



LEGISLATIVE COUNCIL OFFICIAL REPORT

RECORTYS OIKOIL
Y CHOONCEIL SLATTYSSAGH

PROCEEDINGS

DAALTYN

HANSARD

Douglas, Tuesday, 5th November 2019

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Present:

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

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

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Legislative Council

The Council met at 10.30 a.m.

[MR PRESIDENT *in the Chair*]

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

Members: Moghrey mie, Mr President.

5

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

PRAYERS

The Lord Bishop

Tribute to former MLC, Tony Wild

The President: Hon. Members, we have all been very saddened by the news of the sudden passing of our friend and former colleague, Tony Wild, and our thoughts are with his family and friends at this time.

10 Tony Peter Wild served as a Member of Legislative Council and served in Tynwald from 2011 to 2017, bringing valuable knowledge and experience after a lifetime spent in the Isle of Man banking sector. He served as a most diligent member of the Department of Education, the Department of Economic Development, the Department of Health and Social Care and served as Vice-Chairman of the Post Office and made a contribution to the parliamentary committees in
15 Council and in Tynwald on which he served, which was widely appreciated.

His contributions to debate, certainly in Tynwald, were invariably well timed and well judged, very much to the point and thus very effective. Tony also made a valuable contribution to the local community with his work in particular for Laxey and Lonan Heritage Trust and the Great Laxey Mine Railways, of which he was a director and he will be greatly missed.

20 Hon. Members, shall we stand for a few moments in silent tribute to our late friend.

Members stood in silence.

The President: Thank you, Hon. Members.

Order of the Day

1. Regulation of Care (Amendment) Bill 2019 – Third Reading approved as amended

Mrs Sharpe to move:

That the Regulation of Care (Amendment) Bill 2019 be read a third time.

25 **The President:** Item 1 on our Order Paper is the Regulation of Care (Amendment) Bill and I call on the mover, Hon. Member, Mrs Sharpe.

Mrs Sharpe: Thank you, Mr President.

30 Before I begin I believe that my colleague, Miss August-Hanson, has an amendment which she would like to put forward. I realise this is the Third Reading and that we must have six Members who agree to that, but I would very much like to endorse the amendment which is being put forward in Miss August-Hanson's name.

35 **The President:** Could I ask Miss August-Hanson to move that the amendment be taken, then I will seek the leave of Council.

If you would like just to formally move that the amendment be taken at the Third Reading.

Miss August-Hanson: Thank you, Mr President.

I would like to move the amendment to clause 2:

Page 4, line 8 after "medical practitioner" insert «within the meaning of the Health Care Professionals Act 2014».

40 It currently refers to a fully registered person under the Medical Act 1985 which was repealed under section 15 of the Health Care Professionals Act 2014. Section 13 of the Health Care Professionals Act amends the definition and this will likely support interpretations of the Act. It is a technical, clean amendment that I hope my colleagues on Council can support.

Thank you, Mr President.

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The President: Does somebody second? Thank you.

I put to Council that leave be given to debate the new amendment. Is that agreed, Hon. Members? (**Members:** Agreed.) Any against? No.

Miss August-Hanson.

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Miss August-Hanson: I have not much more to add, thank you, Mr President, but it is quite a simple amendment so I am content to hear any of my other Members on Council if they have a problem with it.

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The President: Mrs Poole-Wilson.

Mrs Poole-Wilson: I am happy to second it, Mr President. I accept it is a tidying amendment.

60 **The President:** Does any Member wish to speak to the amendment? In that case, I put the amendment as moved by Miss August-Hanson. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

Mrs Sharpe, now the Third Reading of the Bill as amended.

Mrs Sharpe: Thank you, Mr President.

65 Hon. Members, I am pleased to move the Third Reading of the Regulation of Care (Amendment) Bill 2019.

I would like to thank Hon. Members for the consideration given to the Bill at the Second Reading and clauses stage. In particular I would like to thank the Hon. Member, Miss August-Hanson, for seconding during the First Reading and the Hon. Member, Mr Crookall, for
70 seconding during Second Reading and clauses stage.

Two questions raised by Hon. Members remain outstanding and I would like, with your permission, Mr President, to address those now.

75 During the First Reading, the Hon. Member, Mrs Maska, asked whether any medical agencies are registered here in the Isle of Man. I can inform the Hon. Member that there is one nurses' agency and one independent medical agency registered in the Isle of Man.

