



TYNWALD COURT OFFICIAL REPORT

RECORTYS OIKOIL
QUAIYL TINVAAL

PROCEEDINGS DAALTYN

HANSARD

Douglas, Tuesday, 15th March 2022

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Present:

The President of Tynwald (Hon. L D Skelly)

In the Council:

The Lord Bishop of Sodor and Man (The Rt Rev. P A Eagles),
The Solicitor General (Mr W H Wannenburgh),
Miss T M August-Hanson, Mr P H Craine, Mr P Greenhill, Mr R W Henderson,
Mrs D Kelsey, Mrs M M Maska, Mr R J Mercer, Mrs K Sharpe
with Ms J Corkish, Deputy Clerk of Tynwald.

In the Keys:

The Speaker (Hon. J P Watterson) (Rushen);
The Chief Minister (Hon. A L Cannan) (Ayre and Michael);
Mr J R Moorhouse and Mr T S Glover (Arbory, Castletown and Malew);
Mr T D Johnston (Ayre and Michael);
Mrs C A Corlett and Mr C C Thomas (Douglas Central);
Ms J L Faragher and Hon. C L Barber (Douglas East);
Hon. D J Ashford MBE and Mr J C Wannenburgh (Douglas North);
Mrs S L Maltby and Mrs C S B Christian (Douglas South);
Mrs D H P Caine and Mr A J Smith (Garff);
Hon. K A Lord-Brennan and Hon. T M Crookall (Glenfaba and Peel);
Hon. J P Poole-Wilson and Mr S G Peters (Middle);
Mr R E Callister and Hon. J M Edge (Onchan);
Hon. L L Hooper and Hon. A J Allinson (Ramsey);
Dr M E K Haywood (Rushen)
with Mr J D C King, Clerk of Tynwald.

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Tynwald

The Court met at 10.30 a.m.

[MR PRESIDENT *in the Chair*]

The Deputy Clerk: Hon. Members, please be upstanding for the President of Tynwald.

The President: Moghrey mie, Olteynyn Onnoroil.

5 **Members:** Moghrey mie, Mr President.

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

PRAYERS

The Lord Bishop

Procedural

The President: Those in the Public Gallery, I request you sit down to comply with our rules of Tynwald Court.

10 For failure to comply, I am now going to close the Public Gallery and ask all members of the public to leave. Seneschal.

Leave to attend the sitting remotely granted

The President: Now, Hon. Members, I have given leave to attend remotely to Mr Johnston, Mrs Barber and also the Chief Minister.

Procedural – Order of business

15 **The President:** Hon. Members, before you you have an Order Paper, a Question Paper and a Supplementary Order Paper. In a moment we will turn to the Order Paper and Question Paper. I intend to take the Supplementary Order Paper after Questions.

**1. Commonwealth Day Message
from Her Majesty the Queen**

The President: Turning to Item 1 on the main Order Paper.

20 Yesterday was Commonwealth Day. I will now read out a message from Her Majesty the Queen, Lord of Mann and Patron of the Commonwealth Parliamentary Association:

‘In this year of my Platinum Jubilee, it has given me pleasure to renew the promise I made in 1947, that my life will always be devoted in service.

Today, it is rewarding to observe a modern, vibrant and connected Commonwealth that combines a wealth of history and tradition with the great social, cultural and technological advances of our time. That the Commonwealth stands ever taller is a credit to all those who have been involved.

We are nourished and sustained by our relationships and, throughout my life, I have enjoyed the privilege of hearing what the relationships built across the great reach and diversity of the Commonwealth have meant to people and communities.

Our family of nations continues to be a point of connection, cooperation and friendship. It is a place to come together to pursue common goals and the common good, providing everyone with the opportunity to serve and benefit. In these testing times, it is my hope that you can draw strength and inspiration from what we share, as we work together towards a healthy, sustainable and prosperous future for all.

And on this special day for our family – in a year that will include the Commonwealth Heads of Government Meeting and the Commonwealth Games – I hope we can deepen our resolve to support and serve one another, and endeavour to ensure the Commonwealth remains an influential force for good in our world for many generations to come.’

Elizabeth R, Windsor Castle.

2. Papers laid before the Court

The President: We now turn to Item 2, and I call on the Clerk to lay papers.

The Clerk: Gura mie eu, Eaghtyrane. Ta mee cur roish y Whaiyl ny pabyryn enmyssit ayns aynr jees jeh’n Chlaare Obbyr.

25 Thank you, Mr President. I lay before the Court the papers listed at Item 2 of the Order Paper.

Items subject to motion that have had six weeks on the Register of Business

Tribunals Act 2006

Financial Services Tribunal (Amendment) Rules 2022 [[SD 2022/0015](#)] [[MEMO](#)]

Local Government Act 1985

Port Erin General Byelaws 2021 [[SD 2021/0262](#)] [[MEMO](#)]

Southern Swimming Pool Board (Amendment) Order 2022 [[SD 2022/0029](#)] [[MEMO](#)]

Income Tax Act 1970

Taxes (Ireland) (Amendment) Order 2022 [[SD 2022/0009](#)] [[MEMO](#)]

Social Security Act 2000

Social Security Legislation (Benefits) (Application) (Amendment) Order 2022
[\[SD 2022/0010\]](#) [\[MEMO\]](#)
Social Security Legislation (Benefits) (Application) (Amendment) (No.2) Order 2022
[\[SD 2022/0027\]](#) [\[MEMO\]](#)

Merchant Shipping (Miscellaneous Provisions) Act 1996
Merchant Shipping (Fees) Regulations 2022 [\[SD 2022/0014\]](#) [\[MEMO\]](#)

Financial Provisions and Currency Act 2011
Manx Reskill Scheme 2022 [\[SD 2022/0050\]](#) [\[MEMO\]](#)

Report

Ecclesiastical Committee of Tynwald First Report for the Session 2021-22: Draft Marriage Measure (Isle of Man) and Draft Safeguarding (Code of Practice) Measure (Isle of Man) [\[PP 2022/0004\]](#)

Items subject to motion that have not had six weeks on the Register of Business

Climate Change Act 2021
Climate Change (Interim Target) Regulations 2022 [\[SD 2022/0053\]](#) [\[MEMO\]](#)

Social Security Contributions and Benefits Act 1992
Income Support (General) (Isle of Man) (Amendment) (No. 2) Regulations 2022
[\[SD 2022/0040\]](#) [\[MEMO\]](#)

Social Services Act 2011
Income Support (General) (Isle of Man) (Amendment) (No. 2) Regulations 2022
[\[SD 2022/0040\]](#) [\[MEMO\]](#)

Adult Social Care Services (Charges) Regulations 2022
Adult Social Care Services (Charges) Regulations 2022 [\[SD 2022/0031\]](#) [\[MEMO\]](#)

Gas Regulation Act 1995
Gas (Tariff Fixing) (Parameters) Regulations 2022 [\[SD 2022/0068\]](#) [\[MEMO\]](#)

Social Security Administration Act 1992
State Pension Revaluation for Transitional Pensions Order 2022 [\[SD 2022/0081\]](#) [\[MEMO\]](#)
Pension Debits and Credits (Revaluation) Order 2022 [\[SD 2022/0082\]](#) [\[MEMO\]](#)

Items not subject to motion that have had six weeks on the Register of Business

Document subject to negative resolution

Customs and Excise Management Act 1986
Ship's Report, Importation and Exportation by Sea (Amendment) Regulations 2022
[\[SD 2022/0012\]](#) [\[MEMO\]](#)

Documents subject to no procedure

Gaming, Betting and Lotteries Act 1988
Crown Green Bowling Festival Order 2022 [\[SD 2021/0383\]](#) [\[MEMO\]](#)
Crown Green Bowling Festival (No.2) Order 2022 [\[SD 2021/0384\]](#) [\[MEMO\]](#)

Public Health Act 1990

Public Health Protection (Coronavirus) Regulations 2020 Revocation of Direction Notice by the Council of Ministers in respect of a relevant place in which a face covering must be worn pursuant to Regulation 6B(4) [[GC 2022/0001](#)]

DHSC Mandate to Manx Care 2022-23 [[2022-GC-0016](#)]

Reports

Department for Enterprise – Enterprise Act 2008 Annual Report 2020/2021 [[GD 2021/0084](#)]

Manx Heritage Foundation trading as Culture Vannin Members' Report and Financial Statements for the year ended 31 March 2021 [[GD 2022/0002](#)]

Office of Fair Trading Report on preliminary investigation under section 9(1) of the Fair Trading Act 1996 into whether Bus Vannin, in the provision of demand responsive services, has been or is pursuing a course of conduct which amounts to an anti-competitive practice [[GD 2022/0010](#)]

Department for Enterprise Access to Cash Report January 2022 [[GD 2022/0015](#)]

Department of Education, Sport and Culture Interim Organisational Framework Implementation Plan – 12 Month Progress Review Report [[GD 2021/0098](#)]

Public Sector Pensions Authority Isle of Man Government Unified Scheme 2011 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0020](#)] [[MEMO](#)]

Public Sector Pensions Authority Teachers' Superannuation Order 2011 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0021](#)] [[MEMO](#)]

Public Sector Pensions Authority Police Pensions Regulations 2010 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0022](#)] [[MEMO](#)]

Public Sector Pensions Authority Police Pensions Regulations 1991 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0023](#)] [[MEMO](#)]

Public Sector Pensions Authority – Judicial Pension Scheme 2004 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0024](#)] [[MEMO](#)]

Public Sector Pensions Authority Judicial Pension Scheme 1992 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0025](#)] [[MEMO](#)]

Public Sector Pensions Authority Superannuation (Manual Workers) (No.1) Scheme 1973 Annual Report and Accounts for year ended 31 March 2020 [[GD 2022/0026](#)] [[MEMO](#)]

Isle of Man Steam Packet Group Limited Directors' Report and Consolidated Financial Statements for the year ended 31st December 2020 [[GD 2022/0007](#)]

Isle of Man Meat Company Limited Directors' Report and Financial Statements for the Year Ended 31st March 2021 [[GD 2022/0008](#)]

Laxey Glen Mills Limited Report and Accounts 31 March 2021 [[GD 2022/0009](#)]

Statistics Isle of Man 2021 Isle of Man Census Report Part 1 [[GD 2022/0014](#)]

Gemserv Isle of Man Renewable Heating Scenarios Report Commissioned by the Isle of Man Government January 2022 [[GD 2022/0019](#)]

Items not subject to motion that have not had six weeks on the Register of Business

Documents subject to negative resolution

Immigration Act 1971

Statement of Changes in Immigration Rules [[SD 2022/0052](#)] [[MEMO](#)]

Statement of Changes in Immigration Rules [[SD 2022/0083](#)] [[MEMO](#)]

Document subject to no procedure

Agricultural Marketing (No. 2) Act 1948

Milk Prices Order 2022 [[SD 2022/0042](#)] [[MEMO](#)]

Questions

Questions 1 and 2 converted to Written Answers

The President: We now move to Questions, and the Loayreyder has kindly offered Question 1 and Question 2 to be converted to written. Is that correct, Loayreyder?

30

The Speaker: On the understanding the Chief Minister had leave.

The President: It is intermittent, so on that basis we will accept it as written.
Gura mie eu.

SOLICITOR GENERAL

3. Investment manager procurement process – Consequence of Treasury Minister commentary

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask HM Solicitor General:

What consequences could arise if the Treasury Minister were to comment in public on changes to the Government's investment strategy which took place prior to the current procurement process for investment managers?

The President: Therefore, we will turn to Question 3 and I call on the Hon. Member for Arbory, Castletown and Malew.

35

Mr Moorhouse: Thank you, Mr President.

I would like to ask HM Solicitor General what consequences could arise if the Treasury Minister were to comment in public on changes to the Government's investment strategy which took place prior to the current procurement process for investment managers?

40 Thank you.

The President: I call on our Solicitor General.

45 **The Solicitor General:** Mr President, thank you; and I thank the Hon. Member for his interest, but answering his Question presents some difficulty. I am asked to predict the likely consequences should the Minister for the Treasury comment on Government strategy relevant to an ongoing procurement exercise. That would depend very much on what the Minister might say and when he might say it.

50 I understand that the Hon. Member has already been informed in another place that the Minister for the Treasury does not intend to comment, as he has concerns about protecting the integrity of the current tender exercise. Suffice to say that, as with any procurement exercise, it is important that the process be robust, fair and transparent, factors which require avoiding any action, such as the public debate of the specification of a procurement which might undermine that process while it is ongoing. And so subject to that caveat, I do not believe it is appropriate for
55 me to speculate as to the consequences of any potential ministerial public pronouncement.

Mr President, thank you.

The President: There will be no supplementaries.

TREASURY

4. Government's investment strategy – Change between 2015 and 2021

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for the Treasury:

How the Government's investment strategy changed between 2015 and 2021?

60 **The President:** We will now move to Question 4 and I call on the Hon. Member for Arbory, Castletown and Malew.

Mr Moorhouse: Could I ask for a reason –?

The President: We have moved to Question 4, Hon. Member.

65 **Mr Moorhouse:** Thank you, Mr President.

I would like to ask the Treasury Minister how the Government's investment strategy changed between 2015 and 2021?

Thank you.

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

The Minister for the Treasury (Mr Ashford): Thank you very much, Mr President.

75 The investment strategy has remained the same during the period 2015 to 2021. However, a small number of changes have been made to the mandate in the mentioned period. Changes to

the 2011 investment mandate took place during February 2015. These changes focused on derivatives, ensuring compliance with UCITS regulations and particular attention drawn to risk management requirements and counterparty exposure limits.

80 **The President:** Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Minister, for that update.

 Given the changing global conditions and the potential need to readjust the strategy, would the Minister be prepared to meet with relevant parties to discuss whether such adjustments need
85 to be made, and the impact of such changes on the current tender process?

 Thank you, Mr President.

The President: Minister to reply.

90 **The Minister:** Thank you, Mr President.

 I think the old phrase is God loves a trier! Mr Moorhouse has tried for several weeks in various places in relation to this, he has just asked a question of the acting Attorney General as well, Mr President. I have made it absolutely abundantly clear I am not commenting on the ongoing procurement process and that remains the case here today.

95 **The President:** Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

 Can the Minister confirm that as long as all participants in the procurement process are
100 informed equally at the same time, there is nothing wrong with providing extra information during an ongoing procurement process?

 Secondly, can the Minister confirm that every year in the Blue Book, the Government Accounts, three pages, or thereabouts, are devoted to providing full information about the information strategy and changes that have been made to the information strategy? So what is wrong with
105 actually confirming at this moment what the investment strategy is to all Members and all participants in the procurement process?

The President: Minister to reply.

110 **The Minister:** Thank you, Mr President.

 I have made quite clear that I am not going to comment on the procurement. In answer to the first two of the Hon. Member's questions, yes and yes. There is stuff in the Blue Book and I would refer people to the Blue Book around what is published there.

 In relation to informing all parties together, yes. There is no intention at the current time to
115 review the procurement process. There is a live procurement ongoing and that procurement shall complete.

The President: Supplementary, Mr Mercer.

120 **Mr Mercer:** Thank you, Mr President.

 I would like to ask the Treasury Minister what exposure to fossil-fuel companies does the Government's investment portfolio contain expressed as a percentage of our holdings, and can the Minister advise us of what steps are being taken to divest ourselves from these increasingly risky holdings?

125 Thank you.

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

130 I think that is stretching it out a bit in terms of the investment strategy changes between 2015 and 2021. In relation to that, I obviously do not have those figures with me, but I will write to the Hon. Member and to all Hon. Members with the answer to that.

The President: Final supplementary, Mr Thomas.

135 **Mr Thomas:** Thank you, Mr President.

We are not talking about changing the procurement process, we are not talking about putting anybody in breach of any sort of procurement regulations or any other financial regulations. I am just asking that at the beginning of the process, information was provided equally, at the same time, to all potential participants in the procurement process and at various stages throughout the process information will have been, in all likelihood, provided equally and at the same time to all participants.

140 Does the Minister not agree it would be better, for once and for all, just to publish full details at this moment, in public, including to all participants in the procurement process, if there is any ambiguity about anything?

145 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

150 As the Hon. Member himself has pointed out, all participants have already had the relevant information and in the fullness of time, once the procurement is completed, I will be happy to publish all documents, as I have made quite clear. We have even asked Treasury officers to compile all of the questions that Mr Moorhouse has asked, and they will be shared with all Tynwald Members.

5. Manx Care Cost Improvement Programme – Application to other areas

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Treasury:

Whether the Manx Care Cost Improvement Programme approach is being applied to other areas of Government?

155 **The President:** We move on to Question 5 and I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

I beg leave to ask the Treasury Minister whether the Manx Care Cost Improvement Programme approach is being applied to other areas of Government?

160 **The President:** Minister for Treasury to reply.

The Minister for the Treasury (Mr Ashford): Thank you very much, Mr President.

165 The cost improvement programme being applied in Manx Care is part of a wider financial settlement agreed with the board and follows the agreed direction set by the Sir Jonathan Michael Report. It recognises that the health and social care system on the Island needs to implement improvements to efficiency to demonstrate value for money.

Outside of Manx Care, the Chief Financial Officer has recently written to all departmental accountable officers to suggest that each Department should develop a cost improvement plan as

an appropriate financial planning measure. In his letter to Departments, the CFO states that each Department should focus on its projected budgetary position for 2022-23, and in doing so highlight areas of financial pressure, set in place written plans to mitigate this and ensure that these are regularly discussed at Department meetings. Treasury's Financial Advisory Service will be providing assistance and advice to Departments, and on a quarterly basis will collate departmental analysis and mitigation plans and consolidate them with the management accounts.

Thank you, Mr President.

The President: Supplementary, Loayreyder.

The Speaker: Gura mie eu, I welcome the support that is going to be given by Treasury business partners as well.

So is there going to be a quarterly mechanism then for Departments to be held to account by Treasury to make sure that they are actually following the process that has been set out in that cost improvement programme approach?

The President: Minister to reply.

The Minister: Yes, Mr President, the plan is for there to be quarterly reporting so that both Treasury and Council of Ministers can have line of sight of where the Departments are and Departments can be held accountable for their finances.

INFRASTRUCTURE

6. Road patching work – Quality checks

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Infrastructure:

What quality checks are carried out on completed road patching work?

The President: We turn to Question 6, I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Minister for Infrastructure what quality checks are carried out on completed road patching work.

Thank you.

The President: Minister for Infrastructure to reply.

The Minister for Infrastructure (Mr Crookall): Thank you, Mr President.

As part of the Department's quality control processes, checks are undertaken at various stages of the work, including and after completion. Each team has a team leader who is responsible for the quality of work being undertaken. Additionally, the site works managers undertake spot checks on quality as well.

Thank you.

The President: Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Minister.

210 During the tenure of Minister Harmer, clear instructions were given to the Director of Highways about the standard to which patching and pothole repairs should be completed. Specific reference was made to the joint in between the new materials and the original surface. Are those standards still in place?

Thank you.

215 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

220 The standard for patching works is set out in the Dol document, 'Highway surfacing and patching standard specification'. The tolerances in this are based on the Manual of Contract Documents for Highways Works and for repair works. So the answer to that is they should be done to the same standard.

The President: Supplementary, Mr Moorhouse.

225 **Mr Moorhouse:** Thank you, Mr President, and thank you, Minister.

With reference to an Answer that the Minister gave in another place last month, with regard to Elizabeth drive, the statement was made that it does not look good at all but it is suitable and usable. In terms of the spot checks, there was the implication that those were not actually being carried out, that if it was functional it was good enough. In terms of the Government's scarce resources, should more be done to actually ensure that work is done to a high standard and that when work is done a second time it is really exceptional?

Thank you, Mr President.

235 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

I think the Hon. Member is talking about Elizabeth Rise in Castletown. I think all the works there were checked out after being done. If he has any complaints, I am happy to take those on board and speak to the Highways Division about that.

240 **The President:** Final supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Minister.

245 Another issue with regard to these improvements is the safety aspect. There was an issue outside the Nautical Museum in Castletown earlier this year. The response from Dol was fantastic, but in terms of the quality of the finish, it was not much better than the original.

In terms of the spot checks and the overall checks at the end of the process, is there any consideration of safety?

Thank you, Mr President.

250 **The President:** Minister to reply.

The Minister: There will always be a consideration of safety, I would like to think, Mr President. If the Hon. Member has got any issues with that, I would like to think that he would have reported those beforehand and had a word with the Department.

**7. Self-build sites –
DoI land in Arbory, Castletown and Malew**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Infrastructure:

Whether there has been a review of the Department's land holdings in Arbory, Castletown and Malew to identify suitable self-build sites?

The President: We move on to Question 7 and I call upon the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

260 I would like to ask the Minister for Infrastructure whether there has been a review of the Department's land holdings in Arbory, Castletown and Malew to identify suitable self-build sites? Thank you.

The President: Minister for Infrastructure to reply.

265 **The Minister for Infrastructure (Mr Crookall):** In answer to the Hon. Member's Question, Mr President, I can confirm that no review has been undertaken in this regard. The Department does own land in these areas, some of which is zoned for development, and the land is regularly assessed for a variety of future uses.

270 Thank you.

The President: Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Minister.

275 Given the need for additional housing, is this an option that could be taken forward by the Department? Thank you.

The President: Minister to reply.

280 **The Minister:** Indeed it is an option, Mr President, and one we are happy to discuss with all Members at times. If they have got areas of land available, we are happy to look ... whether it be first-time buyers, self-build or any other options that are available.

285 **The President:** Final supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President, and thank you, Minister.

290 What has the Department learnt from testing this option at a more remote location in the north of the Island? And given the potential for this to happen in the south of the Island, what sort of timetable would we be looking at in terms of going into a new area of development for the Department in that part of the Island?

Thank you.

The President: Minister to reply.

295 **The Minister:** Thank you, Mr President.

I missed the first word. I think it was 'what' did the Department learn. (**Mr Moorhouse:** Yes.) I am not sure of that, but obviously, again, I am happy to find out and relay that back to the Hon.

300 Member. Obviously when we are doing new schemes like that, and self-build will have been fairly new and fairly rare, I would suggest, anything that is learnt will be a bonus for the Department, but I am happy to talk to the Member on that and take it forward.

**8. Fossil fuel-heated public sector housing –
Support to move away from**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Infrastructure:

What plans he has to support public sector housing authorities to move away from fossil fuel heating?

The President: We turn to Question 8, I call upon the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

305 I would like to ask the Minister for Infrastructure what plans he has to support public sector housing authorities to move away from fossil fuel heating?

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

310 **The Minister for Infrastructure (Mr Crookall):** Thank you, Mr President, and I thank the Hon. Member for his Question.

The Department is working closely with the Climate Change Team and local authorities and has focused on a ‘fabric first’ approach to heat decarbonisation. A fabric first approach to building design involves maximising the performance of the components and materials that make up the building fabric itself before considering the use of mechanical or electrical building heating systems. There are several benefits to this approach, such as improving the efficiency and reducing heating costs before low carbon heating systems, installations and facilitating lower powered sources to replace higher-powered heat sources, which are often more carbon-intensive.

315 Transitioning away from the use of natural gas, fossil fuel derived heating oils and LPG is necessary to decarbonise heat. At present, local authorities do not qualify for access to the Climate Change Fund. Officers from the Cabinet Office Climate Change Team have met with many of the local authorities over the last few months to discuss the guidance which is being prepared for all public bodies regarding their responsibilities to consider the net zero by 2050 commitment when taking policy decisions in line with the new statutory requirements introduced by the Climate Change Act 2021.

325 Whilst there are currently no specific local authority forums for climate change, the Climate Change Team hope to continue regular liaison with all public bodies. The Department of Infrastructure will continue quarterly meetings through the local authority liaison forum and the quarterly maintenance manager forum to co-ordinate any measures and establish the cost impacts. They intend to invite a member of the Climate Change Team to join these meetings. The Department has supported local authority housing through deficiency payments for capital schemes, which could include climate change options and we will continue to do this on a case-by-case basis to help facilitate the costs associated with moving away from fossil fuel heating.

330 Thank you, Mr President.

335 **The President:** Supplementary, Loayreyder.

The Speaker: Gura mie eu.

340 I must admit, this is the first time I think I have heard of the 'fabric first' approach. So in order to do this and make sure that this is effective, presumably then the Minister has for all local authority housing some sort of energy ratings to where they are now, so they know which ones need improving and which ones do not.

345 But the real question is who is leading it? Who is actually picking this up, running with it and making sure that it happens? Because with 16% of the housing on the Isle of Man belonging to Government or local government, this is one area where we should really be able to make progress.

The President: Minister to reply.

350 **The Minister:** Thank you, Mr President.

The Department will be leading this, working with the Climate Change Team for the foreseeable future, depending on what happens to the housing area of my Department. Obviously, that may well change in the future. But yes, it is a very important part of the future of climate change and we should be working very closely with all those involved and those concerned and doing our best, especially with the new builds in the future, to make sure that they are as good as they could be.

The President: Supplementary, Hon. Member for Rushen, Dr Haywood.

360 **Dr Haywood:** Thank you, Mr President.

I thank the Minister for his comments today. Can I just clarify then that you are suggesting that local authorities can apply for increased maintenance deficiency payments on a case-by-case basis to fund a fabric first approach to their buildings?

365 **The President:** Minister to reply.

The Minister: I think at the moment they would have to go through the Climate Change Fund because they do not have –

370 **Dr Haywood:** You said they did not have access to that fund.

The Minister: Through the –

375 **The President:** Go ahead.

The Minister: If you can just excuse me a minute ... As I said in my official Answer, Mr President, whilst there are currently no specific local authority forums for climate change, the Climate Change Team hope to continue their liaison with all public bodies. The Department has supported local authority housing through deficiency payments for capital schemes, which could include climate change options.

The President: Supplementary, Loayreyder.

385 **The Speaker:** Gura mie eu.

I would just refer the Minister back to the first part of my answer about the fabric first, about how they assess the priority for this, do they have the energy ratings for the homes in the public sector so that we can assess actually where the priorities are, and whether this is actually the right way forward?

390 Secondly, where is the money coming from? And thirdly, have these properties been assessed for communal solar development?

The President: Minister to reply.

The Minister: Some of the buildings, Mr President, have been assessed.

395 There is an awful lot of houses that have not and will need to be in the future. Sorry, apologies, the third part of your question, Mr Speaker?

The Speaker: About where is the money coming from, energy ratings and communal solar?

400 **The Minister:** That will have to come from the Housing Fund as we go on or the Climate Change Fund, I would suggest.

Mr Speaker: Energy rating?

405 **The President:** Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Does the Minister agree with me that one of the major achievements of the Housing Reform Programme that has been in place since 2014 is actually to do an assessment of the standard and quality of the houses and to put together an investment programme around all of this sort of thing?

410 Secondly, does the Minister agree with me that Douglas Borough Council and the Department of Infrastructure, presumably Housing Division, made excellent submissions to the recent climate change interim targets submission about this very point of fabric first and the need to have access to the fund and a very active process is going on at the moment?

415 And thirdly, does the Minister agree with me that this would be the sort of issue that once the Housing and Communities Board gets properly established, with a staff member looking at housing policy, this would be one of the first issues that can be taken up?

420 **The President:** Minister to reply.

The Minister: Happy to confirm the last point of the Hon. Member who has just resumed his seat there, Mr President, and the Department do work closely with all the local authorities and will do into the future with regard to this. As I have said, we have had meetings with local authorities where this has been discussed and there will be plenty more to come in the future.

CLIMATE CHANGE TRANSFORMATION BOARD

9. Community-owned renewable energy production and supply – Plans to enable

The Hon. Member for Douglas South (Mrs Maltby) to ask the Chair of the Climate Change Transformation Board:

What plans there are to enable community-owned renewable energy production and supply; and if she will make a statement?

425 **The President:** We move to Question 9, I call on the Hon. Member for Douglas South, Mrs Maltby.

Mrs Maltby: Thank you, Mr President.

430 I would like to ask the Chair of the Climate Change Transformation Board what plans there are to enable community-owned renewable energy production and supply; and if she will make a statement?

The President: I call on the Chair of the Climate Change Transformation Board to reply.

435 **The Chair of the Climate Change Transformation Board (Mrs Caine):** Thank you, Mr President. There is already provision for community-owned renewable generation within the Electricity Act 1996 and communities who have funding can already approach Manx Utilities to agree a power purchase agreement. Likewise, community-owned renewables can be developed off grid, meaning they do not have any connection to the existing grid infrastructure. However, there are currently physical limitations as to how much intermittent renewable capacity the existing network system can support. Intermittent renewables have been shown to increase balancing costs on network systems, and it is necessary to understand how these will impact all customers.

440 In the UK, there are many examples where communities have jointly invested in renewable energy generation, such as wind turbines or photovoltaic panels, to provide themselves with electricity and to sell surplus electricity to the grid. For example, near Barrow-in-Furness, a 4.6 megawatt community wind farm generates enough power for 3,600 local homes, which is supplied through the national grid.

450 The reduction of electricity-related emissions is a crucial enabler of all aspects of climate change, as we need cost-effective, reliable, carbon-neutral electricity to enable us to reduce transport and heating emissions. The Climate Change Transformation Board has worked with partners across Government and the Arup consultancy to establish the Future Energy Scenarios Report, which was published last summer. This report will help inform the next step of working with partners to develop the actual long-term energy strategy, and in light of the current global energy situation, clearly the consideration of energy security and resilience will form an important part of that work. Therefore, local renewable generation is expected to be part of our replacement of the existing gas generation over time, and it is likely that how we balance the intermittent supplies associated with most renewable sources will become increasingly important for our resilient supply, because we will need other supplies we can rapidly switch on, for example, when the sun goes in or the wind drops.

460 So for the affordability of our future electricity, the cost of balancing any intermittency is an important aspect of the cost of our future supplies, whether that intermittent supply is from community, commercial third parties or even the MU's own generation.

Thank you, Mr President.

465 **The President:** Supplementary, Mrs Maltby.

Mrs Maltby: Yes. Yesterday, on Facebook, I noticed the MUA were advertising for a future energy delivery strategy. I cannot see it today, but that is fine. Is the Climate Change Transformation Board part of this working group?

470 **The President:** Chair to respond.

The Chair: Thank you, Mr President.

475 The future energy supply that the MU is developing will be aligned with the Council of Ministers' future energy supply and the team meets regularly with members of Manx Utilities. In fact, we have a big meeting later this week. We are all working towards the same thing, but obviously they are much more engaged in the operation and the technical aspects.

The President: Supplementary, Loayreyder.

480 **The Speaker:** Gura mie eu.
 Could I just ask the Chairman what the maximum percentage of variable electricity is and what we have at the moment?

The President: Chair to reply.

485 **The Chair:** Thank you, Mr President.
 I think the current is something under 5%; around 5%. There was a MacDonald Report in April 2009, he may remember, in terms of wondering about the limit on intermittent generation that could be accommodated on the existing grid and the technical assessment then indicates the maximum capacity for onshore wind generation is 20 megawatts with system security and stability maintained. So we are aware that there would need to be significant investment in the grid to provide the balancing before increasing amounts of renewable energy generation can be accommodated.

495 **The Speaker:** Sorry, Mr President, the second part of the question ...

The President: Clarification.

The Speaker: Sorry, yes. Thank you for answering the first part of the question, which is how much the maximum load was – about 25%. How much do we have at the moment?

The President: Chair to respond.

The Chair: Of renewables? (**The Speaker:** Yes.) I thought I said at the beginning I think it is something approaching 5%, (**The Speaker:** Right.) but I could be wrong on that. Seven per cent!

A Member: Four per cent.

The Chair: Four per cent; (**The Speaker:** Yes.) currently under 5%.

510 **The Speaker:** Scope for improvement!

The President: Supplementary, Mr Thomas.

515 **Mr Thomas:** Thank you, Mr President.
 As far as I can ascertain, the Climate Change Act Schedule amends the Electricity Act in respect of small-scale renewable energy production, and there is a list of sources of energy and technologies. I have got two questions for the Chair. The first one is can the Chair advise in terms of plans for making those changes practical through the Appointed Day Order, which might not be necessary because the legislation is quite hard to read, but to making that practical?

520 And secondly, in that list is:

 ... combined heat and power systems with an electrical capacity of 50 kilowatts or less.

 So is my understanding correct, then, that gas can be used for combined heat and power systems with an electrical capacity of 50 kilowatts or less under that Schedule, and what experience does the Isle of Man have of combined heat and power? For instance, my understanding – vague memory – is that the Hospital has a huge combined heat and power plant, which runs off gas and might even be the single largest gas user in the Isle of Man.

525 **The President:** Chair to reply.

The Chair: Thank you, Mr President.

530 I do not quite know what Mr Thomas is trying to find out from me. I do not – (*Interjection and laughter*) Could he repeat the question –?

The President: Would you like to articulate that differently, Mr Thomas?

535 **The Speaker:** Briefly.

Mr Thomas: Is the Electricity Act amendment in the Climate Change Act in force; and if so, does the combined heat and power include the use of gas to generate combined heat and power plants?

540

The President: Chair to reply.

The Chair: You are wanting to know if we can use gas? I do not understand the question. (*Interjections*)

545

Mr Thomas and another Member: Yes.

The Chair: Use gas for power generation?

550

The President: I believe that is exactly what he asked, yes.

The Chair: For electricity generation? (**Mr Thomas:** Yes.) Currently that is what we are using, but we are hoping to decarbonise and move away from that into a range of others and the Ove Arup Future Energy Scenarios sets out many strategies of how we might accomplish that, but obviously there is further work needed to do that.

555

The President: Right. Supplementary, Mrs Maltby.

Mrs Maltby: Thank you, Mr President.

560

Is the Chair aware of any planning systems in place that need to be changed to enable communities to be able to create their own renewable energy company?

The President: Chair to respond.

565

The Chair: Thank you, Mr President.

The planning teams are working with us to consider how best to enable appropriate development of this type and the Council of Ministers' future energy strategy, once established, will propose our approach to future energy generation and may establish a target level of renewable production. The strategy will also propose how best we support such development if required.

570

The President: Final supplementary, Mr Thomas.

Mr Thomas: Thank you.

575

Does the Chair agree with me it would be helpful to Members and the public to circulate information about how the Schedule to the Climate Change Act about small-scale energy production has been implemented, when regulations will be made and how that list of technologies and sources will actually be applied in practice for small-scale energy technology, so that we do not end up being confused in the future, as confused as we seem to be now?

580 **The President:** Chair to reply.

The Chair: Thank you, Mr President.

 The Climate Change team and Manx Utilities are already engaged with individuals looking to source and generate renewable electricity. We are all actively involved in a working party following the Arup Future Energy Scenarios Report. Manx Utilities have a legal duty under the Electricity Act to ensure that any increased network balancing costs are reflected in the price they pay to potential new suppliers of intermittent electricity, rather than being borne by everybody. So the piece of work that needs to be accomplished before such things can be switched on is the investment in the network to enable community generation or larger-scale commercial renewable generation, if that is to be connected to the grid or if it is to be off grid.

590 I can assure the Member that as soon as we are able to bring these schemes forward, we will jointly do so.

CABINET OFFICE

10. Renewable power solution planning permission – Changes to make easier

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Cabinet Office:

What changes to the planning regime will be required to make it easier to obtain planning consent for renewable power solutions; and what the timetable is for bringing such proposals to Tynwald?

The President: We move on to Question 10, I call on the Hon. Loayreyder.

595 **The Speaker:** Gura mie eu, Eaghtyrane.

I beg leave to ask the Minister for the Cabinet Office what changes to the planning regime will be required to make it easier to obtain planning consent for renewable power solutions; and what the timetable is for bringing such proposals to Tynwald?

600 **The President:** I call on the Minister for the Cabinet Office.

The Minister for the Cabinet Office (Ms Lord-Brennan): Thank you, Mr President, and I thank the Hon. Member for his Question.

605 There is already provision as an individual householder level through permitted development orders to install or erect structures to support and produce renewable energy. Subject to conditions setting out limitations, it is possible to install, for instance, standalone and roof mounted solar panels, ground water and air source heat pumps and domestic electric vehicle charging points.

610 Turning, Mr President, to larger-scale renewable power solutions, the planning framework is being made ready to react to any future spatial requirements and deal with any applications. However, I would note that the 2016 Isle of Man Strategic Plan already supports renewable energy with a strategic objective to support energy generation from renewable resources. In terms of changes to the planning regime, there is a timetable for updating the Strategic Plan written into the Climate Change Act.

615 There is a requirement for the development plan or a national policy directive to take into account key climate change commitments including the minimising of greenhouse gas emissions and be in place before 1st January 2025. This means that updated energy policies, which could

include one or more specific renewable energy policies would be brought to Tynwald before this date. Key to updating Island-wide strategic policy on renewable energy will be the evidence provided by the low carbon energy and renewable heating strategies, which are being produced following the Isle of Man Renewable Heating Scenarios Report published last month.

Having final strategies in place alongside up-to-date guidance and improved procedures on environmental impact assessments, for example, will enable the Strategic Plan Review to progress smoothly to make it easier to achieve planning consent for renewable power infrastructure. It will provide a relevant planning policy framework for planning applications to be determined. One of the purposes of the updated plan is to ensure a co-ordinated approach to the development of renewable energy solutions and, where it is appropriate to do so, the area plans will guide specific site allocations and specific proposals at the local level.

In moving forward with the Strategic Plan changes and future area plan work, the progress on the energy and heating strategies will be closely monitored to understand and be able to suitably draft the Island's planning approaches in renewable energy, be it wind, solar, generation or the need for an interconnector, biofuels or local generation plants and any associated spatial needs or, in lay terms, land requirements.

In closing, Mr President, the goal of these reforms is to ensure the planning regime is able to respond well to the transition to renewable energy supplies and technologies.

The President: Supplementary, Loayreyder.

The Speaker: Gura mie eu.

So if I could just pick the Minister up on two points then. Firstly, then can I ask if she sees, then, no real planning barrier to large-scale wind and solar at the moment that the presumption is not against them? That would be the first question.

And the second question is, with no tangible progress in the planning system coming through until 2025, does the Minister not feel that there is a complete lack of ambition on behalf of the Government?

The President: Minister to reply.

The Minister: Thank you, Mr President.

I do not think it is a lack of ambition on behalf of the Government. It is a complex area where these things need to be gone through step by step to see how the planning policies can be updated to support those, but in the meantime it is still possible on a small scale to progress these matters. I am confident that the team are taking a measured and organised approach on this, and it is complex.

Thank you, Mr President.

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

To back up the suggestion from Mr Speaker through a question, does the Minister not agree with me that there is no real issue in planning and has not been since the early 2000s to prevent alternative energy? So, for instance, since 2006 Energy Policy 4 has been that:

Development involving alternative sources of energy supply, including wind, water and tide power, and the use of solar panels, will be judged against the environmental objectives and policies set out in this Plan. Installations involving wind, water and tide power will require the submission of an EIA.

Energy Policy 5 is that:

The Department will prepare a Planning Policy Statement on Energy Efficiency. Pending the preparation and adoption of that PPS the Department will require proposals for more than 5 dwellings or 100 square metres of other development to be accompanied by an Energy Impact Assessment.

665 So does the Minister want to agree with me that there has been no barrier – real barrier – in planning and its lack of Government ambition for alternative energy since the early 2000s?

And finally, as evidence of that, does the Minister agree with me that back in the consultation stage for the Strategic Plan five sites were identified and evaluated for onshore wind farm in the early 2000s?

670 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

I do agree with the Hon. Member about the energy policy for that is in place. That Plan explains the environmental impact of any proposals for alternative renewable energy sources must be given similarly to scrutiny to other development proposals. So that is in place.

675 The other is there has been the process of identifying particular sites in the development plans as well.

Thank you, Mr President.

680 **The President:** Supplementary, Loayreyder.

The Speaker: Actually, Mr President, it was exactly the same question as Mr Thomas's but briefer! *(Laughter)*

685 **The President:** Already answered.

11. Public Services Commission and Office of Human Resources – Key performance indicators

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Cabinet Office:

What key performance indicators the Public Services Commission and the Office of Human Resources use to measure their efficiency and effectiveness?

The President: We will now move on to Question 11. I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

I beg leave to ask the Minister for the Cabinet Office what key performance indicators the Public Services Commission and the Office of Human Resources use to measure their efficiency and effectiveness?

The President: I call on the Minister for the Cabinet Office to reply.

695 **The Minister for the Cabinet Office (Ms Lord-Brennan):** Thank you, Mr President.

The Office of Human Resources (OHR) regularly monitors absence rates, turnover rates, time to hire, application numbers, employee demographics, vacancy rates, recruitment satisfaction rates and training attendance rates. This, in combination with the employee engagement surveys, allows the Public Services Commission to monitor the corporate human resources landscape.

700 In relation to human resources performance, OHR monitors casework numbers, activity levels across different functions, performance against internal service level agreements, and payroll accuracy figures to measure their efficiency.

In addition, the Public Service Commission produces an annual report, which is laid before Tynwald, on its activity and the organisation's human resources performance.

705

The President: Supplementary, Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

710 I noticed that in that rapidly reeled off list there some of those were actually the responsibility of the first line managers within the Departments rather than OHR, so it does not really seem to be that that is an effective way of – some of those – measuring the effectiveness of OHR.

I suppose I have to fall back on the question of how these are reported. All of these measures that the Minister has mentioned are covered in the annual report by OHR, is that what she is saying?

715

The Minister: Thank you, Mr President.
That is the case, yes.

12. Legislative drafters – Numbers

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Cabinet Office:

How many legislative drafters are currently employed; and whether she considers that sufficient to fulfil Government's legislative ambitions?

The President: We move on to Question 12 and I call on the Hon. Loayreyder.

720 **The Speaker:** Thank you, Mr President.

Again, I call the Minister for the Cabinet Office to answer how many legislative drafters are currently employed; and whether she considers that sufficient to fulfil the Government's legislative ambitions?

725 **The President:** I call on the Minister for the Cabinet Office to reply.

The Minister for the Cabinet Office (Ms Lord-Brennan): Thank you, Mr President.

There are currently five legislative drafters in the Attorney General's Chambers: four senior drafters and one assistant drafter.

730 The drafters are supplemented and assisted by the legislative support team within the Chambers. The legislative support team assists the Departments responsible during the development of policy underpinning Bills and the preparation of drafting instructions. This is with a view to improving the quality of instruction to the drafters which should expedite the drafting of the Bill and bring clarity to policy proposals.

735 After speaking this week with staff from Chambers, I note that it is more often than not a need to develop further settled departmental policy which delays the progression of primary legislation rather than availability of legislative drafters. The point I would make, Mr President, is that it is the lead up and the work before something gets to the legislative drafting stage that is also important in terms of how something may progress.

740 I should also note, Mr President, that the legislative drafters are not solely a resource for Government; they are, of course, impacted by the drafting of Private Members' Bills.

When there is a vacancy, it is for Chambers to recruit replacement drafters. This can take time, as the work is specialist and the recruitment pool is relatively small. However, currently there are sufficient drafters to meet the instructions being received.

745 Chambers will address any shortfall in drafting resource by means of a budget bid to Treasury. Support for the bid will depend on the view of Treasury and Tynwald in approving the Chambers' budget.

