open accountability as far as decision-making is concerned, these sorts of things never get accounted for.

I would just go on to the hon. member for Council, Mrs Christian, and as I have said, after the 1996 election there was nobody who wanted to be member for health in this hon. Court (*Interjections*) and I have nothing against working under a member of the upper House and I have nothing against working for a woman, as well because that was partly why I supported (*Laughter*) her on the third option of being invited to be the minister –

**Mr Delaney:** I have been working for a woman for 35 years! (*Laughter*)

**Mr Karran:** I am happy to give the confidence to allow the Council of Ministers to be in the driving seat of this review because I think that my argument to that committee will be very, very difficult if they are prepared to look at some of the things with my experience of what needs to be changed. I am disappointed that somehow again we are some sort of extremists with smoke screens over scandals. We have got a major court case that is coming up in the very near future that has never happened in the United Kingdom (**Mr Houghton:** Hear, hear.) and there are no smoke screens as far as scandals are concerned. (**Mr Houghton:** Hear, hear.) What we have got to do is to learn from the mistakes that have happened in the past, not try and hide them so that we get a repeat of them. So I am disappointed that somehow she thinks that we want to do that.

Eaghtyrane, as far as the hon. member for Ayre is concerned, I have to say that one of the things that I

did support is the changing of policy so that we did not have the nonsense of having three rehabilitation stroke units on the Island, for which I did support the minister. What we want is one good unit. It is no use having new plaques on new buildings for us when what we want are people to be treated and have the best chances of getting their strokes done with a first-class unit, not dissipating the quality over the whole of the Island and ending up a third-rate service.

One thing that I am disappointed with is the issue of the paramedics that has not been addressed and I believe that if there had been a health services board of lay people, they would have safeguarded it. I believe it is fundamentally wrong, Eaghtyrane: my constituents should have the same chance of survival from a heart attack as the hon. members’ for North Douglas or the hon. members’ for Rushen, either in Port Erin or Ramsey, and that is another one of the things that has never been done and that is to get a proper paramedics service throughout the Island, staffed correctly. So, hopefully, we will be able to make representation to that committee.

I must thank my colleague on my side here for being committed to a welfare state. I do say that I can understand that he has this problem about fog, but sometimes there is an awful lot of fog comes the other way as well. I am at least open enough to accept that situation but I am disappointed that he feels that there is no need, as far as the DHSS is concerned. Speaking as a member that has served on the DHSS from 1986 to 1991 and 1996 until 2001, there are things that need to be addressed. We must remember, when he talks about dentistry – there are issues, he says, about dentists bringing in UK ways – my department fought *not* to bring in some of the UK ways and some of the things were ignored and they did not do what we wanted. I believe that unfortunately he is now picking the fruit for not accepting what the politically responsible member for health wanted in the first place.

I must say, Eaghtyrane, that his input about fluoridisation is a very valid input, but when you are talking about three to five parts per million, you have one place that supplies the member for Garff that was built in 1908: until recent times, it was visited once a fortnight to dig out the sheep – we changed the policy and wound up the mechanism to throw lime in. I do think at times – especially with the recent criticism of the fact that we inherited the situation where three-quarters of water had leaked out before it got to the consumer, that the chap burnt the records of the whole of the north of the Island in the 1950s and in the 1990s we had to start finding the plans of where they are – he is slightly divorced of reality, when he wants to talk about bringing fluoride in as a part of the issue. Until we address the issue of the filtration plant (*Interjection by Mr Corkill*) –

**Mr Houghton and Another Member:** What has that got to do with this?

**Mr Karran:** It is, Eaghtyrane, really a wrong situation to try and make out at the moment that that is presently able to be done by anybody, so that issue will be addressed.

I hope hon. members will support this proposal and we will have a commitment to an Isle of Man health services, not a Channel Islands health services (**A Member:** Hear, hear.) which does not exist.

**The President:** The motion, hon. members that I put to the Court is printed at 52 on your order paper. Those in favour please say aye; and against, no. The ayes have it.

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

*In the Keys –*

*For: Mr Cannan, Mr Quine, Mr Rodan, Mr Quayle, Mr Rimington, Mr Gill, Mr Gawne, Mr Houghton, Mr Henderson, Mr Cretney, Mr Duggan, Mr Braidwood, Mrs Cannell, Mr Downie, Mr Shimmin, Mr Bell, Mrs Craine, Mr Karran, Mr Corkill and Capt. Douglas – 20*

*Against: Mr Anderson, Mrs Hannan, Mr Earnshaw and the Speaker – 4*

**The Speaker:** Mr President, the motion carries with 20 votes for and 4 votes against.

*In the Council –*

*For: Mr Lowey, Mr Waft, Mr Singer, Mrs Christian, Mr Delaney, Mr Gelling and Mrs Crowe – 7*

*Against: None.*

**The President:** All 7 votes in the Council having been cast for, hon. members, the motion therefore carries.

Hon. members, I thank you sincerely for your co-operation in getting through our business for today.

Hon. members, the Council will now withdraw and leave the House of Keys to transact such business as Mr Speaker may see fit to put before you.

*The Council withdrew.*

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## HOUSE OF KEYS

**The Speaker:** Hon. members, the House will stand adjourned until 10.00 a.m. Tuesday next, on 27th May. Thank you, hon. members.

**Mr Braidwood:** Thank you, Mr Speaker.

**Mr Quine:** Thank you.

*The Court adjourned at 3.51 p.m.*