The Hon. Member, Mrs Poole-Wilson asked, during clauses, with reference to clause 2 subsection (2)(d) under what circumstances a business might be prescribed, 'not to be an independent medical agency'. As I stated during clauses, the Department has never yet exempted a business, therefore unfortunately it is not possible to give any examples,
80 hypothetical or otherwise, to the Hon. Member at this stage. The main reasons for an independent medical agency to be exempt from registration are captured in paragraph (2)(a), (b) and (c) and I trust this explanation is satisfactory to the Hon. Member at this stage. (**Mrs Poole-Wilson:** Thank you.)

85 As stated during previous Readings of this Bill, the Bill will ensure that those businesses supplying or introducing doctors, nurses or midwives solely to the Department will be exempt from the requirement to register under the Regulation of Care Act 2013.

This will ensure that long-standing relationships with those businesses remain and that those businesses will continue to provide the Department with workers who are essential to the delivery of health and social care.

90 I would like again to thank Hon. Members for their contributions to the Second Reading of the Bill and their considerations of the clauses stage; and thank the Hon. Member of Council, Miss August-Hanson, for her helpful amendment.

Mr President, I beg to move that the Regulation of Care (Amendment) Bill 2019 be read for the third time.

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Mr Crookall: I beg to second, Mr President.

The President: Hon. Members, I put the question that the Regulation of Care (Amendment) Bill be read for the third time. Those in favour, say aye; against, no. The ayes have it. The ayes
100 have it.

Thank you, Hon. Members.

**2. Business and functioning of the Council –
Establishment of Select Committee to consider –
Motion carried**

Mrs Lord-Brennan to move:

That:

- 1. There shall be a Select Committee of the Council which shall consider; (a) preparation for the forthcoming legislative business of the Council; (b) the outcome of past legislative business of the Council; and (c) the functioning of the Council;*
- 2. The Select Committee may report orally or in writing on legislative matters but not on any matter of Government policy;*
- 3. The members of the Select Committee shall be the elected Members of the Council within the meaning of the Isle of Man Constitution Act 1919;*
- 4. The quorum of the Committee shall be three.*

105 **The President:** We turn now to Item 2, Select Committee on the business and functioning of the Council. Mrs Lord-Brennan to move.

Mrs Lord-Brennan: Thank you, Mr President.

110 The intention behind the idea of a committee on the business and functioning of the Council is to provide a way to both review and improve how this place carries out legislative business and the effectiveness of the scrutiny role.

The principal element of the committee's remit is to consider preparation for forthcoming legislative business. And in that way its activity which would link to the schedule of business and the Programme for Government.

115 Mr President, I would ask Hon. Members to note the motion in the main is about readiness and preparation for upcoming work and we anticipate, by my count, as many as 37 Bills in the 2019-20 legislative programme, and I understand a few Private Members' Bills. So it is confined in this way and it is intended to be an organisational improvement for when these Bills are considered by this place in our usual sittings.

120 The remit includes an express prohibition in the committee reporting on policy matters. The remit includes finally considering the functioning of the Council. Put simply, this is the 'what we do and how we do it' part, providing a chance to reflect on the role and the opportunity to improve, develop and add value in the overall process of the legislature which supports the other place and Tynwald Court in the interests of better outcomes for the people.

125 As we newer Members have now been through a full legislative year plus a few months, we have had the chance to experience, reflect and develop thoughts on this. It also feels appropriate then that we might look at this aspect, that of the functioning as well. They are small important matters, Mr President, but worthwhile of attention all the same.

I beg to move.

130 **The President:** Do we have a seconder? Mr Henderson.

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

135 **The President:** Thank you, Hon. Member.
The floor is now open. Mrs Poole-Wilson.

Mrs Poole-Wilson: Thank you, Mr President.

I very much welcome this motion brought today by Mrs Lord-Brennan. I understand that the intention of the mover is to help review and improve the way that Legislative Council carries out

140 its part in legislative scrutiny in relation to primary legislation, and that the select committee
that is mentioned in the motion is intended to look at the management and the planning of
Legislative Council's business, not to act as a substitute for the scrutiny work that we conduct in
our regular sittings as a Council.

145 It seems a timely motion, given the very high number of Bills set out on the Government's
legislative programme for 2019-20 and we have become aware since the programme was
published of some more Bills. I think the hon. mover has just said by her count it looks like 37
Bills for this legislative year. As my hon. colleague on Council, Mr Cretney, has highlighted in this
Council, the quality of the laws we make is key and we must be careful not to allow that the
quantity of legislation ends up risking the quality.