I am pleased to Chair the Council of Minister's Legislative Committee, and this Committee is working with Chambers to produce a legislative programme to lay before the July sitting of Tynwald. In the prioritisation of this, driving that delivery forward, we will keep monitoring progress and I am quite sure we will keep an eye both on the settling of policy in advance and also the resourcing required to support the Government's legislative programme.

Thank you, Mr President.

755 **The President:** Supplementary, Loayreyder.

The Speaker: Thank you.

760 I think the Minister will accept that there has probably been very little change in that number of five legislative drafters, over about the last 15 years certainly. However, I would welcome her views as to whether the number of officers around Government with the word 'policy and legislation' in their title has increased over that period. That does seem to be growing but yet we do not seem to be getting the greater throughput of Bills.

765 Would she accept that perhaps one of the criticisms that Members have faced in moving Private Members' Bills over the years has been about the legislative drafters' time, not about policy officer time; so whether that is sufficiently justified, really?

The President: Minister to reply.

The Minister: Thank you, Mr President.

770 I do not have with me the number of policy and legislation officers that are within the Government. I am very happy to make that enquiry and find out and see how they support the overall effort.

775 In terms of legislative drafters and the question or the comment made to do with Private Members' Bills, I think that for those putting Private Members' Bills forward that is a matter for private Members and it is a matter for the Attorney General's to support that. It is not necessarily the case that the legislative officers and policy officers within Departments may get involved. I am not sure if that happens to the same degree. I hope that answers the question.

Thank you, Mr President.

13. Judicial conduct – Complaints in last three years

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Justice and Home Affairs:

How many complaints have been made about judicial conduct in the last three years; and how the complaints process works?

The President: We move on to Question 13, and I call on the Hon. Loayreyder again.

780 **The Speaker:** Gura mie eu, Eaghtyrane.

I beg leave to ask the Minister for Justice and Home Affairs how many complaints have been made about judicial conduct in the last three years; and how the complaints process works?

The President: Minister for Justice and Home Affairs to reply.

785

The Minister for Justice and Home Affairs (Mrs Poole-Wilson): Thank you, Mr President.

I welcome this Question, as it provides the opportunity to set out the mechanism for dealing with judicial complaints, which has an important role to play in maintaining and enhancing high standards of judicial conduct.

790 I can confirm that over the past three years there have been the following number of complaints: 2019, five complaints; 2020, seven complaints; 2021, two complaints. I can further confirm that in the current year 2022 there has so far been one complaint.

795 Mr President, the complaints process, together with the Code of Conduct for Members of the Judiciary in the Isle of Man is publicly available and is set out in considerable detail on the Courts of Justice website. I therefore propose to offer only a summary of the process to Hon. Members today.

800 Before doing so, I should emphasise that it is a process in respect of complaints of personal misconduct against members of the judiciary. It is not a process through which to raise complaints where it is believed that a judicial decision is wrong or if it is felt that the judge did not handle a case properly or made a mistake. In such instances, Hon. Members, there are well-established avenues of redress, whether that be through appeal or, where appropriate, through a doleance claim.

805 In broad terms, a complainant has three months in which to submit a written complaint to the Judicial Conduct Office. The complaint is considered by a judicial conduct officer – there are two such officers from within the staff of the General Registry – with reference to the code of conduct and the procedural notes for the complaints process. Where the judicial conduct officer dismisses a complaint, either because it does not disclose a *prima facie* case of personal misconduct or for other reasons, as set out in the complaints procedure, the complainant has the right to request a review of the decision by the Chief Registrar, who may affirm, review or vary the decision of the

810 judicial conduct officer.

815 If the judicial conduct officer is satisfied that the complaint discloses a *prima facie* issue of personal misconduct on the part of a judge, it is referred to the First Deemster for further consideration and determination. If the complaint is against the First Deemster, it falls to the Judge of Appeal for consideration. Either of them may appoint such other persons to assist them in their consideration, investigation and determination of the complaint as they see fit, including the option, in serious cases, of convening a tribunal of inquiry to investigate the judge's fitness for judicial office.

820 Although the First Deemster has the power to take such action as he sees fit following consideration of complaint, the procedure notes list what these actions may include, ranging from dismissing the complaint to recommending removal from office. The latter course is governed by legislation, but under such circumstances, the judge in question, if it is the First Deemster, Second Deemster or Judge of Appeal, has the right of appeal to the Judicial Committee of the Privy Council. There is no right of appeal against a decision of the First Deemster which falls short of a recommendation for removal from office.

825 I recognise, Mr President, I have given a lot of information, but I was asked to outline the complaints procedure.

Thank you, Mr President.

The President: Yes.

830 Hon. Members, I just remind you, particularly Ministers, that there is guidance of three minutes for answering Questions and if you do have lengthy Answers, you can circulate that in advance, as some Members have done with this sitting.
Loayreyder, supplementary.

835 **The Speaker:** Thank you, and I thank the Minister for her detailed Answer.
Would she accept, firstly, that the procedure for this is not easy to find on the Courts website? I have had a go, and it took me a little while.

Would she also accept that the use of judicial conduct officers who work to the Chief Registrar is less than satisfactory, inasmuch as we are talking about people who work to the First Deemster
840 having to sit in judgement and see if there is a *prima facie* case against that person? I do not think that is possibly going to be considered best practice. Would the Minister take on board those two points, please?

Also, I am delighted that a very well timed General Registry Isle of Man Courts and Tribunals Service arrived in my pigeonhole yesterday and maybe it would be worth adding a little section in
845 there about complaints in next time's annual report.

The President: Minister to reply.

The Minister: Thank you, Mr President.
850 I think that is a very helpful suggestion from the Speaker regarding a section in the next year's annual general report, which I am sure we can refer back to the General Registry as helpful feedback.

On the point about the judicial conduct officer, in terms of reasons to not take a complaint forward, I think the complaints process itself and the procedural notes do set out the grounds. So
855 the point is that they have got to be guided by objective criterion and I would hope that the Speaker would understand that: that when you are governed by objective criterion, it is not a question of 'who', it is a question of 'what'.

I think the other point is that there is a right of appeal, actually. If the complainant does not like the decision of the judicial conduct officer not to refer the complaint, then they do have a
860 right of appeal against that.

In terms of finding the complaints procedures, I think in common with many websites that we find in and around Government, things are not always easy to find and there is always scope for improvement.

Thank you, Mr President.

865 **The President:** Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

The Minister has been very helpful and very professional in presenting this Answer, this
870 information. Does the Minister agree with me that she in particular has to be very careful in respect of the new section 6A and section 6B in the Council of Ministers Act, inserted in 2019 by amendment, about the duty of the Council of Ministers to uphold and support the rule of law and to guarantee continued judicial independence?

875 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

I am not sure that we need legislation to be clear on our duties, as far as members of the executive and Members of this legislature (**A Member:** Hear, hear.) are concerned, as regards
880 separation of powers. It is a fundamental principle that should be well understood by us all.

Thank you, Mr President.

The Speaker and another Member: Hear, hear.

The President: Supplementary, Loayreyder.

885

The Speaker: I absolutely concur with the Minister's last statement.

I would just ask, though, whilst the criteria are objective, would the Minister accept that actually, if it comes to an individual whose boss they are effectively having to sit in judgement on, whether that is really an acceptable way forward, and whether that is something that may need review in the future?

890

The President: Minister to reply.

The Minister: Thank you, Mr President.

895

I can understand why Mr Speaker is raising matters which are around perception, rather than the professional conduct of all of those involved in handling any complaints. I do think that, actually, the whole purpose of these complaints and the detailed code of conduct that appears on the website is, of course, to uphold high standards. So it is in no one's interest, not the judiciary's, not the Chief Registrar's and not the judicial conduct officers', not to conduct these processes properly, transparently and capable of appropriate audit and checking. So I do not share the same concerns.

900

Thank you, Mr President.

EDUCATION, SPORT AND CULTURE

14. Secondary education support staff – On-Island teacher training

The Hon. Member for Douglas South (Mrs Maltby) to ask the Minister for Education, Sport and Culture:

What consideration has been given to offering on-Island teacher training to education support staff in secondary education; and if she will make a statement?

The President: We move to Question 14 and I call on the Hon. Member for Douglas South, Mrs Maltby.

905

Mrs Maltby: Thank you, Mr President.

I would like to ask the Minister for Education, Sport and Culture what consideration has been given to offering on-Island teacher training to education support staff in secondary school; and if she would make a statement?

910

The President: I call on the Minister for Education, Sport and Culture.

The Minister for Education, Sport and Culture (Ms Edge): Thank you, Mr President.

915

Educational support officers play an essential role in supporting teachers and young people in our Island's schools, and we are encouraged that some support staff are interested in training as teachers.

Currently, the Island's secondary schools do offer school-based initial teacher training schemes for a relatively small number of support staff who are suitably qualified. The two routes for an assessment-only option are supported by Cumbria University, and that leads to a qualified teacher

920 status; or the Certificate in Education and Qualified Teacher Learning and Skills (QTLS) status route through the University College Isle of Man and Society for Education and Training (SET). At the end of their training period, assessment of competency as a teacher is through Cumbria University or the professional awarding body, depending on the final qualification.

925 Both of these routes require candidates to be a graduate in the subject area they are training to teach in and be employed in the school. The training that unqualified teachers undertake over a period of two to three years may involve both on- and off-Island school experience to support the development of teaching skills.

930 From September 2018 to 2021, around 20 staff have been trained through these school-led routes, some of whom may have started as educational support officers. Options for a longer-term strategic approach to an on-Island initial teacher training provision across secondary schools are being explored and it is an action in the Department's strategic plan.

Thank you, Mr President.

15. Estates shared service function – Success

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Education, Sport and Culture:

Whether it is her opinion that the estates shared service function is a success?

The President: We move on to Question 15 and I call upon the Hon. Loayreyder.

935 **The Speaker:** Gura mie eu, Eaghtyrane.

I beg to ask the Minister for Education, Sport and Culture whether it is her opinion that the estates shared service function is a success?

The President: I call on the Minister for Education, Sport and Culture to reply.

940

The Minister for Education, Sport and Culture (Ms Edge): Thank you, Mr President.

Estates shared services – which is part of the Public Estates and Housing Division within the Dol – manage, maintain and develop Government property and ensure the Government's buildings are looked after. They carry out repairs, including emergency repairs, and also carry out long-term planned maintenance to ensure the Government has safe, clean, good-quality buildings to operate its services from. The Department of Education, Sport and Culture works closely with, and will continue to work closely with, colleagues in Dol in order to manage, maintain and develop our schools and other departmental buildings at the present time.

945 In terms of my opinion as to whether the service function is a success, it would not be for me to comment on the success of another area of Government; it would be for the Dol to ascertain whether its service is successful or whether any improvements need to be made.

Thank you, Mr President.

The President: Supplementary, Loayreyder.

955

The Speaker: Thank you.

Can I ask the Minister, as the customer of that service, whether she is content; and, as she goes out and about talking to teachers and caretakers around the schools, what their feedback has been on the service?

960

The President: Minister to reply.

The Minister: Thank you, Mr President.

965 Yes, many of my ex-colleagues do not hesitate to let me know (*Laughter*) about the maintenance in our buildings! However, we are currently working with a partnership agreement with DoI in relation to the management and upkeep of the facilities and services; and the agreement will lay out the standards required to ensure the property portfolio is in an appropriate state of repair and enable the efficient and safe operation of our schools.

The President: Supplementary, Loayreyder.

970

The Speaker: Gura mie eu, Eaghtyrane.

Following the repatriation of school meals and cleaning to the Department based on the quality of service, will the Minister perhaps at least undertake to review within the next 12 months the use of estates shared services by the Department?

975

The President: Minister to reply.

The Minister: Thank you, Mr President.

980 Certainly it is the intention of me as Minister and our departmental Members to review all services and to make sure that the delivery of those are the best for Education.

With regard to the specific question, will I review just that service, hopefully that will be included within the next 12 months, but certainly it will be on the list.

The Speaker: Thank you.

16. Preschool provision – DESC sites and increasing capacity

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Education, Sport and Culture:

On how many sites her Department provides premises for preschool provision; and what plans there are to increase this capacity?

985

The President: We move on to Question 16, I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

990 I beg leave to ask the Minister for Education, Sport and Culture on how many sites her Department provides premises for preschool provision; and what plans there are to increase this capacity?

The President: Minister for Education, Sport and Culture to reply.

The Minister for Education, Sport and Culture (Ms Edge): Thank you, Mr President.

995

The Department of Education, Sport and Culture currently provides premises which are offered out for tender in seven of our primary schools for preschool provision. The primary schools are: St John's, Ballasalla, Rushen, Ballacottier, Ashley Hill, Cronk y Berry and Jurby.

1000 Under the Regulation of Care Act 2013, premises have to meet a registration suitability of premises check by the Registration and Inspection team in the DHSC to ensure that they are fit for the purpose of the service. To undertake a review of land and premises in regional hubs suitable for childcare provision has been identified as an action within the draft Childcare Strategy, which will be publicly consulted upon following today's sitting of Tynwald. The purpose of this action is

to provide space and opportunities for childcare providers to set up in locations where current provision is lacking. This document sets out a clear pathway of actions to ensure every child has an opportunity to access high-quality childcare and early education, and every parent has the choice to access childcare.

Following the consultation, the finalised Childcare Strategy will be presented to Tynwald at the July sitting.

Thank you, Mr President.

The President: Supplementary, Loayreyder.

The Speaker: Thank you.

Can I ask the Minister how many providers she will ultimately think we will need, as regards this? And, with only seven schools providing premises, can I ask if the Department is thinking laterally about this problem in terms of its capacity, in terms of looking at things such as youth club space, mobile classrooms and other opportunities within the broadest estates environment for the Department, to ensure that we get as many of these preschool providers up and running as are needed?

The President: Minister to reply.

The Minister: Thank you, Mr President.

Unfortunately, this is currently not a viable or quick option. This is due to a number of factors such as availability of space, predicted growth of roll in certain schools and the suitability of any existing space within school buildings. Where there may be space, considerable adaptation of work would need to be carried out to make them fit for purpose. This is continually monitored and any future considerations will form part of the action as detailed within the Childcare Strategy to review land and premises in regional hubs suitable for childcare provision.

The President: Supplementary, Loayreyder.

The Speaker: The Minister started the answer with 'This isn't feasible' – I was not sure which one of the ideas I threw together was not feasible. But, for example, looking at mobile classrooms, we have huge amounts of playing fields and land that inner-city schools in the adjacent jurisdiction would kill for. We are really not making the best of those assets. And even if it was not the case that the Department was putting up the capital, if it was maybe just providing the land available for these pop-up premises to function, that would make a real difference, potentially, around our Island.

Would the Minister at least look into that, please, as part of this ongoing and developing strategy?

The President: Minister to reply.

The Minister: Thank you, Mr President.

As I have said in here many times, a strategic infrastructure needs assessment needs to be carried out for the Department for all of our facilities, and I will consider obviously the early years element of that. And once we have had that debate and presented that report today, it will be a consideration.

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

1055 Does the Minister agree with me that premises for all education, but particularly preschool education, have to be suitable and have to be well-thought-through, and the idea of just using random buildings around is fraught with danger, as has been demonstrated in Douglas on at least one occasion, sadly, in the last five or six years?

1060 Secondly, does the Minister agree with me, however, that we do need that strategic needs assessment and there is provision in some of the plans around various schools for proper preschool facilities attached to primary schools? For instance, at Henry Bloom Noble. I remember the planning application included reserving a site for a preschool facility, when the disastrous 2012 policy is reversed.

1065 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

1070 I am pleased to agree with the Hon. Member with regard to they have to be suitable and well-thought-through. And with regard to the strategic needs assessment, we need to make sure that all of our school buildings, including any that could be available for early years, are adequate and fit for purpose.

HEALTH AND SOCIAL CARE

17. Waiting times – Acceptable targets

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

What waiting times the Minister considers acceptable?

The President: We move on to Question 17, I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

1075 I beg leave to ask the Minister for Health and Social Care what waiting times the Minister considers acceptable?

The President: I call on the Minister for Health and Social Care to reply.

The Minister for Health and Social Care (Mr Hooper): Thank you very much, Mr President.

1080 It is my opinion that the Island should have maximum waiting time targets in line with that outlined in the UK NHS constitution, which specifies the patient should start their consultant-led treatment within a maximum of 18 weeks from referral for non-urgent conditions or be seen by a cancer specialist within a maximum of two weeks from GP referral for urgent referrals where cancer is suspected. This year's mandate includes the first stage of realising this ambition of referral to treatment targets on the Island. Specifically, objective 7 in the mandate states Manx Care should work to achieve:

1085

Implementation of a clear and equitable Access Policy and associated reporting mechanism to report on, and make publicly available, 18 week Referral to Treatment (RTT) performance for planned care

I do not expect this significant ambition to be achievable in a single year, but I firmly believe that we must be committed to facilitate significant progress, improving services for patients, service users and our Island's population as a whole. Delivering on this will be a multi-year

1090 programme, which will present a huge challenge to Manx Care, but tackling our waiting times will be a critical measure of success for our newly redesigned Health and Care Service.

The President: Supplementary, Loayreyder.

1095 **The Speaker:** Gura mie eu, Eaghtyrane.

Could I ask the Minister if he has had discussions as to how Manx Care will prioritise which pathways will top the list in terms of priority for that 18-week referral to treatment or whether it is going to be an equal push across all pathways; and when he realistically considers that this objective will be achieved?

1100

The President: Minister to reply.

The Minister: Thank you, Mr President.

1105 I have not yet had specific conversations with Manx Care around exactly how they intend to prioritise pathways. I strongly suspect it will be in line with the transformation programme that is being rolled out, that already has clinical pathways that have been determined by priority basis.

When do I think this will be achieved by? I cannot tell you, Mr Speaker, Mr President. It is simply not within my gift to predict the future. If it was, I would be absolutely happy to put something down, but it is absolutely my *intention* that this will be delivered by the end of this administration.

1110

The President: Supplementary, Loayreyder.

1115 **The Speaker:** I can only ask then, the Minister, how he intends to hold Manx Care's feet to the fire in terms of getting a timetable and holding *them* to it?

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

1120 Through the mandate and the mandate assurance process.

18. Home care assistants – Number and caseloads of

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

How many home care assistants there are; and what the caseload is of each one?

The President: We now move on to Question 18, and I call the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

1125 Could I ask the Minister for Health and Social Care how many home care assistants there are; and what the caseload is of each one, please?

The President: Minister for Health and Social Care to reply.

The Minister for Health and Social Care (Mr Hooper): Thank you, Mr President.

1130 The Community Support Service, formerly known as Home Care, is operated as a directly provided service by the Social Care Directorate of Manx Care. The primary aim of the community

support service is to support people to remain in their own home and as such prevent admissions to long-term residential care. They also play a key role in supporting people following discharge from hospital.

1135 There are a number of domiciliary care providers operating in the Isle of Man. However, the role of the community support service is to support those people with predominantly more complex needs and those service users who are entitled to Income Support. The very nature of the service dictates there are no specific allocated caseloads, as many of the support packages, which are based on individual needs, require more than one member of support staff spread
1140 across several visits per day. At present, the service employs 60 support staff who are providing a myriad of support packages to around 113 service users.

The President: Supplementary, Loayreyder.

1145 **The Speaker:** Gura mie eu, Eaghtyrane.

We are well aware of the challenges of the ageing population, which we will come on to later in the Order Paper. But 10 years ago, there were 89 home care assistants in this environment, seeing five people per shift and about five to 15 clients each, and at that time it was stated that there was not enough. The Minister is now telling us that there are 60. Is there actually enough to
1150 meet demand and, if not, what are we doing about it?

The President: Minister to reply.

The Minister: Thank you, Mr President.

1155 I think the Speaker is absolutely correct. There is quite often a greater demand than the supply that exists and in such circumstances flexible funding is required to commission packages of support from the private sector. This is sometimes on a short-term basis until capacity within the support service becomes available. Currently, on average, the service is delivering around about 400 hours a week, split roughly 110 single care hours and 147 double care hours, which arrives at
1160 just over 404 hours a week.

What is the service doing about it? We have big work underway inside the Transformation Programme around the funding of future nursing and residential care, and I hope there will be further announcements in this space in the coming months.

1165 **The President:** Supplementary, Loayreyder.

The Speaker: Thank you.

So if I could ask the Minister whether he believes that all needs are being met by this group and whether there is any work going on either to recruit further within the Manx Care sector or
1170 to allow greater capacity building in the private sector?

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

1175 Yes, there is of course recruitment work underway in Manx Care, not just around this but around all of the staffing challenges they are facing, and I have provided detailed information in other Answers in another place around the work streams Manx Care have to try and fill some of those vacancies.

I forget the second part of the Question, but in terms of whether this is currently meeting all
1180 of the service demand out there, I think I have covered that already. The service demand is very flexible, depending entirely on what the needs of individuals are and, as far as possible, the service seeks to meet that need.

POST OFFICE

**19. DoI property rental payments –
Number by post office in last six months**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Chair of the Post Office:

How many cash payments for rent in respect of properties owned by the Department of Infrastructure were made at each post office in each of the last six months?

The President: We move on to Question 19, I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

1185

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Chair of the Post Office how many cash payments for rent in respect of properties owned by the Department of Infrastructure were made at each post office in each of the last six months?

1190

Thank you.

A Written Answer from the Chair was circulated prior to the sitting and can be found here:

https://www.tynwald.org.im/business/hansard/20002020/t220315_Q19_Link.pdf

The President: I know that the Chair has already submitted a Written Answer. Does the Chair wish to add anything before? Not at this stage.

The President: Supplementary, Mr Moorhouse.

1195

Mr Moorhouse: Thank you, Mr President, and thank you, Chair for providing that information yesterday morning.

How has the Post Office managed to continue to provide this service despite DoI housing already having a new system in place? Could it be done without a rent book?

1200

Thank you.

The President: Chair of the Post Office to reply.

The Chair of the Post Office (Mr Thomas): Thank you, Mr President.

1205

The Isle of Man Post Office is not privy to the IT changes that the Department of Infrastructure has implemented, but the Isle of Man Post Office continues to collect the Department of Infrastructure social housing rental payments through the retail network.

1210

It might be helpful to the questioner and to Hon. Members to understand the process that the Post Office uses to collect those payments. The customer presents a rent card. If the payment is over the anti-money laundering limits, full anti-money laundering procedures are followed. The account number is scanned, because there is a barcode on the printed rent card, or entered manually into the Isle of Man Post Office point of sale system. Payment information is then entered into the Isle of Man point of sale system. The rent card is date stamped. The amount paid is written on the rent card and initialled. The Post Office does not retain any paperwork. A receipt is given to the customer.

1215

It might also, for completeness, help the questioner and the public understand that the Isle of Man Post Office does not in any way validate the amount paid. I am hopeful that is helpful.

The President: Supplementary, Mr Moorhouse.

1220

Mr Moorhouse: Thank you, Mr President, and thank you, Chair.

In February, the Minister stated that up to 250 people use his service costing the Department about £40,000. Is there the capacity for the Post Office to actually reduce this cost?

Thank you Mr President.

1225

The President: Chair of the Post Office to reply.

The Chair: Thank you.

1230

The Department of Infrastructure gave that figure and I have got no reason to disagree with that figure. The amount of transactions at the post offices has reduced in recent months and years, and essentially there is a transaction fee, so the amount reduces in any case as the transactions decline.

The President: Final supplementary, Mr Moorhouse.

1235

Mr Moorhouse: Thank you, Mr President, and thank you, Chair.

Just returning back to the previous Answer, could the Post Office continue to provide the offering with a rent book equivalent, or would it just be impossible without a rent book to provide the service?

1240

Thank you, Mr President.

The President: Chair to reply.

The Chair: I cannot comment on the need for a rent book.

1245

I have described fully the process that takes place inside the retail premises and the post office counters where this service is used, particularly in Castletown, Jurby, Laxey and Andreas, where the Department of Infrastructure social housing takes place. So that is the process that we use and we are happy to continue that process as long as the Department of Infrastructure wants the Post Office to be its agent.

1250

The President: Supplementary, Dr Haywood.

Dr Haywood: Thank you, Mr President.

1255

I notice in the written Answer that you gave that half of the payments that came through as cash for rent were literally taken out from MiCard and then the rent was paid almost straightaway. Is there any option for the MiCard payments to be split so that some can be taken out as cash or are we forcing people to take out cash because they only have one option with their MiCard? It is either, it is all paid into the bank or it all comes out in cash, and I do not know – it is not possibly under your jurisdiction – but given you have given such a lovely description of how it works over the counter, I wonder if you know this one as well?

1260

The President: Chair to reply.

1265

The Chair: No, I do like simplicity and simple explanations because that helps you get a better understanding and I am sure Treasury will help us greatly in terms of how the MiCard works exactly, what possibilities there are for it at the moment and how they plan to change it at the end of this year, which is currently what Tynwald believes is happening or later if that is the intention of Treasury.

ENTERPRISE

**20. Employee skills development –
Vocational qualifications and employer consultation**

The Hon. Member for Douglas South (Mrs Maltby) to ask the Minister for Enterprise:

How his Department works with the Department of Education, Sport and Culture to provide vocational qualifications for employee skills development; and how often his Department consults with employers about whether what is offered has been effective?

1270 **The President:** We move on to Question 20 and I call on the Hon. Member for Douglas South, Mrs Maltby.

Mrs Maltby: Thank you, Mr President.

1275 I would like to ask the Minister for Enterprise how his Department works with the Department of Education, Sport and Culture to provide vocational qualifications for employee skills development; and how often his Department consults with employers about whether what is offered has been effective?

The President: Minister for Enterprise to reply.

1280 **The Minister for Enterprise (Dr Allinson):** Thank you, Mr President. I thank the Hon. Member for her Question.

1285 The Department regularly engages with colleagues from the Department of Education, Sport and Culture on matters related to vocational training and skills development. The availability of skills remains a key concern for the business community, and whilst this is not a new challenge for the Island, the impact of COVID and the UK's decision to leave the European Union have compounded recruitment difficulties in some parts of our economy.

1290 Within the Department for Enterprise, the four Executive Agencies provide a direct conduit to employers and representative bodies, and each Agency has identified skills and the availability of workers more generally as a key priority. Work is ongoing to join up the various thinking in this space and create a more co-ordinated approach.

1295 One of the priorities within the Island Plan is to provide outstanding lifelong learning and development opportunities for all and aligning to this strategic priority, the Department for Enterprise has committed to bring forward a broad workforce and skills strategy to July Tynwald, which will set out the approach to be taken to address these significant challenges during the life of this parliament.

1300 Key to this strategy will be much closer collaboration with the Department of Education, Sport and Culture, as well as work across Government to ensure all members of our community have the opportunity to reach their full potential. A key theme within the proposed strategy will be the availability of suitable and relevant training which is accessible in terms of how such training is delivered, funded and supported. As part of this work, further consideration will be given to how vocational training support, such as apprenticeship programmes and financial assistance schemes, are administered and delivered, ensuring that the needs of the economy are considered when targeting support.

1305 I would like to assure Hon. Members that vocational training, skills development and broader workforce support are a priority for the Department, and I look forward to further engagement with stakeholders as we develop our strategy ahead of bringing it to this Hon. Court.

Thank you.

The President: Supplementary, Loayreyder.

1310 **The Speaker:** Gura mie eu.

Could I ask how this strategy will perhaps look at the greater scope for younger people looking to get into the workforce before 16 as an alternative approach to engaging with younger people who are not currently engaging or engaging well with the mainstream education service?

1315 **The President:** Minister to reply.

The Minister: Thank you very much, Mr President.

There are a range of apprenticeship schemes currently available, but UCM are also responsible for a lot of the work that is done pre-apprenticeship to prepare people going into work, and we will be working with the Department of Education, Sport and Culture and UCM to develop these programmes further.

Thank you.

The President: Supplementary, Loayreyder.

1325

The Speaker: Sorry, yes. Thank you, but I think where we are talking about going to UCM, they are normally post-16. I was looking at perhaps moving people out of that education environment into more of the workplace and then taking on the education route, perhaps a little later or deferring it, but actually just trying to find a different way of engaging with young people outside of the mainstream education setting and whether that is part of the option suite that we are really trying to look at here to make sure that for those who do not think that school is their thing at 14 and 15, there is another way of making sure that they still get to those qualifications at the end of the day?

1330

1335 **The President:** Minister to reply.

The Minister: Mr President, the shorter answer is yes. (**The Speaker:** Good.) The *slightly* longer answer, but within three minutes, (*Laughter*) is part of this work intrinsically is things like work experience, is employability skills, and again we will be working with the Department of Education, Sport and Culture and with employers to help develop these further.

1340

Thank you.

The President: We move on to Question 21 –

1345 **Mr Thomas:** Sir, Mr President?

The President: Oh, apologies. I did miss you. Supplementary, Mr Thomas.

Mr Thomas: Hard to notice, but thanks very much, Mr President, for noticing.

1350

I just wanted to clarify with the Minister where the budget for this scheme actually sits and what the roles are of the respective Departments – Department for Enterprise and the Department of Education, Sport and Culture?

The President: Minister to reply.

1355

The Minister: Thank you very much, Mr President.

The formal apprenticeship programmes are administered in a broad range of sectors by the Department of Education, Sport and Culture and financially supported by them as well. The Vocational Training Assistance Scheme is the discretionary grant scheme, and usually provides up to 30% of costs and, again, this is administered by the Department of Education, Sport and Culture.

1360

Thank you.

**21. Air connectivity –
Travel review completion and publication; increasing air connections**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Enterprise:

When the review into air travel will be completed; if it will be published; and when the number of air connections to the Island will increase?

The President: We now move on to Question 21, I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

1365 I beg leave to ask the Minister for Enterprise when the review into air travel will be completed; if it will be published; and when the number of air connections to the Island will increase – if they have not been too overtaken by events since the tabling of this Question?

The President: Minister for Enterprise to reply.

1370

The Minister for Enterprise (Dr Allinson): Thank you, Mr President.

I would like to thank Mr Speaker for his Question and the opportunity to update Hon. Members on this important subject. Our Island's connectivity by air is a matter of strategic national importance and following the impact of COVID-19, there was obvious concern in respect of the frequency of air services to critical destinations during the period of economic recovery. As such, the Council of Ministers directed the Department for Enterprise to commence a strategic review of air services.

1375 The first phase of this review involved the comprehensive report produced by an external consultancy, Steer Ltd. This report looked at historical route performance, reviewed the current Open Skies policy and assessed the range of alternative policy options, which could potentially be utilised to ensure the future security of critical air routes. The review also incorporated a needs analysis survey, the results of which confirmed the critical economic air routes to the Island as being Liverpool, Manchester, Dublin and London.

1380 The first phase of this review and production of the consultancy report was completed and presented to Council in November 2021. Following the completion of this first phase, the intention was to design and roll out an expressions of interest process, seeking to understand the appetite and the ability of airline operators to provide services to our key economic routes which met the needs of the Island in terms of regularity, frequency and capacity and to secure any necessary arrangements for the medium to long term. However, it was clear that there was an urgent and pressing need to seek additional capacity on London routes, given the limited provision at the time and the highly variable fares, which indicated strong demand in a restricted market.

1385 This sentiment around London connectivity has been strongly supported by the business community who have been vocal in their calls for increased flights and for the availability to undertake day return travel to the City of London. Therefore, initial focus has been on seeking a resolution to this issue and significant work has been undertaken to deliver a short-term solution to London during 2022, pending the commencement of a longer-term process which will seek the security of our services on our core economic routes into the future.

1395 I am pleased to be able to announce last Friday the introduction of additional capacity to London commencing mid-April, with a further increase in the schedule from the beginning of May. This will see the return of double daily services to London City, permitting day return business travel in both directions together with a daily service to Heathrow Airport, enabling much-needed international connectivity. This follows on from the announcement by Aer Lingus that they will restart regular services to Dublin later this week. Following discussions with easyJet, extra capacity has been added to the Gatwick and Manchester routes to provide more seats for residents and visitors over the summer months.

1405

Having secured this additional London connectivity as a priority, I do intend to release the initial report arising from the first phase of the review, together with an overview of a future aviation strategy with the aim of doing so by the end of March. The Department will continue to work closely with the Department of Infrastructure as we develop policy options and engage with airline operators over the coming months, in order to ensure that our strategic air links are secured for the long term.

Thank you.

The President: Just over three minutes, but ... *(Laughter)* Loayreyder, supplementary.

The Speaker: Gura mie eu.

Did the report actually suggest what frequency was acceptable for each of those Liverpool, Manchester, Dublin and London routes? And perhaps the more important question is if there are any subsidies to be involved in any of these routes, how is the Department assessing the value for money of those subsidies?

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

In terms of the frequency of the routes, the report mainly looked at the ability to get to that destination and back in one day. It is very much to do with the timing and, again, it is getting that balance right between the interests of the business community and of the travelling visitor, whether they are travelling to or from the Island.

In terms of value for money, there are a key set of approaches that can be taken, which include: incentives, including reduced charges; disincentives, making higher charges for landing; financial support, either through marketing support or direct subsidy or underwriting; and also route licensing; and all of these will be looked at in terms of the overall strategy moving forward.

In terms of value for money, I think Mr Speaker is absolutely right that what we need to do, particularly over the summer, is look at the uptake in these routes, look at how much they are actually being used by the local population and by visitors, and look at the exposure to the taxpayer for providing those routes, and that will be fed back into the overall strategy as we move forward to ensure that we not only get the connectivity, but we get value for money while we are providing that.

Thank you.

INFRASTRUCTURE

22. IoM Airport – Staffing and leadership

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Infrastructure:

If he will make a statement about staffing and leadership at the airport?

The President: Hon. Members, we move on to Question 22, and I call upon the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

Again, I ask the Minister for Infrastructure if he will make a statement about staffing and leadership at the Airport?

The President: Minister for Infrastructure to respond.

The Minister for Infrastructure (Mr Crookall): Thank you, Mr President. I thank the Hon. Member for his Question.

1450 The ongoing recruitment process for the Airport Director is scheduled to conclude very shortly. As this is a live process, it would not be appropriate for me to comment any further at this stage on that. The Acting Director is currently on sick leave and, as Members will be aware, the Deputy Director resigned from his position with immediate effect on 4th March 2022 and this has left us without an accountable manager.

1455 In October 2021, the licence for the Airport was assigned to the interim Chief Executive of the Department of Infrastructure. The licensee has been taking a proactive role with regard to management at the Airport, ensuring that there is a constant dialogue with the senior management team, providing support and prioritising actions going forward. This ongoing activity is underpinned by ongoing detailed dialogue with the Island's aviation safety and security regulator to ensure appropriate robust levels of safety and compliance are adhered to. Work is ongoing to secure a viable interim, followed by a long-term solution to ensure that the Airport is able to provide the vital services to the Island in a safe and compliant and efficient manner.

The President: Supplementary, Loayreyder.

1465

The Speaker: Gura mie eu.

Without an accountable manager, can I ask how the Airport remains open and who is responsible for safety in that role at the moment?

1470 **The President:** Minister to reply.

The Minister: As I said, Mr President, the interim Chief Executive is the licence-holder at the moment, working with the Island's CAA and all rules and regulations are absolutely being adhered to that need to be at this time. If anybody is in doubt of anything that is not being adhered to, I would like to hear it, but as far as we know, and I have checked, everything is in place.

1475

The President: Supplementary –

The Speaker: Thank you. Oh, sorry.

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The President: – Mr Callister.

Mr Callister: Thank you, Mr President. I thank the Minister for his statement this morning.

1485 Can I ask the DoI Minister if there is a serious staffing issue at the Airport at the moment, especially when our valuable visitors returning to the Island after almost two years have been receiving text messages this weekend asking them to return up at the Airport at least three hours before a domestic flight?

1490 Can I also ask the DoI Minister if this is a short-term problem; and can he give us reassurance that any staffing or operational issues at the Airport can and will be fully resolved before the height of our season? The current situation is leaving a long-lasting impression with our visitors, something that I actually witnessed first-hand during the Darts Festival this weekend, Mr President.

The President: Minister to reply.

1495 **The Minister:** Thank you, Mr President, and I thank the Hon. Member for his messages this weekend and for showing his concern regarding this issue. It is an issue that the Island has suffered from, but we are not the only place to do so.

 The EasyJet messages are not specific to the Isle of Man Airport and are being sent to all EasyJet passengers. Once again, this is as a result of the difficulty in recruiting at airports, not just our
1500 airport; at airport security, check-ins, ground handlers and shop staff. They are all affected at all different sorts of airport, and that does include ours, as you have found out this weekend.

 The Airport has suffered with COVID over the last few weeks, like everybody else has over the last couple of years, and there was a shortage of staff over the last couple of weeks. We are now, I think back on the better side of those that were off. There are not so many, things are better.
1505 The escalator is back in service, which has been out of service for some time, for which I am glad, and the two x-ray machines are now back up and working.

The President: Supplementary, Mr Peters.

1510 **Mr Peters:** Thank you very much, Mr President.

 The closing date for applications for the new Airport Director was over three months ago and we still do not have a new Airport Director. I understand what the Minister was saying about the fact that these matters are in hand, but where does he ascribe the problem of taking three months to find a new Airport Director? Is it an HR issue, is it an airport management issue; and does he
1515 agree that it is unacceptable that the Airport would be rudderless for this period of time?

The President: Minister to reply.

The Minister: I would disagree with the rudderless suggestion. Yes, it has been difficult for the staff down there, but it has not been rudderless, it has been looked after, but I understand where
1520 the Hon. Member is coming from.

 Three months, I would suggest, is probably unacceptable, but it has been unavoidable for different reasons, whether it be HR, or people being sick who were due to have interviews or do the interviewing. We are, as I said, at the stage now where hopefully, very shortly, we will have
1525 somebody to fill that post.

The President: Supplementary, Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

1530 There is an ongoing review into the culture down at the Airport. Can I ask the Minister when that is due to report?

 The Minister said in his original Answer that there was provision of support to the management and the senior management team. I ask him, hand on heart, does he really believe that; and will he ask the Public Services Commission to commission an independent review into some of the
1535 behaviours that have gone on down at the Airport?

The President: Minister to reply.

The Minister: I hear what the Hon. Member is saying. There are issues down there and obviously there are ongoing issues which people might have heard about or might be surmising that there are issues going on down there. Everything, certainly in my time as being in charge of the Dol, I believe has been dealt with correctly. What went on beforehand, there is an investigation going on into those to make sure that they were dealt with properly.
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 Any allegations that the Hon. Speaker or any other Member has, I would like to hear about it and make sure those are covered, but I do believe, as far as I am led from those officers that I have
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spoken to, in and outside of the Department at the moment, everything has been dealt with correctly. But I will take those on board, Mr President.

The President: Supplementary, Mr Thomas.

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Mr Thomas: Thank you, Mr President.

Two separate issues. The first one is, am I right in thinking that effectively the licence for the Airport to operate is really with the Department of Infrastructure, it is with a legal entity, rather than a person? So that is perfectly fine. However, I often wonder how the potential conflicts of interest between being the operator and the inspector are handled around all of this sort of thing.

1555

The second question is does the Minister agree with me it would be worthwhile – especially given his comments today about people operating security – to revisit how the outsourcing, the wage rates operate for those people on the ground? (**Mr Callister:** Hear, hear.) I do believe that they push the limits of the living wage aspiration of the Isle of Man Government.

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The President: Minister to reply.

The Minister: Thank you very much, Mr President.

With regard to the second point there, the outsourcing of security, those issues obviously go out to tender at times and they are outwith our responsibility, but I am happy to take those on board. I am not sure what the contract is with those in place at the moment, but I will find out and will certainly make sure that is taken on board next time.

1565

With regard to the licence, it is with the DoI and obviously, as I said, it is with the interim Chief Executive at the moment. Any conflicts of interest are checked and we make sure that everything is above board and checked with the CAA here and across, Mr President.

1570

The President: Final supplementary, Loayreyder.

The Speaker: May be a lot to get into a final supplementary, Eaghtyrane.

Firstly, I would say the Minister is aware of my concerns, which are current, not historic, by the way. They are not all historic aspects. I did ask specifically when the culture review in the Department will report and if he will ask the Public Services Commission to look at what is going on down at the Airport?

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The final part, I suppose, of the supplementary is who is the accountable manager responsible for safety now? Not the licensee, who is the accountable manager responsible for safety today?

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The President: Minister to reply.

The Minister: Thank you, Mr President.

The culture review, I will ask the PSC to have a look at those issues. Whether they take them on board or not, I do not know. They are being looked at by the Department at the moment, but if you want the PSC, I will ask them, if they say no, it is out of my hands.

1585

The safety, I would suggest, has probably been taken by the Isle of Man CAA down at the Airport to make sure we adhere to that. I will check on that but I am just suggesting at the moment. Mr Speaker, I see you are shaking your head. If I have got the wrong person on that, I will check on that.

1590

Sorry, you mentioned the current ... The three parts of your question, the first one?

The Speaker: Just to say that I think you are aware of the issues, that they are not historic, they are current, and I will talk to you further about it, Minister.

1595

The Minister: I take it on board. Obviously I am not going to discuss any current issues here live.

1600 **The Speaker:** Quite right.

**23. Jurby airfield –
Residential development plans**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Infrastructure:

What plans there are for residential development of the former airfield and associated land at Jurby?

The President: Question 23, I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

1605 I beg leave to ask the Minister for Infrastructure what plans there are for residential development of the former airfield and associated land at Jurby?

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

The Minister for Infrastructure (Mr Crookall): Thank you, Mr President.

1610 As part of the Jurby initiative, the Department has obtained planning approval for 21 dwellings on part of the former army campsite located on the north side of the Ballameanagh Road. The Department is currently exploring ways of creating new affordable homes on that site, possibly using a community-led housing development model.

1615 I would make it clear that there are *no* plans to resume any residential development on the Jurby Airfield located to the south of the Ballameanagh Road.

The President: Supplementary, Loayreyder.

1620 **The Speaker:** Just to take the Minister on a happy trip down memory lane, when he was a Member for Housing in the Department of Local Government and Environment, because I know who he took over from in that role. There was a master plan, a Jurby masterplan, dated 2006. Is that still extant for the area? Is that still the Department's vision or has it moved on, is there a new master plan for Jurby since then?

1625 **The President:** Minister to reply.

The Minister: I would imagine it has moved on since then and that plan has been superseded. I will find out for Mr Speaker and let him know.

1630 **The Speaker:** Thank you.

Question 24 deferred

The President: Question 24, Loayreyder has requested that be deferred for one month.

Question of Urgent Public Importance

EDUCATION, SPORT AND CULTURE

Southern Swimming Pool – Statement

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Education, Sport and Culture:

If she will make a statement on the immediate future of the Southern Swimming Pool?

The President: That concludes our Question Paper but, Hon. Members, you have had notice of an Urgent Question which I have permitted to the Department of Education, Sport and Culture, and I call on Loayreyder to ask that Question.

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The Speaker: It is just because I did not have enough Questions today, Mr President!
Could I ask the Minister for Education, Sport and Culture if she will make a statement on the *immediate* future of the Southern Swimming Pool, please?

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The President: The Minister for Education, Sport and Culture.

The Minister for Education, Sport and Culture (Ms Edge): Thank you, Mr President.

The Department has met with the Southern Pool Board on a number of occasions and is in regular contact with the Board. Myself and the Chief Minister also met with a couple of the Board members. The Department are supporting the Board in planning their way forward, but until a forward direction is clear I am unable to add anything further.

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The President: Loayreyder, Supplementary.

1650

The Speaker: Thank you.

Would the Minister at least be able to ensure that since the application went in for the Board to go into special measures – which I suppose means it is now being operated, if you like, by the Department of Infrastructure, that being the only Department available to provide funding for swimming pools – at least whilst this issue is being worked through, the pool is under no imminent threat of closure?

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The Minister: Minister to reply.

The Minister: Thank you, Mr President.

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I have to just repeat that until a forward direction is clear, I am unable to add anything further.

The President: Supplementary, Mr Glover.

Mr Glover: Thank you, Mr President.

1665 Special measures have been brought or requested and referred to the Department and, under section 18.1 of the Local Government Act 2006, the Department has responsibility for maintaining and running the pool. Will the Minister please reassure the Court that that is the case and that is what it says?

1670 Also, on the funding front – and it does need funding properly – the 1977 Act which brought in the Southern Swimming Pool, 75% of it was to be funded by the then Education Board. Over the last few years, it has been 52% to 57% that the Department has been funding it; it has got away with it. So will the Department please accept responsibility?

Thank you.

1675 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

1680 I am aware that obviously it is an independent board, the Southern Board, and it is a group of people from the local authorities in the area. With regard to the maintenance, there are agreements in place for some maintenance funding. I have also become aware that there was additional funding provided by the Treasury in the last two years of the Department's budget with regard to doing a review of the pools. That had not been carried out under the previous regime, and that is something of a priority now that we need to look at: doing a review of the pools and obviously the allowances that go to the various pools.

1685 **The Speaker:** Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

1690 Has the Education Department had the opportunity to consider an emergency solution if the Board were to resign and the pool was to face an immediate closure?

And in terms of the legal right for these children who use the pool to have swimming lessons, has that been considered? At the moment there are well over 500 children receiving those lessons every week. Can that be looked at also as a priority?

Thank you, Mr President.

1695 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

1700 As I have said, it is difficult to actually stand up today and say exactly what *is* going to happen. I am aware, under the Act, of what we can do as a Department and obviously we will do what is right.

The President: Supplementary, Dr Haywood.

1705 **Dr Haywood:** Thank you, Mr President.

I appreciate the Minister has had this sprung on her as an emergency Question this morning. (**The Speaker:** Hear, hear.) However, I wonder if she would care to put some timeframe on when these future measures might be in place and what she is looking to establish with these future measures.

1710 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

1715 Yes, and obviously the purpose of an Urgent Question is because it is of an urgent nature. As a Department Member I will work with the Department of Infrastructure, who are responsible for

some of the legislation, and we will come forward with a solution or a way forward as soon as possible.

The President: Supplementary, Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

Given that the deficiency for the Southern Pool was about half of what it is for some of the other pools around the Isle of Man, is it unrealistic to ask for an assurance that at least the Department of Infrastructure and the Department of Education, Sport and Culture will keep this facility open, whilst that plan is being hatched, as a matter of urgency?

The President: Minister to reply.

The Minister: As I said, Mr President, we are looking at this and in answer to the Hon. Member for Arbory, Malew and Castletown, Mr Glover, this should have been reviewed by the previous Department officers. It has not and obviously those allowances would be part of any review.

The President: Supplementary, Mr Glover.

Mr Glover: Thank you, Mr President.

And thank you for the reassurance as well from the Education Minister, who I believe in the last 24 hours will have received financial and structural reviews – I have been led to believe that is the case, they have been submitted to the Department.

But my point is that we are looking at this as a short-term emergency at the moment and we are dealing with the Southern Pool, but I am pretty sure we are going to face similar issues at the Western Pool and the Northern Pool. Can we have a commitment from the Department to actually look at this in the whole and maybe look at introducing an Island leisure rate for pools, in the near future?

Thank you.

The President: Minister to reply.

The Minister: Thank you, Mr President.

I have not seen the reports that the Hon. Member is advising have been submitted to the Department. I will make it my priority to see those reports.

With regard to a community all-Island rate etc., that is a bigger issue than the Department of Education. However, as I have said, if there is to be a review it would involve all pools.

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Does the Minister agree with me that section 18 of the Local Government Act 2006 actually has a note to it which says it is not yet in operation, in the footnotes inside the legislation, and it talks about vesting and transferring rather than taking operational responsibility. So does the Minister agree with me it is actually important to be circumspect at this stage until the exact nature of the situation is clarified?

Secondly, does the Minister agree with me that we do not need to talk necessarily about *all*-Island leisure rates, but the principle of regional leisure rates is now well established. In 2014 the Department of Education and Children, as it was then, made it very clear that they would like rates to be modernised around the swimming pool concept and other aspects, and does the Minister agree with me, it would be a good idea to begin the rates modernisation process again?

The President: Minister to reply.

1770 **The Minister:** Thank you, Mr President.

Obviously I agree with point one from the Hon. Member for Douglas Central. Rates modernisation within smaller areas – obviously there was an Item on the Order Paper today and that has not come forward at this sitting, but there are opportunities to look at the rates for the pool boards.

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The President: Final supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

1780 It is now well over a month since the Minister was made aware of these concerns. In that period has a plan been put together to deal with the *immediate* problems we are facing?

And in terms of the financial report, the initial sum required to take things forward is a relatively small sum. Would the Minister really look at that carefully and make a decision on whether that can be provided in the very near future?

Thank you, Mr President.

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The President: Minister to reply.

The Minister: Thank you, Mr President.

1790 **The Minister:** As I have stated, it is an independent board that has reported and emailed the Department and the Minister for Infrastructure in the last few days, so it has only just come up. However, discussions around the Southern Pool – I have stood up here previously and we provided the funding from the Education budget to keep the pool operating until September. However, the circumstances clearly have changed and obviously we need to look at that in conjunction with the
1795 Department for Infrastructure.

The President: Now, Hon. Members, we have come to the end of Question Time.

Supplementary Order Paper

1. Standing Orders suspended to take Supplementary Order Paper

The Chief Minister to move:

That Standing Orders 2.4(1), 10.12A(3) and 10.12A(4) be suspended to allow Item 2 on the Supplementary Order Paper to be taken.

The President: We will now turn to our Supplementary Order Paper.

1800 First of all, I would like to ask if the Court is content as I have had a request that instead of the Chief Minister to move, the Minister for Justice and Home Affairs moves Items 1 and 2. Is the Court content?

Members: Agreed.

1805 **The President:** Thank you.
I will call on the Minister for Justice and Home Affairs.

The Minister for Justice and Home Affairs (Mrs Poole-Wilson): Thank you, Mr President.
1810 I beg to move that Standing Orders be suspended to allow Item 2 on the Supplementary Order Paper.

The President: Ms Lord-Brennan.

1815 **Ms Lord-Brennan:** Thank you, Mr President.
I beg to second.

The President: Now, Hon. Members, we have a request there to suspend Standing Orders.
All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it.

2. Ukraine – Tynwald support – Debate commenced

The Chief Minister to move:

That Tynwald supports Ukrainian sovereignty, democracy, independence and territorial integrity; condemns the Russian invasion of Ukraine; is committed to fully supporting international sanctions against Russia; and further supports the protection of refugees and humanitarian relief in Ukraine.

1820 **The President:** We move to Item 2, and I call on the Minister for Justice and Home Affairs to move.

The Minister for Justice and Home Affairs (Mrs Poole-Wilson): Thank you, Mr President.

As a Crown Dependency, the ability of the Isle of Man to affect or influence global events is very limited. The UK represents us on the international stage and is responsible for our defence. We have no military to deploy, no diplomats to withdraw or to expel, and we cannot support interventions at the UN. But this does not mean that we should remain silent on the terrible events we are seeing unfold in Ukraine. **(Several Members: Hear, hear.)**

Our voice, though small, should also be heard amongst the chorus of international condemnation of Russian aggression against the Ukrainian people. That is why this motion is on the Order Paper today: to give all Members the opportunity to express their own thoughts and feelings and to reflect the views of their constituents on these grave circumstances.

This is not something we would normally do. We do not conduct foreign policy and we do not normally comment on world events, but with the strength of feeling in the Chamber and in the Island more widely, it feels like the right thing to do. I would like to add that I am indebted to the Hon. Member of Council, Mr Henderson, for agreeing to second the motion as he had originally intended to put on the Order Paper the motion in his own name.

Mr President, although we are not able to influence events in Ukraine, we can do two things. Firstly, we can ensure that we are aligned with international measures being undertaken to deal with Russia a heavy economic blow in the hope that this will influence the Russian leader and those around him by hurting the Russian elite financially. Secondly, we can offer a safe haven for those who are fleeing the conflict. I will elaborate on the action we have taken so far and also what we are planning for the future.

The first thing we did was to send financial aid. The immediate need was very clear: hundreds of thousands, now millions of women, children and elderly people had crossed the border into neighbouring countries. They were displaced and in need of immediate support. Within days, we had allocated £500,000 to the Disasters Emergency Committee Appeal and many people in our local community contributed by providing goods, food, clothing and medical supplies and, of course, importantly, money to the appeal.

In addition, we also ensured that sanctions measures imposed by the UK were implemented and effective in the Isle of Man. This means that assets were frozen and travel bans imposed immediately. We also took steps to ascertain whether any of the aircraft or yachts on our Aircraft and Ship Registers were owned by, or linked with, those who have been sanctioned. This has resulted in 16 aircraft having had their registration cancelled so far, as well as two super yachts, which have been removed and in both these areas our Island acted swiftly against the global sanctions list in anticipation of the UK list being updated.

The Financial Supervision Authority has written to all regulated and supervised entities to ensure that they are aware of their sanctions obligations and exercising increased vigilance and enhanced monitoring. The UK is also progressing its Economic Crime Bill, and that will impact on us. There will be a legal requirement for property in the UK owned by overseas interests, including those connected to the Isle of Man, to be entered onto a register. Our Treasury Minister met with UK Ministers responsible for the Bill on Wednesday and discussed its implications. The meeting was positive, and we also reaffirmed our commitment alongside our colleagues in the Channel Islands to creating an open and publicly accessible register of beneficial ownership for legal entities delivered in line with the agreed timetable.

That is the economic and commercial response, but what of the human side? We have seen the huge numbers of refugees fleeing the conflict into Poland and other neighbouring countries. We want to make sure that we can offer a safe place for those who have had their homes taken from them. This might be on a temporary or a longer-term basis. We have already mirrored the UK visa route, which allows for those with family members to come to the Island.

That route or pathway has already been widened in scope to take less close family members and the UK has announced that it will be widened further to allow for friends to come. Again, we will mirror that. Similarly, the UK announced yesterday that they will be allowing for individuals to sponsor refugees with whom they have no connections. That will require individuals to register as a sponsor and they will then be matched with people who need a home.

Isle of Man officials are working with their opposite numbers in the UK in relation to the UK registration and matching process, both in terms of covering the Isle of Man and being able to work for us. The UK have also stated that they will look to open up this matching scheme further at a later stage to allow for community groups such as churches and NGOs to sponsor individuals as well.

I would stress, Mr President, that whilst we will mirror UK immigration pathways, we are also looking urgently at an approach which does not rely on the UK schemes and processes as we do not want bureaucracy to get in the way of helping those in need. **(A Member: Hear, hear.)** The feeling from people in our community to want to provide humanitarian help and support is so strong. We have had just over 260 responses so far to the email address set up for people who want to register for help. They include offers of accommodation, offers of financial support and practical help such as clothes, toys and other items.

We recognise the urgency to help those fleeing war and devastation, to be able to get to the safe haven that our Island can offer as soon as possible. Thus, we are working with both officers in the UK and elsewhere to find ways to facilitate this. We are mindful that our efforts need to be co-ordinated with the UK, but we want to ensure that we have explored all the options, including working with others, to be clear that we have done our best to help as quickly as possible.

Over the weekend, we asked the public to come forward to let us know if they feel they may be able to offer a home to any Ukrainian refugees who may wish to come to the Island and, as I have said, we have already had over 260 responses. As I have mentioned, this is in line with UK proposals, but it also takes into account the advice we have received from our partners in the One World Centre, some of whom have worked with refugees previously. That advice was that finding homes in our community is the best way to help those in need.

Government will offer support and act as a facilitator, both for refugees and for those who take them in. That support will extend to those who follow the family or friends route, and those who take the sponsor or matching route. In common with the UK and the EU, the Isle of Man will adopt the principle of access to healthcare, education, benefits and to work for those who come, and support to help them to acclimatise to a new culture and learn the English language if that is needed. Cross-departmental work is underway in relation to this.

Although these routes are not yet open, we believe that they will be on Friday and we want to be ready. We are building the resource which will sit behind this in readiness to receive and welcome those who wish to come to our Island. This action will prepare us for the short term, but further down the line there is a distinct possibility that the numbers will increase significantly. So in the medium to long term, we are also considering how additional numbers might be accommodated.

Mr President, alongside the efforts we can make to help, we also need to consider the longer-term risks to the Island. Russia is a major supplier of gas and oil to the world energy market, and although we do not have any direct exposure to Russian suppliers, the market has been significantly impacted by the war and prices have risen sharply. In addition, Ukraine supplies one-eighth of the world's grain. Again, this will have a significant impact on food prices, which we already see increasing. From an economic perspective, the shock of war in Europe and the impact of the economic sanctions as they begin to bite will be felt across the economy. We cannot ignore the fact that sanctions will also impact the UK and Isle of Man economy, as well as dealing a blow to the Russian elite. All of these issues will need to be factored into our longer-term planning.

Mr President, as I said earlier, we would not normally look to comment on world events, but I do not think we should be afraid to do so and I hope that by proposing this motion, we can hear from Hon. Members and they can place their views on the record. We have a long tradition of parliamentary democracy in the Isle of Man. We may not have the loudest voice, but we can join the international community, condemning the violent actions of the Russian regime in Ukraine and to try our best to lend our support to those in need as best we can. To those in need, it is my sincere hope that we will be able to offer some hope and comfort here on our Island.

Mr President, I beg to move.

Several Members: Hear, hear.

1930 **The President:** I call on Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane.

I beg to second, sir, and in doing so I wish to place my contribution to the debate.

1935 I have to say my contribution will not be anywhere near as eloquent as the Hon. Member, Mrs Jane Poole-Wilson's. It will be ugly and the reason for that is because of the situation and circumstances we are facing right now, this minute, Eaghtyrane. I must thank the Chief Minister, who I jointly worked with to bring this motion here today, and I thank him and the Council of Ministers for placing it for debate under their name and for the chance for this Court to note this very important debate.

1940 Eaghtyrane, the motion reads:

That Tynwald supports Ukrainian sovereignty, democracy, independence and territorial integrity; condemns the Russian invasion of Ukraine; is committed to fully supporting international sanctions against Russia; and further supports the protection of refugees and humanitarian relief in Ukraine –

– something we should all be supporting. We are, in our own small way, being called to condemn the monstrous and heinous acts, crimes against humanity being committed by Russia and its army against the democratic European country of Ukraine and its people. We are being called to send out an international signal of support from our Manx parliament to the people of Ukraine who so desperately need help.

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Why does this matter? It matters because while we have had a statement from the Chief Minister in the House of Keys, this does not have the same impact as a debate leading to a vote and a resolution. A resolution makes clear the position of Tynwald as a whole. It shows the public of the Isle of Man and the world that the sentiments in the motion are the sentiments of Tynwald itself, and by extension of everyone in the Island. The Scottish Parliament debated a similar motion on 24th February and the States of Jersey will debate one towards the end of this month. I feel in this respect the Isle of Man should not be left behind.

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Eaghtyrane, as we know on 24th February around four o'clock in the morning, Ukraine was attacked by Russian armed forces who commenced an invasion of Ukraine and fired cruise missiles at various targets within Ukraine's sovereignty. Thus began a savage and brutal annihilation of an innocent nation reminiscent of similar cruel and barbaric Stalinist and Nazi attacks of World War Two. We heard from a man called Vladimir Putin who purports to lead Russia by stating that he was de-Nazifying Ukraine as it was a threat to Russia and certain pro-Russian elements within Ukraine.

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Well, I have this message for Vladimir Putin. The only resemblance of the Nazi stain that Adolf Hitler left behind on this earth is you, sir, and your actions. The indiscriminate killing, murdering slaughter and crimes against humanity that are unfolding, that you ordered, speak for themselves. It shows me what kind of human being you really are. You, sir, are a disgrace to the Russian people who do not and did not want this atrocity. The sole blame rests at your door and those of your cronies. The Russian people are innocent in this, as are people everywhere with Russian nationality or connections. They have no part in this. You and your fascist gang are the sole perpetrators and solely to blame.

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What we are now seeing being reported is almost beyond my comprehension. The systematic slaughter of innocents in their thousands; while cities are being laid waste, hospitals and schools being systematically destroyed; death squads being deployed, murdering indiscriminately. A population of millions turned into refugees fleeing for their lives. Ukraine did not start this; it posed no threat to anyone, nor did it wish to.

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I will make a rallying call, Eaghtyrane, one which President Zelenskyy has repeatedly made to our western allies: institute an immediate no-fly zone for Ukraine. I also make a call for all countries to step up their aid and support for Ukraine. The people there and the refugees are

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completely helpless and utterly desperate. How can we let this go on for over three weeks in a modern, compassionate world?

Ukraine did not start this war, although we see the headlines, 'War between Ukraine and Russia'. Ukraine is not at war! It is a country fighting for its very existence, fighting for its life, trying to protect itself and for the millions of its people – innocent civilians. Ukraine showed no aggression to anyone, anywhere.

Eaghtyrane, I leave this thought with the Court. If Putin accomplishes what he looks like he has set out to do, annihilate Ukraine as we know it and every living soul within, where will he turn his lust for power next? What is he capable of doing next? Who is going to be next? To that end, Eaghtyrane, I hope all Hon. Members will support the motion for the people of Ukraine. Our prayers are with you all.

Gura mie eu.

The President: I call on Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

Dealing with the motion, I 100% support Ukraine, condemn the invasion by Russia, and support international sanctions. More than 2.6 million people have fled the desperate situation in Ukraine where the war criminal, Putin, now appears intent on reducing historic cities to rubble and we have to help protect these war refugees with humanitarian relief.

Just over three weeks ago, these people had homes, they had jobs, they had schools, they had health care – they had hope and a future. That has been shattered. We should offer these people every help we can and I am proud to say that Cabinet Office has moved really quickly on this and with flex as well. I applaud the initiatives that we are making. We need to do this as quickly as we can to get these people so they can get refuge on our fair Island in the easiest way possible.

We need people with a spare room and a caring heart to step forward. This is a real wake-up call for people in the West, including here on the Isle of Man. We may not be on the frontline – *yet!* – we may not be firing bullets and missiles, but I echo what Mrs Poole-Wilson was saying: we are effectively at war, economically at least; make no mistake about that at all. Economically, we are at war.

It is hoped the most severe sanctions ever imposed will hit the Russian economy very hard, but this of course will come at a cost to our living standards and we should be open and honest about this. Coming out of two years of the COVID-19 restrictions, we enter a perfect economic storm. The message has to go out to the Manx public: please lower expectations; we are economically now at war and we are all going to need to tighten our belts. Government needs, though, to not just be scaring people. It needs to be also reassuring people that it will be there to pick up those who struggle and we need to show a social integrity as well. We must join the Ukrainians ourselves who are making sacrifices, who let's not forget have sacrificed nearly everything.

Eaghtyrane, we need to do more and real emphasis should be placed on two areas that are in the Island Plan, and I am glad that Mrs Poole-Wilson picked up on both: fuel and food security. They are now elevated in importance – and the two are interlinked, too. This war should be a catalyst to get on with green energy power solutions: self-reliance rather than reliance on others and the setting of more ambitious targets.

Currently, we are seeing a huge spike in gas, oil, diesel and petrol prices. This adds to costs in the food sector without even taking into account that Russia and Ukraine account for 30% of global trade in cereals, maize and oilseeds. The government in Ireland is urging farmers to grow more crops, including encouraging beef farmers to grow small amounts of grain for their own on-farm consumption. Ireland is also encouraging thousands of farmers who have moved away from tillage in recent years to return to growing crops. We should have a look at that ourselves too. Another big factor in food costs going up will be the record price of fertiliser. So we are going to face big increases in food costs, but again I really do think we need to look at more self-reliance in this area as well.

I recently attended a Southern Branch meeting of the Manx National Farmers' Union where concerns were expressed about costs but also about being incentivised to grow more crops. The small amount of vegetables now grown on the Island was another question that came up. How can we add to and up this number? Planting season is here right now.

So I would urge the Government – and I am encouraged by what we have heard so far today in Tynwald – to look at our energy and agricultural sectors as a matter of real urgency to find solutions to this twin threat to our economy, but with a mind-set that this is also an opportunity.

To conclude, we stand with Ukraine, its sovereignty, democratic rights, its independence and its territory. The Russian invasion is sadly an all-too-real example of unadulterated evil. Let's do our small bit to help protect and provide a warm human face to the Ukrainian refugees and let's pray they can one day return home safely.

Gura mie eu, Eaghtyrane.

The President: I call on Ms Lord-Brennan.

The Minister for the Cabinet Office (Ms Lord-Brennan): Thank you, Mr President.

How can anybody in this Hon. Court today not support the sentiment of this motion? Like all of us, I am sickened and haunted at what we can see unfolding hour by hour on our screens. I do not think I will ever forget the image of the pregnant woman, who has since died, being stretchered away from the attacked maternity hospital in Mariupol – just one of thousands of sickening images.

Mr President, there is untold suffering to people: they are dying, bleeding, being left without food, water or shelter, all the while we are talking here today about the best way to help them. If this Island wants to have a shred of credibility as an international jurisdiction it is essential that we play our part in the international response.

Mr President, we heard during the pandemic about the need for Manx solutions to Manx problems. We need to channel that ethos now but it needs to be Manx solutions to global problems. The Isle of Man has to step up and provide a humanitarian response, and fast. We must not be slowed down by unnecessary bureaucracy. There are people who need us to act and need us to act now. We have to have an immediate response.

Our first phase is well under way: the community response, the offers of accommodation. Since we put the email inbox live at the end of last week, we have received over 260 offers of accommodation, support and assistance in all manner of ways. To each and every person who has been in touch, thank you. But we need to get those in need here, the next phase of our response. We cannot wait. There is not the luxury of time. That is why we must look at all options.

Mr President, that is why it has already been requested that we actively look to organise a direct flight from an appropriate location to the Isle of Man. This flight will be for those Ukrainian refugees, those women and children in need who would wish to come to the Isle of Man. It is something that is work in progress, but absolutely needs exploring. We will work with authorities or third sector humanitarian organisations and other jurisdictions in advance to help us fill that first flight.

The Chief Minister was last week in touch with the Polish Ambassador as to what assistance they need. Officers have been in touch with Ireland and other jurisdictions, and I have written to the UK to outline our intent and flexibility for our special circumstances to support people here in co-operation with the UK and their efforts. We will sort out the required permissions, checks, requirements and processes upon arrival in a supported and achievable way, further to discussions with the UK on Friday.

I am so very proud of how the Manx community has responded to the request to open up their homes to those in need. We will use this wave of humanity to match and support this effort to seek to get women and children here directly. We will not turn our back on those who need us. That is not the Isle of Man I know and that I am so very proud to serve. The priority now is getting that first group of women and children out of danger and here to the Isle of Man – here on our

2080 beautiful Island, where they will be welcome and supported, not only by the Isle of Man Government, but our wonderful, compassionate community.

This does not mean that we will not participate in UK schemes or initiatives. We can mirror that, as has been stated. We will keep under review participation in the matching system announced by the UK, and it could indeed provide a route that people want to take up. There is local detail around these things that needs to be established. We can apply the various UK visa routes in place or announced by the UK. The family route is already in place and the UK has announced this is to be widened for extended family and friends with a new route for sponsoring named individuals announced and an indication that this will be broadened to allow community groups to sponsor named individuals.

2090 What the UK scheme does not do, Mr President, is allow swift action by the Isle of Man. This is why the position I have announced today is our direct approach. Our Manx solution for the global problem is one that broadly aligns with, and is within and is supported by, UK immigration rules, but one that has immediate and direct action. The primary impulse to ensure the safety and welfare of those who need help and who are fleeing war in what is the worst displacement of people since World War II would be the priority.

2095 That is my position, Mr President, and I think that urgency and that compassion is what the Manx public is seized by as we watch the crisis unfold from our screens, from our small Island. Mr President, I believe we can play our small part to make a big difference.

2100 **Several Members:** Hear, hear.

The President: I call on Mr Johnston.

Mr Johnston: Thank you, Mr President.

2105 I am appalled by the behaviour of Russia in their actions in Ukraine and support any measures we can take to make it clear that their actions are completely unacceptable. The knock-on effects and long-term damage to the infrastructure of Ukraine will be huge, but nothing compared to the loss of life, injury and anguish that it has, and will continue to cause. It is right that the Isle of Man does everything it can to help those displaced by this crisis and I support moves to bring Ukrainian refugees to our Island.

2110 For us, we must understand the extra pressures this crisis will add to our economy. We must reassess our energy and food security and realise that we cannot rely on long, just-in-time supply lines to feed our nation. Russia and Ukraine supply 80% of the world's sunflower oil, 30% of wheat production and 25% of fertiliser production. We must look again at our farming systems and remember that farmers are here primarily to produce food and our Manx farmers stand ready to do that.

2115 Thank you, Mr President.

The President: Mrs Sharpe.

2120 **Mrs Sharpe:** Thank you, Mr President.

I am proud to stand in support of the Minister for Justice and Home Affairs's pledge of support to the people of Ukraine.

2125 As I have said before in Tynwald, Mr President, when we discussed people from Syria, I know what it is like to live in a foreign country where you do not know anyone, you do not know the culture and you do not know the language. But, of course, I cannot imagine what it is like to be a refugee in a foreign country because war has destroyed your whole life and forced you to flee.

2130 But what I do know from my limited experience is that if you can find just one friend things start to get a little better. I would like to thank the Council of Ministers and those in the Cabinet Office for working so hard to make sure that we at least have the opportunity to open up our homes to be that friend. As we have heard, there have been over 260 responses from people on

the Island willing to help, and my family are amongst them. We will be honoured to offer a safe place.

2135 The Hon. Minister lists a myriad of ways in which the Cabinet Office is working with the UK on sanctions, and I am pleased that we are also considering cutting through UK red tape and potentially offering our own Manx solutions to welcoming people from Ukraine as quickly as possible, and I am really glad to hear from Minister Lord-Brennan, with her news on the direct flight from Ukraine.

2140 Let's make sure that when this horror eventually passes, we have absolutely done everything we can.

Thank you, Mr President.

A Member: Hear, hear.

2145 **The President:** I call on Mrs Caine.

Mrs Caine: Thank you, Mr President.

2150 I fear for the world, for all our future. My mother and my children refuse to watch the news anymore. It is too close to home. Every day children are maimed, killed or families torn apart, with fathers left to fight and wives, mothers and children travelling for several days just with the clothes they stand up in and a small bag, just to reach safety. A maternity hospital attacked. Refugees shot at when they are leaving their homes during a supposed ceasefire. What has happened to our world? Where has 60 years of peace just disappeared to, like the final wisps from a peace candle?

2155 I welcome the swift actions taken by the Council of Ministers, and I welcome those strong words condemning the actions of Russia, that I absolutely support in the motion today.

2160 What a refreshing change from the policies of the previous administration over the Syrian refugee crisis. (**Several Members:** Hear, hear.) A direct flight to the Isle of Man, looking to mirror the UK routes for refugees but to go further. Well done, this Government, for sending such a strong signal of intent, for this leadership, for working so swiftly to make these commitments today.

2165 I am not surprised at the Isle of Man's outpouring of support. I heard from five constituents this weekend who are willing and desperately keen to open their homes to Ukrainian refugees. No one is under any illusion of the implications of the Russian actions, what they mean for the world economy, for food supplies and the cost of energy and fuel. But I am proud of this small Island for showing compassion, opening our homes and hearts to support the people of Ukraine. We may be small, but we have that thousand years of proud democracy underpinning our way of life. Why would we not want to share that with people who have been bombed out of their homes? And we can overcome the issues of language because we are welcoming and we will have them in our hearts, and we do know that the Isle of Man needs and wants people to assist us in our economy. We have plenty of jobs!

2170 I hope and I trust that it will not be forever. We all want to have a swift end to the Russian action in Ukraine but we must be realistic and it is not going to be weeks. People have been bombed out of their home. Mariupol is rubble, and that is a city of half a million people. So I would say thank you to the Council of Ministers for bringing this. Thank you for letting us be part of this debate and to express our concerns about the way of life ... and let us in the Isle of Man unite over this and find a way to make the Ukrainian refugees welcome. Let's hope that they can have a happy time on the Isle of Man, a safe time on the Isle of Man and return in due course to their own country.

2180 Thank you, Mr President.

Several Members: Hear, hear.

The President: I call on Dr Haywood.

Dr Haywood: Thank you, Mr President.

2185 Like all Members today, I stand to condemn the actions of Putin; his decision to move into Ukraine threatens the entire safety and security of Europe.

I welcome moves by the UK and the Isle of Man to open up the borders, but I am especially welcoming of the fact that we are opening up to say, 'We will allow you to come here and work, we will allow you to access healthcare, we will allow you to access schools; it is not about just sticking you in a corner somewhere, it is welcoming you into our community.' We are a small voice, but we have very big hearts.

2195 The safety and security that we all enjoy here is actually a reason for many of our residents who have chosen to migrate and settle here. However, in times of conflict and displacement there is not the opportunity for displaced people to make a considered thought about where they might move to or what jurisdiction might take them in. When fleeing from bombs, guns and aggression, the only destination you want is a safe one and the Isle of Man is that safe place.

2200 The plight of people fleeing from Russian aggression in the UK has touched the hearts and consciences of many of my constituents, too. They have been contacting me, just like they have the Hon. Member for Garff, and pleading for rapid action to be taken, so I really do welcome the commitments here today, and I am so proud to be part of a jurisdiction that is stepping forward in this way.

2205 We are one of the world's richest nations. We have seen during COVID lockdowns how amazing our community is at responding to challenges – challenges that we could not foresee – and how generous they are in sharing their resources, and although times may become harder moving forward, that generosity will remain. It is right and moral and compassionate for us to recognise the plight of our fellow human beings and to offer as much assistance as possible during these dark days.

The President: I call on Mr Hooper.

2210

Mr Hooper: Thank you very much, Mr President.

2215 Hon. Members, I do not have the words to express my feelings about the horrors being faced by the Ukrainian people in the face of aggression from the Russian state; in truth, some of the scenes we have seen are harrowing and indescribable. And so I will, instead, turn to the words of another:

The world is a dangerous place, not because of those who do evil but because of those who look on and do nothing.

Hon. Members, we cannot look on, we will not look on and we are not looking on. The Island has shown the depth of its compassion and our willingness to do what we can to support those in need.

2220 The Russian government refuses to acknowledge this war. In contrast, Ukrainian President Zelenskyy stated last week:

An aerial bomb on a maternity hospital is conclusive evidence that what is happening is the genocide of Ukrainians.

That word has particular meaning for Ukrainians. For this statement to be made shows the reality of the situation they are facing today.

2225 This Island stands united with the people of Ukraine. We might only be able to do a little, but the little we can do will, and must, be done to help combat the evil being carried out by the Russian regime.

Two Members: Hear, hear.

The President: I call on Mr Thomas.

2230 **Mr Thomas:** Thank you, Mr President.

I just note that in the resolution that is before us today we are being asked to further support the protection of refugees and humanitarian relief ‘in Ukraine’, and I just wanted a clear commitment from the mover, at the end, that that was slightly quick drafting, because my understanding is what we mean is refugees *from* Ukraine, wherever they are, not only *in* Ukraine, 2235 and also we mean humanitarian relief *for* Ukrainians, not only *in* Ukraine; we are actually doing much more than that.

Having got that slight clarification of the intention of the motion, I just wanted to add to the condemnation of the Putin regime, but add a few questions and a few other statements. The first one is that I hope that Members, without in any way amending the motion today, will join with 2240 me in welcoming the brave actions inside Russia of so many people. Russian people are facing 15 years in prison. They are being expelled from universities for attending any sort of thing that can be perceived as anti-war and anti-invasion. That fact leads me on to the questions that I am going to ask of the Government, which is doing great things – it is doing much better than it did in respect of the Syrian refugee crisis and many other refugee crises before that time, and in respect 2245 of humanitarian situations before that time.

The first question is: are we a jurisdiction, or are we a country when it comes to this sort of scheme? Ireland had 6,000 people from Ukraine while the UK still only had 1,000 people, and it would be very easy to do what they are doing in Ireland and in the rest of the EU to actually change the mechanism to one of giving them, immediately, visitor visas, and then, once they are on site, 2250 beginning the processing format to actually move over to the more bureaucratic and longer-winded processes. So has the Isle of Man approached the United Kingdom to make that massive change, which is making all the difference to Ukrainians in as close as across the water in Ireland, where they immediately take them as being visitors and then process them afterwards?

Secondly, are we using this as an opportunity to reflect amongst ourselves and with people in 2255 the Island about whether or not the legal advice that came from the Attorney General’s Chambers – which I had to go and give the Ballakermeen students back at the end of 2019 – which was that if the Island were to make special provisions for Syrian refugees, it could be open to challenge from any other refugees from different countries who could claim they were being discriminated against if they were not granted the same special provisions? Are we using this as 2260 an opportunity to actually reflect on whether we were given the right advice, if we did indeed get that advice, and whether we made the right decisions back then, and what is our place as a country in the international system for humanitarian aid, for asylum, for refugees, for resettlement more generally?

Just a simple point as well: I am pretty sure that we will be paying for our generosity, and I 2265 wanted to make sure that it was on record that that was the case and we are not expecting the UK to be allowing us to participate in UK public funds for our things. I think it is quite important that we all hear, we all understand and everybody understands that we are using our own funds for these commitments and we are not actually seeking to participate in UK schemes.

And then, finally, does the Minister want to agree with me, in closing, that this is an incredibly 2270 simple situation in terms of it being a tragedy of war and invasion, but it is also rather complex, and Middle European history and Kiev Rus and the fact that if you live in Poland and Ukraine you know that on one side you have the power of the German state and on the other side the power of the Russian state throughout history? The oldest joke in Poland and Ukraine is ‘Who do you shoot first, the German or the Russian: business before pleasure, always,’ which at the moment is 2275 affecting the Russian people. It is an incredibly complicated situation and it is wrong to suggest, in any sense, that it is a simple situation ... and evil. It is completely right that we condemn the Putin regime and it is completely right that we make humanitarian arrangements immediately, but it is completely wrong to pretend that Middle European history, in any sense, is simple.

2280 **A Member:** Hear, hear.

The President: Hon. Members, I think this is about the right time to take our lunch break, at one minute to one o'clock.

Next up to speak, at 2.30, will be Mr Ashford.

The Court is adjourned.

*The Court adjourned at 12.59 a.m.
and resumed its sitting at 2.30 p.m.*

**Ukraine –
Tynwald support –
Debate concluded –
Motion carried**

2285 **The Deputy Clerk:** Hon. Members, please be upstanding for the President of Tynwald.

The President: Fastyr mie, Olteynyn Onnoroil.

Members: Fastyr mie, Eaghtyrane.

2290

The President: Please be seated.

Hon. Members, we continue with the Supplementary Order Paper and the debate on Ukraine. Next up to speak is Mr Ashford.

2295 **The Minister for the Treasury (Mr Ashford):** Thank you very much, Mr President.

We may be a small Island in the middle of the Irish Sea, but one thing that being a small Island gives us is a sense of community. We very much, throughout our Island, feel a sense of closeness and belonging. So when we see other communities around the world, as we are seeing in Ukraine, where there are mindless, pointless and, to be quite frank, completely inhumane things occurring against the people of Ukraine by the current Russian regime, then we react. It really goes to the core of our being as to what we are in a community.

2300

I think it is important in the debate as well, Mr President, that we recognise that what is being inflicted on Ukraine is via the current Russian regime. There are many ordinary Russians out there who themselves are standing up to be counted, calling for a stop to this, and I think it is important we recognise that – many of them who are doing so at great personal risk.

2305

Let's be blunt, Mr President: what is happening is the fault of one man. The regime in Russia for quite a long time now, certainly from my personal point of view, is becoming more and more of a one-man dictatorship, and that is what we are seeing reflected today. So I think it is important that we recognise as well all those Russians who are not supporting this, who are actually standing up and trying to be counted. (**Several Members:** Hear, hear.)

2310

We are also part of a global community here on the Island and I think one of the great things about our community is the way people have come forward – 260, I think it was, the Hon. Minister for Justice and Home Affairs actually said had come forward so far to register, and that shows again that we really do want to play our part. It is important, and this Government is committed to ensuring that the Island can play its part as thoroughly as possible.

2315

In a different role, only a couple of years ago, I was praising the community spirit that our Island showed in relation to the pandemic, how we came together to support one another. Well, that very same community spirit is now being pointed outwards, Mr President, in looking to try and help and support others. It has been pointed out already that the Island very much is involved in the sanctions regime and quite rightly so. We are ensuring that we play our part in cutting off the money and the support to the regime that is inflicting these atrocities on the Ukrainian people.

2320

There will be an economic impact on us and the rest of the western world as a result. We have to accept that and acknowledge that. Energy and food security is going to become the crucial debate over the next couple of years, and it is also combined with other economic pressures, the economic pressures of the pandemic and also inflationary pressures that we were seeing even before this conflict occurred. So it does have the ability to become a perfect storm.

I do want to reassure Members, Mr President, that Treasury is keeping a close eye on this and I am hoping to next month, at April's sitting, to be able to give a financial update to Members around what we are going to do, particularly in relation to supporting people with the energy side of issues that are to come. But any impact that we might feel, Mr President, as a result of this, is absolutely nothing compared to the frankly heart-breaking suffering of the people of Ukraine.

I doubt that the Russian regime bothers reading our *Hansard* or even following our debates, Mr President, but what I would say in closing is that if they did, I have one message, and I think it is best summed up in a quote from Bertrand Russell, which is: 'War does not determine who is right, it only determines who is left.'

Thank you, Mr President.

The President: I call on Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane, and I want to thank the Minister for her update, which is very welcome.

However, I do feel it is important to make the point that the UK's approach which we are mirroring comes close to three weeks after the Russian government invaded Ukraine. This delayed, chaotic response from the UK has been called shocking and incompetent by UK refugee charities and has also been denounced globally by humanitarian organisations. So although I welcome this update, and I really do appreciate the work that has been going on in the background, it does concern me that this is only possible because this is the approach that the UK has finally taken.

With this in mind, I believe that broader policy is needed, including investigating alternative pathways and/or agreements with our other neighbours to set up a crisis response strategy for future humanitarian crises. This should open up more options and enable us to react quicker in the face of tragic events. Judging from the phenomenal and heart-warming response from the public to this crisis, I feel this would be welcomed. I think this has been alluded to by both Mrs Poole-Wilson and Ms Lord-Brennan in this debate and more information on this would be welcome. I appreciate that that might not necessarily be today.

Eaghtyrane, I just want to end by saying I join my colleagues in this Hon. Court in condemning the actions of the Russian government and I stand in solidarity with both the brave people of Ukraine, who are defending their country against an unwarranted and reprehensible invasion, and the brave people of Russia who are putting themselves in danger to protest their government's actions.

Gura mie eu.

The President: I call on Mrs Christian.

Mrs Christian: Thank you, Mr President.

I am proud today to stand in this Chamber with my colleagues to hear their passion, and I thank the Government for bringing this motion to Tynwald, so we can show the Isle of Man vehemently is opposed to Putin's war.

We are lucky politicians. While we sit here comfortably, our political colleagues in Ukraine are swapping their pens for arms, swapping their suits for body armour. They are extraordinary people, led by an extraordinary leader. But ordinary people like us have had their lives destroyed – completely obliterated. Families being torn apart, while fathers remain to fight. Grandparents and mothers and children are being displaced all over Europe, with no idea of when they will be able

to return to their homeland and what will face them when, and if, they ever do. This is a humanitarian crisis on a scale we have not seen since the Second World War. This is on our doorstep and this is why we must step up now.

I am overwhelmed by the daily messages I receive from people of the Isle of Man who want to help. And equally, I am distraught by the daily messages I receive from people either in Ukraine, or who have managed to flee their beloved country. Members, I have spoken to Polish people who have helped some of these refugees. They are heroes in this war and this goes far wider across Europe, as they pass families across borders to safer places.

Yesterday, I watched the news, with hundreds of people queuing for trains out of Ukraine. These people had no idea of where they were going to go to. They are just heading in one direction, to safety, and I hope that we can reach these people with our contacts and I do hope that they will soon find out that there is a gem of safety here in the Irish Sea. The sense of urgency is mounting and I am relieved that today I will be able to go back to the refugees who have contacted me to tell them that we are here for them. We will help. Our doors are open. You can be safe here. And I will ask them to spread the word.

I am so relieved to hear that we are looking at alternative ways of bringing refugees direct to the Island. This direct flight could very much be the hope that the very special people of Ukraine need. I cannot even imagine the day when those people will walk off that flight in what will seem a strange land to them, but they will be welcomed with love and kindness and support.

I do have one question today that I would like to ask the Minister, but I understand if she does not have the information available to her today, I welcome it afterwards. Will the refugees who would like to come to the Isle of Man need to apply for a UK visa on Friday 18th March if they are to come through the UK route, and will they have to do the same if they are to come through the direct flight route?

Thank you, Minister, and thank you to the Minister for the Cabinet Office and chair of the Ukraine support advisory group. I have no doubt that she is the right person to lead the Isle of Man's bespoke humanitarian support packages.

Thank you, Mr President, and glory to Ukraine.

The President: I call on Mr Wannenburg.

Mr Wannenburg: Thank you, Mr President.

I am pleased that we are opening our doors for those who have been displaced. That is the right and proper thing to do, just as it was when Nicholas Winton organised the rescue of 669 Czech children from Nazi-occupied Czechoslovakia. That was the right thing then; this is the right thing now.

We have seen the worst of humanity in the last 20 days. We have also seen the best of it, and I am pleased that this Island and its people are working hard to give support and sanctuary to those desperate people who are now refugees. I cannot speak of this unfolding tragedy without paying respect to their inspirational leader. What a man; what a leader.

However, if I am perfectly honest, I do not know why this tide of feeling did not strike home six months ago when we saw young Afghan men fall from the side of planes as they took off from Kabul. Why is there no outrage for them? There is still time to do the right thing for them.

Thank you.

A Member: Hear, hear.

The President: I call on Mrs Barber.

The Minister for Environment, Food and Agriculture (Mrs Barber): Thank you, Mr President.

I wish to add my words condemning the war in Ukraine. It is right that we and other nations impose sanctions and unite in condemnation of the Russian regime. I am clear my condemnation

is of the Russian regime, *not* the Russian people. Many Russians are risking everything to condemn this war and we must ensure this never becomes a war against Russian people, those who do not support this war and those who have made our Island their home.