150 So this motion, in my view, Council Members, seems to be a helpful mechanism to look at a
more systematic approach to legislative scrutiny, if what I understand is correct, and I think it
would just be helpful for the purposes of making sure we are all clear on the purpose behind the
motion. If the mover could perhaps elaborate a little more on the way in which she sees the
select committee assisting in preparing Council for its legislative scrutiny role. So, for example,
155 we could look at the legislative programme that has been published and also the helpful
document that I believe was published by the learned Attorney on which Bills have been out for
consultation or are due to be out for consultation. But I wonder whether the mover has any
thoughts at this stage that she would suggest a select committee might also consider in
preparing and managing the business of Legislative Council.

160 I also am interested in the second element of the remit of the select committee, which is the
outcome of past legislative business of the Council and how that might inform future
management of business. I wonder if the mover would be kind enough to elaborate on what she
envisages there.

Thank you, Mr President.

165

The President: Mr Cretney.

Mr Cretney: Simply to support the proposal before the Legislative Council this morning,
Mr President.

170 There is nothing more predictable than change and for me this is a positive change and
enhances the role of this body, or will enhance the role of this body into the future, I believe.
Scrutiny is a very important function and in particular, as it has already been highlighted by the
mover and Mrs Poole-Wilson, when you have quite so many proposed items of legislation that
becomes even more important.

175 So I welcome this and trust Hon. Members will support it.

The President: Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane.

180 I would just like to add my words of support to the Hon. Member, Mrs Lord-Brennan's
initiative here.

I fully welcome and support it, and by the way it is worded it looks as if it can be quite flexible
in how we operate this, which is good and I too certainly welcome any actions we take in a
pragmatic way that will improve the functioning of Legislative Council, move us forward on to a
185 firmer footing into the future.

Indeed, I am hopeful that this will steadfastly answer some of the criticisms the Legislative
Council has taken and move those to one side and put us on a more positive footing.

I would also welcome the mover's response to a point I have been thinking about, in as much
that I think this would be a good forum or way forward to provide some sort of consultative
190 process with representatives from the House of Keys as well at some point and at appropriate

points going forward in an effort to improve dialogue, working relationships and so on. I would see that as a little element as part of the initiative, Eaghtyrane.

Thank you.

195 **The President:** Lord Bishop.

The Lord Bishop: Thank you, Mr President.

I would wish, I think, to commend the hon. mover for bringing this before Council and simply perhaps to ask whether she has any reflections on whether it has implications for the relationship of the Bishop's role as a voting Member within the Council but not as a member of the select committee. As I have reflected upon this I think I do not have concerns about that, but I do see that it could possibly have implications for the Bishop's role within Council and I would be grateful for any reflections that the hon. mover might make.

Thank you.

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The President: Mrs Maska.

Mrs Maska: Thank you, Mr President.

I would just like to echo the sentiments expressed by my hon. colleagues that this is a very welcome motion before us today. I think any opportunity to improve and enrich the process that this Hon. Council can make to legislative procedure is really to be supported. I also think it has come at a very opportune time, given the forthcoming elections for Legislative Council at the early part of next year; that it will clarify the role that Members of this Hon. Council can potentially carry out, not just for potential new Members but for the public at large as well.

210 I will be supporting this motion. I think it is an excellent initiative and I thank the Hon. Member for bringing this forward.

215 Thank you.

The President: Thank you.

220 Mrs Sharpe.

Mrs Sharpe: Thank you, Mr President.

I would like to thank the Hon. Member for bringing forward this proposal. In doing so, she reveals her enthusiasm for, and commitment to, not just the important work of the current Legislative Council but to the future function of this important scrutinising body.

225 Mr President, you have reminded us in the past that this Hon. Council has evolved over the past 100 years and by supporting this proposal on behalf of Mrs Lord-Brennan I believe we will contribute yet more positive evolution by introducing a mechanism in the form of the proposed select committee which will better allow us to scrutinise our own processes and to improve their efficiency for the benefit of all.

230 Of course, as the Lord Bishop reminded us in his opening reading, it is not just the process but the completion of work which is the most important and I just wonder whether the Hon. Member might have something to say in that respect.

I would like to commend the Hon. Member's determination and hard work in bringing forward this proposal and I shall be giving it my full support.

235

The President: Miss August-Hanson.

Miss August-Hanson: Thank you, Mr President.