2430 We must demonstrate our compassion and support through our humanitarian approach, through financial support and through practical care for those forced to flee their homes. I also want to provide this Hon. Court and the wider farming community with assurance that the work stream related to food security has been prioritised and work is already under way. The pressures on our food-producing communities are already being seen with rising fertiliser prices and this has
2435 been compounded with rising grain and gas prices, an extremely volatile market as a result of the attacks by Russian forces on Ukraine. There will be a lot of work to do to get our response right, to provide food security through careful balancing of local production and strengthening of import routes where that is assessed to be the most appropriate option.

This situation shows us just how important our farmers, fishers and food producers are to us. The need for local production, the need for food security. The farmers of Ukraine are showing the world just how resilient farmers are and I assure you our farmers are vital to so many things, too. They work 365 days a year supporting our Island and it is vital we support them to produce food, manage our land, our biodiversity, prevent flooding and so many other things. I hope they never have to show the resilience that has been shown in recent days by those in the Ukraine. I thank
2440 our farmers for talking candidly with me about their focus and their ideas for our food security. It is imperative that DEFA and our food production sector work together, not just at this time of crisis, but all year round, and I am absolutely committed to that.

It is also my privilege to sit on the Committee developing the practical details of how best we can support refugees displaced by the war. I was moved by the words of the Hon. Member, Mrs Caine, and recall her passion in previous debates. I have been proud to stand beside her
2450 advocating for our Island to play our part in the humanitarian crises that we see on our TV screens. She is right today and she has always been right.

The words of Karolina Davison at the vigil for Ukraine on Thursday night struck me: 'They fight not because they hate what is in front of them but because they love what is behind them.'

In 2019, in this Hon. Court, I read the words of Bana al-Abed, a young Syrian refugee who I had
2455 met at a conference, and I leave you today with her words again: 'The same planes, ... the same terror. My dear world, you must not stay silent.' And she is right.

Thank you, Mr President.

The President: I call on the Lord Bishop.

2460

The Lord Bishop: Thank you very much, Mr President.

I associate myself with all the comments of Hon. Members today and bring my own thanks to the Cabinet Office, to Government, for the Minister for Justice and Home Affairs for bringing us this motion today.

2465 I associate myself I think particularly with some of the words that were spoken earlier in the debate on genocide and unadulterated evil. Those are very powerful words and very hard things to have to say. I wanted perhaps just to put this into a slightly wider context and suggest that by looking at it in the global and historical perspective, we can see the magnitude and the vital importance of what we do by extending our aid to Ukrainian refugees.

2470 It is possible, I believe, to imagine Mr Putin's starting point, which is to take himself back to the fifth or the sixth century when that area along the River Dnieper began to be populated, largely by people who came down from Scandinavia, and the word 'Rus' – r-u-s – was first used to describe that civilisation. In the eighth and ninth centuries that grew up around the city of Kiev and it was around the city of Kiev that the ancient Kingdom of Rus began to flourish and to blossom, that the beautiful monasteries were built, that the first works of literature were
2475 produced and then, in the year 988, that Prince Vladimir – and we note the name – at a crossroads between Islam, Christianity in its Orthodox or in its Catholic form, chose Orthodox Christianity and

was baptised in the River Dnieper at Kiev, and that event is known as the baptism of the Russian people.

2480 It is possible to imagine that starting point and see how that can give you a narrative that talks about the Russian culture having grown up around Kiev as a distinct culture of its own, centuries before the Kingdom of Muscovy or the settlement of Moscow was founded. It seems to me that that both explains, Mr President, and condemns. It helps to explain in that it perhaps gives us an understanding of why there is ... *[Inaudible]* Mr Putin would not be the only person who would
2485 hold to this, that Russia and Ukraine and Belarus in their own way are all part of one ancient civilisation. But if that is so, Mr President, then to invade and declare war on one part of that constituent civilisation is to declare war on someone who you acknowledge to be your own brother or sister. And therefore what we see is not just war, is not just invasion, but is something that is all the worse than that. That is to say, a sort of internecine civil war in which a concern for
2490 territory and for land overrides any sense of common humanity to one whom you acknowledge to be your brother or your sister.

Those are terrible things and that is why I agree entirely with comments about unadulterated evil and about genocide. That is what we are witnessing in the pursuit of a historical narrative that manifests itself in an appalling foreign policy. If you allow that sort of narrative to determine your
2495 foreign policy, without taking any sense of how to interpret that in the modern world, then it leads to the violence and the annihilation that we have seen.

If it is genocide, Mr President, then I have to say it is possibly not so for the first time. In the Ukrainian memory, there is the recollection very clearly of the Holodomor, the forced starvation of 1932-33, which a number of historians would see as an attempt by Soviet Russia to suppress
2500 Ukrainian identity and independence.

Hon. colleagues have spoken of the image of the pregnant woman who was killed and lost her unborn child as well. I think for me one of the most poignant moments was to discover that a Russian missile had struck the memorial at Babyn Yar at the ravine in Kiev, which is the memorial to the Jews of Ukraine who were murdered in 1941 by the Nazis. Thirty-three thousand is the
2505 official figure, but there may well be more. Our hon. colleague, Mr Thomas, spoke earlier on of the history of Ukraine, and sitting between Germany and Russia. To have that memorial, which is represented by a woman and child, struck by a Russian missile, the memorial to 33,000 Ukrainian Jews killed by the Nazis, just strikes me as shockingly appalling beyond words.

For many years, the Soviet Union suppressed that memorial. It was put into verse by the
2510 Ukrainian poet Yevtushenko, and the first line of Yevtushenko's poem became the opening of Shostakovich's Symphony No. 13. These things are bound together in Russian and Ukrainian culture and what we see, Mr President, is nothing short of an utter tragedy and, indeed, a manifestation of madness, quite frankly, when nationalism (**A Member:** Hear, hear.) takes over from human reason. What we see is a sort of ethnic cleansing that is indeed genocide; that is
2515 indeed unadulterated evil.

I think, Mr President, I could add nothing more to it than that, other than to say that our response now to those who are fleeing Ukraine, those refugees, is not just a response perhaps to the current moment, to the present, it reaches back into history to those other things as well, when Ukraine has been victimised and denied its human rights by Nazi Germany, by the Soviet
2520 Union, by Russians who would be its brothers and sisters. We cannot but reach out to them in their hour of need and draw them, with all the love in the world, into our own hearts and into our own place.

Mr President, thank you.

2525 **The President:** I call on Mr Craine.

Mr Craine: Gura mie eu, Eaghtyrane.

I rise to add my voice to the voices that have already been raised, really. I cannot match some of the comments that have been made about what is going on, what the Putin government is

2530 responsible for, the history coming out of it, the treatment of Jews in past times and so on. All I recognise is that we are facing an incredibly cold and cynical and calculated invasion of a peaceful nation, brothers even of the attackers. They are attacking hospitals, schools, pregnant women, families, children. Families in their millions having to flee.

I struggled for the words this morning, trying to think of what to say, because words like ‘being grateful’ for this motion or being thankful for this motion, being proud of this motion, were not adequate. All I am left with as a phrase for it, is that I am very deeply gratified, or deeply grateful perhaps, for the motion we have got. It has got a clear condemnation of the Russian invasion by the Isle of Man. We have seen a clear contribution to the DEC Ukrainian appeal fund, £½ million from the Government and additional amounts from the Manx public, too.

2540 I am deeply grateful to the commitment to imposing the international sanctions that the Isle of Man ... It is something we can do. I am deeply grateful to the decision to open the Isle of Man to the possibility of refugees coming from the Ukraine to here.

The mover of the motion this morning, on behalf of the Chief Minister, Mrs Poole-Wilson, commented on the fact that the Isle of Man does not often engage in international politics. That is the bit I want to pick up on, really. I am hugely grateful that we are doing this and I have got two ideas to offer. First, that we should not underestimate the influence of a tiny nation like the Isle of Man adding its small voice to the international condemnation. Small voices nevertheless add to the total volume of noise being made and it is right that we should play our part. But I also think we should not underestimate the impact of our actions on ourselves, on the Isle of Man as a nation, a jurisdiction – we could argue which it might be, but as a country.

I think we are speaking out. We are standing against Russian aggression. We are taking a stand alongside the Ukrainians already resident on the Island. We are taking a stand alongside refugees and those still within the Ukraine who are struggling with the ongoing war in their home. It is a coming of age, really, that the Isle of Man is engaging with this international and tragic situation. I think it is so right that we are doing that and I am deeply grateful for that. It is hugely important that we are not just standing by and saying a few words, but we are actually engaging with this.

Our prayers and our actions and our solidarity are with the Ukrainian people, those still at home in the war zone and those that have fled, and I am grateful that that is our position. (Mr Thomas: Hear, hear.)

2560 Thank you, Mr President.

The President: I call on Mrs Maska.

Mrs Maska: Thank you, Mr President.

2565 I find it very difficult to speak. I listened to the silence this morning when we broke for lunch; I had never heard such silence before. That brought home to me how seriously we are considering this matter. I do thank the Council of Ministers and all the team that have worked so hard behind the scenes to bring this to us today to enable us to air our passions, our deep concerns and to voice our love and reach out with kindness to those who must be ... I cannot imagine what their lives are like, none of us can.

I can go back to ... I was born in the time of the Cold War. I can remember living my young days and into the Sixth Form with that tangible coldness that was always possible that something could go wrong. Thank goodness, when Gorbachev came along and the Berlin Wall was taken down, there was almost sunlight that came into a very dark, grey world and took some of that fear away. Sadly, an unimaginable situation has arisen in the last three weeks.

2575 As I grew up to become a parent and a mother, the worst thing that you could ever imagine was not being able to look after your own children and to think where the next meal might come from that you could keep them safe. But to think of children, I heard this morning a little girl of nine had been delivered to hospital with both her arms missing, but the medical team fought and actually saved her. But it is just that I heard ... Again, we are all listening to these terrible reports but the proud leader of Ukraine, one of his statements said he was so proud of his nation, but

President Putin wants Ukraine, but without Ukrainians. That is what he is doing. He is just steamrolling over this very proud country.

2585 I want to add my thanks to the Council of Ministers, to the Minister for the Cabinet Office for bringing this to us today and for Mrs Poole-Wilson for her elegant and eloquent words. I think we are a small Island but any life that we can bring in here, one life saved, is absolutely vital. So why would we not open our doors and as a community make sacrifices which we will all have to do, but to welcome these people who are living through an apocalyptic, unimaginable terror and suffering that we cannot allow go unheeded?

2590 So again, I thank you for the time to be able to voice my own passions and concerns, and I am sure everybody in this Court is here really wanting to help and make a difference in our own Island way to our kith and kin in humanity.

Thank you, Mr President.

2595 **The President:** I call on Mrs Kelsey.

Mrs Kelsey: Gura mie eu, Eaghtyrane.

Hon. Members, I wanted to add my own personal thoughts to this debate. I condemn the unnecessary and uncalled-for invasion of the sovereign state of Ukraine by Putin's forces.
2600 I condemn the unnecessary and appalling suffering of civilians in the towns, cities and the countryside of Ukraine. I condemn the unnecessary shocking separation and displacement of families from their homes and their loved ones in Ukraine.

I am proud of our Island's response to Putin's unjust war so far and I support this motion.
Gura mie eu.

2605 **The President:** I call upon Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

I had not planned to speak because this is simply a time when, if we can help, we must help.
2610 However, over lunch I had several flashbacks and I wanted to share some of these with you. The first was when I went to Sheffield to my teaching degree. I was late applying and spent one month living with a family. They were wonderful, kind people but also inflexible with many household rules and expectations. Life was tough, but I could move out after a month.

2615 What will happen when these people arrive at a wonderful house in Castletown with a super, great family? But if it simply does not work we must have a solution in place.

As a junior achievement mentor, my background and suitability have been checked twice in the past six years. However, we are thinking about moving women and children into homes that we have got no checks on and no information about. Potentially, it is an area we could consider.

2620 Many of us have complex lives. A recent email from a local estate agent made me aware of how many families are in precarious positions and not able to pay their full rent. What will happen if the worst happens and these houses are no longer available? We must be ready to help in those situations and we must have support mechanisms.

Finally, I have raised concerns with the Minister of DESC about the limited space at Castle Rushen and how this will potentially limit GCSE options, and the list could go on and on and on.
2625 The key thing is we must help, but at the same time we must be realists and we must have the solutions for when things go wrong.

Everyone today has given wonderful speeches and it is all being about help and in a way I am going slightly off at a tangent and say we must help, but we must be there when things go wrong – because it will go wrong. These people have got huge problems. The examples we have had from
2630 Mrs Maska and Ms Lord-Brennan will live with us forever and they were just words, they were not images, and these people have lived through that, they have experienced that. So we really need to be there to give that extra support.

It is not an excuse to say, 'Do not do it', but we must do this in the right way and a thorough way. The plane might be waiting, but we must make sure that when those people arrive they get the treatment, the support, they need. And when it goes wrong here on the Island, which it can do – I could have a family living with me and I could think I am the best person to live with (*Laughter*) and they might just say, 'God, he is intolerable! I cannot possibly go on living with him for much longer.' In that situation those people must have another solution. We must be prepared for that.

The Treasury Minister gave a brief statement. We need to make sure the money is there but at the same time, as the Minister made clear, we have got energy costs that are going up and we need to be there to support local people. Resources are limited, but with goodwill we can achieve a tremendous amount. These people have got massive needs, and a lot of people on Island are ready to help them. As a Government we must be there to make sure that all the i's are dotted and the t's are crossed. We must be thorough and we must enable this to happen as quickly as possible, but it must be done in a really proper way.

Thank you, Mr President.

The President: I call upon Mr Greenhill.

Mr Greenhill: Thank you, Mr President.

I just wish to say that I fully support every single word of the motion from the Minister, supporting Ukraine and condemning the Russian leader.

Can I just ask one question though? That is: there are a number of Isle of Man companies who are asking if they can help in any way by sponsoring and supporting refugees, offering them accommodation, and if necessary, and if appropriate, offering some jobs as well for them?

Thank you, Mr President.

The President: I call on the mover to reply.

Mrs Poole-Wilson: Hon. Members, thank you all for your powerful contributions today. The overwhelming support for this motion has been clear.

Mr Thomas was absolutely correct that the wording in the motion, its intent, is not just for the support of those in Ukraine, but also for those fleeing Ukraine and that we will support using our funds. Mr Thomas and others were also absolutely correct that we must distinguish between the evil and barbaric acts of the Russian regime and the brave actions of ordinary Russian nationals, both in Russia and elsewhere, who are protesting against this shocking death and devastation being wrought by Vladimir Putin and his regime.

The expressions of horror, sorrow and despair we hear in our community have been eloquently and emotionally reflected by Hon. Members today. Our voice may not be the loudest, but, as the Hon. Member of Council Mr Craine has said, we should not ever underestimate the power of speaking up. We will be heard, and, most importantly, we will continue to act through sanctions and through support for those fleeing Ukraine.

The sense of urgency and compassion in our community has also been powerfully expressed today by Hon. Members, and I thank all Hon. Members for their support for the Council of Ministers in pursuing all routes. I would like to reassure the Hon. Member for Douglas East Ms Faragher that the aim is not only to mirror the UK and make sure that we do have those routes available, but to absolutely look for every possible route, direct routes – and the Minister for the Cabinet Office, Ms Lord-Brennan spoke about this. We recognise that the need is now and the urgency is to look for all possible routes to give people who are in desperate need, that safe haven.

I would also like to pick up on the Hon. Member for Douglas South Mrs Christian's question regarding visas. I cannot give an absolutely clear answer at the moment. There is work going on even as we are sitting in the Chamber today debating this motion. There are calls going on, there is work going on to look at how we can rapidly get people to a point when they can be in a safe

2685 place with relevant applications and forms, and any other pieces of work done afterwards as far as possible. My commitment today, Hon. Members, is that as we get clarification on these points we will update Hon. Members in the coming days, so that everybody is clear on what the pathways are and what the routes will be to help people get here.

2690 To the Hon. Member of Council Mr Greenhill's question about companies as well as individuals, please contact the email address that has been provided. All offers of support – accommodation and other support – absolutely are being logged at the moment, and the aim is to provide that connection and that support for people as quickly as possible.

2695 I think Mr Moorhouse made a relevant point that of course, no matter what our intentions and all of our work, sometimes things go wrong. However, we are planning to have support accommodation in readiness and other sources of support and help to meet those situations. We have worked and continue to work with the One World Centre, whose clear advice is that the best way to help refugees is to be able to offer them a home on the Island. We are mindful that none of us knows how long this situation will prevail and that we have to be prepared not only in the short term to meet the need, but in the medium to longer term, and so I would like to assure
2700 Mr Moorhouse that the issues he raised are valid and they are actively under consideration, and will be under consideration and addressed.

Mr Glover and a number of other Hon. Members also recognise that this is an economic war and that the ramifications in terms of impact on food and energy prices, and our food and energy security, are matters that are rightly both in the Island Plan but that absolutely need to be in full
2705 focus as we move forward. I would like to thank the Treasury Minister for his contribution today and stating so clearly that he will be bringing back a Statement to this Hon. Court to bring some clarity to that. I would also like to thank the Minister for the Department of Environment, Food and Agriculture for her contribution to make clear that the issues around food security are also under active consideration.

2710 Mr Glover is correct: the hardship that we will face is nothing compared to the hardship that is being faced by the people of Ukraine today. However, we do have to act and make sure that people understand what the future holds and how we are planning for our future energy and food security. I think also it is right to say, as he said, that with threat and concern also comes opportunity, and there is an opportunity for us to look at and accelerate how we address these
2715 pressing needs.

Once again, I would like to thank all Hon. Members for their powerful contributions today. Our words in here offer support. Our actions to impose sanctions and to provide that compassionate care on our safe Island are crucial, and we will continue to act to play our part and to do what is right.

2720 Mr President, I beg to move.

Several Members: Hear, hear.

2725 **The President:** Now, Hon. Members, it is time for voting on Item 2 of our Supplementary Order Paper: that Tynwald supports Ukrainian sovereignty, democracy, independence and territorial integrity; condemns the Russian invasion of Ukraine; is committed to fully supporting international sanctions against Russia; and further supports the protection of refugees and humanitarian relief in Ukraine.

All those in favour, please say aye; those against, please say no. The ayes have it.

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

In the Keys – Ayes 23, Noes 0

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Callister
Mrs Christian
Mrs Corlett
Mr Crookall
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Moorhouse
Mr Peters
Mrs Poole-Wilson
Mr Smith
The Speaker
Mr Thomas
Mr Wannenburg

AGAINST

None

2730 **The Speaker:** Mr President, unanimously in the House of Keys: 23 for, none against.

In the Council – Ayes 9, Noes 0

FOR

Miss August-Hanson
Mr Craine
Mr Greenhill
Mr Henderson
Mrs Kelsey
The Lord Bishop
Mrs Maska
Mr Mercer
Mrs Sharpe

AGAINST

None

The President: In the Legislative Council, 9 for and none against. Motion carried.

**4. Childcare Strategy –
Statement by the Minister for Enterprise**

The President: Now, Hon. Members, we return to our main Order Paper where we have now reached Item 4, and I call on the Minister for Enterprise. Childcare Strategy.

2735 **The Minister for Enterprise (Dr Allinson):** Thank you very much, Mr President.

As part of our Island Plan, we have committed to bringing forward a Childcare Strategy and in doing so to ensure that every child has the opportunity to access excellent childcare, and that parents can have a real choice and opportunity to better balance home and work commitments.

2740 The ability to access childcare impacts the vast majority of the Island's population at some point in their lives. Regulated, formal childcare is proven to enhance a child's cognitive and socio-

economic outcomes, as well as reducing the proportion of those considered at risk of developing special educational needs by the time they begin primary school. A well-functioning childcare system can also support parents, carers and families to share childcare responsibilities, strengthening bonds with the child and boosting quality of life, as well as supporting more parents to return to work should they wish to do so.

As we strive to further increase the Island's active working population, the provision of accessible and affordable childcare options can provide essential support for families with young children who wish to relocate to the Island. The Island Plan highlights the need to provide outstanding lifelong learning and development opportunities for all where children will have the best possible start in life, including equal access to early years education. This strategy will build on previous reports and recommendations from the Tynwald Social Affairs Policy Review Committee, encouraging investment in this sector to provide more choice for the child and enhance skills and career prospects for those who work in childcare.

In partnership with Minister Edge and the Department for Education, Sport and Culture, today we will publish a draft Childcare Strategy document that sets out a clear pathway for actions to ensure every child has an opportunity to access high-quality childcare and early education, and every parent has the choice to access the right type of childcare to meet their needs. Specific areas addressed include affordability, availability and equality of access for all, regardless of their need, together with quality of provision. This draft strategy looks to bring forward reform to the capacity and affordability of the childcare sector in the Isle of Man.

However, it has become evident during the development of this strategy that childcare forms one part of a more holistic need for attention and focus to early years as a whole. This transcends a child's educational development, which has been focused on in this strategy, but also investigates how parents themselves can be supported to deliver the best level of care for their own children, and how the child's health and wellbeing needs to be met in the crucial early years of a child's life.

This work will be continued, alongside the development of the Childcare Strategy, as part of a broader work on early years more generally. The strategy builds on two key principles: putting the child first; and ensuring that every parent has a choice.

The last two years have been very difficult for children, with lockdowns, the closure of schools and nurseries and periods of isolation from family and friends, but it has also brought people and our community together. The childcare sector is now more cohesive and is keen to work together to reset its priorities, expand its role and further develop its impact on the lives of our children.

The strategy will now be subject to public consultation, giving all our community the chance to steer the future policy of this very important subject. During this process I would also like to welcome the views and input from Hon. Members. We will also be feeding in key information from the Chamber of Commerce, who separately commissioned research into childcare provision in the Isle of Man through the Childcare Strategy Working Group, and we will be entering into further consultation with all stakeholders, including nursery and childcare providers, with a view to bringing back a finalised Childcare Strategy to Tynwald in July.

Thank you, Mr President.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you very much.

I welcome the statement about the Childcare Strategy and look forward to the consultation and then the proper debate in July.

Can the Minister confirm my hearing and my understanding of what he just said, which is that there are two separate pieces of work in progress: there is the Childcare Strategy, being led by the Department for Enterprise, which will come back in July; and then separately there is a larger piece of work on early years and early years' learning?

The President: Minister to reply.

2795 **The Minister:** Thank very much, Mr President.

I would like to thank the Hon. Member for that point. He is absolutely correct. The Childcare Strategy is looking at childcare in its entirety but there is also a piece of work looking at early years, which encompasses some of the subjects that this Hon. Court has been debating and concerned with over the last couple of years, including adverse childhood experiences and how those are dealt with as a whole, both in terms of supporting those children and providing wraparound services for them; but also for their families as well and trying to prevent these occurrences happening.

Thank you.

2805 **The President:** Hon. Member of Council, Mrs Sharpe.

Mrs Sharpe: Thank you, Mr President.

Before I start, Mr President, is it possible for me to make a short speech, including two questions, or am I limited to just questions?

2810

The President: It is questions for a statement but, if you wish to, I know there are others who wish to make statements too. If it is short, I will permit it.

Mrs Sharpe: Thank you, Mr President.

2815 I will have a reassessment because it is not that short! *(Laughter)*

Okay, I will get to the point. **(The Speaker:** Hear, hear.) So I have got a couple of questions for the Minister, which I hope he might address in his summing-up response. Firstly, as I asked him at his presentation which he kindly gave last week: does Government have any plans to develop a nursery or nurseries for the children of people who work in the public service? I ask this because Government is the largest employer in the Isle of Man currently employing, according to Human Resources last week, 14,914 people. I understand that this strategy before us is all about encouraging and developing the private sector, but that does not mean that Government, like any good employer, cannot work *with* the private sector to create a nursery specifically for the children of its employees. **(Miss August-Hanson:** Hear, hear.)

2825 Secondly – if I can just find my second question. This was touched on this morning by Mr Speaker and Mr Thomas: does Government have any plans to reopen the school nurseries? It is no secret amongst teachers in the Island that, prior to the closure of our state nurseries which were located in many primary schools, children who came from chaotic backgrounds who had attended these nurseries entered school settled and ready to learn. The closure of these state-run nurseries has been cited by many people as the worst decision ever made during the previous administration but one, **(Mrs Caine:** Hear, hear.) and was referred to this morning by Mr Thomas as ‘the disastrous 2012 policy’.

2830 The point of having these nurseries actually inside the schools was that nursery teachers and future teachers got to know the children and the children got to know them. This aided certain children in their transition to school and this synthesis cannot be necessarily replicated in a nursery which is not physically attached to a school. So again, if Government wants to work with the private sector then fair play, but this strategy does state on page 17 that we should be providing the infrastructure, the space and the locations for providers. So why do we not just open up the areas in the schools where the nurseries once thrived?

2840 Thank you, Mr President, very much.

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

2845 I would thank the Hon. Member for raising those two particular points. To begin with, she asked does Government have any plans to create a nursery for the children of public school (*Laughter*) public service employees ... Freudian slip, Mr Speaker! The answer is no, I do not think Government have any current plans. One of the aspects of this strategy is to look at what incentives can be used and what barriers currently exist to establishing more nursery provision in
2850 the community, but also looking at workplaces. Obviously once we have done that there is the option to look at how Government treats its own staff.

I know, certainly during the pandemic, there was the urgent need to provide nursery accommodation to the children of healthcare workers so that they could go to work and actually staff the wards at Noble's Hospital. So that will certainly be something that I think Government
2855 can take on once the strategy has been finalised.

Her second question was really regarding the reopening of what were previously state-run nurseries within the boundaries of school premises. As the Minister for Education, Sport and Culture detailed earlier on in this session, all of those, to my knowledge, have been tendered out and are being used at the moment, so certainly we would not want to intrude on those contracts
2860 that are going forward.

I must say, talking to private providers of nurseries, that they often have very strong links with the state sector. They have very strong relationships with the primary schools that those particular nurseries are feeding into. In fact, myself and the Treasury Minister went to one of the nurseries in Willaston which has got an extremely good relationship with their local schools, which can
2865 identify problems within those young children and work extremely proactively with the teachers to prepare those children for that transition, but also prepare the teachers for those children who may have particular issues that need to be dealt with straightaway

Thank you, Mr President.

2870 **The President:** I call on the Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President, and I welcome the previous answer.

Just building on that a bit more, can the Minister advise what plans Government has for organising this overarching strategy? It seems important enough to be in the Our Island policy
2875 committee but the representatives are Ministers from the Social Affairs policy area, who are not in that committee, they are in the delivery committee. So Health and Social Care, Education and Infrastructure – one that runs shared estates and stores – are all in the delivery committee rather than the policy committee.

So, what are Government's plans to actually co-ordinate the overarching early years' strategy, or is that going to be a Department leading a cross-Government working group?
2880

The President: Minister to reply.

The Minister: Thank you very much, Mr President.

2885 As the Hon. Member rightly points out, this is a cross-Government and cross-departmental working group that encompasses the very best of our trained staff, but also works with the private sector with everyone interested and involved in early years.

Thank you.

2890 **The President:** I call on the Hon. Member, Ms Edge.

The Minister for Education, Sport and Culture (Ms Edge): Thank you, Mr President.

Putting the child first is at the heart of this draft Childcare Strategy, ensuring that the primary focus for any action taken is on how it benefits the child.

2895 It is widely acknowledged across the world that the first five years of a child's life are critical to their development. This is the time when the relationships and experiences children have, form

the basis of their development. The quality of these experiences, whether positive or negative, will shape how their brain develops and can impact their overall health, wellbeing and ability to learn as they grow.

2900 Throughout this Childcare Strategy, there is an emphasis on quality by continuing to build on the positive developments and achievements within the childcare sector, in order to ensure that all children have access to high-quality play and learning experiences, and achieve the best outcomes possible. Through the introduction of a quality standards framework, there will be an increased emphasis on the quality of learning and development opportunities planned around the
2905 needs, fascinations and interests of each child, as well as the safeguarding and welfare requirements needed to ensure that all children are kept safe and their welfare is promoted.
(**A Member:** Question?) I am coming to it! (*Interjection*)

All children are unique and develop and learn in different ways. This strategy recognises the inclusivity and diversity of our Island and aims to give equality of access and the right to high-
2910 quality early education and childcare for all children. I hope the Minister will agree with me – (*Laughter and interjection*) that training and employment law throughout this sector is key to succeeding in this.

The President: Hon. Members, before the Minister responds, just to remind you, this is a
2915 Statement, there is an opportunity to ask questions. Statements *can* be made if they are short, but I would expect Ministers to be a bit more co-ordinated in future.

Minister to reply.

The Minister: Well, if I can be co-ordinated with the Hon. Member who is next to me to say,
2920 yes, (**The Speaker:** Hear, hear.) I do agree with her completely. I also thank her for the close working co-operation with her Department, with the Department for Enterprise and all the other Departments for really taking on board this issue and giving it the status it deserves.
Thank you.

2925 **The President:** Hon. Member, Mrs Caine.

Mrs Caine: Thank you, Mr President.

I have a few questions for the Minister, echoing the comments of the Hon. Member of Council, Mrs Sharpe.

2930 Does the Minister genuinely feel this is putting the *child* first, rather than putting the private nursery businesses first, because it is led by the Department for Enterprise? Why is it not more centred on the Department of Education, Sport and Culture?

With falling rolls, does he not feel that now is the opportunity to review that terrible decision from 10 years ago to dismantle the state-provided preschool; and in fact start phasing them back
2935 in with due notice? Then have availability, perhaps, for the private providers to move more into providing capacity in the younger years, which are less provided for?

Would he accept that the Isle of Man is not attractive to people with young families? That both the preschool provision and the cost of having a child on the Isle of Man are significantly higher than neighbouring jurisdictions? And will this strategy address that?

2940 Will he welcome feedback to the strategy from people suggesting that we return to state-provided preschool? It is my understanding that only one preschool facility at the minute has any attainment of quality standards of education provision, mostly they are now judged purely on the facilities.

2945 Also on the early years, I would ask: does he foresee that leading to an improvement in the facilities, the amenities and provision of activities for children improving for early years? And what about for older years?

Again, I am a little bit puzzled why the Department for Enterprise is leading on this. We spend a huge amount already on preschool vouchers for providing I think it is in excess of £2.5 million.

2950 So would that not be better starting to channel through to state-provided preschool; and would that not be genuinely putting the child first and giving them a better start?

Thank you, Mr President.

A Member: Hear, hear.

2955 **The President:** Minister to reply.

The Minister: Thank you very much, Mr President; and I would like to thank the Hon. Member for Garff for her questions.

2960 First of all, why is the DfE leading on this? Actually my Department is not leading on this, we are working with other Departments and co-ordinating cross-departmental policy, which was made quite clear in this document.

2965 The issue of childcare is all-embracing and does not just involve the Department of Education, Sport and Culture. It actually involves almost all Departments, going from Treasury, through to Health and Social Care, to my own Department and also to the Department of Infrastructure in terms of some of the work that they carry out. So it really has to be Government policy and that is why it is an intrinsic part of the Island Plan.

2970 Certainly, in terms of putting the child first, that is absolutely imperative. This is not putting private industry first. It is looking at giving real choice to parents to see if they want to access that childcare; or, actually, whether they need the time and the ability, through the change of employment legislation, to take the time off to care for their own children as well, which is an inherent part, again, of the Island Plan and for the moves forward.

2975 In terms of her question: is the Isle of Man an attractive place for young families? I think, yes, I will say so, and I will not ever apologise for that. I do, Mr President, get a little bit upset when people try to play down this Island, and we do need a sense of perspective. We spend a huge amount of time looking at other jurisdictions and seeing the issues that they take on. We have such a lot of great attributes on our Island. We have such a lot of things we perhaps take for granted, in terms of safety and in terms of space. Yes, I think the Isle of Man is exactly the right place to bring up a young family, which is why I moved here 20 years ago.

2980 In terms of her questions about private industry moving in and providing services, and whether there could be feedback into the strategy looking at more public provision, absolutely, that is why we are putting this out for public consultation, that is why we are interested in people's views. And in terms of the early years work, yes, that will be looking at activities. That will be absolutely taking on board advice from the Public Health Directorate, who have done a lot of work in this area already, but trying to actually create a foundation for policies and strategies moving forward, which can be applied by the whole of Government.

2985 Thank you.

**5. Supplementary Vote –
Department of Health and Social Care –
Motion carried**

The Minister for Health and Social Care to move:

That Tynwald authorises the Treasury, in respect of the year ended 31st March 2022, to apply from General Revenue a sum not exceeding £10,000,000 being the additional amount required by the Department of Health and Social Care in respect of forecast expenditure incurred in the provision of its services in excess of the Tynwald approved budget. [MEMO]

The President: Hon. Members, we move now to Item 5, Supplementary Vote. I call on the Minister for the Department of Health and Social Care to move.

2990 **The Minister for Health and Social Care (Mr Hooper):** Thank you very much, Mr President.

During this current financial year, ending 31st March 2022, the Department of Health and Social Care is forecasting to be over its allocated budget by around £9 million. This is due to forecast overspend in the mandate budget line, which is the budget mandated to Manx Care and allocated for the delivery of health and care services. Today I am here seeking a supplementary
2995 vote of up to £10 million to allow for some small contingency in the last few weeks of the year, which are often difficult months for the healthcare service.

This is in fact the seventh consecutive year that the allocated budget for the Department of Health and Social Care has not been sufficient to fund the services provided. Over the past seven years, since 2015-16, supplementary votes of £60 million have been required to balance the
3000 budget, an average of £8.6 million per year. Unfortunately, supplementary votes are only given on a one-off basis. They are not added to the recurrent budget and therefore do not help address the underlying position.

Back in 2018, in my Budget speech, my own back-of-an-envelope calculation arrived at forecast cost pressures in the region of £8.7 million per annum. If then, in 2015-16, we had added £8 million
3005 to the recurrent position, the last three years would have finished under budget and this year's forecast would be less than £1 million over. This is not to say there has not been budget growth over this time. In 2015-16, the net budget was £184 million compared to £232 million this year, which is an increase of £48 million or 26% over the last five years. The actual spend in 2015-16 was £194 million – that is £10 million over budget – with the current year actual spend forecast
3010 at £241 million, an increase in actual spending of £47 million. During this time, £5 million of loan charges were also removed from the budget, representing another small increase.

What I am outlining, Hon. Members, is the budget has increased by around a quarter over this period, but these increases have been for specific items rather than to address the underlying legacy issues that existed and still exist within the Health and Care Service. It is important to
3015 recognise that the budget has increased, but so far it has not increased enough – not enough to address the underlying problems and provide for the actual funding that is required. This was one of the core and underlying reasons for the report produced by Sir Jonathan Michael: to identify the underlying issues and to recommend a new funding model for the Health and Care Service.

The next financial year, 2022-23, as you are aware, the Budget presented by Minister Ashford
3020 and this Council of Ministers adopts this new funding model, and we hope that this means this is the last time the Health Service is here asking for a supplementary vote to cover these types of costs. As healthcare is very much demand led, I cannot absolutely rule out further votes, but they should be far fewer and far smaller.

Turning to the current year in more detail, the forecast overspend is in the region of £9 million.
3025 This does not include the Health Service costs directly associated with responding to the coronavirus pandemic, which amount to approximately £23 million and which have been funded by Treasury from the Contingency Fund. These coronavirus costs include PPE, the cost of lateral flow devices, vaccinations, covering for some staff sickness, lost income and the cost of catching up on treatment which was delayed during the past two years. This means that the forecast
3030 overspend is wholly due to the mandated cost of Manx Care, which now receives its budget from the Department of Health.

The DHSC determines via the mandate what services Manx Care should provide and allocates the budget provided by Treasury and Tynwald accordingly. And whilst the mandate for 2022-23 has already been laid before this Hon. Court, I plan to bring a slightly updated version that includes
3035 the budget figures back for debate later this year, so Tynwald Members can help shape the next mandate, which is intended to cover a three-year period.

The eagle-eyed amongst you will have noted that the current forecast of £9 million over budget is more than the amount given in the explanatory memo to Tynwald Members, although it does

agree with the numbers that were provided in the recent Tynwald briefing. This is because the memorandum was prepared during January and was based on the best available data at that time. At that time, the forecast was a £7 million overspend and the variance has increased by almost £2 million since then, split roughly equally between the proposed pay award for one of the main staff groups and slippage in the Cost Improvement Programme, which is intended will be caught up next year.

However, the key underlying issues remain the same: employee costs, drugs costs and the cost of treatment in the UK, known as tertiary costs. In relation to employee costs, these have been one of the main areas of overspending across the years. There have been long-standing issues with recruitment, leading to the extended use of agency staff, locum doctors and bank staff to maintain safe working levels, particularly within Noble's Hospital. Whilst some good work has taken place previously to reduce agency rates, demand is currently outstripping supply and, in part due to intense competition in the UK and pressure on the UK health and care services, the cost of hiring agency workers has increased.

The pandemic has also added a significant issue in relation to staff either contracting COVID or otherwise being required to isolate in order to protect the vulnerable people that they work with. In January, the impact of the Omicron variant resulted in a sickness absence rate in the region of 15%, which is about double the normal level. Whilst the Department is hopeful this additional cost will be met from contingency, it does add additional pressure on staffing levels.

In 2019, my hon. colleague and then Minister for Health, Minister Ashford reported the impact of recruitment difficulties across the NHS was leaving us with a vacancy rate in nursing of around 12%. Whilst significant effort has been put into tackling this vacancy rate, unfortunately the impact of the pandemic has meant vacancies are almost at 20% now, in nursing. Manx Care are very much alive to the risks presented by an overreliance on bank and agency staff and are working on a number of initiatives to recruit, retain and train staff, and are currently modelling their nursing workforce requirements for 2022-27 to help identify gaps, consider and advance mitigations accordingly.

There are four primary mitigations here at play: optimising the bed base to meet staffing capacity – this is a dynamic process assessed on a daily basis; international recruitment of registered nurses to help address long-standing gaps in the nursing workforce; encouraging and enabling flexible retirement options for colleagues approaching retirement age; and exploring the ways on-Island pre-registration nurse training can be increased. I am hoping to be in a position to publish more information on these initiatives in the coming weeks and months as Manx Care continue to tackle this significant challenge.

There have also been recent successes in the recruitment of posts which are traditionally hard to recruit into. Appointments have been made for four consultants in geriatrics, cardiology and respiratory medicine, and this is expected to deliver ongoing savings of around £¾ million in the current year.

Whilst Manx Care have been working on tackling the underlying problem, there has also been recognition of the legacy of underfunding of employee cost in the region of £8 million. During 2020, in the preparation of the Purple Book, the employee cost budget was therefore increased by £7.9 million to recognise this legacy shortfall. In the current year, the employee cost budget was also increased by 1% for all Departments by Treasury, with Departments expected to try and manage any increase over and above that within their existing budgets. In short, Hon. Members, excluding the impact of current year pay awards, and despite the staffing challenges I have outlined, overall employee costs would have been on budget inside 2021-22.

In terms of the pay awards themselves, there are three key staffing groups: the PSC, HMD and NPTC. The impact of the PSC – that is Public Service Commission – pay award above what was provided for in the Budget is in the region of £470,000 for Manx Care. The Health, Medical and Dental (HMD) pay award, was settled at 3%, at a cost of around £800,000 above budget. The Manx Pay, Terms and Conditions (MPTC) pay award, was offered 4% and is currently being balloted on. The impact of this pay award, if it is accepted, will be an additional £2.4 million above budget. If it

is not accepted and a higher award is eventually settled on, the impact will be significant in the next financial year and beyond. The total impact of pay awards above budget will be £3.7 million as outlined and given the size and timing of these awards, along with the underlying financial position of Manx Care, it is simply not possible to find this money from existing budgets in the current year.

Turning to the second key issue, that of drugs costs, as well as impacting on staffing costs and numbers, COVID-19 has had a significant increase on the availability and cost of medicines and drugs. This is on top of the impact caused by Brexit and the compound effect of both issues has led to widespread price increases across the system in recent years. COVID and Brexit have also created global supply issues, as well as driving stockpiling behaviours in many individuals, which has continued from last year into the current year.

The budget for drugs costs has remained at around £23 million a year for the last few years. In 2019, before the impact of COVID and Brexit, the actual cost for the year was almost £1 million below budget. The following year, when COVID had hit us, COVID costs had increased and the total spend for the year was £2.6 million over budget. In the current year, costs are already £4.6 million over budget and are expected to reach more than £5 million by year end.

In primary care, which includes the GP network and pharmacies, costs have been driven largely by price increases, although the actual number of items dispensed over the past few years has remained relatively stable. The cost per item has increased by around 5%, resulting in additional spend in the region of £800,000.

In secondary care, which is mainly Noble's Hospital, spend has been driven primarily by increased cancer drug spend. Two years ago, the spend on cancer drugs was £2.9 million, but this rose to £4.1 million last year and has risen again to a forecast of £4.9 million. This is set against a budget of £2.7 million. Unfortunately, there is little control Manx Care can exert over drug supplies or prices, nor over the demand for items such as cancer drugs. Whilst they work closely with the UK NHS to achieve better value on drugs and other products, wider economic issues are in force and determining prices at present. Cost savings, however, of around £400,000, have been generated by the primary care medicines optimisation team and these are netting off against this overspend. In the next financial year, the Department will be looking to review the position on prescription charges. Whilst it is not expected to generate significant additional income, we do at least hope it will make for a fairer and simpler system.

The third key area overspend is tertiary costs. Since we are a small Island with limited facilities, we cannot treat every condition that comes into Noble's and it would not be appropriate to do so. Clearly there are some patients who require specialist treatment. In these cases, we need to send our patients to the UK for the best treatment available and we have agreements with various hospitals, mainly in the north-west of England, to treat patients at standard NHS tariffs. Unfortunately, we are seeing patients who have more serious and complex conditions, requiring more complex and therefore more costly treatment, which cannot be provided on Island. In the current year, there is an expected £1.4 million overspend in tertiary services. Tertiary costs have been one of the most volatile costs in recent years and one which we have little control over on Island as, rightly, the decision to refer to the UK is a clinical decision made by clinicians.

To give Hon. Members some idea of the volatility in this area, prior to 2019 the actual spend was around £21 million against a budget of £19½ million. In 2019, this rose to £25 million, which was an increase of £5.8 million and an overspend against budget of £2.6 million. The £1.4 million overspend in the current year is therefore relatively low compared to prior years. I should note that the underlying forecast excludes £2.5 million of restoration and recovery costs which are the result of COVID delays.

As well as these three key areas of overspend, there have also been challenges delivering fully on the Manx Care Cost Improvement Programme. As Hon. Members are, I am sure, aware, Manx Care is currently the only Government body to have a formal requirement to achieve savings targets as part of an annual programme of service improvements, which we refer to as the Cost Improvement Programme or CIP. In the current year, which was Manx Care's first year of

operation, a savings target of 1%, or £2.7 million, was set as part of the Budget process. In the UK cost improvement targets are common and can be up to 5% per annum. This requirement stems from recommendation 17 in the independent report on health and care, which stated that:

Increased funding should be linked to the achievement of annual efficiency targets.

In June 2020, the DHSC set out to procure consultant support to develop a Cost Improvement Programme in advance of Manx Care forming in April 2021. Unfortunately, with delays caused by coronavirus, the consultants were not appointed until November 2020 with the kick-off meeting not being held until January 2021. As such, the Cost Improvement Programme was not fully formed by April, although significant progress had been made in the planning. As a result of this Manx Care ... *[Inaudible]* an internal target higher than the £2.7 million required by the CIP and a stretch target of £3.6 million was set to try and compensate for potential delays in the original programme.

Unfortunately, in terms of delivering on this CIP, there have been significant delays and issues caused largely by the coronavirus pandemic, meaning that planned work to deliver savings has not fully materialised. As well as the impact of COVID on our own staff and service, work that had been planned with UK partners, such as with the NHS supply chain, did not progress as quickly as planned, because the UK have also been facing their own significant challenges resulting from COVID. As a result of these issues, the CIP programme is currently forecast to be around £1 million short in the current year, although in the reduced time the programme has been running Manx Care have delivered on £1.7 million worth of savings out of the initial budget of £2.7 million.

Those of you who are still awake (*Laughter*) will have heard me refer to delays. This is because the savings are still in the plan to be made, with Manx Care intending to deliver these savings in the next financial year. (**The Speaker:** I'm interested.) An estimated £377,000 of savings have already been delivered for 2022-23 as an opening balance towards next year's target, which is also budgeted at £2.7 million.

Hon. Members, there is a lot of work to be undertaken throughout the Health and Care Service as we continue to reshape and transform the way care is delivered in line with the independent report recommendations. I cannot overstate the scale of this task, but I have every confidence that this administration is up to the challenge.

Looking forward into next year, a significant change is taking place to the budget provision, which supports my view that this will hopefully be the last request for a supplementary vote of this kind for the Department of Health and Social Care.

The Speaker: Famous last words.

The Minister: It has been accepted by this Hon. Court in line with the independent report into health and care that increases in funding will be required to address demographic, non-demographic and inflationary pressures. The formula set out by Sir Jonathan Michael was an *average* budget increase of CPI inflation, plus 3.03%. As at November 2021, CPI inflation was running at 4.6% and so the additional growth budget provided to the Department based on this formula was £13.3 million. Additionally, Treasury provided 2% growth funding for pay and 1% for non-pay, which amounts to another £4.6 million, totalling £17.9 million in additional funding for the next financial year.

In addition to these growth amounts, the total additional funding will be £21.2 million, which includes a specific amount for specific business cases around additional or new services. Of this budget, an amount of approximately £6.6 million will be held back in DHSC as an internal contingency to give us some flexibility and hopefully a better way of managing demand-led cost pressures.

In order to assist with providing proper oversight of costs, as part of a new governance process the Department will report to the Treasury and the Council of Ministers on a quarterly basis on its

financial forecast, the assumptions underlying this forecast and the planned mitigating actions if necessary. The Department of Health and Manx Care will prepare a list of actions intended to manage financial pressures in year to remain within the budget allocation and will be required to test these for sensitivity at an operational and political level.

Despite these new arrangements, it is my view that they do not go far enough, that in order to ensure our Health and Care Services are financially sustainable, we need to be able to agree a mechanism to address fluctuating demand and demand-led costs across multiple years, and so a form of multi-year budgeting will be required. Remember, Hon. Members, Sir Jonathan identified an average growth of CPI plus 3.03%, acknowledging that in some years the pressures will be higher and in others lower, and so we must develop a way of ensuring the budget can be flexible enough to meet these year-on-year fluctuations.

There are already some known cost pressures for next year, including the impact of the current year pay awards, the impact of next year's pay awards – if they are in excess of the budgeted 2% – the continued rising cost of drugs, the cost of tertiary referrals and other high-cost treatments, such as off-Island mental health placements. These forecast pressures are already identified at around £18 million and with the growth funding of £17.9 million provided in the Budget, Hon. Members can see how tight the situation already is. With the pandemic response now moving into the next phase, the Transformation Programme reinvigorated and Manx Care developing further as an organisation with their Cost Improvement Programme embedded, I remain cautiously optimistic that the Tynwald-approved budget will be adequate for the coming year.

To summarise, Mr President, Manx Care is continuing to go through a period of unprecedented challenge and change, but the Department and Manx Care leadership are fully committed to bringing our Health and Care Services back into financial balance. There are a lot of moving pieces to achieve this goal and it is a significant challenge being faced, but it is a challenge I believe we can overcome.

I have highlighted today a number of key reasons for the budgetary issues in the current year, which, to summarise, are: managing the cost of staff pay awards, combined with ongoing difficulties in recruitment, which are common across health and care services in the British Isles; substantial increases in drugs costs; the cost of off-Island treatment; and delays in the delivery of our Cost Improvement Programme. I hope I have explained the rationale and these reasons to the satisfaction of Hon. Members and I ask that this Hon. Court continues to show its understanding of the exceptional challenges being faced, the work that is under way to transform the shape of healthcare on the Island and its support for the commitment and exemplary conduct of our health and care workers.

I beg to move the motion standing in my name.

The President: Hon. Member, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

I beg to second and reserve my remarks.

The President: Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

I am always nervous hearing Health Ministers say that this is the last time they are going to come to Tynwald for a supplementary vote on additional funding, but I have just got a couple of questions. He has mentioned obviously the 3% pay award, and that has tried to be factored in. How confident is he that that is going to be the pay award? I think we have all had letters from nurses saying they feel they deserve more, especially after what they have gone through with the COVID pandemic.

The other area I just wanted to touch on was a possibly bigger expense in the coming year, and if he would comment on it, to do with cancer treatment, where surveys I have seen are saying

that that could be a big additional expense to health services in the coming years as we emerge post COVID. So if he could just comment on those two, I would be very grateful.

Thank you, Mr President.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you very much.

I really appreciate all of the attention, expertise, time and dedication that Minister Hooper is committing to this role and will have to commit to this role, because he is in an incredibly difficult position.

I could not help but notice that he referred to Minister Ashford and *his* Council of Ministers during his speech, so perhaps he would just comment on that during his response as well, but anyhow. *(Interjection and laughter)*

Just a few general questions, because I said enough with my opening statement, to get the big picture. The first one is can the Minister confirm my understanding that it is relatively unusual, if not unprecedented, for Tynwald to be asked to approve a pay settlement in advance of completion of the pay negotiations and so on? Perhaps he could just give me an experience of that? I think the PSC settled back in June/July before the General Election, and I vaguely remember it was a £500 lump sum plus 3% or something like that. Is it not a negotiating tactic now to wait until the end of the year and to put the Department or the Government under pressure; and do we need to be careful to avoid that temptation for negotiating pay settlements?

The second question is does the Minister really accept and understand the scepticism that is out there, even if it is only perception, that lots of the costs of Health and Social Care have now been transferred elsewhere? For instance, Public Health is in Cabinet Office, Transformation is in Cabinet Office. When he says it is £3½ million extra for management around the Manx Care system, and we all agreed that, does he not accept that the perception is we agreed that in the short term on the basis that we would be maximising the expenditure on frontline staff and on frontline care? Does he understand and accept that he has got a big challenge actually bringing the public with him in the next 12 months or so to accept the innovation of professionalising the board and the management and depoliticising the board and the management of care facilities?

Finally, along those lines, does the Minister accept and understand that he has got a great deal now to catch up, in terms of 10 years of intentions in respect of the drugs bill, tertiary care, cost improvement programmes and all of those things? The language today is no different from the language during the last decade and delivery is what matters. We have got the right Minister for this, but does he accept and understand that the public is now sceptical of the language and wants action to deal with all of those other issues?

Thank you, Mr President.

The President: Hon. Member, Mrs Maltby.

Mrs Maltby: Thank you, Mr President.

I am standing briefly just to add my comments publicly to this supplementary vote and to thank the Minister for Health and Social Care for his honesty and openness leading up to today and most notably to the Treasury board, of which I am obviously a departmental Member.

I want to repeat now what I have already voiced. I support Minister Hooper's supplementary vote mainly, but not exclusively, to show my support and eagerness for Manx Care to reach a fair pay award for their dedicated staff. Authorising a sum of up to £10 million should, in my opinion, come to Tynwald for approval no matter which Department is requesting it. It must certainly not just be a matter for Treasury. In the interest of transparency and keeping everyone informed of what the bigger picture is, it just makes complete sense to me. However, I do appreciate that this has given way to some uncertainty, which is unfortunate.

3295 I will be supporting Minister Hooper today and I do sincerely hope that other Members will support this supplementary vote, too.

Thank you.

The President: Mover to reply.

3300

The Minister: Thank you very much, Mr President.

In terms of Mr Glover, yes, we are aware of the potential issues around cancer treatment in terms of cost. The specific cancer and tumour pathways are actually formed as part of the mandate document itself, which if you have a look on the Register of Business you can see, in terms of making sure Manx Care are able to deliver on that.

3305 I talked very briefly in my opening remarks around non-demographic and inflationary pressures. That is exactly what I was talking about. That is what that means, in simple terms. So the growth bid that exists, the growth bid that we have been allocated this year is intended to cover some of those costs. So yes, Manx Care are alive to the risks and the pressures they are facing, which is why I am trying to be cautiously optimistic here. Do I think the new funding formula is the right approach? Yes, I do. It is an average model, which means some years we will see higher costs, some years we will see lower costs, and I think the trick is making sure we can manage that effectively without having to keep coming back to this Hon. Court asking for excess funding. We need a mechanism that allows the Health Service to spread those costs and meet those costs in the same year that they get the funding. So a multi-year settlement is absolutely essential.

3315 There is some slight confusion here. The pay award of 3% was agreed. That is the MDT section. That has already been approved by the various bodies. The issue is the MPTC pay award, which is being balloted on at present at 4%. And just to clarify Mr Thomas's comment, I am not asking for Tynwald to approve a pay settlement, I am *not* asking Tynwald to vote on the pay award, I am asking Tynwald to provide us with some funding to enable Manx Care to continue negotiating around these pay awards. I am certainly not coming here asking for approval of something that is very much an employment matter between the employing body and the employees.

3320 I note Mr Thomas's remarks. Yes, I may very well have misspoken. I did not realise Mr Ashford had mounted a coup, but if he has, all hail our new glorious leader!

Mr Ashford: News to me! (*Laughter*) Wish someone had told me!

The Minister: There were some comments there around scepticism and I acknowledge those. I acknowledge the concerns the public have around having heard the same message year in, year out, for seven years at least from various Health Ministers. That is the whole purpose of professionalising the management of health and care via the Manx Care model. It is the whole purpose of separating delivery from strategy: to get amateur politicians out of some of those very operational decisions that need to be made.

3335 I would challenge some of the things he said, however. The Transformation Programme, for example, has never been revenue funded. That exists entirely separate to the healthcare budget and is a dedicated transformation fund that exists that Tynwald approved. I know the Hon. Member is aware of this, so that actually does not factor into any of the issues around overspending, not directly at any rate. Of the additional cost of Manx Care management, £3½ million was what this Hon. Court agreed and approved at the outset and, as I said, Manx Care have already managed to save £1.7 million in their first year of operation. So should this continue, and I have no reason to suspect it will not, and if they do start hitting their CIP targets – again, I have no reason to suspect that they will not be able to do this – you will see more savings than the management structure is costing. That was the whole purpose again of professionalising the system.

3345

I would like to thank Mrs Maltby for her comments. I would just like to allay her concerns. Whilst it is her opinion that Tynwald approval should be needed for this amount of money, it is also, in fact, the law. If we want to spend more money than has been allocated by Tynwald in the Budget, we are *required* to come back to this Hon. Court and ask for an additional vote, which is the purpose of me being here today. So I thank you very much for your support, Mrs Maltby, but please be under no illusions and please be assured that we could not just spend more money than we were given without coming back to this Hon. Court in the first –

The Speaker: Doing this for fun.

The Minister: And with that, Mr President, I beg to move.

The President: Now, Hon. Members, we come to vote on Item 5, Supplementary Vote as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried.

**6. Ecclesiastical Committee of Tynwald –
First Report for the Session 2021-22: Draft Marriage Measure (Isle of Man) and
Draft Safeguarding (Code of Practice) Measure (Isle of Man) –
Report received and recommendation approved**

The Chair of the Ecclesiastical Committee of Tynwald (Mrs Maska) to move:

That:

*(1) the Report of the Ecclesiastical Committee of Tynwald on the Draft Marriage Measure (Isle of Man) and Draft Safeguarding (Code of Practice) Measure (Isle of Man) be received; and
(2) the Draft Marriage Measure (Isle of Man) and Draft Safeguarding (Code of Practice) Measure (Isle of Man) in the form laid before Tynwald, be presented to Her Majesty for Her Royal Assent, as required by Schedule 1 to the Church Legislation Procedure Act 1993.
[PP 2022/0004]*

The President: We now move to Item 6 and I call upon the Hon. Member of Council, Mrs Maska.

The Chair of the Ecclesiastical Committee of Tynwald (Mrs Maska): Gura mie eu, Eaghtyrane. I rise to move the motion at Item 6 on the Order Paper. As Chair of the Ecclesiastical Committee of Tynwald, I have pleasure in presenting our first Report of this session.

There are two important matters which the Report addresses. Firstly, a measure is proposed that deals with reducing the risk of sham marriages undertaken for immigration advantage by those not in a genuine relationship, with additional checks proposed.

Secondly, a further measure proposes to extend an update Safeguarding Code of Practice to the Isle of Man, giving effect to the recommendation of the Independent Inquiry into Child Sexual Abuse. Both are important issues which improve the landscape in the Isle of Man in these regards, and I hope this Hon. Court can support these measures.

Mr President, I beg to move that: (1) the Report of the Ecclesiastical Committee of Tynwald on the Draft Marriage Measure (Isle of Man) and Draft Safeguarding (Code of Practice) Measure (Isle of Man) be received; and (2) the Draft Marriage Measure (Isle of Man) and Draft Safeguarding (Code of Practice) Measure (Isle of Man) in the form laid before Tynwald be presented to Her Majesty for Her Royal Assent, as required by Schedule 1 to the Church Legislation Procedure Act 1993. Mr President, I beg to move.

3380 **Mr Smith:** Mr President, I beg to second.

The President: Hon. Members, we come to vote on Item 6, motion as laid out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried.

**7. Climate Change Act 2021 –
Climate Change (Interim Target) Regulations 2022 –
Debate commenced**

The Chief Minister to move:

That Tynwald approves the Climate Change (Interim Target) Regulations 2022 [[SD 2022/0053](#)] [[MEMO](#)] setting an Interim Target to reduce our emissions by 45% of the 2018 Baseline by 2035; and notes that the Climate Change Plan 2022-27 will be brought to Tynwald by July 2022.

3385 **The President:** We come to Item 7, Climate Change Act 2021.
This Item has not completed the six weeks on the Register of Business. Is the Court content for this to be taken at this sitting?

A Member: Yes.

3390 **Members:** Agreed.

The President: Thank you.

3395 The next matter I wish to ask is can I get the Court's consent, or not, for the Minister for the Cabinet Office to take this Item?

Members: Agreed.

The President: I call on the Minister for the Cabinet Office.

3400 **The Minister for the Cabinet Office (Ms Lord-Brennan):** Thank you, Mr President.

3405 In recent years, the global community has experienced widespread upheaval due to the pandemic, unprecedented in living memory. War in Europe now dominates the headlines alongside fuel prices and the cost of living increases, which will continue to squeeze household budgets. Whilst these issues have rightly demanded our immediate attention, our planet remains in an evolving state of climate change and lack of action would undoubtedly add to future hardships and missed opportunities for investment, development and green recovery.

3410 Mr President, there should be no doubt of the Government's commitment to transitioning to net-zero and doing so successfully, but amidst the targets and the legislation there is need to get down to specifics. The scale of change needed to meaningfully reduce our emissions is huge. This must be managed carefully, ensuring that a balanced transition delivers not only lower emissions but a healthy, well-informed population, a robust and prosperous economy, plentiful employment and development opportunities, and a thriving natural environment. It is vital that we bring people with us on this journey and ultimately do what is best for our Island.

3415 In December last year, our Climate Change Act came into effect. The Act was designed to ensure that the Island's efforts to address climate change maintain momentum and are carefully planned and effectively implemented. The Act contains a number of deadlines, one of which is the requirement for an interim target to be set via regulations by no later than 1st April 2022. These

are the Regulations before the Court today. A public consultation on the Regulations was undertaken in February. Two targets, supported by the Council of Ministers, of a 35% or 45% reduction in emissions by 2030 were proposed. The summary of responses was published on 3rd March and is available on the netzero.im website.

A narrow majority of 51% of a total of 611 responses were in favour of a target of 45% or higher by 2030. However, strong concerns were also raised about the achievability of the transition to renewable energy in the very short term and the speed of changes to property heating and insulation needed to reach such a target. The Act enables the interim target to be increased or brought forward, but it cannot be reduced or delayed. Additional interim targets can also be set. Mr President, it is a matter of practicality and of fairness to the public that plans need to inform targets for climate change, and there is a responsibility to the population at large to be in an assured position and to be clear on how we will make this transition, what the energy plans are, and what the impact and cost to Government and the people will be.

We cannot turn a blind eye to the need to inform prospective targets, balance interests and the needs and realities of what is ahead of us. It is a responsibility and a consideration Government must take against a background of ambition, which should not be in doubt. We have uncertainty around future energy plans and security and costs, and we need clarity around the routes to the targets that may or may not be achievable.

Mr President, we need clarity and assurance around viability and affordability of Plans. In the light of the current global situation, the consultation and the need for more work on the Action Plan, concerns were sufficient so that Council's judgement was that the later target year of 2035 should be set as the interim target for the ambitious emissions target reduction of 45%. This provides the time needed to achieve key actions, in particular relating to energy infrastructure, without which we just simply could not deliver the substantial emissions reductions needed.

At some point, addressing this issue gets beyond arbitrary targets and becomes about the realities, and the situation is that we simply must bring forward a target – we have to do that – but we also must have the rational. And responsibility would tell us that it should be informed by clarity over Plans. That clarity has not emerged in the work so far and I think that the Climate Change team and the Climate Change Board and the Chair of that Board, Mrs Caine, have got a huge job on that, to address these issues and bring forward the Plans – it is not a simple matter – and hence the motion notes that the Action Plan which is being developed by the Climate Change team, needs more work and clarity on key matters will be brought to Tynwald in July.

In a difficult decision, Council therefore considered that at this time a 45% reduction – which is extremely significant and very ambitious – by 2035 represents the highest possible ambition for our Island and this will be very challenging. We are currently dealing with interim targets that are just a few short years away. However, if a credible route to achieving the target by an earlier date can be identified based on clearer proposals, Council will seek to bring the target forward.

The interim target provides a critical milestone on our journey to net-zero, and that is what is before us today. It is right, though, that Tynwald and the public have sight and understanding of Plans around this, so that Government is not merely setting targets which we may not achieve without key information as to feasibility and costs.

As we reviewed the draft Climate Change Action Plan from the Climate Change Board alongside the initial interim target consultation, we were very aware of some of the key current uncertainties – the global fuel price hike, the technology supply chain issues, the war in Europe – and concluded that matters such as energy security and how much the changes will cost our residents, businesses and public bodies need to be reviewed in the light of these uncertainties. Therefore, Council have taken the difficult decision to defer the laying of the Climate Change Plan before this Court until the July sitting simply because it needs more work. The Plan needs to inform the target set against ambition. We will not solve this by legislation alone – if only it were that easy. Ahead of the July Tynwald, there will be further engagement with Departments and Members in relation to the Action Plan. Through clear Plans, we might also clarify whether or not it is possible to bring forward an interim target date. Although the laying of the new Action Plan

is delayed, there will be no pause in the actions currently under way. The Phase 1 Climate Change Action Plan will continue to be delivered.

3475 Council *are* committed to driving forward truly effective climate action and must be confident that the Plan is robust and that key stakeholders and Members are given the time and information they need to consider and support it. This will require radical changes for the Island in order to meet these ambitious targets. The public will then also be able to see what we are basing these targets on, while Government can then get some clarity on the viability and affordability, which is needed.

3480 The Regulations before the Court today seek to set our first interim target, which is challenging but achievable with effort. A target which represent a necessary and important milestone on our journey to net-zero. We need to bring people on this journey and I hope there will be more clarity between now and July on that.

Thank you, Mr President. I beg to move.

3485 **The President:** I call on the Hon. Member, Mrs Poole-Wilson.

Mrs Poole-Wilson: Thank you, Mr President.
I beg to second and reserve my remarks.

3490 **The President:** I call on the Hon. Member, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

I rise to move the amendment standing in my name to add at the end the words:

and calls on the Council of Ministers to make further regulations for approval in July 2022 which would amend the target year for a 45% reduction to 2030

3495 Eaghtyrane, we have acknowledged that this is an emergency. There is therefore an obligation upon us to act in the public's best interests. We are in a very strong position on this because we have public support from at least three consultations. But even if we did not, we have a duty to act to protect our Island.

3500 Hon. Members, I want to make this clear: protection in this regard is not only about protecting future generations from the devastating impact of climate change – compelling reason enough indeed. But it is also about protecting us in the here and now from the economic impact of *not* acting. (**A Member:** Hear, hear.) Businesses are clear that they will neither stay in nor be attracted to jurisdictions that do not have ambitious targets. All reports are clear that early action will mean that the overall cost is lower and recent events prove that increasing renewable energy generation is the only way to decouple ourselves from a turbulent global energy market.

3505 So even if you do not agree with the Island's obligations to act or even if you think we are too small to make a difference, the economic argument is clear that we have to do this or lose out and get left behind and leave ourselves at the mercy of increasingly volatile fossil fuel markets, all whilst facing a mounting bill for inevitable adaptation. I am going to ask Members to bear this in mind. We need to set our commitment today with a date and target for emissions reduction to show the public who put their faith in us that we are listening.

3510 So, Members, very simply: my amendment brings us in line with the most recent climate science, it looks after our economic interests, it is in line with the higher ambition pathway outlined in Prof. Curran's IMPACT Report, and it is what the majority of respondents asked for in the public consultation about this.

3515 Eaghtyrane, ta mee shirrey kied dy chur roish. Gura mie eu.

To add at the end the words:

'and calls on the Council of Ministers to make further regulations for approval in July 2022 which would amend the target year for a 45% reduction to 2030'.

The President: I call on the Hon. Loayreyder.

The Speaker: Gura mie eu, Eaghtyrane.

I am proud to second the amendment standing in the name of the Hon. Member for Douglas East, Ms Faragher, and absolutely endorse and commend her on her comments.

When the Climate Change Bill came through the Branches, there was a significant minority who wanted the climate change target to be carbon neutrality by 2035, before a Plan even existed! This amendment calls for just a 45% reduction by 2030 and the Government motion lacks all ambition, and some might say credibility by seeking 45% by 2035.

This administration came into power with a real mandate from the people for climate change. Those candidates who made manifesto commitments on climate change in most cases are the ones sitting on the front benches in the House of Keys. I cannot understand how that ambition has become so watered down in the space of 13 months since the clauses stage of the Climate Change Bill. We are in danger of falling at the first hurdle, with so much of the low-hanging fruit still untouched. Government declared a climate change emergency in May 2019, yet in the last three years our progress in reducing emissions has been woeful. The work has not yet really begun. We can and must do better, Hon. Members, and I call on you to support Ms Faragher's amendment.

I beg to second.

The President: I call on the Hon. Member, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I am rising actually to move an alternative amendment that has already been circulated. This amendment will add to the end of the motion:

... [to call] on the Council of Ministers to make further regulations to introduce appropriate interim emissions reduction targets to be achieved by 2030 in line with the Climate Change Plan and in accordance with its responsibilities as set out in the Climate Change Act 2021.

This amendment would require the Council of Ministers to come back in July and produce, alongside the Climate Action Plan, an interim target for 2030 that is supported by the Climate Action Plan to improve the targets set in front of us today. The IPCC have made clear that globally, we need to be 45% down on global emissions by 2030 and the science here is not in question. What is, however, challenging is ensuring that we bring the public along with us on this journey.

The recent consultation showed us many things, but mostly it showed a polarisation of views. Plenty of people on both extremes but not a lot of responses in the middle. To me, that shows that most people are still incredibly uncertain about how we achieve net-zero, what it might cost, who might pay for it, what impact will there be on the economy, on jobs or on people. The Climate Act itself requires us to consult and engage on the Climate Action Plan and that Plan and associated target have to consider a range of factors before they can be set down in law, which covers most of these issues and far more besides. The Plan must have regard to the just transition principles, to our economic circumstances and the impact of the target on our economy, the competitiveness of particular sectors, businesses, jobs and employment opportunities, our fiscal circumstances, the likely impact of the emissions target or interim target on taxation, public spending and public borrowing, the likely impact on public health and energy policy, amongst others.

This is why I think setting this target at this very late stage, without having a Plan to back it up, is not the right call. I say this as someone who has long argued in this Hon. Court for robust action

3560 and ambitious targets. I say at this late stage, Hon. Members, because the Island is coming late to this particular agenda. Aside from our energy mix, we are quite far behind even the UK in actions that will be needed.

It was as far back as 2019 during the first climate debate that I was in this Hon. Court calling for an ambitious climate target. We are three years into this journey and we are still debating
 3565 targets. We have been left a lot of work to do in a very short space of time to comply with the requirements of the Climate Act. So rather than us once again debating whether this target or that target is most appropriate, I am more interested in action, in seeing this Government take meaningful steps to deliver on decarbonising our Island. The only way we can do this is by putting together a Climate Plan and bringing the people with us. Explaining what a just transition really
 3570 means, explaining the impact of net-zero transition on them, on what it means for us as an Island; not to talk in ephemeral terms about carbon and emissions, but about real things that impact real people. We have to take the public with us.

I would like to quote now from another learned source, the Hon. Member for Ramsey, Mr Hooper MHK (*Laughter*) in earlier climate debate in this Hon. Court. Interestingly, though, it is
 3575 the nature of the response required to this emergency that I think makes the Island being a world leader in achieving carbon neutrality a real possibility. The climate emergency is probably the only emergency where the solution is to create economic activity. We need people to insulate their homes and switch away from fossil-fuel heating systems. We need to get our power grid onto renewables. We need people to trade in fossil-fuel cars for electric-powered vehicles. We need
 3580 construction and engineering to rethink their ways of working. We need industry to retool and evolve, moving away from a reliance on gas and oil, and we need to ensure a just transition that will see jobs shrink in some areas and grow in others. So we need to help people upskill and reskill to undertake all these new jobs and all this work. All of this is economic activity, all of it creates jobs, wealth and adds value.

Hon. Members, there is a wealth of evidence that shows moving earlier is cheaper than moving later, that the impact on economic growth is higher with earlier action and the climate science agrees: earlier action is more impactful than late action. And industry is far ahead of us on this. So please be assured, Hon. Members, my commitment to this issue remains unchanged, and I am convinced that a right approach is now to develop the Plan in partnership with the Manx people
 3590 and base our target on that.

Hon. Members, I would like to reflect on the wise words of that enlightened Hon. Member from Ramsey, to try and sum up this issue for some of the newer Members who might not have heard this argument before. These days I seem to find my inspiration in the most bizarre of places. Often it comes from somewhat esoteric sources. The whole climate debate puts me in mind of something written by Terry Pratchett in one of his *Discworld* novels. He wrote:
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There are, it has been said, two types of people in the world. There are those who, when presented with a glass that is exactly half full, say: this glass is half full. And then there are those who say: this glass is half empty.

I think this debate reflects that perspective itself. People who believe the glass is half full, arguing we can adapt and change to ensure we meet the challenges facing us, and those who believe the glass is half empty, arguing whatever we do will not matter, so we should not be worrying about it at all. However, Mr Pratchett goes on to say the world in fact belongs to a third group of people, that is:
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those who can look at the glass and say: What's up with this glass? Excuse me? ... This is my glass? I don't think so. My glass was [definitely] full! And it was a bigger glass!

So those who look at this debate and see it as a straightforward glass half-full or half-empty are both right in part. The Island can contribute to the global carbon solution and we can make the necessary changes, but we are not going to solve global carbon neutrality all by ourselves. So we must be that third type of person, the type that looks at the situation in front of us and says

3605 we do not accept there are only two routes, an all-out charge or nothing. We will not accept that, and we must be focused on making our already great Island better. A better place to live and a better place to work.

This means putting people at the heart of our climate strategy, focusing on actions that will have the most meaningful impact on people's lives, as well as on our carbon contributions. This is why we absolutely must have an ambitious target, exactly as Ms Faragher, the Hon. Member for Douglas East, is arguing for. But this must be backed by a robust commitment and Plan to show that there is indeed a third way, a way for the Island to deliver on the opportunities that are presented by the necessary global transition to net-zero. We must be committed to more job creation, not less job creation; committed to higher economic growth, not lower economic growth; committed to lower energy prices and lower costs of living. These will undoubtedly be the outcomes of the net-zero industrial revolution because every single economic revolution, be it agricultural, industrial or technological, has produced these very same outcomes. How we handle the changes that result will be key to the long-term future of this Island, and that is why we need to have a Plan.

3620 Mr President, we cannot shy away from this challenge and we cannot allow our fears to overtake our ambitions. The world is moving quickly and we must be on the leading edge where that can work for the Island, so we are not left behind when firms, people and countries are making their own investment and climate decisions. In this vein, Mr President, Mr Pratchett leaves us with some final thoughts that I think are also quite relevant:

... at the other end of the bar the world is full of the other type of person, who has a broken glass, or a glass that has been carelessly knocked over (usually by one of the people calling for a larger glass) or who had no glass at all, because he was at the back of the crowd and had failed to catch the barman's eye.

3625 Hon. Members, we must ensure that no one is left behind as we move forward and equally let the Island not be at the back of the crowd. Let us not fail to grasp the opportunities presented to us. And so, to this end, like Ms Faragher, I do believe we need an ambitious target for 2030 and, as I have said numerous times before, I believe it needs to be aligned to the high ambition pathway. However, because of where we are now in the journey, I also believe it needs to be backed by a robust Climate Change Plan that has been consulted on and has the support of the Manx public. That is what my amendment is calling for, and that is what I urge you to support today.

Thank you, Mr President. I beg to move:

To add at the end the words:

'and calls on the Council of Ministers to make further regulations to introduce appropriate interim emissions reduction targets to be achieved by 2030 in line with the Climate Change Plan and in accordance with its responsibilities as set out in the Climate Change Act 2021.'

The President: I call on the Hon. Member, Mr Crookall.

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Mr Crookall: I beg to second, Mr President.

The President: I call on the Hon. Member, Mr Henderson.

3640 **Mr Henderson:** Gura mie eu, Eaghtyrane.

I, too, have been crusading about climate change throughout the years in this place and certainly in the House of Keys and in the Legislative Council, but for the purposes of this debate I would just like to comment on a few of the contributors' words.

3645 I will start with the Hon. Member, Ms Kate Lord-Brennan, and I am not being directly critical of the good work that has gone on, but I need to make some observations here. One of the points from the Hon. Member, Ms Lord-Brennan was that things are not clear at the minute. We need

this big, complicated plan, we have got to work things out and we have got to plan out dates and so on and so forth. Well, to me, Eaghtyrane, things could not be clearer – crystal clear, in fact. We have been advised by the world’s entire scientific community that if we do not do anything quickly and before 2050, the whole world will be in a dire situation. And that is the end of it. You could not be more clear than that. In fact, many of those scientists are already saying 2030 might be too late as well, for getting some action on the ground, and get moving. It could not be more clear from COP26, the situation we are in, and indeed one of the world leaders there has gone on record saying that in fact mankind is setting fire to his own planet. We are our own arsonists, or words to that effect.

So let’s be clear, Eaghtyrane: we know what the situation is and we know how dangerous it is and we know for the likes of renowned experts such as Sir David Attenborough and renowned activists such as Greta Thunberg, who, with backed -up scientific advice and support, have made it bluntly clear that the Earth is facing an ecosystem collapse. Not in 2050 and not in 2030, it is happening right now. That is what we need to think about and that is what should be driving us forward in a mega-attempt at trying to put measures in place now.

I agree with the Hon. Member, Mr Hooper, with regard to the fact that we declared a climate emergency in 2019 and not much action or activity out there on the frontline, if I can put it like that, has actually happened – nothing. There is loads of good work going on in the background, and I applaud that, but as for direct action and responses to what the international scientific community are telling us, hardly anything.

To answer Mr Hooper the Hon. Member for Ramsey’s issue with the fifty-fifty split on the consultation document, one thing I have noticed throughout all this is people’s failure to grasp the seriousness of this situation and to understand the seriousness of this situation. And it is incumbent on all Governments everywhere to advance an education programme of such a depth and ease of access to actually get people to realise what is really happening and to realise what is happening to our planet. People are not getting it strongly enough and that is half the reason you got a fifty-fifty split.

The other reason you have got a fifty-fifty split, more or less, on the consultation document is humankind’s adversity to change. I have studied this extensively over the years and in another lifetime in another place, and if you want to disturb somebody’s comfort zone, which is what we are effectively saying we need to do, people are averse to it. Also, you are moving them out of their comfort zone and we are asking them to do different things to what they are used to. That is a very difficult thing to achieve, especially if they do not have the knowledge and insight to understand the gravity of the situation.

I give you an example. Look what happened in the corona pandemic response in the first wave. The entire planet pulled together almost instantly. Minds were applied, governments applied themselves, the whole population applied itself all over the place to react in a positive way to try and bring it under control and, miraculously, we had a vaccination brought to the fore in the process in double-quick time. So we can do it.

Also, the point there is that when we recognise a clear and present danger, there will be a quick reaction. The point, though, with climate change is it is not clear and present to many of us and many of the richer nations and richer communities, because climate change does not directly have a direct impact on us. We can still carry on, business as usual, jump in the car in the morning, go to work, go to shops, buy stuff. It does not stop us from doing that and that is the reason, or a lot of the reason, you have got the fifty-fifty split, Hon. Members. We need to educate our population, as do other countries, to get what climate change is, and the up-and-coming damage that is going to be caused to our planet.

The upshot of all that, Eaghtyrane, is what we already know, we have been told it numerous times, that the Earth supplies life-giving ecosystems that we *all* depend on and that is being slowly eroded away to the point where we have been warned that our oceans and so on are on the knife edge of an ecological collapse. Whole deforestation events are taking place in the Amazon, oxygenating trees being cut down without a care because people are going on, business as usual.

‘Oh, we’ve got tonnes of that habitat, we can lop off 100 square miles of it no problem.’ And they are – they are doing it. Indonesia was dragging its heels in the COP26 meeting about stopping deforestation: ‘Oh, it’s our economy, it’s this, it’s that, it’s the other.’ What we really mean is it is easier to carry on business as usual, it is cheaper and we do not have to have the financial impact of trying to do anything different.

So those are the answers to the queries that have been advanced thus far in the debate, Eaghtyrane, but I do want to say a few more, or put a few more comments to this, because I think they are vitally important. I wanted to thank the Chief Minister for bringing this debate here, albeit the Hon. Member, Ms Lord-Brennan has done it, so I am grateful to her, and albeit we await the major climate change debate now set for July. What I am about to say are general comments and observations and are in no way intended to be critical of the good work already done.

However, I am critical, as others have just mentioned, of 2035, not just because most respondents to the climate change consultation agreed to the 2030 date. I feel we and other nations have failed to grasp the true gravity of this situation, the gravity of which the world’s scientists have been warning about and, as I said, Sir David Attenborough and prominent activists such as Greta Thunberg. These warnings are turning into reality and manifesting themselves right now in the form of extreme weather events, rising sea levels, melting ice caps, wholesale eco-destruction and rising health issues in more polluted areas. We have got extreme weather events becoming more regular, huge land mass fires are becoming more regular, droughts and falling rainfall in these areas are becoming more regular. We have acid rain – scientific fact – smog and our oceans are increasingly becoming more acidic and, as I have said, on the verge of collapse. What Hon. Members may not realise, or some may not, and certainly many of the public, is oceans give us around 50% to 80% of our oxygen. Every second breath we take is probably oxygen from the oceans. That is a pretty important reason to start doing Earth stuff right now, isn’t it?

Our planet Earth is suffering from the terrible effects of climate change, pollution and all the rest, and where ecosystems are struggling to sustain life. If left unhindered, all life on Earth will be put in peril and we will be facing mass extinction events. That may sound a little farfetched, Hon. Members. We are already facing extinction events now, where species in the natural world have already disappeared.

Nearly all scientists agree that climate change and global warming is very real and a result of human activity. That could not have been made any clearer, other than in the COP26 conference. Many scientists now predict the 2050 net-zero target is too little, too late. That is how serious the situation is developing into.

Climate change has many factors associated with it. Some have still not been fully recognised and I will go on to a phenomenon that nobody seems to be talking about currently. I have to say, Eaghtyrane, cutting pollution emissions, as desirable as that is, and reaching net zero is one thing, but *far* more, *much* more needs to be done by all of humanity to save our planet for now and future generations, and we need to be getting on with it right now. It is estimated that there is something like 415 parts per million of greenhouse gas in our atmosphere currently, which is predicted to rise in 2050 to around 450 parts per million – completely unsustainable and will have drastic consequences for all life on Earth. We need to realise this is an ‘everyone’ issue and cannot be put over on governments entirely. We all have to take responsibility, as we all have contributed to this environmental crisis in one way or another, directly or indirectly. We all created this mess and it is up to us to fix it.

We have to come to a realisation and recognise that we all individually, as communities, nations, have to work collaboratively to put in place not only reduction and mitigation strategies, as has been suggested through this plan, but we need further measures, as I have been trying to explain. Nature and climate restorative actions: ultimately, we need to achieve what is known as climate restoration and nature restoration.

Eaghtyrane, there is a monster in the room. The major problem behind mitigation, reduction and adaption measures that are currently being taken to reduce rising pollution emissions and arrest intensifying climate change events, these actions, as good as they are, only serve to reduce

and mitigate what has been pumped out into our atmosphere, which is good in its own right. It will stop things becoming worse. The trouble is it will not take out what is already there. What is already there is what is causing the current sets of serious global problems. This monster, existing or historical amounts of greenhouse gas already present in our atmosphere, is the major factor causing extreme weather events and all the rest. It is already swirling in our atmosphere. Mitigation, reduction etc. will not sort this out or reduce the amount of greenhouse gases already present in our environment. It will only prevent further build-up and reduce pollution emissions.

There is estimated to be around one trillion tonnes of excessive greenhouse gas in our environment already, a result that has been measured and known to be caused by human activity, around 75% of it being carbon dioxide, which is trapped, blanketed around our Earth and can last, according to some, for over a century or more in our atmosphere. Global heat cannot escape as a result. This current level of greenhouse gas is causing what we are experiencing right now. Even stopping emissions totally will not reduce what is already present.

To be successful in our quest and to fully arrest the effect of climate change, global warming, pollution and secure the survival of our planet and all life for now and for future generations, we have to be also all about taking the excess greenhouse gases out of the atmosphere, as well as applying mitigations and reductions to pollution emissions. We need to be working in the background towards climate and nature restoration to achieve this goal.

In order for all life on our planet to survive, and that includes humanity, to thrive and live long into the future, to preserve our Earth for future generations, we need the Earth ecosystems that are critical for all life to survive, to be restored, enhanced, more natural habitat created and biodiversity conserved and enriched. We need to be putting nature back urgently.

The truth is, Hon. Members, we should be aiming for an Earth restoration that puts our planet back to how it was around 200 years ago, pre-industrial age, when the greenhouse gas carbon dioxide was at a much lower level than today, levels that are estimated to have been around 270 parts per million, whereas today we are looking at nearly double that – a measurement of around 415/419 parts per million. There lies the problem. Scientists have measured our atmosphere and can determine the huge spike in greenhouse gases over the last 200 years or so, and can see that it was caused by nations becoming industrialised.

We have to support the motion, as we want the climate change work to continue, and I certainly support the amendments that have come along. I certainly am impressed with the Hon. Member, Ms Faragher's brave move, with adjusting the 2035/2030 figure back to what the consultation document said. Well done. But we have to realise that there is an enormous amount of work and change required for everyone to reach our Earth goals. This will be hugely expensive for every community and nation, and as a result may well affect economies, which is what has been already alluded to, Eaghtyrane. I just do not think we realise how much it may cost ultimately. We have to build funds now and plan funding structures. Private enterprise and financial institutions will undoubtedly have to be involved in this process. There is no doubt that to bring the Earth back to where it should be will be at huge national cost. We need to build on what the Chief Minister and Treasury Minister have started in this regard.

Make no mistake, Hon. Members, the survival of our planet and future generations depends on what we do now and how we do that. In reality, we should be applying the same reality, the same urgency we did, as I said, for the COVID pandemic, and starting to apply the funding that went with that emergency, to attempt to fully rectify this Earth pollution problem and restore Earth to a vibrant ecosystem, which can continue to support all life into the future. We have to realise, Eaghtyrane, that the Earth is not a resource, it is not an unlimited resource, Earth is a source of life – the only source. There is only one planet Earth.

Gura mie eu.

The President: I call on the Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

It would just like to thank the Member for Ramsey and, I do not know what he would call that. (The Speaker: Non-alcoholic!) Third-full? Half-full? (A Member: Gin?) (Laughter) I will try and put it down without spilling it as well.

But yes, 2019, emergency declared by Tynwald and since then, as Mr Hooper said, we are coming to this late. We have had reports, we have had surveys, we have had consultations, we are still debating the dates here and I just want to briefly touch on ... We have just had a wonderful and emotional debate on Ukraine, where we were talking about the sense of urgency, we were talking about energy and food security. That is why I am going to support, first of all, a target, and the Hon. Member for Ramsey, when he was sitting a seat further back, memorably said, I think in this Court, what is the problem with setting targets if we do not reach them? At least we have tried to hit a target. I think that is a much better way of going about things: actually being ambitious and trying to set a target, (Three Members: Hear, hear.) and trying to hit that target. It just gives a bit of focus to the whole scheme. I get that we have got to bring people along, we have got to do all that as well, but I think we should set a target to try and just speed that work along and give it a sense of purpose.

So I will support Ms Faragher's amendment, and, in the batting order, then it would be Mr Hooper's and then it would be the original motion, because I think we just need to have that sense of urgency.

Gura mie eu, Eaghtyrane.

The President: I call on the Hon. Member, Mr Ashford.

Mr Ashford: Thank you, Mr President.

Well, here we are again, discussing targets and which way we are going to go. We talk about debates that keep coming round – I am sure a local authority reform one will be round the corner at some point and probably another Manx Radio one – and climate change seems to be in addition to this, because certainly over the last couple of years it keeps coming round.

It has already been stated that we are late to the party – and, to be frank, the Island is late to the party. I was arguing this not when I was in this Hon. Court but back when I was a local authority member, which now seems like a lifetime ago. We are so late to the party, in fact, that some of the guests have probably already left and the food is now rather cold and mostly gone, but we spend all our time, as the Hon. Member for Ramsey said, arguing about targets. What I am interested in is not so much the targets as the doing, because the doing is what actually does it. You can have any great targets, but if you are not doing anything in the background you are not going to achieve them.