240 I would just like to say that I fully support my colleague on Legislative Council in putting this motion to us and we have all talked about it over the summer, how to improve our practice in

this place and help and assist Keys in its business and to provide those who consulted on legislation with another voice in this place.

245 Legislative Council pauses for a moment of thought. How many times do we all make mistakes as human beings because we rush in? Legislative Council is parliament's computer, it is a Branch that questions morality, the inquiring and enquiring mind, the quality check on legislative engineering.

250 The establishment of this committee formalises some of the conversations that we have had informally: how do we improve our work; how do we learn from one another while keeping our respective ideologies about us without group think? We have all had some of these various discussions over the summer and as a Chamber we are small and we are nimble and we can debate; we disagree with each other; we vote against each other; we argue out points and that is okay because it is very healthy. That is why I believe that this is going to work. It is streamlining our practice and in keeping our independence over our own individual votes and
255 respective minds.

I would like to ask the mover if perhaps she might just give a little clarity around whether or not in the future this committee could potentially look into a level of post-legislative scrutiny following a number of years of implementation of various pieces of legislation, checking whether it has been implemented at all, whether it is working, improving it and learning lessons from the
260 past; particularly as my colleague on Council, Mrs Poole-Wilson, has stated, learning mistakes that perhaps have been made in various pieces of legislation that may have passed through the Branches that we might correct into the future.

We do have an awful lot of legislation that is going through: 33 Bills – but 37, I believe overall now at count – over the course of 2019-20, so I do believe that this committee is exactly what is
265 needed and at exactly the right time.

The President: Thank you.
Mr Crookall.

270 **Mr Crookall:** Thank you, Mr President.

I agree with everything that has been said here by my colleagues this morning and I congratulate Mrs Lord-Brennan for bringing this forward. I think it does help with the continuing evolution of Legislative Council as we go forward and I think there will be more changes in the future and we are all aware of some of those that may well happen in the not-too-distant future.

275 I think three words that have been said this morning that absolutely help and are a part of this are: readiness, preparation and quality, and they all play a big part in what we do. I think what Mrs Lord-Brennan is suggesting here in her motion this morning will take us to that and those words will certainly be part of the work that is involved in that committee and I am fully supportive.
280

The President: Thank you, Hon. Member.

I just have one little query of my own; perhaps the Hon. Member would just comment. It is the terminology, the use of the words 'select committee'.

285 When we think of select committees in Tynwald and the Branches we normally think of committees that are time limited, set up for a specific purpose, an *ad hoc* committee to investigate something and then report and then invariably the committee comes to an end.

By contrast of course, we have permanent standing committees. We have had that system for not too many years; before that the system, apart from the Public Accounts Committee, was largely *ad hoc* select committees. So it is really the use of the name 'select committee'. I assume
290 this is intended to be a permanent committee and not time limited, when a particular piece of work is done. So I would just be interested in comment on that aspect of it.

So Hon. Member, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

295 I am very happy to try and answer your query first. In terms of the terminology of the select committee, I think it came from a feeling of being conscious not to presuppose the direction that we might ultimately end up with in this process of review. So if we have a select committee then going through that might, at some point, point us to a more enduring set up, whether that is by way of a permanent committee or whether that, in the end, looks at Standing Orders.

300 It allows for that thinking to take place without immediately jumping into something permanent, because I actually anticipate and have done a lot of thinking and a lot of talking to people about this, that actually by starting off this process it will help us come to find ways of working that then as an outcome of this we can consciously discuss and move towards.

305 So it was that thinking that with this way of working we could trial things and explore things on a formalised basis and then if we find that something is working or we find that something is not working then through that committee we can move forward and address that.

The President: So it is possible that the select committee might at some stage make a report to the effect that this be a permanent committee of Council?

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Mrs Lord-Brennan: Yes. That is something that could be discussed.

The President: Thank you very much.

315 **Mrs Lord-Brennan:** Hopefully that answers the query. I am happy to answer any other queries on that if anybody has any. (**The President:** Thank you.)

I thank all Hon. Members for their comments and support, I do appreciate it. I have written a few notes but I will try and skip through to the varied and different points I think that every Member made.

320 Mrs Poole-Wilson correctly identified that this is about primary legislation and about the management and the planning for that. It does really feel like a bit of an administrative function and the focus would be the upcoming primary legislation.