The Budget that I brought to this Hon. Court last month was the first time we had set an actual, proper climate change budget, so there is actually money to go forward, but one of the things we have to do is ensure we have a proper plan behind it. One of the frustrations I always found – which was one of the reasons I stood in the Douglas North by-election in 2015 and the General Election in 2016 – was the fact that I have seen Government after Government setting wonderful targets that had nothing behind them and then wondering, years later, why those targets were not achieved or were not moved to.

In an ideal world we would have the Climate Change Plan alongside the target. That has not been possible, for the various reasons that the Minister for the Cabinet Office has laid out. So why are we here today? We are here today because section 10 of the Climate Change Act requires a target to be set by 1st April, and the Plan has to be in compliance with section 18 of the Act, which is quite detailed as to what has to be in that Plan – something that the Hon. Member for Ramsey who has moved the amendment today actually warned us all about when the Bill was passing through the House of Keys, where, giving credit where credit is due, he did warn that this very situation could arise.

So I want to see us focusing on the doing. At the moment, I think the key thing is the phrase 'interim target': it can change. I think what has come forward today with the amendment from

3855 Mr Hooper is the right approach. We can say, now, 45% for 2030. We have not got anything to back that up to say how achievable, or not, it actually is. I do not want us to end up in the same old mindset that has perpetuated, from my point of view, Governments of the past, where we set a target and then worry about the plan. We should be doing the planning first.

3860 Mr Henderson made an extremely valid point when he talked about bringing people with us. He echoed something that I have said many times publicly. Government cannot do everything. We need the people outside of this Hon. Court to engage with us and do their bit, but in order for them to do their bit they need to know what we require of them, what we are actually asking of them and how Government can act as a facilitator to help them to be able to do that. That, again, all builds in as part of the Plan.

3865 Mr Speaker mentioned manifestos. I had climate change in my manifesto, and since he mentioned it I am going to bore the Hon. Court now with some of what I actually said in that manifesto at the Election.

The Speaker: You are welcome.

3870

Mr Ashford: It broke down into three topics. I broke climate change down into three sections: 'Strategic Vision', 'Ensuring Inclusivity' and 'Affordable and Measurable'. In the first section, 'Strategic Vision', I made it quite clear, from my point of view:

If we are going to successfully achieve the islands climate change goals then having a detailed strategic vision will be key. In the past, the reason for lack of progress has been schemes have been done in isolation or targets set without any real definition around how those targets will be achieved. As an island nation and the only biosphere nation in the world, we have a unique opportunity to lead the way by showing what can be achieved in a small contained jurisdiction. But the serious risk is that without strategic planning, this risks becoming a costly monolith that does not actually achieve its aims. One of the first acts of the new administration needs to be to publish a comprehensive strategic vision with timelines and deliverables.

3875 I stand by that: we need that strategic vision. When it came to 'Affordable and Measurable', I stated:

Another key risk with the climate change agenda is that it becomes unaffordable and quickly grinds to a halt. There needs to be, as part of the strategic vision; a clear mapping out of what changes are required and when. Also a detailed ... targeted plan which then allows for funding to be identified years in advance. The risk otherwise is that with the competing demands on expenditure schemes, it will falter or not be funded appropriately. Any of these schemes that come forward must also be measurable both in short and long term impact with clearly defined Key Performance Indicators to show what impact any expenditure has had and be reported on an annual basis.

I have not changed my view on any of that, so while it would be great to stand here today in support and say, 'Forty five per cent, 2030 – aren't we doing our bit?' at the moment there is nothing behind that and what we need is that Plan in place.

3880 I hope when the Plan comes forward – we are looking at July Tynwald ... I hope that once that Plan is there, once we have started to look at how things are paid for, it may well be that we turn round and say, 'Actually, the interim target can change – we can change it to 45% by 2030,' but I think at this stage, without any of that planning in place, making an informed decision around that at the moment we cannot do.

3885 So while we are late for the party, Mr President, we have to make sure we turn up to the right party, because it is embarrassing if we are at the wrong one.

A Member: Wouldn't want it to be the Liberal Party!

The President: I call on the Hon. Member Dr Haywood.

3890

Dr Haywood: Thank you, Mr President.

Interim targets should be a mechanism by which to push change at the pace needed to achieve the overall goal. The thing about targets is they are something to aim for. We might not hit the target, but that should not be for want of trying. (**The Speaker:** Hear, hear.) The very real danger about setting dumbed-down targets is that it reduces your ambition and reduces the urgency of the action required. (**A Member:** Hear, hear.)

I was not elected to make easy decisions. It could be argued that if all society's decisions were easy, we would not need politicians at all. I was elected to make the hard decisions. To paraphrase JFK, we should choose to set the interim target of 45% by 2030 and do other things not because they are easy but because they are hard, and in this case because they are right.

The science indicating that the rapid rise in atmospheric carbon dioxide emissions is affecting our global environment has been around for decades. I knew some of it as an undergraduate – and believe me, that was a lifetime ago. The current global situation indicates that decarbonising is more needed now than ever, and one of my drivers for coming into politics was that it is too easy to pick up the can, kick it down the road and leave it for the next generation of politicians to pick up. I am frustrated that this has happened so many times in the past, especially with climate change. The science is clear and the need to reach net zero is clear.

Politicians – sorry, guys – all have a short shelf-life. We are only as good as the next general election, and therefore it becomes hard for us to take tough decisions that will carry short-term pain, but are for the much greater good in the long term. But the climate emergency is now more of an emergency than ever, and the window for meaningful action that will stop the temperature increase reaching an average of two degrees is closing rapidly. I worry that the attempts to push this target back signal a lack of confidence in the processes and mechanisms put in place to make that effective change. We made the first step by commissioning the Curran Report – expert advice that we should heed. However, if the Council of Ministers is not confident that they have put the right structure in place to deliver the necessary Plan, then their response should not be to change the target but to change the processes needed to achieve the Action Plan. (**A Member:** Hear, hear.) If formulating a plan needs more resources, then that should be the starting point and CoMin must recognise this urgent need.

We should choose to set a 45% 2030 target, because that is what we consulted on and that was what was supported. We should choose to set a 2030 target, not because it is easy but because it is hard, because it will challenge us and because it will force us to make hard decisions, not kick them down the road so they end up in the next administration; that has happened for far too long. I agree with Mr Ashford: it is time to stop debating and start doing.

Several Members: Hear, hear.

The President: I call on the Hon. Member Mr Mercer.

Mr Mercer: Thank you, Mr President.

I agree that an interim target is a good idea, and of course the concept is enshrined in law in the Climate Change Act 2021. It is necessary to focus minds, attention and effort for meaningful reduction towards a net-zero future. The interim date suggested by this motion does not do that.

We have seen no meaningful reduction from any Government Department or public body since the declaration of climate emergency nearly three years ago. What are we waiting for? The lack of action – and I would like to make a distinction between strategic action and tactical action here; I am talking here about tactical action – is leaving room for doubt among those who are not yet convinced. The best way to bring people with you is to demonstrate your own commitment to the goal.

No one said that achieving a high ambition target was going to be easy. No one said that there would not still be some uncertainty at this stage. When the climate emergency was first announced by the previous Chief Minister in May 2019, people called for ambitious targets and immediate reductions, and we were told that nothing could happen without a Climate Change

Act. The Curran IMPACT Report was produced, which set out realistic and achievable steps towards net-zero and set out the high ambition pathway. Since then, we have had the Future Energy Scenarios Report and we have had the Renewable Heating Strategy Report. These are the strategic actions that I value, and these have been taking place. We appear to be great at producing those reports and that type of plan; if only we had been taking tactical actions in parallel, we would be well on our way.

We are now nearly at the three-year anniversary of the declaration of climate emergency, and there has been no tactical progress towards reducing our emissions. With this proposed date I think we risk further prevarication and delay, and for another 13 years. Our Government appears to have found the can that was kicked down the road by the last administration and they are trying to kick it not just to the next administration but to the one that follows that.

What we have here with this motion from the Cabinet Office Minister is a strange version of high ambition. It gives the same 45% reduction demanded by a high ambition target, but it achieves this by extending the consultation's 2030 deadline by another five years. This watering down of what the public has repeatedly asked for and the dilution of what Government's own expert panel agrees is possible is unacceptable, and for that reason I cannot support this motion in its unamended state.

I was disturbed to hear the earlier comments, during Questions, that it would be 2025 before improved support for renewable generation via the planning system would be in place. Even if you remain unconvinced by the climate change argument about emissions and our part in it, please look at the economics of the situation. Renewable energy is already cheaper right now than all other forms of energy, and that means real savings for the public. Jobs in the renewable sector are already growing despite the lacklustre support from Government. There are ways to rapidly increase the percentage of renewable supply that are tested and that are proven; it just needs the will of Government to make it a reality. I would like to remind Members that during the current pricing crisis for gas and oil the price of the wind and the sun has not changed at all – and it will not, ever. Of course, there are infrastructure costs for any form of energy production, but, unlike gas and oil, there is no input cost of fuel for renewable energy.

The majority of the Manx public are ready for the high ambition target. **(A Member:** Hear, hear.) Businesses are ready for the high ambition target. A 2030 date sends a strong signal of intent. It demonstrates to investors and entrepreneurs that Government is fully committed to a secure and sustainable future for all, where the energy needed to heat homes and power businesses is cheaper and cleaner and does not harm the planet and its people.

Gura mie eu, Eaghtyrane.

Three Members: Hear, hear.

The President: I call on the Hon. Member, Mrs Caine.

Mrs Caine: Thank you, Mr President.

The last six months have seen a massive effort from the new Climate Change Transformation Board and their supporting officers, as both the Climate Change Action Plan and this crucial interim target have been developed and consulted on, leading up to today's important debate.

In addition to the research and development which has informed the interim target and the content of the Plan, the guidance for public bodies in relation to their climate change duties is due to be published very shortly, which will help the whole of the public sector to contribute to reaching the interim target and net-zero.

I am also pleased to confirm that home energy assessments have started for the Green Living Grant Scheme applicants, **(Two Members:** Hear, hear.) and these will accelerate over the coming weeks and months. **(A Member:** Done *one*!)

3995 The interim target itself is of huge importance as the first of our statutory obligations under the Climate Change Act. It is a reflection of the ambition of our Council of Ministers to combat climate change and protect our community from its potentially catastrophic effects.

4000 As the Minister said, the scale of the changes ahead of us is huge and must be planned and managed carefully. We must bring people with us on this journey and set our sights on creating a net-zero society that is fair and prosperous. The interim target before the Court today will, with effort, deliver a significant proportion of the emissions reductions we need to reach net-zero by 2050 at a pace which will enable us to maximise the benefits of change and minimise potential disbenefits.

4005 However, in considering our target, it is also important to reflect on how quickly and significantly the global situation has changed over the last three years, and especially even the last three weeks. We still face the lingering effects of the biggest pandemic for a hundred years, plus energy price spikes, growing inflation, a squeeze on family income and uncertainty about European security – all things we have not seen in decades. This actually adds to the importance of energy efficiency, whether that is for our properties or our transport, reducing energy consumption and energy bills for our community and businesses. Our focus on reducing emissions 4010 from consumption is crucial for all the agendas we face. However, we also have to accept that many families will not feel able to commit to extra change right now, and we need to find a balance.

4015 In terms of the Climate Change Plan, as I explained in my email to all Tynwald Members in February, it was our intention to submit that Plan for approval at this sitting and I had obtained Mr President's permission to do so without the full time on the Register of Business. However, both the Council of Ministers and the Board are of the opinion that the Plan is too important to rush through without allowing Hon. Members sufficient time to consider it. Although the proposals in the Plan were consulted on last summer, I am aware that some Members were not in their seats at that point and others have, understandably, been very busy focusing on their 4020 constituents.

4025 As Chair of the Climate Change Transformation Board, I support the regulations when considered alongside the commitment to bring forward the target date if a way to do so can be identified as we develop the Plan further, ready to bring it to the July Tynwald. I am still firmly of the opinion that we must set a 45% reduction target for 2030, but I also believe it is better that more time is taken to ensure the Plan is appropriate and effective in clarifying how the concerns raised in the interim target consultation will be addressed.

4030 I want to repeat my point about these soaring energy prices. They emphasise the need to improve our property efficiency to minimise heating energy consumption, and similarly vehicle efficiency to minimise our community's energy bills, and we must look again at how this aspect can be accelerated. This focus on reducing energy consumption will help our community cope with the energy price crisis, whilst also reducing emissions. That is really important. Therefore, I support the intention to bring the Plan to July's sitting and, in the meantime, to facilitate as much engagement with Members as possible, so that when we debate and hopefully support it, we do so with a full grasp and understanding of the implications. If that Plan also allows us to bring 4035 forward the 45% interim target to 2030 with a realistic confidence that it is achievable despite the energy price and the war in Ukraine, then of course I will be very supportive.

4040 It is a huge shame the previous administration did not do more, which is why we are all working from a position of increasing emissions. However, if we can almost halve them by 2035, that is still a substantial achievement and keeps us on track for 2050. Few developed nations will have achieved change at that pace, although I accept and regret that many of them started earlier than we have. And of course I would have preferred to have convinced CoMin to set the higher ambition target for 2030 and task the Climate Board with ensuring the Plan sets out to meet that ambition, but I can appreciate Ministers are cautious at this time to set a target in law that cannot be reduced, and I am under no illusion that achieving a 45% reduction would need a significant

4045 change in Manx life within eight years – how we live, travel and how we heat our homes – and yet the majority of respondents narrowly supported that radical culture shift.

I would like to raise one final aspect: the challenge regarding any consultation about climate-related matters is that we mainly receive very strong feedback from two polarised groups of stakeholders – those who want more action sooner and those who do not want any action – with
4050 most of the silent majority remaining silent.

Recent customer insights work commissioned by the Climate team, based on an independent survey of more than 1,200 Island residents, identified that 40% of our Island population are alarmed by climate change, whilst 28% are concerned. Only 7% of respondents of those more than 1,200 were dismissive about climate change. I only have that headline figure and I look forward
4055 to the full survey findings by Island Global Research being published next month. Also, the recent interim target consultation identified a very significant difference in opinions across the age ranges. Maybe understandably, the willingness for action seems to decline with increasing age. Maybe this could reflect increasing wisdom with age, or it could be that people are fixed in their ways and they have less to gain from significant or prolonged change. The tipping point seems to
4060 be during the late 50s and early 60s. However, this discussion should be about the future of our younger voters, who will have to live with the result of our decisions both today and in July.

I mention these two important pieces of context because I am sure we have all been lobbied by both sides and I expect you will recognise those trends. I also realise that I am approaching that tipping-point age. However, I am determined that we should not let down the next generations
4065 just because it is inconvenient and expensive to change. Please let us make sure our legacy for our children's children is one that we can be proud of, by voting for the future.

I wanted to be more ambitious, as did many in the Climate Change team and Board. I know a narrow majority of the 611 consultation respondents also wanted to be more ambitious. However, so much has changed recently regarding the current global insecurities, even since that
4070 consultation in January. I do believe the Council of Ministers have tried to set the right balance in their decision to allow time for momentum to develop, but I would have preferred them to have given a clear declaration of intent and supported the higher ambition pathway, of course, and demand that when the Plan comes forward it presents a credible path to achieve that. I therefore support the amendment from the Hon. Member for Douglas East, Ms Faragher, as I know in my
4075 heart that the planet requires us to set at least 45% as the target for 2030, and we are going to continue to work towards that for compelling environmental and economic reasons.

I noticed people commenting about the work put in and the resources. Well, of course we could do with more resources. When I was informed about the pushback of the date from 2030 to 2035, I did ask Minister Lord-Brennan if I should resign: had I failed? It felt like I was responsible
4080 for failing to bring an acceptable Plan, and I heard an echo of that in the Court today. I am sorry about that, but I can assure you that significant effort, research and whole trains of work are in process; there is so much, and when you go so far down one research for one aspect it opens up a whole load of other considerations. Getting the Plan right and getting a responsible way forward that we can all get behind is essential. I truly want to put in the effort and do that work, so I am
4085 content to continue doing that work until July, when hopefully we can have a debate on the actual Plan before us and whether that will deliver the higher ambition.

Appreciating the difficulties in setting the cart before the horse in some minds – or fixing the target before what is considered a credible plan to get there is produced – I also support the amendment from the Hon. Member for Ramsey Mr Hooper, which commits CoMin to return and
4090 bring forward a more ambitious target for 2030 but stops short of setting it at 45%. I could support 45%, as I have said. I strongly believe we need to continue to work towards that high ambition pathway, but I am willing to come back with a revised Plan and hope to convince Ministers, Members and the public to get behind a more ambitious target.

Meanwhile, it is important that we set a target today if we are not going to break our first legal
4095 obligation under the Climate Change Act. I would urge Members to support the Regulations before them today, amended or not, and, in doing so, set in law a target which, at this time, represents

a strong step forward for our Island in relation to climate change. If this can be improved as we better understand the current rapid shift in global energy and stability, then we should come back and do so, as we are required anyway under the Act. However, for today, we must support some progress so that target can be in place from the first of next month. It is still ambitious and it will require commitment to make it happen.

Thank you, Mr President.

A Member: Hear, hear.

The President: I call on the Hon. Member Mrs Christian.

Mrs Christian: Thank you, Mr President.

One of the benefits of being in the last administration was to witness the Climate Change Bill going through the Houses and seeing the passion held from all of those in Government and those backbenchers – that means I have a good memory. That said, what is clear today is that some of the frustrations back then are the same frustrations now with this simple motion and it all boils down to the assumption made by Prof. Curran, in his aide memoire, that we are on a higher ambition pathway; yet in all of the speeches I recollected and researched not one Member from the then Government would make a clear statement that we were in fact on a higher ambition pathway. My hon. colleagues Mr Chris Thomas and the then Mr Lawrie Hooper called for this statement from the Government, but it fell on deaf ears. There was no such statement made. I had hoped the ambitious action taken by the Chief Minister of creating a Climate Change Transformation Board would, in fact, send a clear message that we are on a higher ambitious pathway, but now I am not so sure. So I would like to ask the same question to this Government and I hope they have the courage to speak clearly in their response and in giving an answer help me to manage my expectations of what our future holds.

I also remember at the time of the Third Reading being an awe of one Member speaking on this subject: Mr Hooper. He eloquently spoke of this higher ambition. In fact, he put it in a way that really struck a chord with me then and does today. He was not passionate about a date, he believed a date was irrelevant but what was relevant was to demonstrate ambition. He talked about grabbing opportunities when they present themselves, and I hear those words echoing in my mind, seeing the same opportunity presented today and, importantly, in Ms Faragher's amendment. Ms Faragher's amendment is clear in seeking a higher ambition. It is demonstrating that higher ambition that Mr Hooper sought back then. This is not just her opinion, but that of 51% of those who responded to the consultation. They want a target of 45% by 2030, and they want our Government to demonstrate that ambition. What concerns me, and should my hon. colleagues, is that we serve the people. I have mentioned this in my speech with regard to the Island Plan. Are we not in a democratic country? If we are, then this Government should be supporting the majority of the respondents; and if we do not, then they are not being represented by their elected officials.

I will go on to say, Members, please think carefully on what you are voting for here today: 45% by 2030 is not just the will of the consultation. I know from speaking to our younger generations that they are worried. They are concerned that we will not reach our targets, and we are adding to that concern by not representing them in the most important discussion of their and our generation.

But let's return to opportunities. If we do not take a democratic decision here today, I ask you what is the point of Island residents completing these consultations? We have an opportunity here to say to the public we are listening, we are hearing you.

Let's look at the economic opportunity. My hon. colleague Minister Allinson assured us in the last administration that we would achieve net-zero by way before 2050. Why? Not only because it is morally the right thing to do, but because it also makes economic sense to drive growth towards a green economy. I am sure, as he is now the Minister for Enterprise, he would not

disagree with his own statement. Let's grab that opportunity now, Minister. Let's drive that economic growth. Let's put the stake in the ground and demonstrate a confident Government with a higher ambition.

I appreciate Mr Hooper's predicament here today, and I am thankful for him bringing his amendment also, because I fear that not enough Members will take the opportunity in front of them in Ms Faragher's amendment, and what we will see is the principle of a majority rule in collective responsibility. Depending on how Members vote today – and I will be watching carefully – will this be the first time we are seeing a flex of an extended CoMin veto? Has the creation of a Climate Change Board meant that these Members are collectively tied to voting with CoMin? I would like some clarity on that.

Minister Hooper, your amendment is an improvement on the original motion. This means that a target will be achieved by 2030, but it is ambiguous as to what percentage – it could be 40% or 35%, or zero by 2030. It is starting to get messy. You once said the Government has tried to walk this tightrope of including targets but not really wanting to include targets. I ask you, Mr Hooper, is your amendment not doing the very same thing the previous Government was doing back then? Forgive me if this is my misunderstanding of your amendment; I am sure you will be able to give me assurances otherwise.

And so I am going to end my comments with these words. The climate change emergency requires an urgent response. Your decision today should reflect that urgent emergency. Voting for Ms Faragher's amendment would give us potential economic advantages, pushing us to grow our green economy faster, and clearly articulates that this Government listens to its people and, importantly, the respondents of the consultation. Let's achieve our common goal through democratic, collective action.

Thank you, Mr President.

A Member: Hear, hear.

The President: I call on the Hon. Member Mrs Poole-Wilson.

Mrs Poole-Wilson: Thank you, Mr President.

I think there is something that I have noticed in, I think, virtually all the contributions so far, which is the key point that this is really about action. (**A Member:** Hear, hear.) I have a strong feeling of *déjà vu*, just like the Minister for the Treasury, and it is not just reminiscing and rehearsing the wise words of the Hon. Member for Ramsey, Mr Hooper, from three years ago, but the fact that we are having a similar debate to the one we had when Mrs Caine first brought her motion around declaring a climate emergency. Then, Hon. Members, we decided not to spend our time going round and round the houses about a target, but we decided to take action and we had the appointment of Prof. Curran and the analytical team and the first action plan.

The Hon. Member of Council Mr Mercer is quite right, strategic actions have been taken. I would also like to thank him in public as the semi-detached Member for Home Affairs leading on our tactical action for our Department climate plan, because he is right: it is time to do things. That is what is important. That is what signals intent. That is what drives ambition.

Hon. Members, we do have a Climate Act. It does set a legal obligation to set an interim target, and therefore we must, I believe, set an interim target today. I do not dismiss the benefits of setting interim targets. It is why they were put into the Act. It is there, as others have said, to signal intent, to signal ambition. Critically, though, it is there to try and get some action. I would say, though, that an interim target in and of itself is not what actually delivers action. It is part of what I hope will drive action, but let's be under no illusion that in 2019 a climate emergency was declared and a number of people have spoken today about the lack of action in the previous administration. I would stand here today, Hon. Members, as someone who is deeply committed to us taking action – I was in the last administration and I remain so. It is action that counts, and I

4200 do worry that we do not spend undue amounts of time debating things that are not really about delivery.

I think the Hon. Member Mr Glover made the really important point that in an earlier debate today on the difficult situation in Ukraine and how we should act there, the point was made that we are in an economic war. And the Hon. Member for Garff, Mrs Caine, has made the point very eloquently that things are changing so rapidly that the pre-existing energy crisis and now spiralling inflation, compounded by the situation in Ukraine ... if that does not focus the mind on action and the importance of us decarbonising our electricity and ceasing our reliance on fossil fuels, I am not sure what will. And so, actually, in the horrendous situation that we see with war in Europe, if there were to be a very faint silver lining in amongst that, it would be that it focuses the mind on acting, decarbonising, stepping away from fossil fuels and getting our show on the road.

I also think that others have made the point that the economics do not lie, that there is opportunity in taking action, and I really do not think we should lose sight of that at all. So even for people out there who do not subscribe to the climate emergency, there is so much compelling reason to act and to move ourselves to net-zero. The case in my mind is unarguable.

4215 But the critical point that we must not lose is that this is not for Government alone. The point has been made that whilst Government must take certain strategic actions and, indeed, tactical actions, we also need the people of our Island to act. They are the ones who need to look at their homes, how they live, their transport, and whilst Government can set the framework and can set an action plan and can provide budgets, and we can determine how to apply that budget, ultimately significant change is needed by all of us if we are serious about decarbonising and reaching net-zero. For me, that is why bringing forward the Plan is so important.

The Hon. Member for Douglas South, Mrs Christian, has talked about not listening. It was a consultation, Hon. Members; it was not a referendum. In the responses to the consultation, as well as the 51% who spoke in favour of 45% or more by 2030, others voiced concerns. My worry is we do, as the Hon. Member Mrs Caine has pointed out, have a polarised debate going on at the moment. This is a whole societal issue. It worries me deeply that we persist in having a debate which revolves around extremes and that we do not have a discussion that brings along the however many people above the 611 who actually responded to that consultation. We must show the how and the what: how are we going to get to net-zero; what are we going to do; what will people be able to do; and how will they be able to do it? That is critical if we are really, seriously going to be on this journey properly, bringing people with us and enable all the action that we really need to see.

I agree with Mrs Caine that there is also concern when you look at the age profile of how the responses came to the consultation. I agree with her that it is younger people who overwhelmingly look for higher ambition and look for action, and it is their future that we are debating. I support taking serious action to address our climate goals, but we also must, as Mr Hooper pointed out, be aware of all the glasses ranged along the bar, all the people who are in the bar and the need for all of them be brought on this journey and have a stake in how we act. **(A Member: Hear, hear.)**

4240 Hon. Members, I believe we have an overarching responsibility to engage our society as a whole. I believe it is important that the Action Plan, which I do think Mrs Caine and the whole Climate Transformation Board and the officers are working really hard on, and I think their efforts are to be commended and valued ... I think there is no suggestion at all that in not bringing the Climate Plan today there is a criticism of the political Members or the officers. We recognise they are working incredibly hard, **(A Member: Hear, hear.)** but it is important that when that Plan comes forward it is something that we can all engage in, have time to understand and then be able to translate into meaningful action.

4250 And so I am supportive of Mr Hooper's amendment that as we bring forward that Plan we then set that target for 2030. Under our legislation we can move forward, absolutely. What we cannot do is move backwards. I fear that we lose the importance of acting in going round the houses on

detailed debates about what target when, when actually what we really need to do is drive change.

Thank you, Mr President.

4255 **The President:** I call on the Hon. Member, Mr Johnston.

Mr Johnston: Thank you, Mr President.

4260 Setting the 45% reduction by 2035, rather than 2030, is to me a sensible and common-sense reaction to the microeconomic threats that our economy faces. We cannot ignore the realities of the global economic position at the current time, nor the fact that things are going to get a lot harder before they get better. We are facing a cost of living crisis, with the price of energy at its heart, fuelled further by increased food costs.

4265 This does not mean that I do not support the ultimate aim to reach net-zero carbon emissions by 2050, and it is important to keep on track with plans for future renewable energy solutions, as well as common-sense plans to improve home energy efficiency, which in itself will reduce costs of living. But I am concerned about hemming ourselves in to targets in the too near future that only put extra pressure on our economy and living standards. It is also very difficult to see nearer targets when there has not been a clear plan put in place yet on how targets are costed, paid for and achieved and what is expected in the weeks and months ahead.

4270 Let's hope, Mr President, that the current pressures on our economy are short-lived and then perhaps we find ourselves on the higher ambition pathway anyway with continued progress towards carbon reductions. It must be at a pace we can afford.

I support the motion and Mr Hooper's amendment.

Thank you, Mr President.

4275

The President: I call on the Hon. Member, Mrs Barber.

The Minister for Environment, Food and Agriculture (Mrs Barber): Thank you, Mr President.

4280 A couple of years ago, I supported Minister Hooper's motion to move the initial climate neutral target date to 2035, yet when the law came I decided not to support that. It dawned on me that the dates and the legislation were largely irrelevant. We have had dates before and we have missed them. We have had good intention and it has not materialised into action. We have had laws, yet there is nothing to compel compliance.

4285 This is about collective will, not about wrangling over dates and targets. For me, the date is largely irrelevant. It is the actions we will be judged on. Have we managed to transition significantly towards renewables? Have we managed to insulate a large proportion of our homes? Have we enabled people to choose alternate methods of transport?

4290 I believe the small number of respondents to the recent consultation shows that people are fatigued by the details. The majority of those I have spoken to want to see a plan for the future. They want to understand what is expected of them. They want to know how Government will fund the transition in a just way and how it will spend the money already set aside. And they want to see action.

4295 I know of many people in our society who are scared of climate change – ironically, less of the future of our planet and more on the here and now: the financial and societal pressure that will be placed on them. They have had two years of reduced earnings; for some, two years of no earnings. They have seen energy costs rise quickly, and they are continuing to do so.

4300 For those who are concerned, who are not sure how they will make ends meet, who are already worrying about how to pay for food and heating, let alone school uniforms and running repairs, the setting of a higher ambition plan is a worrying time; being committed to something without a plan of how their contribution might look and what might be expected of them.

This should be our priority, and this can be achieved by the publication of the action plan with a corresponding further interim date as appropriate. Let us not put the cart before the horse, let

us carefully hitch the cart to the horse and bring it back for another debate in this Hon. Court in July with all the information available to us.

4305 Thank you, Mr President.

The President: I call on the Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

4310 Firstly, as an Our Island Plan sceptic, I just wanted to clarify my understanding now of the action key dates list in the Our Island Plan programme. For instance, my understanding now is that the five-year action plan, which was to have been published in March 2022 is going to be rolled into the roadmap to net zero by 2050, which will be published on the Register of Business in May 2022, for debate in July 2022. I would like some clarification if that is the intention, or is it just that
4315 everything is published in July 2022 for debate subsequently?

The second point I wanted to make before we start is that given that some things I say might surprise some people, I just wanted to put it on record that I have been taking action throughout my life in terms of a higher ambition pathway for climate change. For instance, I have had a ground source heat pump for all my domestic water and heating since 2006. I have never, except when
4320 Government wanted to punish me by making me work in Ramsey, (*Laughter*) not walked or cycled to work since I started work in 1985. Also, the first thing I did in the Isle of Man was cut down a row of leylandii trees and replaced it with a natural hedge, which was 20 years ago. My personal credibility, I believe, is substantial, so you can perhaps try and wonder what I am going to say now.

The first point is I wanted to associate myself with the remarks that have been made in respect
4325 of this consultation. It was not really a consultation. It was more of a public opinion poll with some very important engagement alongside it. It was only open for four weeks, it was not a huge response compared to, say, the Social Attitudes Survey that has been done more recently and, most importantly, as I think was said by Minister Poole-Wilson, a consultation is not a referendum. That is what elections are for, and I close with that remark.

4330 So we have to be very careful about the polarised responses that we have over a few weeks from an external contractor who was commissioned to do a public opinion poll, effectively, alongside recording some engagement thoughts. And those engagement reports were incredibly important. Douglas Borough Council told us that in principle they supported 'the introduction of a target of 45% reduction in carbon emissions by 2030,' but that was subject 'to the Government
4335 providing financial support for residents, businesses and local authorities in changing to environmentally acceptable practices.' And we have not got those assurances as yet, because we have not got a plan to help us in the action.

The Department of Infrastructure made some incredibly important points about clear guidance around fabric first and energy performance certificates, about alternative heating systems, about
4340 district heating, and the fact that the law that we were talking about with Mrs Caine this morning, that we will work together to illuminate, is underdeveloped yet in terms of district heating, which is a very important part of the heating part of the Climate Change Plan.

Then Manx Utilities, and I just have to quote the consultation response document:

Manx Utilities fully supports the approach to set an ambitious interim target but is concerned by the timescale available in which to deliver the scale of emissions reduction required by 2030. They suggest "flexible provisions regarding timescales" ...

4345 So we have got some very incredibly important engagement feedback to help us understand that yes, targets inspire ambition, but we also have to recognise that the most important thing is action and action comes from planning.

That moves on to the second major point which I wanted to add to what some other people have said, which is I wanted now to open up the actual law around the Climate Change Act to remind some people, in actual fact, what is in the law. The context for me doing that is to remind
4350 ourselves of the basic principle, which I hope the Council of Ministers' Legislation Committee, the

House of Keys and Legislative Council still work on, which is that good law follows policy, policy should never follow law. We have to decide what we want to do and what we are going to do before we go about putting it in place into law. So my personal manifesto commitment, and I presented it as a draft programme for government, very arrogantly, was to settle ‘the vision for fossil fuel use in electricity generation,’ houses and transport as soon as possible for people and organisations, and to lay out a just transition for people and organisations, which would in my mind involve, immediately, an interconnector and immediately a decision about how long gas would be available and immediately a decision about how we were going to repair or renew property, because they are absolutely crucial things.

And are we there yet? We are not, because we are still expecting the Climate Change Plan with the actions, to be debated either in July or in October, November, depending on what the current plan means. Therefore, when we come to look at the law, section 10, setting of interim targets, as hinted at by Minister Lord-Brennan right in the first speech, it is absolutely crucial that we can always bring a date forward and we can manipulate the percentages in one direction, but we cannot in the other direction. But the second point, even more crucially, is in section 11 of the legislation that is now on our statute book, the target-setting criteria, we lay out very clearly some criteria around compliance with that interim target. For instance, we have got to take into account the just transition principles, and are we really doing that if we have not brought people with us? We have got to take into account the economic circumstances, and are we really doing that if we are not clear quite what the economy is and what the advantages are for a small Island economy in the middle of the sea in respect of the economic value of climate change in the globe? Are we taking into account fiscal circumstances? Are we taking into account energy policy, which I am not really sure quite what it is as yet? I do not think so, so any law that we set today which is too ambitious might well fall down under legal challenge, based around the just transition principles and the criteria that we need to take into account when we are setting those criteria.

Therefore, just in closing, I am intrigued with the brilliance often of Minister Hooper. I do think his is a wonderful amendment to keep this Council of Ministers together over this issue, because the sad reality is that the Election and the formation of the Government has failed in the sense that some massive policy issues that we need to be addressing immediately, we do not have the answers to as yet, we are just fudging it as we go along. I regret that and I will do everything I can to help this Government have a clear, ambitious, agreed pathway in respect of climate change, housing and everything else that needed to have been fixed back at the Election and in the formation of the Government. Today we are in the reality where I will be fully supporting Minister Hooper’s amendment, but sadly I cannot mess with law that will probably cost us in expensive litigation that we would inevitably lose, given the grounds I have just laid down.

Thank you, Mr President.

The President: Hon. Members, I think this is an appropriate time to take a tea break, so we shall return at five past six, please.

Court adjourned.

*The Court adjourned at 5.38 p.m.
and resumed its sitting at 6.05 p.m.*

**Climate Change Act 2021 –
Climate Change (Interim Target) Regulations 2022 –
Debate concluded –
Amended motion carried**

The President: We shall resume our debate and I call upon the Hon. Member, Mr Craine.

Mr Craine: Gura mie eu, Eaghtyrane.

It is hard to know where to begin, really. It has been a difficult, is it two hours or something we have been on this now, and hearing people talk about coming back to arguments they have heard before. It is 30 years this year since the Rio Earth Summit, and that is when I started teaching climate change at A-level down at Castle Rushen. It came into one of the new A-level specifications, it was an option to begin with, but it was in a hazard geography section of A-level and we had to cover global warming. We took that on and have been living with that ever since. And here we are, extraordinarily, 30 years later and we could not see where this was going to progress to, but this is the position we are in.

At the start of the week, I proposed to support the original motion, but had enormous concerns. That is where I am coming from. I thought I would support the original motion on the grounds that it did make progress. It did offer us an interim target. It drew a clear line in the sand, and there was the understanding that it could not be pushed back and it could not be weakened. That is where I was at. But there was enormous discomfort with that, is the only way I can describe it – real discomfort with that. My concerns on the level of ambition of that, and whether it is right for us now in the Isle of Man, are absolutely real.

I have spoken in the Court before in terms of the overview of where we are at with climate change. Let me begin with the target year. It makes it clear in the motion, but it has not been picked up really in the discussion so far, the 45% reduction is actually not a 45% reduction on the 1990 figure, which the other countries are looking at. It is on the 2018 baseline, and that is actually only a 32% reduction on our 1990 figure, because our current position, latest data 2019, we are over 30% up on the 1990 figure. So we have not just not made progress, we have had a terrible time. We are 31% up. The UK is 51% down over that period, from 1990. So there is this massive gap. We are way behind. We have got a lot of catching up to do. We have got it all to do in terms of going ahead. But okay, we are where we are. We have started late.

The feeling on the Climate Change Transformation Board was that the 45% target from where we were in 2018 by 2030 was perhaps as ambitious as you could be. Indeed, when you looked at it, it would be absolutely critical that we were getting in the new interconnector, which all the future energy scenarios had assumed, there would be a new interconnector. We would need the new interconnector in and that will be crucial, to get that in place before we could get down to anything like the target that we have got. So I am concerned about the level of ambition.

We have got it all to do. We have got the ‘fabric first’ insulation bit, which was a new phrase for the Speaker earlier today, we have got to decarbonise electricity, we have got to decarbonise heating, we have got to decarbonise transport. This is all to be done and the degree of uncertainty and decarbonisation that has been thrown in by the possibility of will we continue generating electricity using gas is real. It is absolutely real. The level of uncertainty that that is creating, it would be good when we reach the point where that is out of the way.

I would prefer a target date of 2030. That follows the high ambition pathway. So that follows 45% by 2030. That is what we had in the James Curran Report, that is where we thought we were moving towards. The date by 2030 ... the science tells us that we have to act early. Indeed, that was one of the most powerful messages that came through from COP26: that we have got to get the emissions down sooner than we thought. Why? Because climate change is happening faster than we thought. We know that, in terms of the climate change, it is unequivocal, is the phrase used by the IPCC, that climate change is being caused by human activity. So we know what is happening. It is happening quicker, it is having more rapid effects. Some of the Members already today have spoken about the changes to everything, from wildfires to acid ocean to increased intensity of rain and all of that happening. But the latest IPCC report, just this month, added some bits to that. It added the fact that 40% of the world’s population are vulnerable as a result of climate change. It confirmed in the IPCC report, the articles going right back to 2018 that appeared in *The Lancet*, the estimates of a billion climate change refugees by the end of the century. A *billion* climate change refugees. This is the scale of the problem. It highlighted the fact that maize growing

and bean growing in Africa is about to disappear. It is reaching the point where it is at the very edge of vulnerability. We are seeing these pictures firming up in front of us.

4445 By shifting the transition pathway from a 2030 peak decline, because the transition pathway, as it exists, was showing our emissions are going to drop slowly at first, then they speed up, then we hit the interim target 2030, then they begin to level out and it gets harder and harder and harder to reduce the emissions as we are getting towards this net-zero. If we shift that line back five years, to a 2035 steep drop, my calculations were that that will mean the Isle of Man will
4450 produce an extra 1½ million tonnes of carbon dioxide because of that delay. It is a serious shift in there. By moving the interim targets to 2035, I agree with the comment, it really would kick the can down the road by two administrations. That is a very clear picture of it. It risks slowing the actions to reduce the emissions. I think it will actually make it harder to reach the 2050 target, if we are not getting to 45% down until 2035. It really becomes seriously unambitious.

4455 Reducing the emissions over the short term needs to be a high priority for us. The later we get started the harder it will be to achieve it. And I just remind you, this is code red. The UN Secretary-General: this is 'code red'. The Earth is at code red. The Earth is 'hanging by a thread', some of his comments. We are aware, and it was stated again in this month's IPCC report, many of the climate changes are already irreversible. We have a very serious problem. Our eye is off the ball because
4460 of Ukraine and all the other things that are going on. It is easy to understand that, but it does not mean it is shifting. I know in another parliament, not a million miles away, it was suggested that the Ukraine and the current energy issues could give us a 'climate change pass'. In other words, we do not have to do anything, and it was rejected – of course it was. There is no 'climate change pass' here.

4465 Where are we now? Some speakers have suggested a principle of no target without a plan, but that is exactly what we have got with the 2050 target and no Plan to get there. It is exactly what we have got. It is the same thing. Is it possible to produce the sort of Plan that some people want? We are talking about the Isle of Man in 2030, if we take the earlier date. We do not know what the population is going to be – one issue. We do not know what the economy is going to be doing.
4470 There are so many unknowns over that eight-year period. Extend it to 2035, there are even more unknowns. What will we be like in 2035? It is so hard to project, to look ahead to that.

We have in front of us now one motion and two amendments. But with the original motion, 45% by 2035 – and this begins to sound like *Dragons' Den*, really: 'We'll give you 40% of what you want in return for the ...' (*Laughter*) or whatever. We have the motion 45% by 2035, but it comes
4475 with an assurance, and I see it as that, that if a credible route to achieve the target by an earlier date can be identified, then the Council of Ministers will bring the target forward. In other words, the 45% *could* become a 2030 target if the credible route exists. Then we have got one amendment, Mr Hooper's amendment, which differs very little. It offers a firm 2030 date, but no firm percentage. So it is the counter-offer, if you like. One offer is it is a definite 45%, but it is 2035
4480 or sooner, the other is a 2030 certainty, but it could be 35% or 45% or whatever. Then the second amendment, Ms Faragher's amendment, 45% by 2030, but that depends on if the new regulations gain approval in July, and we do not know if that would have CoMin support or anything.

So all of these seem to promise the possibility of a 45% reduction by 2030, if we can get the climate transformation Action Plan in place. I see the challenges for the Climate Change
4485 Transformation Board: where do we pitch the Plan, if we do not know what its date ties? Are we producing a Plan for 2030 or 2035, and does that change the Plan? Are we producing a Plan that assumes we are decarbonising electricity production, or is that an uncertainty? So it actually makes the job for the Climate Change Transformation Board very difficult.

Having said that and pointed out how the motion and the amendments all perhaps take us to
4490 the same place, the only thing I can come out of it with is it is absolutely crucial that the Climate Change Action Plan continues to be as ambitious as possible and works towards that 2030 date for a 45% reduction in emissions, and that means it is crucial that we begin having a clear route through decarbonisation of electricity production, that we crack on with insulation, that we get an interconnector in place and all of these other things to stand any chance of making the 2030

4495 date. My overall position: I am still uncomfortable with where I am at, as a member of the Climate
Change Transformation Board, but one who has got a claim on a prior commitment from 1982,
when I started teaching climate change issues in a school, I think that the one that says most
clearly that we get a 45% reduction by 2030 is Ms Faragher's amendment. That is the one that I
am inclined to lean to for now, but if this debate continues, I cannot say with any certainty that I
4500 have got to hold that position. I think it is difficult.
Gura mie eu, Eaghtyrane.

The President: I call on the Hon. Member, Mr Peters.

4505 **Mr Peters:** Thank you, Mr President.

I was not going to speak to this motion this evening, because everybody knows my position as
far as the man-made climate emergency is concerned, and nobody agrees with me, (*Laughter*) so
we know that. I am not going to change any minds. But I just thought a note of caution.

Members have expressed great passion for an increasingly urgent response to climate change,
4510 not least because a TV presenter and a truant schoolgirl tell us that that is what we ought to be
considering important. Members make it sound as if the Isle of Man can stop climate change – we
cannot. Let's consider the reality. Mr President, we could spend a billion pounds tomorrow and
achieve net-zero in a year: it would have zero effect on global warming. We should stop
pretending that we are saving the world. Without any intervention, we will go cleaner and greener
4515 as the technology evolves, as it is doing. Forcing that evolution will cost Manx taxpayers hundreds
of millions of pounds, and for no real benefit.