325 In terms of how I would imagine it working, as things go now we will have a forward work plan and we will know pretty much what is happening in the next few weeks. We have this window of opportunity and quite a deadline that we are working towards. So in terms of how it would assist in preparing, in some ways it would be as simple as identifying when those windows of opportunity are coming up and saying, 'Okay, so what are the issues around this that have been considered? Who are the various stakeholders that are involved?' Perhaps if the piece of legislation is based on legislation elsewhere, we might look at that to take that longer-term, broader field view as well as have a prompt to look at the Bill at the point at which it has come to us, as in not the point before it has had its process through the other place.

330 So I think that there could be a useful quick overview that could be done that would then aid thinking of all Members just to put a bit of focus around those upcoming Bills at the point at which they reach us for consideration. So it is definitely something that we would look at over the coming weeks and the coming months to try and gear ourselves up in to where we might focus our efforts for reviewing those Bills and to look at the legislation.

335 In terms of the element about the past business to improve, I think it could be just really enlightening actually to look back and think, 'Okay, so there is a piece of legislation that was passed at some point by Legislative Council. How did that work? What sort of oversight did it have?' I think it could be really illuminating and also it might just throw up greater awareness of when Bills come through to update and refresh other things because we do find that when we have a Bill that even makes small change, inevitably it will highlight other pieces of legislation that we might benefit just from having a look at really. So I think that is part of the reflection and actually if you look at *Hansards* from previous sittings on other debates I find them incredibly

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345 interesting. That is very useful to look at the things that the Members were considering at that time.

Which I suppose leads to another point which is that we have this window; we only have the windows of opportunity to look at, scrutinise and improve a Bill and ultimately just say that it is fine for a very short period of time before, if we are on it it is done and dusted business and it is on the statute books and it is confined to *Hansard*. So it is about gearing up to make sure that we can do our job as best we can in that way.

355 So I hope that answers the questions there. It could be about pre-legislative preparedness, it could be about thinking about the stakeholders, legal concepts – I think that is really worthwhile; we can get into some of the detail of those. It could be that we look at case law or something like that and what I would term environmental scanning, which is, ‘What else is happening that is relevant that is beyond but related to the piece of legislation that we have.’ Probably those are things that we could always be considering anyway, but it is just putting a bit of focus on that to add to the efforts of the other place. So I hope that explains a bit of the thinking that I would like us all to be able to discuss if this is successful.

360 I would like to thank Mr Cretney for his support and highlighting that change happens. Sometimes it is good to embrace that change and to recognise the call for it, but to just do so in a step-by-step way which is the approach here, I feel.

I would like to thank Mr Henderson very much for seconding this motion and for speaking out in support. The flexibility to establish how we might usefully go about this way of doing things is another reason for having a select committee as opposed to just saying, ‘Right, we are going to just set in stone exactly’ ... just jump into a more permanent way. So I think it is important to be flexible as to how we can discuss and find out what we could do better, because I bet if we actually sit down and talk about it we can find ways.

370 I think that certainly from my point of view, we are talking about the business of the Legislative Council, but if this Branch were a business and I came to the business and I thought, ‘Okay, so what is the job of this business?’ you would think that an element of it that might be missing would be something that puts the people who have to make those decisions and scrutinise and review stuff, the bit that might be missing is a small piece which is kind of procedural, kind of process, administrative, that puts Members in a slightly better position to do that. So from a business background, I would look at it in those kinds of stark terms. I think there is always room for improvement.

380 Mr Henderson also makes the point that it could be a good forum to provide consultation with other people; I think also the other place. I agree that could be a worthwhile part of the process. It is part of what we do to add that. We are not here for ourselves, we are here to add value to the other processes, the other place and Tynwald, so I think that actually why not have a conversation about that to see how we can do that better. I have not determined that that would absolutely be the case, but I would love for a committee just to be able to start having those conversations. I think that could be really helpful because then it would also serve to distinguish actually what the Legislative Council does which is different and separate to the other place as well, and I think that would be an important evolution and development.

385 Mr President, I would like to thank the Lord Bishop for his reflections and for talking to me and to us all before today. I really found his input very valuable and very helpful. I do not see this to have any implications for the Bishop’s role in terms of this committee. The thinking behind it being the elected Members is that in reality it is the elected Members who are gearing up for these things that are why we are here, we are present, we are engaged, we are in the office, we are put here to do, I guess. The other place has put us here to do this job and I think that we probably all share the view in this Council that we would seek to do that in earnest and with great commitment and on a day-to-day basis.