Thank you, Mr President.

The President: I call on the Hon. Member, Mrs Sharpe.

4520 **Mrs Sharpe:** Thank you very much, Mr President.

This is a tough one. My heart is with Ms Faragher. We need to be doing as much as we can for
the environment as fast as we can. At the same time part of my head, just a little bit, is with Council
of Ministers. They have, after all, overall responsibility for making sure there is a comprehensive
4525 strategic plan in place, that everyone is on board and that no one gets left behind.

What has been clear throughout the debate is that no one is sure which way the vast majority
of the population would like us to vote today, because, as has been pointed out, we have not had
a referendum on the subject. Maybe the vast majority would mirror the lady I interviewed outside
Dealz when asking the public how they would like us to vote on the new ferry terminal. She said,
4530 'I don't like what it's going to cost, but we've got to have it, and that's the way with these things.'
If we translate that to what we have before us today, when faced with the cost of moving quickly
on this, added to the impact of the economic war we have just found ourselves in, perhaps the
vast majority would say something like, 'We don't like what this is going to cost, but we've got to
have it, and that's the way with these things.'

4535 As far as the public is concerned, I do not think the majority really mind whether we decide on
2030 or 2035 for our interim target. It is what we *do* at the end of the day that is the important
thing. But if we hurry towards 2030, will we see increased mistakes? Will we hurtle down the
wrong path? Or will we have greater clarity? If we had not just lived through COVID, I would be
inclined to say take a bit longer and get it exactly right, but COVID showed Government at its best,
4540 I would say. The Isle of Man Government was superb in the way it pulled together, with a very
clear target and sorting out the red tape on the side as the Plan continues to move forward, rather
than allowing red tape to put the kibosh on a project.

Bearing that in mind, I wonder if we should really be a little more bold, because we have proved
that when the pressure is piled on, the way forward can suddenly become very clear. Charter a
4545 plane to Ukraine – we can do it. This administration can do this stuff. At the same time, I appreciate
we need a comprehensive Plan. I understand that. But in the words of Dr Haywood, if the Plan is

not ready yet, then something is wrong with the process, so let's fix the process now. Let's give Mrs Caine's Board the extra resources it requires, and that should really be a definite that comes out of this debate today.

4550 So which way to vote? I am minded to vote for Mr Hooper's amendment because he calls for further regulations to introduce appropriate interim emissions reduction targets to be achieved by 2030 in line with the Climate Change Plan. We do not know what percentage it is going to be, but on the other hand, we still have the ability at the time to debate what percentage it should be. And if we disagree with what the Council of Ministers comes up with, then we can make our views known. So I think, on balance, I will be voting with Mr Hooper.

4555 Thank you, Mr President.

The President: I call on the Hon. Member, Mrs Corlett.

4560 **Mrs Corlett:** Thank you, Mr President.

It has been said many times today that in the past the can has been kicked down the road and now the can has been picked up. But we should not just pin it to the target: we need to keep hold of the can and pin it to the Plan. Mr Henderson said the need is crystal clear, the aims are crystal clear, and in my opinion we need a clear Plan of how to achieve those aims. Then we can set the targets, because without a Plan, we are on the road to failure.

4565 We have to be realistic. This is a huge undertaking. It will impact each and every one of us, both financially and in the way we live our lives into the future. We should do as much as we can as soon as we can, and it should be within a planned budget framework. Mr President, as we have to support a date today, I intend to support Mr Hooper's amendment because it will directly link the target to the Plan and to the cost.

4570 Thank you.

The President: I call on the Hon. Member, Mrs Maltby.

4575 **Mrs Maltby:** Thank you, Mr President.

At school, my teachers' reports would often say that 'Sarah meets her targets, but is often let down by her continuous talking.' *(Laughter)* I know, who would believe it?

The Speaker: You have come to the right place!

4580

Mrs Maltby: Yes, exactly. *(Laughter)*

Although my teenage self would not see it, my teachers were probably right in suggesting I should *try* and exceed my targets to reach for that higher ambition. I am too late now to rectify my teenage tardiness, but not too late to have another go to try to meet a higher target at least once in my lifetime.

4585 What message does it send to our children that we could have done more, but it felt too difficult to do so? We have often heard it said in this Court how we are custodians of this place – birds of passage. Surely that could not be any more true when we are referring to our Island. With this in mind, I will be supporting my hon. friend for Douglas East's, Ms Faragher's amendment.

4590 Thank you.

The President: I call on the mover to reply.

Ms Lord-Brennan: Thank you, Mr President.

4595 I am not going to go into detailed summings up of all the contributions, because I think that really what we are hearing here is that mainly we really much are on the same page. There has been a lot of talk around needing action and plans. Interestingly, this has been about the interim

target that would be set in the full acknowledgement that we know that we need those Plans in order to move things forward seriously.

4600 There is no doubt over this Council of Ministers' commitment to achieving the climate change transition that we need and the overall targets. This is absolutely not about kicking the can down the road. I think it has actually been helpful to realise that there is a way through this which is not about taking one of two juxtaposed positions, two camps and really our job is to think about the Island overall and the balance in that and be careful that, as we are setting things, we are not
4605 doing so on a basis that is not sufficiently informed. Obviously there is a lot, as the Climate Change Act requires both a Plan and also for the target-setting criteria to be considered.

I think that Mrs Caine, as Chair of the Climate Change Board, has got a huge job, along with her other political colleagues on that, along with the Climate Change team, and I think she is doing a great job. We need to support that together. It is not something that is easily done, but in the next
4610 few weeks there will have to be this Climate Change Plan that is brought forward. Then we can feel in a much more comfortable place together on this.

I think that the opportunity to look further at setting other interim targets that go beyond the ambition stated in this motion is available to us, and that the motion from Mr Hooper is the right way to go on this. What I would be concerned about is that we set a target where actually we
4615 cannot currently explain to the public what that means, what it costs, how we are going to do it. I think that that, at the current time, is an untenable position to take and that, within reach, within the next few months, we will be in a much better position to be able to confidently show how we are going to move forward with this.

So I think that we need to get some balance in this. Do not doubt the ambition. I am happy to support the amendment from Mr Hooper, and actually his comments there made me think ... He was reflecting back on what it was like before this came forward, prior to this administration. I absolutely remember in Legislative Council, when this Bill was going through, having many of the same concerns. I look back to that sitting and say, actually, what matters is action. It is the case that this administration now is having to seriously deal with this, because what has happened
4625 before has been this focus on legislation, regulations, targets – stuff on paper. That is not going to help us. Stuff on paper is not going to help us get through this. So I think that there is a chance to recognise that it is urgent, of course it is, but also to realise that we need to bring people with us, to have that chance to have further informed targets down the line.

So in that responsibility, in that duty that we have, as well as signalling that ambition ... And
4630 there will be a chance to about this yet again, when the Climate Change Plan, along with the road map, which will come together, and it will come in July, to speak about this all again from a much better informed position.

Do not doubt the intent and the commitment from the Council of Ministers. I will support the amendment from Mr Hooper. I beg to move.

4635 Thank you, Mr President.

The President: Now, Hon. Members, we come to voting on this Item, Item 7. The motion is as set out on the Order Paper and to that motion you have before you two amendments, one in the name of Ms Faragher and one in the name of Mr Hooper.

4640 The two amendments are mutually exclusive. If one succeeds, the other fails. I intend to put Ms Faragher's amendment first. If Ms Faragher's amendment carries, there will be no need to put Mr Hooper's amendment separately. If Ms Faragher amendment fails, I will put Mr Hooper's amendment. I hope that is clear.

So, Hon. Members, I put to you first the amendment in the name of Ms Faragher. All those in
4645 favour, please say aye; those against, please say no.

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

In the Keys – Ayes 9, Noes 14

FOR

Mrs Caine
Mrs Christian
Ms Faragher
Mr Glover
Dr Haywood
Mrs Maltby
Mr Smith
The Speaker
Mr Wannenburg

AGAINST

Mr Ashford
Dr Allinson
Mrs Barber
Mr Callister
Mrs Corlett
Mr Crookall
Ms Edge
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mr Moorhouse
Mr Peters
Mrs Poole-Wilson
Mr Thomas

The Speaker: Mr President, in the House of Keys, 9 votes for, 14 against.

In the Council – Ayes 3, Noes 5

FOR

Mr Craine
Mr Henderson
Mr Mercer

AGAINST

Mr Greenhill
Mrs Kelsey
The Lord Bishop
Mrs Maska
Mrs Sharpe

The President: Legislative Council: 3 for, 5 against; amendment fails.

Now, that having been lost, I now put to you Mr Hooper's amendment. All those in favour, please say aye; those against, please say no.

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

In the Keys – Ayes 22, Noes 1

FOR

Mr Ashford
Dr Allinson
Mrs Barber
Mr Callister
Mrs Caine
Mrs Christian
Mrs Corlett
Mr Crookall
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Moorhouse
Mrs Poole-Wilson
Mr Smith
The Speaker

AGAINST

Mr Peters

Mr Thomas
Mr Wannenburgh

4650 **The Speaker:** Mr President, in the Keys, 22 votes for, 1 against.

In the Council – Ayes 7, Noes 1

FOR

Mr Greenhill
Mr Henderson
Mrs Kelsey
The Lord Bishop
Mrs Maska
Mr Mercer
Mrs Sharpe

AGAINST

Mr Craine

The President: Legislative Council: 7 for, 1 against. Amendment carried.

So I now put to you the motion as amended. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. (**A Member:** Divide.) Did I hear division? (**The Speaker:** Yes.) Yes, sorry. Division called.

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

In the Keys – Ayes 23, Noes 0

FOR

Mr Ashford
Dr Allinson
Mrs Barber
Mr Callister
Mrs Caine
Mrs Christian
Mrs Corlett
Mr Crookall
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Moorhouse
Mr Peters
Mrs Poole-Wilson
Mr Smith
The Speaker
Mr Thomas
Mr Wannenburgh

AGAINST

None

4655 **The Speaker:** Mr President, in the Keys 23 for, none against.

In the Council – Ayes 8, Noes 0

FOR

Mr Craine
Mr Greenhill
Mr Henderson
Mrs Kelsey

AGAINST

None

The Lord Bishop
Mrs Maska
Mr Mercer
Mrs Sharpe

The President: Legislative Council: 8 for, none against. Therefore, motion carried as amended.

**8. Inquiries (Evidence) Act 2003 –
Inquiry into extending Ramsey town’s boundary –
Motion carried**

The Minister for Infrastructure to move:

That the powers of the Inquiries (Evidence) Act 2003 shall be exercisable in relation to an Inquiry into the proposal by Ramsey Town Commissioners to extend by Order, the Boundary of Ramsey Town.

The Inquiry is caused to be made by the Department of Infrastructure pursuant to section 6(2) of the Local Government Act 1985. [\[MEMO\]](#)

The President: We now move on to Item 8, Hon. Members, and I call on the Minister for Infrastructure to move.

4660 **The Minister for Infrastructure (Mr Crookall):** Thank you, Mr President.

As part of its duties and functions relating to local authorities, the Department of Infrastructure is statutorily obliged to consider requests from local authorities wishing to alter the boundaries of their districts. Section 6(1) of the Local Government Act 1985 states:

The Department may, on the application of the local authority for any district, by order alter the boundaries of the district.

4665 The Department has received such an application from Ramsey Commissioners, seeking to adjust the boundaries of Ramsey Town. This includes proposals to adjust the boundary of the Lezayre and Maughold wards of Garff.

As part of the process for determining whether to make an order, the legislation requires that a public inquiry be held to give stakeholders and interested parties an opportunity to comment on the proposals.

4670 The purpose of this motion is to seek Tynwald’s approval to apply the powers of the Inquiries (Evidence) Act 2003 in relation to the required public inquiry. The motion, if approved, will empower the chairman to require persons to attend the inquiry, to give evidence under oath, and to produce documents relating to any matter in question at the inquiry. The provisions of the 2003 Act also offer any witness to the inquiry the same immunities and privileges as if he or she were a
4675 witness in civil proceedings before the High Court. This motion will also ensure that the proceedings are held in public and enable the chairman to determine costs and to attribute liability to meet the costs of inquiry to any or all parties.

4680 The purpose of this motion is solely to seek Tynwald approval to powers of the Inquiries (Evidence) Act 2003 being used in relation to the public inquiry. It is not seeking approval to an inquiry being held, and furthermore, the legislation does not stipulate that Tynwald’s approval be sought to allow an inquiry to be held. Therefore, regardless of the outcome of this motion, it is still the intention that an inquiry will take place, either with or without exercising the powers of the Inquiries (Evidence) Act 2003.

4685 After the inquiry, the Department will consider the chairman's report, which may or may not recommend that an order be made to adjust the boundary of Ramsey Town and, consequently, Lezayre Commissioners district and Maughold ward of Garff. Should the Department determine that an order is made, the order will be subject to the approval of Tynwald.

Mr President, I beg to move the motion standing in my name.

4690 **The President:** I call on the Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

I beg to second and reserve my remarks.

4695 **The President:** I call on the Hon. Member, Mr Johnston.

Mr Johnston: Thank you, Mr President.

4700 If I may, I stand to oppose this motion for inquiry in principle. I do want to put on record my opposition to the proposal to extend the Ramsey Town boundary into the parish of Lezayre. Whilst canvassing for the General Election, on the subject it was made clear to me by the vast majority of constituents living round the town boundary of Ramsey that they wished to remain in the parish of Lezayre as it is now, and in the constituency of Ayre and Michael as it is now, and not be absorbed into Ramsey.

Thank you, Mr President.

4705

A Member: Good shot! *(Laughter)*

The President: We hope you are okay.

I call on the mover to reply.

4710

The Minister: Thank you, Mr President.

I thank my hon. seconder and also Mr Johnston for his comments, which are now on *Hansard*.

I beg to move.

4715 **The President:** Hon. Members, this is Item 8 on the Order Paper. All those in favour, please say aye; those against, please say no.

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

In the Keys – Ayes 19, Noes 1

FOR

Mr Ashford
Mrs Barber
Mrs Caine
Mr Callister
Mrs Christian
Mrs Corlett
Mr Crookall
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Ms Lord-Brennan
Mrs Maltby
Mr Moorhouse
Mrs Poole-Wilson

AGAINST

Mr Johnston

Mr Smith
The Speaker
Mr Wannenburg

The Speaker: Mr President, in the Keys, 19 votes for, 1 against.

In the Council – Ayes 7, Noes 1

FOR

Mr Craine
Mr Greenhill
Mrs Kelsey
The Lord Bishop
Mrs Maska
Mr Mercer
Mrs Sharpe

AGAINST

Mr Henderson

The President: In the Legislative Council, 7 for, 1 against. Therefore, motion carried.

**9. Population balancing –
Establishment of a Select Committee –
Amended motion carried –
Mr Craine, Dr Haywood and Mr Thomas appointed**

The Hon. Member of the Council, Mr Craine, to move:

That Tynwald:

- (a) recognises the demographic challenges facing our Island;*
- (b) recognises the long-term implications of population imbalance ;*
- (c) accepts that this is often a complex problem that cuts across many different Government Departments covering housing, education, health care, well-being, employment and economic growth;*
- (d) appoints a Select Committee of three members:*
 - (i) to clarify the demographic challenges;*
 - (ii) to investigate the underlying causes of these challenges and imbalances and explore where existing policies may inadvertently contribute to the issues;*
 - (iii) to assess the policies, programmes and measures that could be put in place by Government to tackle demographic challenges; and*
 - (iv) to publish by the last day of December 2022 a report to Tynwald with recommendations.*

4720 **The President:** We now move on to Item 9, Population balancing, and I call upon the Hon. Member of Council, Mr Craine, to move.

Mr Craine: Gura mie eu, Eaghtyrane.

I beg to move the motion standing in my name appearing on the Order Paper.

4725 Over the past 10 years the total population of the Isle of Man has changed little, but there have been some very significant changes in the structure of that population and these have resulted in considerable population imbalances. We need to reduce these imbalances where we can, and manage the imbalances where we cannot reduce them.

4730 I plan to refer to three specific imbalances over the next few minutes, starting with the younger age groups at the bottom of the Island's population pyramid, although that resembles more of an

anvil than a pyramid. I will try to summarise these imbalances with the minimum use of statistics, which have already been shared with Hon. Members. I will just offer three figures. You do not know how hard that is for me to do. *(Laughter)*

4735 Imbalance one: the graph of the Island's population structure in 2021 shows a very marked narrowing of the base over the last 10 years for both males and females – gaping holes. Here comes the first statistic. Remember this: between 2010 and 2020, the number of births in the Isle of Man declined by 35%. So there is your first of three figures: a 35% reduction in births. Births are falling around the world, but apparently nowhere faster than in the Isle of Man, and we are left with a lot fewer children under the age of 10 than in the past.

4740 Does this matter? Well, yes, it does. In 10, 15 or 20 years' time when these groups reach adulthood, there will be fewer young people leaving school, fewer entering the workforce, fewer paying taxes, fewer working in healthcare, fewer parents. The gaping holes I refer to at the base of the pyramid will pass up the sides. They will never be filled in. They will still be there, visible in our population pyramid, when these people are in their 70s. The imbalance is quite extreme.

4745 Elsewhere in the world I have heard the fall in births being described as jaw-dropping and described as an asteroid heading our way. Across Europe, other countries with smaller declines in births than here are developing pronatalist policies, policies aimed at supporting young families and encouraging births. We have heard a Statement this afternoon about the Childcare Strategy, which provides support for some of our younger people. We see some actions being taken to address this, but our big picture is there: a 35% reduction in births.

4750 Imbalance two: in the middle section of the Island's population pyramid – the anvil shape I described – the sides are hollowed out. The 15 to 40 age groups are relatively small, a picture that may be very familiar to employers looking to recruit staff. There is some inward movement, but the Isle of Man is losing young adults, especially in the 20 to 24 age group. Permit me to give you a second figure, a second statistic. Over the last two censuses, for every three 20- to 24-year-olds moving into the Isle of Man there have been between eight and 10 moving out. I accept that is a range and a starting point, so it maybe stretches the second statistic, but over two censuses, for every three people moving into the Isle of Man in the 20 to 24 age group, between eight and 10 have moved out. That is our second statistic.

4760 The number of women of childbearing age, usually taken as 15 to 44 years, has also fallen markedly over the last 10 years, impacting on births. We can see the feedback loop – fewer mothers, fewer children, fewer births – passing through.

4765 Many countries work very hard to secure their future workforces and their culture. It is interesting to note in just the past six months the Welsh government's drive to persuade more young people to remain in their homeland amid growing concerns that the percentage of working-age population is dropping to worrying levels. Here is a quote from Vaughan Gething, the Economy Minister in Wales:

We need to persuade more people to stay in Wales, more people to come back to Wales and more people to make Wales part of their story. We want to make best use of the talent we have as well as attracting people to Wales. People move to Wales to retire but it's a great place to work as well.

What are the levers that will work for us in the Isle of Man is something that the Committee I am looking to set up would have to look at.

4770 Imbalance three: the proportion of the population in the Isle of Man aged over 65 years has increased in every census this century; so has the median age of the population, the age at which half the population is older and half the population younger. So here is your third statistic: for both population over 65 and for median age, the Isle of Man is in the highest six countries on the planet. Whatever your definition of extreme is, that has to be extreme. This is already extreme.

4775 We have heard this afternoon about the cost of health and social care and reference to the demographic pressures, and this is part of this picture. It is a picture we recognise, but the Island's age-sex structure showed that the largest age groups are actually in the 50 to 64 age group, so it is inevitable that the population over 65 and the median age will be rising for the next 15 years.

This is perhaps the imbalance that we need ... we are more likely to need to manage it rather than reduce, at least in the short term.

Overall, the Isle of Man has considerable imbalances of population with little sign of improvement in the latest census. This motion proposes setting up a small Committee to look at the population imbalances, to examine policies and to make practical, workable recommendations. Indeed, it will raise awareness of the demographic challenges, which I hope will help Departments focus on how their policies and activities impact on the population balances and identify their own changes.

At this point, I would like to give credit to the valuable work that was undertaken in the previous administration by the then Minister for Policy and Reform, Mr Thomas and the Cabinet Office. The paper referred to as a white paper, 'Meeting our Population Challenges', will provide a good starting point for this Committee with a series of recommendations under familiar headings: declining fertility, emigration of young adults, growing numbers in retirement.

I want to close by emphasising two points. The first is that there is no one factor that will solve these imbalances. Let me use an American quote on the issue of birth rate, for example:

There's no one, fixable issue undergirding ... birth rate decline. It's our work structure — *and* our lack of childcare infrastructure, *and* our student debt, *and* our general lack of safety nets, *and* our decline in collectivism, *and* our hostility towards women, *and* our ever growing consumer debt loads, *and* declining religious affiliation, *and* birth control, *and* climate despair. All of these factors overlap and compound ... [the challenge].

While I might want to offer a different set of issues in that quote, perhaps with some overlap, I hope you get the picture. Births and also migrations, both inward and outward, involve personal decisions and responses taken at the level of the single household or the individual. There is no simple single factor involved. We will need to align policies across Government, across the Island Plan, to have an impact on our population imbalances.

The final point I would like to emphasise is that whilst there might be some quick wins to be had, these population imbalances are not all going to disappear quickly. On an Island where the economy and the community and demographics are always interlaced, we need to be constantly mindful of our population balance. So many aspects of our future depend on this.

I beg to move the motion as laid out on the Order Paper.

Gura mie eu, Eaghtyrane.

The President: I call on the Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

I beg leave to second and reserve my remarks.

The President: Hon. Member, Mrs Sharpe.

Mrs Sharpe: Thank you, Mr President.

I will be brief. As one Member said after my hon. colleague in Council, Mr Craine's presentation on this topic last week, why would you not want a Committee which looks ahead and forecasts the dangers or otherwise of population imbalance?

As we know, the hon. mover has just written a book on the subject of population. He is passionate about it, and I think we would be missing a trick if we did not harness that energy for the greater good – with one caveat: to my mind, such a Committee would have to deliver workable solutions. It takes time for Members and Clerks to sit on Committees, and time is taxpayers' money. It will not be enough for a Committee such as this to investigate and explore and assess and come up with a fascinating report; it must produce solutions and it must tell us what our various options will be.

To this end, I have drafted an amendment in my name, which simply adds to the end of (d)(iii) 'and to come up with workable solutions'. So (d)(iii) would read:

to assess the policies, programmes and measures that could be put in place by Government to tackle demographic challenges and to come up with workable solutions;

I trust that this might give more teeth to the Committee's remit, a Committee which I think would be a very sensible and very useful Committee to have.

Thank you, Mr President. I beg to move:

After the words 'to tackle demographic challenges in (d)(iii) to add the words 'and to come up with workable solutions'.

The President: Hon. Member, Mr Callister.

4830

Mr Callister: Thank you, Mr President.

I am happy to second the amendment from my colleague Mrs Sharpe, from Council.

The President: Hon. Member, Mr Peters.

4835

Mr Peters: Thank you, Mr President.

The Member of Legislative Council who is moving this did acknowledge that a lot of work was done on this some years ago and a report was produced. Are we in danger of reinventing the wheel by going back over old ground, and is his suggestion going to bring anything new to the table?

4840

Thank you, sir.

The President: Hon. Member, Ms Lord-Brennan.

4845

Ms Lord-Brennan: Thank you, Mr President.

I welcome the motion from the Hon. Member of Council, Mr Craine. It is an issue that needs close attention, and I think he has the experience and the interest to look at this. I think it would be helpful for Tynwald and Government to have that input from that Committee on these complex policies.

4850

There has been some initial work, not least identifying the population challenges, that the Hon. Member for Douglas Central, Mr Thomas was involved in. I remember reading that report some time ago and thinking it was very interesting. However, there are a lot of other things that could be looked at, and so I welcome that, and I welcome the proactive approach that I think will help inform future Tynwald and Government policy on this. So I thank him for that, and I would be happy to support the amendment from Mrs Sharpe as well.

4855

Thank you, Mr President.

The President: Hon. Member, Dr Allinson.

4860

Dr Allinson: Thank you very much, Mr President.

In combination with some of the previous speakers, I would like to thank the Hon. Member of Council for bringing forward this motion. I think, however, we need to be very careful with some of the language used around populations. It is very easy to lapse into phrases like 'having an older population is a problem'. Older people are not a problem on this Island, they are part of our community. (**A Member:** Hear, hear.)

4865

We also need to be careful about using words like 'pronatalist'. That can mean different things to different people and has connotations in terms of how you deal with birth rates, sometimes through coercion. So whilst I think his intentions are very honourable, and hopefully this report and this Committee can come forward with some clear recommendations to guide future policies,

4870 I would caution him on the use of the language there, so that it does not seem to be judgemental or going in certain directions.

Thank you.

The President: Hon. Member, Mr Hooper.

4875

Mr Hooper: Thank you very much, Mr President.

Really, I would just like to echo those comments that have been made by my hon. friend Dr Allinson. Pronatalism is quite often associated with policies perhaps more to the right of the political spectrum, and quite often there are areas where the focus is driven by some fundamental religious beliefs. For example, especially around the issue of birth control, there are movements of this nature. If you look at other countries that are following what would be described as a pronatalist agenda, there is also a focus quite often on native births, rather than a population-wide solution; solutions that tend to exclude people who have emigrated, for example.

I would just like the Hon. Member to be very clear about this when he is talking, in some of his remarks around this Committee, and as the Committee hopefully progresses with its work, that it is actually the intention of the mover and the intention of the Committee to follow in these footsteps around expanding choice, supporting policies around things like better childcare, more choice, better leave, better funding. Essentially, I just want to be very clear with my views on this issue that if we are talking about supporting people to have families, it should always be about expanding parental choice and options, and not restricting and controlling them.

The President: Mover to reply.

Mr Craine: Gura mie eu, Eaghtyrane.

4895 Thank you for the comments that have been made. Mrs Sharpe wondered why people would not follow this. Thank you for your comment about my passion on this. I accept what you are saying about needing workable solutions; I accept that absolutely. This is not an academic exercise. The Select Committee will need to come up with workable solutions. You have put forward an amendment. I am happy to go with that amendment. I have no difficulties with that. Yes, workable solutions are what I have in mind, so, yes, thank you for that, and thank you, Mr Callister, for seconding that.

Some comments, then. From Mr Peters: are we in danger of reinventing the wheel? Absolutely not. Where we are has moved on from where we were in 2018, the last time this was looked at. The actions there clearly did not take us a great deal forward, in that we have still got the same problem, so we need a fresh look. I am aware of actions currently running across Government in different areas and interests from different Ministers saying, 'Where do we fit into this?' There is a pattern to it. I think, in the first instance, just raising the awareness of everybody that we have a problem with our age profile will help to move us forward. I am looking for very definite movement. So no, I do not see it as reinventing the wheel, there will be real actions to take at the end of this, but thank you for that comment.

4905 Thank you to Ms Lord-Brennan for her comments. I am pleased she feels able to support this. She commented on some of the previous work that had been done and it is my hope that we would build on that.

Thank you to Dr Allinson. Okay, I take what you are saying. I tend to use demographic language, so when I talk about 'pronatalist' I know exactly what I mean, what I am referring to. When I refer to older people, I am in this group over 65, so I am part of the 22.1% – to give you another statistic – so I certainly do not see older people as a problem at all, I see the imbalance in the population as the problem, but I accept your comments on use of language.

4915 **Mr Hooper:** likewise, I accept his comments there. Yes, this is about – or I hope it will be about – better childcare, expanding options and so on, moving forward, but that will be very much for the Committee to look at which of the areas they are picking up and which of the areas they are

moving forward with. But I accept that entirely and thank you for your comments. I welcome those and take those on board.

I beg to move the motion on the Order Paper.

4925

The President: Hon. Members, we come to voting on this Item, Item 9. The motion is as set out on the Order Paper, and to that motion you have before you an amendment in the name of Mrs Sharpe. I put first the amendment. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it.

4930

Having dealt with the amendment, I now put the motion as amended. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried.

Hon. Members, you have decided to appoint a Select Committee of three Members. I therefore call for nominations.

Mr Callister.

4935

Mr Callister: Thank you, Mr President.

May I nominate my colleague from Douglas Central, Mr Thomas? Thank you.

The President: Mrs Christian.

4940

Mrs Christian: I would like to nominate my colleague, Dr Haywood.

The President: Mr Ashford.

4945

Mr Ashford: I would like to nominate Mr Moorhouse.

The President: Mrs Corlett.

Mrs Corlett: I beg to second Mr Thomas.

4950

The President: Mr Wannenburgh.

Mr Wannenburgh: I would like to nominate Mr Peters.

4955

The President: Mrs Maltby.

Mrs Maltby: I would like to second Dr Haywood, please.

The President: Mrs Caine.

4960

Mrs Caine: I would like to nominate Mr Smith.

The President: Dr Allinson.

4965

Dr Allinson: I would like to nominate Mr Caine, please.

The President: Mrs Caine, did you say? Mr Craine?

Dr Allinson: Mr Craine.

4970

The President: Loayreyder?

The Speaker: I would like to second Mr Craine.

Mrs Sharpe: I nominate Mr Glover.

4975

The President: Mr Glover has been nominated.

Mr Glover: I second Mr Peters.

4980

The President: Mr Glover seconds Mr Peters.
Mrs Poole-Wilson.

Mrs Poole-Wilson: I second Mr Craine.

4985

The President: I think he is seconded already, thank you. Dr Haywood.

Dr Haywood: I second Mr Glover.

4990

The President: I think we have sufficient, so we will close nominations and I will ask the Clerk to read out the names of those Members who have been proposed and seconded – if you kept up with that.

4995

Mr Hooper: Sorry, I would second Mr Moorhouse, Mr President. I assumed he had been. I was just ticking –

The President: Did you? Apologies. I would be happy to accept that, as there was quite a flurry. You are added to the ballot, Mr Moorhouse.

5000

The Clerk: Mr President, the names of the Members who have been proposed and seconded are Mr Craine, Mr Glover, Dr Haywood, Mr Moorhouse, Mr Peters and Mr Thomas.

The President: Thank you.

Now I will ask the Clerk to run the vote, but I would just like to remind you that you must vote yes to three candidates and no to the rest. Clerk, will you please run the vote?

A ballot took place and electronic voting resulted as follows:

Vote Results	
Mr Craine	30
Dr Haywood	19
Mr Thomas	16
Mr Moorhouse	13
Mr Glover	9
Mr Peters	3
Number of spoilt papers	1

5005

The President: We have success. Mr Craine, Dr Haywood and Mr Thomas are all elected. Congratulations.

**10. Payment of rent at a post office –
Extending ability to; consultation; Tynwald update –
Amended motion carried**

The Hon. Member for Arbory, Malew and Castletown (Mr Moorhouse) to move:

That Tynwald is of the opinion that the Department of Infrastructure should extend the period in which its tenants can pay their rent at their local post office at least until the last day of October 2022; that the Department should consult key stakeholders about the opportunity to resolve this issue; and that the Minister for Infrastructure should update Tynwald on this matter in July 2022.

The President: We now move on to Item 10. This Item has not completed the six weeks on the Register of Business. Is the Court content for this to be taken at this sitting?

5010 **A Member:** Aye.

Members: Agreed.

The President: Agreed.

5015 I call on Mr Moorhouse to move Item 10.

Mr Moorhouse: Thank you, Mr President.

I would be grateful if you would please consider, and hopefully vote in favour of an extended timetable ensuring there is time to reconsider the needs of some of the most vulnerable Island residents. The motion simply calls for more time so that a suitable solution can be found. It states:

That Tynwald is of the opinion that the Department of Infrastructure should extend the period in which its tenants can pay their rent at their local post office at least until the last day of October 2022; that the Department should consult key stakeholders about the opportunity to resolve this issue; and that the Minister for Infrastructure should update Tynwald on this matter in July 2022.

I am very concerned about the rushed nature of the proposed change and the way in which tenants are now receiving cold calls and are being told they must make a decision immediately about the way forward. Some are really in a difficult position over this. It is not many years ago we were slowing things down and supporting people with these challenges.

5025 The Department of Infrastructure appears to be ignoring the needs of local people and suggesting this would produce a great cost saving. However, in terms of the actual costs, the Post Office, according to the Minister's Answer in this place last month, was only 0.025% in terms of the administrative charge, there was the cost of the rent book potentially for 250 people.

5030 I have made no reference to the legal requirement to provide a rent book in this motion; the associated costs of that are a red herring. The challenge will bluntly impact on around 250 of the neediest people on Island and we need to show that we are listening. From my perspective, we need to ensure that we do not rush ahead when this could be done at a slower pace without having any major impacts on us but massive benefits for those people.

5035 We must also be aware that Island residents have some limits in terms of their access to cash and this needs to be considered.

Something seriously went wrong in earlier weeks. When this letter was going out, the Department for Enterprise was issuing their Access to Cash Report, and in the third paragraph of the Report it clearly states:

there will still be members of our community who choose to continue to use physical currency and some, who for a range of reasons –

5040 **Mr Crookall:** Mr President, can I just interject?

The President: Point of order.

Mr Crookall: There is too much going on here and I cannot hear the Hon. Member.

5045 **The President:** Yes. (*Interjection by Mr Henderson.*) Yes, there is an amendment being distributed.

Okay, are we content? Please continue, Mr Moorhouse.

5050 **Mr Moorhouse:** Right, so returning to the Access to Cash Report and the third paragraph, the Report clearly states there will be some:

members of our community who choose to continue to use physical currency and some, who for a range of reasons, may not be able to access realistic alternatives.

From my perspective, there are many options available to the Department to consider in the next few months to ensure that all people have adequate solutions. It is possible that the Post Office will be able to offer new ways forward. As we have heard from the Chair of the Post Office, they are a business and they are looking for ways in which solutions can be found.

5055 Also, in terms of the areas of concentration, Jurby and Castletown, potentially Laxey and Peel, if those post offices could go forward offering this service, combining the Markwell House, we would actually have a national network. And also potentially Douglas Corporation could do something, as a significant number of their tenants are paying in cash and they may potentially be able to give the Department of Infrastructure some support and the post offices some support in taking this forward.

5060 Also, it is possible that given the small charge that the Post Office is making for this service, some residents may be prepared to pay slightly higher rents to cover that cost and then they can continue to have that choice of paying in cash.

5065 And finally, there is a possibility that officers from Housing could go to regional centres like Jurby or Castletown where we have got a concentration of these people and potentially have regular collections of their rents.

5070 The key issue that I wanted to think about today is that we have actually got time. Even though the Department say this must be sorted by 1st April, there is no pressing need. That would be ideal in the Department of Infrastructure's world, but when it comes to the Department of Infrastructure, deadlines are not always met. And in terms of the opportunity here, it is a really small group of people who could potentially benefit massively from that additional chance to hear the solutions and the possibilities.

5075 I was able to talk to the Minister earlier, and he was saying, 'We're making real inroads, we're talking to people, we're trying to find solutions', and my key issue is let's have 1st April as a knock-off day when this must be done by, because that is creating stress, it is creating pressure and it is creating too much unnecessary problems for the Department, but also for the people. Let's try and push that deadline out and try and find realistic solutions for the small number of people who are currently in this really difficult situation.

Thank you, Mr President.

5080 **The President:** I call on the Hon. Member, Mr Johnston.

Mr Johnston: Thank you, Mr President.

5085 I beg to second the motion. Whilst it is important to recognise that there has been a change in how people pay for goods and services and that cash is used less and less, it still has an important function for many.

Mr President, the numbers are quite clear. Over the last six months, 72% of local authority housing rent payers in Castletown were paid with cash at their post office. Nearly 85% of rent payers in Jurby are paid by cash in their local post office, their hub, their lifeline. Overall, across the Island, nearly 70% of payments have been paid by cash in our post offices over the last six months.

Of course, some people will change the way they pay. They may already have a bank account and can set up a payment or pay by phone, but many do not have a bank account and do not wish to have a bank account. In fact, many will struggle to open a bank account and even if in theory they could, they would probably lose the will to live whilst trying to wade through the application process.

Many do not drive but are in walking distance from the local post office and do not want to have to get the bus into Douglas to pay cash. Anybody living in Jurby would, I believe, vouch for that.

Mr President, the upcoming Access to Cash Report will help identify the needs of our economy and society and will hopefully provide practical solutions. What we must not do, though, is take away options for people from the equation. We must be mindful that change can disproportionately affect sectors within society, so practical solutions need to be provided.

I support this motion because it provides a welcome and compassionate pause in the headlong journey to become a cashless society so that common sense and practical solutions can be put in place.

Thank you, Mr President. I beg to second.

The President: I call on the Hon. Member, Mr Crookall.

The Minister for Infrastructure (Mr Crookall): Thank you, Mr President, and I thank the Hon. Member for bringing this to the floor today and his seconder for giving me the opportunity. We did have a good chat at lunchtime regarding this, and he used some of those points in his speech, there.

Firstly, may I take this opportunity, as I said, to thank the Hon. Member, and not only for bringing this forward today, but for his support for not just the tenants in his area, but across the Island and I do appreciate that. As my hon. colleagues are aware, earlier this year the Department wrote to all of its 264 public sector housing tenants notifying that from 4th April 2022 an annual rent book will no longer be provided to them, and as a consequence of this modernisation and efficiency of services, it would no longer be possible to make rent payments at the Post Office.

For Hon. Members' information, within the rent books there is a rent card and it is with the rent card which was utilised by tenants who were making payments in a post office. The rent card has a barcode which could be scanned at the Post Office branch to enable the Post Office to collect the rent on behalf of the Department. This barcode used to be produced by the former system used by Housing cannot now be made on the new system Civica, as I related to in the earlier Question in the House of Keys.

The Department of Infrastructure is one of the last few public sector landlords on the Island that are still using rent books, and the Department has to date found no evidence that the private rental sector has used rent books for a considerable period of time. This is because, as with other jurisdictions, the Island's landlords, public and private, have embraced modern technology and have replaced their old methods with the modern ones such as online statements and digital records of paying.

Mr President, in terms of the scale of the issue, of the 1,264 tenants occupying the Department's public sector housing stock, 206 of these customers were utilising the rent cards provided to them with the rent book to pay their rent, and I did say at the last time, I think was between 200 and 250, but it is actually 206. Since the Department has issued its letter to tenants, it has spoken to 156 of the 206 tenants that pay via the Post Office.

The breakdown of the payment methods chosen by 156 tenants that have contacted the Department is as follows: 71 tenants have made arrangements to pay via direct debit; 25 tenants have requested that their rent is paid directly from their income support; 52 tenants will make their rent payments via a range of alternative methods, including by direct debit card over the phone or cheque or standing order. Eight tenants have confirmed they will pay cash at Markwell House. Of the eight cash payers confirmed, six of these tenants have confirmed that they do have a bank account. In addition to this, of 156 tenants the Department was able to speak to, 138 confirmed that they do have a bank account.

Of the remaining 50 tenants that are known to pay at the Post Office the Department has not yet spoken to, eight tenants have since changed their tenancy status, so do not require an alternative setting up system – e.g. they have left their houses, their properties, so they do not need the service anymore. Forty-two tenants have not yet been available to speak to. We have tried to speak to them or get in touch and we have not heard back from them. The Department is continuing to attempt to contact the remaining tenants that pay at the Post Office to arrange for them to pay via alternative payment methods and frequencies.

So as you can appreciate, Hon. Members, the number of tenants who still potentially have an issue that we know about really is very small, with so very few people planning to pay cash at Markwell House. Of the eight tenants that confirmed to us that they will pay cash at Markwell House, six of these tenants either have a bank account or are in receipt of income support or pension, or both income support and pension, making cash payments at Markwell House unnecessary. As we are still to speak to some tenants about alternative rent payments, these figures may well change.

This is not a state that has not been appropriately considered – it has – and with the appropriate approvals given for any cases of extenuating circumstances, the Department is still exploring options. And I want to put that across Mr Moorhouse very carefully: we are still – as we said at lunchtime – looking at every avenue available, and that includes those ones that he mentioned. We are still working on this, and we are getting cases every day that are moving over to a new system.

I would like to confirm that the tenants of the Department can pay their rent via the following payment methods: direct debit; standing order; direct debit card transactions; direct from Government wages; direct from income support or pension; cheque; or cash payments at the housing centre at Markwell House. The new system we have got is called Civica. We have been talking to the local authorities to take that on board and some of them are thinking about it, but if the local authorities are taking that on board, they would be able to go into the local authorities and pay them there. If that is the situation that arises in the near future, obviously tenants will be able to do that. If we have Government offices or ‘hubs’ as Mr ...

Dr Allinson: Hooper.

Mr Crookall: Sorry? Hooper! That is his name! Mr Hooper referred to earlier. Yes, that would be able to do there. Sorry, I forgot your name, Mr Hooper. *(Laughter)*

So the benefits arising from the Civica system far outweigh the costs and liabilities of maintaining the existing housing system. Civica is not a payment system, it is a housing management system of which one of its many functions is to record rent transactions against each tenant’s rent account.

In closing, I would like to reassure Hon. Members that the small number of tenants who may face issues, the Department is doing all that we can to be available to these tenants and to work with on a reasonable solution.

I just want to pick up on a couple of things that Mr Moorhouse said at the beginning. He asked about extending this for six months. Six months is not really any use to us. If we are going to extend the rent book, you would do it for a year. You would not do it for six months. But we do not

honestly believe that we need that. We think we can do that in a much shorter period of time or come to some solution.

He said about consulting with the key stakeholders. Of course that is what we are doing. We are calling them, we are writing to them and we are talking to them. So we are doing that.

I am sorry that he said that some feel they have had what they call 'cold-calling', and if they felt that, if they have got any complaints about that, I would like to know about it because it should not feel as though they are being cold-called on. It is a personal call that they should be getting to ask them to help us to help them – and we are certainly not ignoring anybody.

The rent book charges, as I said earlier: £2,700 and it would be less now obviously because there are not that many rent books that we would need. But you mention the cost of what it is costing the Department a year. It is actually substantially more than that, I found out, over the last three years, but those figures will come down as the number of tenants using it, the system at the Post Office, declines, basically.

So I would ask Members ... You will have in front of you, Hon. Members, an amendment from myself, which reads 'To leave out after the words "That Tynwald is of the opinion that"', and then to add to that:

the Department of Infrastructure should continue negotiations with all key stakeholders regarding rent payments ... [and] should ensure that there is a range of suitable provisions and should update Tynwald on this matter in July 2020.

Beside that, I am more than happy to continue to talk with Mr Moorhouse and anybody else that has issues on this. I believe we can sort this very quickly, Hon. Members, and please, if you would support this amendment in my name.

Thank you, Mr President. I beg to move:

To leave out all the words after 'That Tynwald is of the opinion that' and to add the words: 'the Department of Infrastructure should continue negotiations with all key stakeholders regarding rent payments; should ensure that there is a range of suitable provisions; and should update Tynwald on this matter in July 2022.'

The President: I call on the Hon. Member, Dr Allinson.

Dr Allinson: Thank you very much, Mr President.

I would rise to second this amendment. Whilst I completely understand the rationale behind the mover and also obviously his way he is trying to make sure that particularly his residents who predominantly use some of these services are catered for.