395 That said, I would hope that the work of this committee would be helpful in putting us all in a better position in an impartial way – put us all in a better position, including the Lord Bishop – to carry out our role, of which the Lord Bishop is part of this Council. So I would hope that although

if it is not something that the non-elected Members are involved in on a day-to-day basis because we might actually be thinking, 'Well, we are going to have a quick chat about this on this day, with the valuable support of the Clerk,' I would like to think that the outcomes and the
400 benefits of that would also be helpful for everybody around this table and add to things. So I thank the Lord Bishop for that and I am very glad to clarify that I do not see it as being an implication for his role or his vote, and that it would add to things overall. Thank you.

Mrs Maska, I think she pointed to an elephant in the room in some points – maybe not just in this room but in other rooms too! It is about the need to clarify the role. I know that in some
405 previous discussions it has been felt that we have got some way, there has been progress made with the Legislative Council, in terms of defining a bit about what we do. But I think it actually could be beneficial to have some kind of point of reference – a bit more clarity around that, I think, would be helpful.

My understanding is that in the other place there was a feeling that there was a bit more
410 work to be done on that and I think that actually we should really try and grasp that and then we can also see what other people think as well. So yes, I think it could be an opportunity to clarify that role and I do agree that it is needed and also that it would be worthwhile for the future of the Legislative Council and also there are elections coming up as well.

Mrs Sharpe makes that point also: that this does potentially have a way to look at the future
415 function, and I very much appreciate Mrs Sharpe's comments about the positive evolution. That is again a phrase that has come up before about, 'Okay, we have recognised that there is a need to continuously develop and that this could just be a formalised place to look at that and, quite rightly, to better allow us to improve efficiency for all,' which is the smart and the sensible thing to do if we want to do a good job.

I think that it is a window of opportunity for that. We have these windows of opportunity
420 that deal with ... We have got the legislation coming towards us and there is only a small window of opportunity for that, but this is a window of opportunity for us here if we are in the right space and time, for many reasons actually, to look at this. And why not? Why not step it up? Why not?

The challenge to comment on the completion and not the process; this is the thing, this is
425 where you get those windows of opportunity to try and that is your chance. We can look at the processes and we can try and gear ourselves up, but in the end it is the outcome that matters and that is about what the completion is, and then that is not always ultimately ... we have a role in that whole valuable process. So if we are thinking about the completion I would think it is our
430 job to do the best job that we can so that when we are looking at legislation when it leaves here then we feel like we have geared things up in as complete a fashion as we can.

Let me just check; who am I on to next? This is good.

Miss August-Hanson talked about the formalisation. I agree about formalisation. I think there
435 is an element of transparency around that too because I have felt for a while ... or wished to have these conversations, and we have. I think we quite often say, 'Actually, we could do this better, we could do that better, how about that?' This provides a bit of a formalised supported way that I think aids for the transparency and legitimacy around what it is that we do or what direction we may go in the future.

In terms of post-legislative scrutiny, I do not know. This is something that a committee would
440 need to explore. I think that part of something that we would need to do would be to discuss this and perhaps other things in terms of how it ties in with the other component parts of Tynwald, and by that I mean the scrutiny committees, the PAC, because it will be important to make sure that we play the appropriate part in a process within the confines of what we should be doing and we are not duplicating things. So that part of, should we deal with a particular
445 concept, which we might find ourselves in a position to do, I think we need to have that conversation. I think it could be explored. Who knows; I guess that is part of what this is about.

Finally, Mr Crookall, I think when you talk about readiness and preparation and quality that is quite right and this is a way to move forward, those concepts are really what were called for, I

450 feel, particularly in terms of continuing evolution. So that is what I seek and I hope that other Members can support, and with that I beg to move.

The President: Hon. Members, the question is that there be a select committee on the business and functioning of the Council on the terms moved by Mrs Lord-Brennan at Item 2. Those in favour, say aye; against, no. The ayes have it.

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A division was called for and voting resulted as follows:

FOR	AGAINST
Miss August-Hanson	None
Mr Cretney	
Mr Crookall	
Mr Henderson	
The Lord Bishop	
Mrs Lord-Brennan	
Mrs Maska	
Mrs Poole-Wilson	
Mrs Sharpe	

The President: Hon. Members, the motion carries unanimously.
Thank you, Hon. Members, that concludes the business this morning. The Council will now stand adjourned until our next sitting on Tuesday next, 12th November. Thank you.

The Council adjourned at 11.13 a.m.