Again, he said that this was a cost-saving exercise, and I think the Minister has made it quite clear that it is not cost saving. It is due to technical changes in their IT system. We need to improve services to all our community, not just to maintain the *status quo*. And actually, in an earlier session, this morning, the Chair of the Isle of Man Post Office went through the very cumbersome, it seemed, impractical nature of using a rent book in post offices at the moment. So I think we can obviously improve the way we deal with payments. On the Order Paper today, we have laid before this Hon. Court the Access to Cash Report, which looks at this in a much broader field in terms of how people interact with Government and interact with other people in terms of finances.

So I think it is absolutely right for the Department of Infrastructure to go away, have a look at all alternatives, talk to the various key stakeholders involved, including the people who are using the payment system at the moment, and come back to this Hon. Court in July with an update. But certainly more than happy to second this amendment.

Thank you.

The President: I call on the Hon. Member, Loayreyder.

5230 **The Speaker:** Gura mie eu, Eaghtyrane.

I think, really, I just rise to perhaps challenge Mr Johnston's maths, because I think those of us listening were initially left under the impression that 85% of people in Jurby paid their rent by cash at the post office. I think that was the impression that many people could have been left with, and that is not the case.

5235 If you look at the figures that have been circulated, what it is is 85% of payments in Jurby made at the *post office* are made in cash. So the vast majority ... I think the Minister said that something like 84% are already made by bank transfer, they are not included in that number. So it is a very small proportion, I think it just stands the challenge of saying that it needs to be accurate in that. And 16% I think was the number that he gave for people who actually pay it in another way.

5240 I do support and I am on record in this place many times in saying that I support the need for choice and being able to access things in the local community, access these essential services in people's local communities, but with that said, I do have every faith in the Minister coming forward with this and will be supporting his amendment.

5245 **The President:** I call on the mover to reply.

Mr Moorhouse: Thank you, Mr President, and thank you for all those positive contributions.

Thank you to Mr Johnston, who actually seconded the motion and highlighted the challenges that many people are currently facing and the importance of having choice.

5250 Thank you to the Minister for listening, to think about solutions and coming forward with what looks like a good solution. The only thing that does worry me slightly is in terms of the April date. Hopefully those people who have not been spoken to have got some kind of leeway, and he is nodding to say that, 'Yes, we will find a solution as soon as possible for those people.'

5255 In terms of Dr Allinson, it is good that you are supporting a realistic alternative and at the same time encouraging those solutions that can work.

Thank you, Mr Speaker, for clarifying a point that Mr Johnston rose. But in terms of the significance, a large number of people were actually using this service and some of them will have no alternative. But fortunately the Minister is looking at those people and hopefully finding solutions.

5260 Thank you very much, Mr President. Thank you.

The President: Now, Hon. Members, we come to voting on this Item, Item 10. The motion is set out on the Order Paper and to that motion you have an amendment in the name of Mr Crookall.

5265 I put first the amendment. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it.

Amendment now passed, I put the motion as amended. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried as amended.

**11. Ukraine –
Waiving visa restrictions –
Item not moved**

The Hon. Member for Douglas East (Ms Faragher) to move:

That Tynwald believes that, in the current crisis, visa restrictions for families of Ukrainian nationals living in the Island should be waived.

5270 **The President:** We move on to Item 11. I understand it is not to be moved, but I might give Ms Faragher opportunity to comment.

Ms Faragher: Gura mie eu, Eaghtyrane.

You are correct, I will not be moving this Item today in light of Mrs Poole-Wilson's earlier statement.

5275 Thank you.

The President: Thank you for that.

12. Tribunals Act 2006 – Financial Services Tribunal (Amendment) Rules 2022 approved

The Minister for the Treasury to move:

That the Financial Services Tribunal (Amendment) Rules 2022 [\[SD 2022/0015\]](#) [\[MEMO\]](#) be approved.

5280 **The President:** We therefore move on to Item 12. I call on the Minister for the Treasury to move.

The Minister for the Treasury (Mr Ashford): Thank you, Mr President.

5285 The Tribunals Act 2006 empowers the Council of Ministers to make rules for regulating the practice and procedure of tribunals. The Financial Services Tribunal Rules 2015, which I shall refer to as 'the Rules', are made under the Tribunals Act 2006 and apply to the Financial Services Tribunal. This Tribunal operates in respect of appeals against certain decisions of the Isle of Man Financial Services Authority, which I shall refer to as 'the Authority'.

5290 The decisions to which the Rules apply are specified in various Acts under which the Authority has powers. These Acts include the Financial Services Act, the Insurance Act (Designated Businesses, Registration and Oversight) Act and the Beneficial Ownership Act. The Rules prescribe procedures for matters such as administrative processes and timescales of appeals, as well as empowering the Tribunal or its Chairman to regulate its own procedure in certain matters.

Since the introduction of the Rules in 2015, eight appeals have been made of which only one completed the tribunal process; five appeals were withdrawn and two recent appeals are in process.

5295 Mr President, the legislation before you today is the Financial Services Tribunal (Amendment) Rules 2022, which clarifies a term within the Rules. Existing rule 6(3) requires an appellant to deliver to the Tribunal's clerk a notice of appeal which contains details including the grounds of appeal. These grounds of appeal are not currently explained in the Rules, however, which has led to uncertainty in the appeals process. Therefore, to correct this omission and add clarity, a new
5300 rule 6A adds three grounds of appeal. These grounds are that a disputed decision may be based on an error of fact, or wrong in law, or that the Authority may have exercised its discretion in a way that was manifestly unreasonable. The three grounds of appeal were primarily based on a provision in regulations from 2001 that preceded the Rules.

5305 The new rule 6A was subject to consultation with the Deemsters, as required by the Tribunals Act 2006, and the Deemsters have no comments to make.

An earlier draft of the new rule was also consulted on for six weeks during summer 2021 by publication on the Government's consultation webpage and the Authority's website. This earlier draft omitted the third ground in respect of discretion. In response to the public consultation, 25 responses were received, most of which used standard wording. The vast majority of these

5310 responses expressed concern that the proposed grounds did not address the Authority's use of discretion. This concern may have been due to respondents being unaware that case law allows the Tribunal to exercise discretion without this being specified in the Rules. Nevertheless, in order to address respondents' concern, the third ground relating to discretion was added to rule 6A following the public consultation. This third ground uses wording that is in keeping with the other provisions in the Rules.

5315 Mr President, I beg to move that the Financial Services Tribunal (Amendment) Rules 2022 be approved.

The President: Mr Smith.

5320

Mr Smith: Mr President, I beg to second.

The President: Hon. Member, Mr Thomas.

5325 **Mr Thomas:** Thank you, Mr President.

Firstly, I would like to thank the officers at the Financial Services Authority for engaging with me properly, despite holidays and things like that, after I put down notice that this secondary legislation could be regarded as contentious.

5330 In essence, there was a feeling in some quarters that the objectives of clarifying how the Tribunal would operate could be achieved through guidance, and also there was a feeling that perhaps those affected were not really aware of the change that was made post consultation, and generally I wanted just to reflect on it. So I am going to summarise. I no longer still regard this legislation as potentially being contentious, but I am going to ask two questions of the Minister, which I hope to get the right answers from, which will reassure people for years to come.

5335 I have been very involved in Tribunal rules over the years. I think the first tribunal that ever took place in financial services was back in 2001 – just after I had chopped down those trees and bought a house so I could walk to work (*Laughter*) – which was chaired by ... It was a mock tribunal for teaching purposes on the Masters in financial services regulation that I was organising at the time. It was chaired by Deemster Doyle and I was the clerk to the tribunal. So I have always cared passionately about this matter.

5340 Question one: can the Minister confirm that things like being *ultra vires* and acting disproportionately and so on are very much matters in law and they will be captured, and they are still very much in the grounds under which you can take a tribunal?

5345 Secondly, I am very interested to learn more about those eight cases that were withdrawn. Were those guilty people who got off and were not struck off, or were they innocent people who decided they just could not go through with the process, given how legal it was becoming? Are we making these changes to protect the innocent or to protect the guilty?

The President: Minister to reply.

5350

The Minister: Thank you very much, Mr President.

Two very good questions. To the first one, in relation to acting *ultra vires*, the answer is yes, it is still a matter in law and people can still in that regard.

In relation to the eight people, we are protecting the innocent, Mr President.

5355

The President: Thank you, Hon. Members.

We have before us Item 12 as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it.

**13. Local Government Act 1985 –
Port Erin General Byelaws 2021 approved**

The Minister for Infrastructure to move:

That the Port Erin General Byelaws 2021 be approved. [[SD 2021/0262](#)] [[MEMO](#)]

The President: We move now to Item 13 and I call on the Minister for Infrastructure to move.

5360

The Minister for Infrastructure (Mr Crookall): Mr President, local authority general byelaws are made by a local authority under the powers of sections 28 and 30(7) of the Local Government Act 1985. Under Tynwald Standing Orders, I have responsibility for reporting to Tynwald on these byelaws. Byelaws are designed to deal with matters affecting a local community, and my role as Minister for Infrastructure is to facilitate the referral of the local authority byelaws to this Hon. Court for approval.

5365

These particular Byelaws regulate various activities in the village district of Port Erin and are aimed at preventing and suppressing nuisances and maintaining the quality of life for residents and visitors. Any person who contravenes these Byelaws commits an offence and would be liable on summary conviction to a fine not exceeding £5,000.

5370

If approved, these Byelaws will come into operation at the expiry of one month from the date of their approval by Tynwald and will cease to have effect on the 20th anniversary of the date on which they came into operation.

These Byelaws have been subject to extensive consultation within the community of Port Erin and have been formally approved by the Port Erin Commissioners.

5375

Enforcement of the Byelaws can be undertaken by the Police or by an authorised officer of the local authority, such as a town warden or byelaws officer.

I invite Hon. Members to approve these Byelaws under section 30(4) of the Local Government Act 1985.

5380

Mr President, I beg to move the motion standing in my name.

The President: I call on the Hon. Member, Mrs Sharpe.

Mrs Sharpe: Thank you, Mr President.

5385

I beg to second.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thanks, Mr President.

5390

Can the Minister advise whether there are any significant differences between these Byelaws that will be enforceable in Port Erin, compared to those that will be enforceable in Port St Mary and in Rushen and Arbory, just across the other side of the road?

The Speaker: You're not coming back! *(Laughter)*

5395

The President: Minister to reply.

The Minister: Not that I am aware of, Mr President.

5400

The President: We beg to move.

Hon. Members, this is Item 13 as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it.

**14. Local Government Act 1985 –
Southern Swimming Pool Board (Amendment) Order 2022 –
Item not moved**

The Minister for Infrastructure to move:

That the Southern Swimming Pool Board (Amendment) Order 2022 [[SD 2022/0029](#)] [[MEMO](#)] be approved.

The President: I understand Item 14 is not to be moved – is that correct, Minister?

5405 **The Minister for Infrastructure (Mr Crookall):** Yes, Mr President.

The President: Thank you.

**15. Income Tax Act 1970 –
Taxes (Ireland) (Amendment) Order 2022 approved**

The Minister for the Treasury to move:

That the Taxes (Ireland) (Amendment) Order 2022 [[SD 2022/0009](#)] [[MEMO](#)] be approved.

The President: We move on to Item 15. I call on the Minister for the Treasury to move.

5410 **The Minister for the Treasury (Mr Ashford):** Thank you, Mr President.

This Order is made under sections 104B and 104C of the Income Tax Act 1970 and implements an arrangement negotiated between the governments of the Isle of Man and Ireland.

5415 In addition to double taxation agreements, the Isle of Man has also signed a number of agreements which are sometimes referred to as ‘mini’ double taxation agreements. These are bilateral agreements that have been signed with a country at the same time as the Island signed a tax information exchange agreement with that country. The Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting does not apply to these mini double taxation agreements. Therefore, in line with the Island’s commitment to Base Erosion and Profit Shifting, otherwise known as BEPS, we invited bilateral negotiations with
5420 existing Treaty partners to update the mini double taxation agreements in line with BEPS standards.

5425 Negotiations to amend the agreement with Ireland have resulted in a protocol which will implement the required measures. The protocol amends the mini double taxation agreement to update both the definitions of ‘Isle of Man’ and ‘Ireland’, so that they reflect the position that has changed since the mini double taxation agreement was signed in 2008, and the mutual agreement procedure so that it is in line with the international standard. It also inserts a new article concerning the entitlement to Treaty benefits, which is to prevent Treaty abuse – that is to say a person’s entitlement to Treaty benefits will not be allowed if the benefit is not in accordance with the object and purpose of the relevant provisions in the mini double taxation agreement. The
5430 protocol was signed by both governments in Cardiff on 18th November 2021.

Mr President, to ratify these agreements, an Order must be approved by this Hon. Court. The text of the protocol is included in the schedule to the Order.

Mr President, I beg to move.

5435 **The President:** Hon. Member, Mrs Maltby.

Mrs Maltby: I beg to second.
Thank you.

The President: Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

In the memo when we were reading through this ... It would just be good to have, I think, on the record that this is not really going to have any resource implications for Treasury. Would the Minister confirm that?

The President: Minister to reply.

The Minister: Thank you, Mr President.

Yes, as far as I am aware, there is absolutely no resource implication. This is the Isle of Man honouring its commitments to international standards.

The President: Hon. Members, this is Item 15, as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried.

**16. and 18. Social Security Act 2000 –
Social Security Legislation (Benefits) (Application) (Amendment) Order 2022 approved;
Social Security Legislation (Benefits) (Application) (Amendment)
(No.2) Order 2022 approved**

The Minister for the Treasury to move:

16. That the Social Security Legislation (Benefits) (Application) (Amendment) Order 2022 [SD 2022/0010] [MEMO] be approved.

18. That the Social Security Legislation (Benefits) (Application) (Amendment) (No.2) Order 2022 [SD 2022/0027] [MEMO] be approved.

The President: Moving on to Item 16. I call on the Minister for Treasury.

The Minister for the Treasury (Mr Ashford): Thank you, Mr President.

With yours and the Hon. Court's permission, I would like to move Items 16 and 18 on the Order Paper together, as they are intrinsically linked; and also have them voted on together, Mr President.

The President: Is the Court content?

Members: Agreed.

The President: Thank you.

The Minister for the Treasury (Mr Ashford): Thank you, Mr President.

The first of these Items amends the Social Security Contributions and Benefits Act 1992 as it applies to the Island in order to provide for a lump-sum payment called the Manx Isolation Payment, worth £300. I actually made this Order on 10th January with it being brought into effect from the same day.

The Manx Isolation Payment is available only to people whose period of isolation begins on or after 10th January 2022. It effectively replaced the enhancement to the rate of short-term incapacity benefit for the first 14 days of an award, but is available to a broader range of people than those who qualify for incapacity benefit, in particular younger workers.

To be eligible for a Manx Isolation Payment a person must be aged 16 or over, but under state pension age, and have registered a positive test for COVID either by self-registration following a lateral flow test or following a PCR test, and been instructed to isolate by the Director of Public Health. They must also: be unable to work as a result of their isolation; be required to isolate for at least four consecutive days; be present in the Island when they make their claim; have been ordinarily resident in the Island at the beginning of their period of isolation; have been working as an employee and earning at least £120 a week on average; or have been self-employed and paying Class 2 National Insurance contributions for at least 13 of the 26 weeks immediately before their period of isolation began; and if employed, not be eligible for sick pay from their employer, or be eligible for sick pay from their employer which is worth less than 51% of the rate of pay they would otherwise receive if they had not been directed to self-isolate and had been able to undertake their work. A person may be eligible for an Isolation Payment only once in any 26-week period.

This Order also makes consequential amendments to other provisions, including restoring the weekly rate of short-term incapacity benefit to £86.55, providing that Manx Isolation Payments are to be made out of the Manx National Insurance Fund and providing that a Manx Isolation Payment is taken fully into account as income for income support and income-based Jobseeker's Allowance that proposes in the week in which it is paid.

As well as making provisions relating to claims, payments and overpayments, it enables Treasury to lawfully share specified data with the Director of Public Health, and for the Director of Public Health to share specified data with the Treasury for the purpose of determining claims for Manx Isolation payments.

The second of the Orders currently before Hon. Members, that is Item 18 on the Order Paper, Mr President, remedies a number of minor drafting errors in Item 16.

Mr President, further information is provided in the memoranda which have been circulated to Hon. Members.

I beg to move the Items numbered 16 and 18 on the Order Paper.

The President: Mrs Maltby.

Mrs Maltby: I would like to second.
Thank you.

The President: Hon. Members, we have before us two Items, 16 and 18. I put first the Item 16 as on the Order Paper. Those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried.

Item 18, as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 18 carried.

17. Merchant Shipping (Miscellaneous Provisions) Act 1996 – Merchant Shipping (Fees) Regulations 2022 approved

The Minister for Enterprise to move:

That the Merchant Shipping (Fees) Regulations 2022 [[SD 2022/0014](#)] [[MEMO](#)] be approved.

The President: We move back to Item 17 and I call on the Minister for Enterprise to move.

The Minister for Enterprise (Dr Allinson): Thank you, Mr President.

5515 These Regulations prescribe fees for services provided by the Ship Registry from 1st April. As
an international ship register the majority of customers are off-Island operators of merchant ships,
pleasure vessels and commercial yachts. This year, the increase of 2% is applied to all existing fees,
as making a more significant increase is not considered possible given the global competitive
environment. In addition to being competitive on fees, to be attractive to shipowners the Ship
5520 Registry must also continue to develop new products and differentiate itself on service delivery.
Therefore, amendments to the existing fee structure are also made to support these
developments.

The most significant of these includes clarifying fees for remote surveys and the introduction
of new green discounts aimed at supporting shipowners who choose to invest in green
5525 technology. This new green discount will give shipowners a 15% reduction on their annual
registration fee. It is available to operators of cargo ships, commercial yachts or passenger ships
that are investing in biofuels, alternative fuels, wind or shoreside energy technology.

To qualify for the green discount, vessels will need to provide evidence that they can use
alternative fuel or other green power sources. This includes alternative fuels such as liquefied
5530 natural gas, liquefied petroleum gas, methanol, ammonia, hydrogen or battery systems. Using
biofuel or biofuel blends also qualifies, as does the ability to use wind-assisted propulsion or wind
energy for power generation.

Finally, the green discount provides incentives to ships that can connect to shoreside power
whilst loading or unloading cargo, enabling them to turn off their main and auxiliary engines when
5535 in port. Initiatives like these contribute to the Island's wider decarbonising agenda, as well as
demonstrating our commitment to innovation and building a world-class Ship Registry.

Mr President, it is my pleasure to move this motion standing in my name.

The President: Hon. Member, Mr Callister.

5540

Mr Callister: Thank you, Mr President.
I beg to second.

The President: Mr Mercer.

5545

Mr Mercer: Thank you, Mr President.

Just looking for a clarification: did I hear you saying it is possible to *use* an alternative fuel, or
prove that they are *using* an alternative fuel? Just a clarification on that point.

Thank you.

5550

The President: Minister to reply.

The Minister: Thank you, Mr President.

In answer to the question from the Hon. Member of Council, it is the *capability* of using the
5555 fuel. Unfortunately it would be very difficult for the Registry to check on the use of a particular
fuel at any given time, but obviously with the price of diesel and heavy fuels going up the use of
biofuels, we hope, will be encouraged in terms of the merchant fleet. Therefore that capacity to
use those fuels will almost certainly be taken up.

Thank you.

5560

Mr Mercer: Thank you.

The President: Hon. Members, this is Item 17 as laid out on the Order Paper. All those in favour,
please say aye; those against, please say no. The ayes have it. The ayes have it. Item 17 carried.

**19. Financial Provisions and Currency Act 2011 –
Manx Reskill Scheme 2022 approved**

The Minister for the Treasury to move:

That the Manx Reskill Scheme 2022 [SD 2022/0050] [MEMO] be approved.

5565 **The President:** We move to Item 19 and I call on the Minister for Treasury.

The Minister for the Treasury (Mr Ashford): Thank you, Mr President.

5570 This Scheme, which is modelled on the successful Manx Restart Scheme, which was launched in the autumn of 2020, will be a public-private partnership to deliver improved employment opportunities for individuals who have been receiving incapacity-related benefits for more than 12 months. Government will provide funding to employers towards payroll costs, while employers will commit to creating and providing real, meaningful work to include these workers in their normal workforce.

5575 The initial aim is to match 50 individuals with employers via a local recruitment agency contracted by Treasury. For the purpose of matching an individual with an employer, a healthcare professional engaged within the Occupational Health Service may carry out an assessment of the employee's mental or physical health and provide a report to the individual, which they can then share with the employment agency. Although viewed initially as a pilot scheme, it may be extended depending on the success of meeting its objectives.

5580 The Scheme provides for the making of payments, called 'reskill payments', for up to 52 weeks to employers who provide employment to individuals via the Scheme. It sets out the qualifying conditions for an employer to be paid a reskill payment in respect of a qualifying employee of theirs, how much that payment shall be, how it will be claimed and paid, and certain other matters. The amount of a reskill payment will initially be equivalent to 100% of the gross wage or salary paid to a qualifying employee, capped at the rate of the living wage – that is £10.87 per hour – for a maximum of 35 hours a week. After six months' employment, the reskill payment will reduce to 70%, and after a further three months it will reduce to 50%.

5590 Reskill payments can be paid in respect of a particular employee for up to 52 weeks. For a reskill payment to be payable to an employer, the employee must be aged 16 or over, but under state pension age; the employee must have been in receipt of either incapacity benefit, or had an underlying entitlement to incapacity benefit, a severe disablement allowance or income support paid on the basis of their incapacity for work for at least 12 months prior to being employed by the employer. The employee must normally have been matched with the employer via the employment agency appointed by Treasury, and the employee must be employed by their employer under an open-ended contract of employment or a fixed-term contract for not less than 12 months. Furthermore, the individual's employment must not have arisen because another person has been made redundant, and it must not give rise to another person being made redundant. In the case of an unincorporated employer, the employee must not be a close relative of the employer as defined in the Scheme. And the maximum number of employees for whom a reskill payment would otherwise be payable to the employer for that week is not exceeded.

5600 Applications for reskill payments must be made by employers to the Treasury using the form provided. Payments will be repaid direct to qualifying employers' bank accounts. Applications must be made within three months of the tax week in respect of which the payment is claimed.

5605 The Scheme also makes provisions for data sharing and for reviews of determinations in relation to reskill payments where an employer is dissatisfied. The Scheme will be managed and administered by the Treasury and reskill payments and related expenses will be paid out of General Revenue, with additional funding secured by the Economic Recovery Fund as necessary.

Mr President, further information is provided in the memorandum which has been circulated to Hon. Members. I beg to move.

5610 **The President:** Hon. Member, Mrs Maltby.

Mrs Maltby: I am very happy to support. Thank you.
I beg to second.

5615 **The President:** Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.
Just one question to ask, and he has mentioned obviously the employers. Is this open to the third sector as well?

5620 Thank you.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

5625 I welcome this Scheme, especially depending on the answers I get now. (*Laughter*)

Can the Minister confirm that this goes back to the Lancaster Report-type recommendations which replaced Dependability? So it is a long time coming and we are beginning to make progress on some recommendations that were made five years ago.

5630 Secondly, can the Minister clarify his comments just now about General Revenue and the economic recovery slush fund, that essentially, if this is a success, will be entirely funded from General Revenue, rather than General Revenue currently held in a fund? Or is there some issue to do with the fact that you cannot pay employment agencies out of the General Revenue Fund for this sort of thing? Is there some issue that needs to be solved; and if this is the case, how is he going to solve it?

5635 Thirdly, it sounds like this is a Treasury scheme, and Treasury were involved, but the memo is quite confusingly written and it talks about the Economic Recovery Group and the Economic Recovery Sub-Group. There is a particularly interesting line in section 4.10, which talks about the Economic Recovery Sub-Group, including representatives from across Government, as well as in the 'local Chamber of Commerce'. Would that be the Ramsey Chamber of Commerce when it is somebody who is starting off living in Ramsey? And the Port Erin Chamber of Commerce when it is somebody in Port Erin? Or is it the national Chamber of Commerce that we have in the Isle of Man?

5640 Finally, the financial implications are some of the most interesting set of expressions about financial implications I have ever read in this sort of memo, things like, 'Subject to certain assumptions', 'in the medium ... term', and 'it will most likely result in savings'. Would the Minister be prepared to circulate to Members actually what the business case is to this? I think the financial implications could have been written in a much more positive way about how this was worthwhile for the people and also for the Social Security budget to make it supported through time.

5650 **The President:** Hon. Member, Mr Callister.

Mr Callister: Yes, thank you, Mr President; and I thank the Treasury Minister for this motion this evening.

5655 But when I was going through the notes over the weekend I was a little bit confused and I was wondering if the Treasury Minister could just confirm if it is a new scheme, and if it is then I certainly welcome it. I think it will help a lot of people to get back into employment especially, and match up some people who may be lacking some skills, and give them experience and everything else. But under the notes that we got it said there was no change to policy, so I was trying to work out if this is an amendment of a current scheme policy or if this is a new policy. I was wondering if the Treasury Minister could just confirm that for me.

5660 Thank you.

The President: Minister to respond.

The Minister: Yes, thank you, very much, Mr President.

5665 If I may take it in reverse order. In relation to Mr Callister, it is not a new policy. There was the Manx Restart Scheme which Treasury had previously in place and which proved very successful, and this is looking to build on that success. So it is most definitely not a new scheme or a change in policy.

5670 Turning to Mr Thomas – and there is a blast from the past, Mr President, the Lancaster Report! It most certainly does take into account the recommendations that came out of the Lancaster Report, and one of the things that we are looking to do is try and help more people get back into work. One of the situations we have got at the moment, Mr President, on Island, which a lot of businesses are crying out for, is the fact that they cannot actually get the staff that they require.

5675 We also have, and I know of constituents who would love to get back into work but they do not feel they have got the help and assistance to do so. So they feel trapped themselves. This is actually looking to break that down.

The references to Chamber of Commerce: it is *the* Chamber of Commerce. We are not talking about branches off in different parts of the Island.

5680 In terms of the General Revenue, I am not aware of any issues with it coming out of General Revenue, Mr President.

This Scheme *will* be Treasury led, but obviously there has been input across various Government groups, including the Economic Recovery Group; and also DfE, as well, has had input into this scheme. So while it is a cross-Government approach, there has to be someone to lead it and that is the Treasury, hence why I am moving this Order today.

5685 Oh, sorry, apologies, Mr President, I do apologise, I missed Mr Glover out. In relation to the third sector, as long as the person is an employee, yes.

The President: Hon. Members, this is Item 19 as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 19 carried.

**20. Social Security Contributions and Benefits Act 1992 –
Income Support (General) (Isle of Man) (Amendment) (No. 2) Regulations 2022 approved**

The Minister for the Treasury to move:

That the Income Support (General) (Isle of Man) (Amendment) (No. 2) Regulations 2022 [SD 2022/0040] [MEMO] be approved.

5690 **The President:** We now move on to Item 20. This Item has not completed the six weeks on the Register of Business. Is the Court content for this to be taken at this sitting?

Members: Agreed.

5695 **The President:** I call upon the Treasury Minister to move.

The Minister for the Treasury (Mr Ashford): Thank you, Mr President.

5700 These Regulations amend the saving provisions in the Income Support (General) (Isle of Man) (Amendment) Regulations 2019. They extend the application of those saving provisions to lone parents who are entitled to Employed Person's Allowance, or EPA, immediately before 7th April 2022 who have enrolled on, been accepted for, or are attending or undertaking certain courses of education or training.

This extension will ensure that lone parents who are receiving either income support or EPA immediately before 7th April 2022 and who have already committed to a course of full-time study or training before that date will continue to be eligible to claim income support as a lone parent throughout the duration of their course. It will allow them to transfer between income support and EPA as their studies allow until they complete their course of education or training, despite their youngest or only child being age six or over at 7th April 2022, when changes to the eligibility conditions for income support for lone parents will come into effect.

Mr President, further information is provided in the memorandum which has been circulated to Hon. Members, and I beg to move Item 20 on the Order Paper.

The President: Hon. Member, Mrs Maltby.

Mrs Maltby: I beg to second.
Thank you.

The President: Hon. Members, this is Item 20 as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 20 carried.

21. Social Services Act 2011 – Adult Social Care Services (Charges) Regulations 2022 approved

The Minister for Health and Social Care to move:

That the Adult Social Care Services (Charges) Regulations 2022 [[SD 2022/0031](#)] [[MEMO](#)] be approved.

Item 21 has also not completed the six weeks on the Register of Business. Is the Court content for this to be taken at this sitting?

Members: Agreed.

The President: I call on the Minister for Health and Social Care to move.

The Minister for Health and Social Care (Mr Hooper): Thank you very much, Mr President.

The Adult Social Care Services (Charges) Regulations 2022 prescribe charges for adults who are provided with the social care service by the Department and will replace the Adult Social Care Services (Charges) Regulations 2020. Adults who are eligible to receive social care services may be entitled to income support payments from the Treasury to assist them in meeting the charges made by the Regulations. In line with existing policy, an increase will be made to the charges to correspond with the maximum amount of income support available from the Treasury. The maximum amount of income support available to an eligible person is increased by the Treasury by 5% from 11th April 2022 and these Regulations increase charges accordingly.

Mr President, I beg to move the motion in my name.

The President: I call on the Hon. Member, Dr Haywood.

Dr Haywood: Thank you, Mr President. I beg to second and reserve remarks.

The President: Hon. Members, this is Item 21 as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion carried.

**22. Gas Regulation Act 1995 –
Gas (Tariff Fixing) (Parameters) Regulations 2022 –
Debate commenced**

The Political Member for the Communications and Utilities Regulatory Authority (Mrs Corlett) to move:

That the Gas (Tariff Fixing) (Parameters) Regulations 2022 [[SD 2022/0068](#)] [[MEMO](#)] be approved.

5745 **The President:** We move on to Item 22, which has also not completed the six weeks on the Register of Business. Is the Court content for this to be taken at this sitting?

Members: Agreed.

5750 **The President:** Agreed.
I call on Mrs Corlett to move Item 22.

The Political Member for the Communications and Utilities Regulatory Authority (Mrs Corlett): Thank you, Mr President.

5755 I rise today to move the Gas (Tariff Fixing) (Parameters) Regulations 2022 on behalf of the Communications and Utilities Regulatory Authority.

5760 In February of last year, Tynwald unanimously passed a motion that requested the Authority to regulate the Island's gas sector. Since then, the Authority has been working to introduce a regulatory framework that ensures fair tariffs for all consumers. The Regulations before you today represent the next step in putting in place a regulatory regime that is in line with international best practice.

5765 These Regulations remove politics from the regulatory process, something that many of us have been calling for over the years, and it puts the responsibility onto the Authority for determining the appropriate values of the parameters, such as the permitted return or the cost base. In that sense, these Regulations are simply enabling legislation. None of the relevant values are set out in it. They are instead determined by the Authority through public consultation processes. The Authority has published its final determinations that would make up the new regulatory framework, with the overarching aim of permitting Manx Gas to make a fair return from its regulated customers and activities. The Authority has also worked to develop cost models to ensure that customers who cannot easily switch between fuels do not subsidise larger customers in the more competitive commercial markets.

5770 Another goal that the Authority is working towards is bringing a level of transparency to the gas sector that perhaps has not been there in the past. Customers will be able to see how the tariffs are made up which will provide clarity as to how much of the tariff for each unit goes to the network's operating costs, the permitted return and the cost of the gas itself.

5775 Unfortunately, the cost of gas on international markets is at record high levels. We are in the midst of an unprecedented energy crisis and as such, energy providers, including Manx Gas, are facing pressures they have never faced before. When moving its last set of regulations, the Authority made it clear that the ongoing viability of the public gas network was one of its priorities. Unfortunately, the current crisis, which has worsened since the regulations were made, is putting the viability of the Island's gas network at risk.

5780 The Authority is concerned that without having the ability to regulate the market in a timely manner, it cannot fulfil its responsibilities. The Regulations before you today provide the tools and the powers required to do this. While it is likely that tariffs will increase in the short term, the regulatory framework before you will do two things: it will ensure that the gas sector is fair and

5785 transparent; and it will allow the Authority to safeguard the wider public interest, as well as consumers' interests.

The Authority has been open with all Members in relation to the potential impact of these Regulations not being passed at this time, and that is that the security of the gas supply is put at significant risk. I do not wish to labour the point, but would simply point out one thing: the
5790 Authority would not be moving these Regulations if it was not certain that it was the right thing to do. While the coming months will be hard for many of us due to the current commodity gas prices, the alternatives to the framework the Authority has set out would be considerably worse in the long term.

Hon. Members, you are not being asked to vote for a tariff increase. You are not being asked to vote in support of Manx Gas. You are being asked to vote to provide the Authority with the
5795 necessary tools to be an effective and strong independent regulator. **(Mr Thomas: Hear, hear.)**

Mr President, I beg to move.

The President: Hon. Member, Dr Allinson.
5800

Dr Allinson: Thank you, Mr President.
I beg to second and reserve my remarks.

Standing Orders suspended to complete the Order Paper

The President: Now, Hon. Members, time is coming up to eight o'clock.
Loayreyder.
5805

The Speaker: Eaghtyrane, I just think, with this one Item and then two of the routine annual Items around pensions, I would like to think that we could finish the Order Paper this evening.

Mr Henderson: I beg to second, sir.
5810

The President: Mr Callister.

Mr Callister: Thank you, Mr President.
I beg to second. Thank you.
5815

The President: So the proposal there, Hon. Members, is to finish the Order Paper. All those in favour; anyone against? We shall finish the Order Paper. Thank you.

Gas Regulation Act 1995 – Gas (Tariff Fixing) (Parameters) Regulations 2022 – Debate concluded – Motion carried

The President: So next up to speak is Hon. Member, Dr Haywood.

Dr Haywood: Thank you, Mr President.
5820

I welcome the gas supply becoming a fully regulated industry under the watch of CURA. It was a baptism of fire to come into the Court and then be asked to agree to a tariff increase back in the back end of last year. But I think the timing of this change and then the immediate consequential

rise in tariffs should not go unnoticed. It will cause understandable panic and anger in Manx Gas customers.

I think it is important for us to get some reassurance about how the new tariff would be applied given that Manx Gas have different billing sections for all of their customers, depending on when their supply started. I would like to seek some reassurance that customers would be allowed to submit interim readings so that gas that was used under the old tariff could be charged appropriately. I am not sure how that will be managed, of course. It is clearly unfair to *pro rata* the tariff, especially as we come into the warmer months, and in light of the increases that are likely to hit people they will opt to turn the gas off, rather than use it. So I would like to seek some reassurance, really, that the customers will be permitted to call in their meter readings under the old tariff, rather than being charged at the new, higher rate.

Following the rise of 27.5% in November and with the probable rise that will come as a consequence of these Regulations being enacted, the gas prices will nearly have doubled in the last six months. Whilst CURA, I am sure, will operate in the best interests of consumers, it cannot make up for some poor decisions that have been taken by the Manx Gas board, and the Manx Gas customers will continue to pay higher prices as a consequence of those poor decisions.

So I really want to be reassured that if these Regulations go through today there is some very careful handling about the impact that it will have on gas customers.

The President: Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

We have been crying out for regulation of this sector for some time, and this is really the opportunity to now grasp that and take it. I know the situation is not ideal with the fact that we have got gas prices at an unprecedented level at the moment and no real prospect immediately of those coming down. We have to go into this realistically as well, that it is going to lead to an increase. But we have just been voted in to make big decisions and, as Dr Haywood has already alluded to, my word, didn't we have to do that very early in this administration?

The election is not until 2026, just as a reminder to people in here that are thinking of making a grandstanding gesture here. We are here to make decisions. Manx Gas could go under if we vote this down and then where are we going to be? We are going to be dealing with it ourselves. So I would urge people to really make this big decision. We have been crying out for regulation over and over again in this Court and in other places. If you just put a search in on *Hansard*, you will see the number of times that gas regulation has been discussed over not just the last administration, over several administrations. Let's get on and do this. Admit that, yes, we have got to put provisions in and help people that are going to struggle, because there will be people who are going to struggle. That is undoubtedly going to be the case and we have got to try and help them. I have said quite repeatedly that I do want this administration to have some social conscience, social integrity to it. I think that is really important and that is the balance that we have got to deliver now to the Manx public out there.

These are really unprecedented and difficult times. The alternative is we put Manx Gas really to the wall, potentially, and if we do not keep doing this we are going to be having gas prices coming to this Court to be approved over and over and over again. Let's trust the regulator. That is what we have been asking for.

Thank you, Mr President.

Two Members: Hear, hear.

The President: Mover to ... Oh, Mr Thomas.

Mr Thomas: Very briefly, I just wanted to thank the Communications and Utilities Regulatory Authority (CURA) officers, the CURA board, the political Member, for allowing me to fulfil a dream!

(*Laughter*) Because on 18th June 2013, within three weeks of having been elected at the May 2013 Douglas West by-election, I put down a Question about when economic regulation for energy would be introduced, and it has been a campaign of mine since June 2013 to get to this glorious situation that we are in today, with actually finally putting in place proper economic regulation, initially for the gas sector, and then ultimately for the rest of energy, I am sure, because we need to treat everybody fairly.

I have got a few questions about the specific Regulations just to help the regulator and the public in the future. The first one is in respect of regulation 4 in the interpretation section, which is about the public gas supplier definition, because for the purposes of these Regulations the public gas supplier is defined as Manx Gas, whereas it has been established by me in Questions recently that in the Energy Act, for instance, there can be more than one – well, there is more than one public gas supplier.

So I just wanted a confirmation from the mover that the Communications and Utilities Regulatory Authority can deal with the changes that might arise and perhaps give some sort of description about how the Energy Act allows for the fact that at the moment we have got economic regulation because we have got a natural monopoly with one company having a dominant position, but in the future we could easily have a competitive situation in the supply and I want to make sure that the regulation and the interpretation in regulation 4 is sufficiently robust for the Communications Authority to make those changes in the future.

The second point is that in regulation 4, Manx Gas is actually defined including its company number, and I just wanted to make sure that these Regulations give the Communications and Utilities Regulatory Authority, without coming back to Tynwald, sufficient permission to use the Interpretation Act, for instance, to actually make changes if assets are transferred or new companies come into existence.

In terms of regulation 5, which is the one about a special agreement, I am absolutely delighted to see this defined in this way, because what I think I see here is that anything daft that was to come forward from Cabinet Office in terms of making a voluntary agreement with Manx Gas, which is currently in the primary legislation, would not actually be excluded from these Regulations, so therefore it would need to be adapted. I just wanted reassurance from the mover that the daft aspiration and plan to have voluntary regulation by Cabinet Office with Manx Gas is completely off the table now, and the reason the regulation has been drafted in this way is that there is an intention to use a primary legislation amendment Bill to actually take out that daft section in section 6 about the concept of voluntary regulation.

Then, finally, in the costs component in regulation 10, there is a very precise definition of inflation. I think I just wanted a statement from the mover to say that, basically, the inflation number that is used, although it has to be CPI because of this regulation, is in the discretion, to an extent, of the communications and utilities regulator with the regulated entity. Because, for instance, the Manx Gas year end is December, November inflation would be the one immediately before that, but we might not have November inflation published in years to come because the statistics plan for the Cabinet Office talks about moving to a quarterly publication schedule for inflation.

So I hope to have the assurance from the mover that the Regulations are sufficiently robust so we can deal with inflation in the same way that we would with other costs at the Regulatory Authority and we do not need to come back to this place or anywhere else to deal with the definition of inflation.

Thank you, Mr President.

The President: I call on the Hon. Member, Mr Callister.

Mr Callister: Thank you, Mr President.

I, for one, will not be supporting the motion this evening. It is not grandstanding; I think I am very clear on my direction on this. Am I in favour of a piece of legislation for this area? Yes, I am.

Do I think the timing is right for this legislation? No. We are in the middle of an energy crisis – I think the mover of the motion has already said that – and I just think the timing of this, the profit levels, some of the poor decision-making of Manx Gas ... and I just want to put on record that I should not reflect ... the current directors, Jo Cox and her team at the moment, but I blame that on the previous directors of Manx Gas who have let down their customers.

When we first got re-elected or elected in this Court in September, we were asked to take a leap of faith, and I mentioned in that speech to the regulator I was happy to take a leap of faith, but I am not happy to take a leap of faith the second time. I have been in constant dialogue with the regulator and the mover of this motion, and I do appreciate his time for answering my questions throughout this difficult period as we try to navigate to allow this market to get through the energy crisis, but then to set a direction and a path for the likes of Manx Gas.

As I said before, Mr President, do I actually support some form of legislation? Yes, but I do not support this piece of legislation today because we are in the middle of an energy crisis and I cannot support the WACC return which is being put forward today. I am not going to take a second leap of faith. I will leave the rest of my remarks because I know the mover and the regulator have already got those well documented.

Thank you, Mr President.

The President: Just for clarification, Mr Callister, that is as an MHK not as the Chair of MUA?

Mr Callister: That is correct. Apologies, Mr President. That is me as an MHK elected to represent my constituents of Onchan.

Thank you.

The President: I call on the Hon. Member, Mr Ashford.

The Minister for the Treasury (Mr Ashford): Thank you very much, Mr President.

Very briefly, just to respond to a couple of points that Mr Glover made that probably fall more in my remit than the hon. mover of the motion.

It is fully recognised that at the moment there are huge strains on household finances. The cost of living, as I said in the debate earlier today, is going to go a way that has not been seen since the 1970s. Treasury is taking that exceptionally seriously. Government does have a social conscience, and social responsibility as well to look at that and see what we can do to address it; and as I have stated earlier, Mr President, it is my firm intention to come to this Hon. Court next month and make a Statement around the financial situation and hopefully be able to pull together some strands as to what we can try to do to assist people.

I take on board, and I always respect, Mr Callister's points as well, Mr President. We agree on an awful lot of things, we found rather frighteningly, I think, for both of us, over the last five or six years. Unfortunately, on this, this is one where we disagree. My personal view is during an energy crisis is precisely when you need a strong, independent regulator to be in place, and that is what I believe these Regulations actually provide.

Two Members: Hear, hear.

The President: I call on the mover to reply.

Mrs Corlett: Thank you, Mr President, and I thank all the Members who have passed comment today.

Dr Haywood: I actually do understand where you are coming from here, that it may seem unfair when the price goes up and consumers are actually being charged for a period. But there is not much CURA can do about that, other than to encourage consumers to do a meter reading and put it into Manx Gas prior to a price increase.

5980 Mr Glover: thank you for your support. Just to say really that these Regulations are not the cause of an increase. Any increase is because of extremely high and volatile gas prices at the moment.

Mr Thomas had a question about the definition of the public gas supplier and really Manx Gas is used in this as a definition of the gas supplier because it is consistent with other legislation, such as the Energy Act and other similar provisions. It does not limit CURA and while MUA has the *vires* to be a public gas supplier, it would be a competitor and not likely to be subject to the Regulations in the same way Manx Gas would be.

Mr Thomas had another question about the company number. As I understand it, should that change in the future it would not pose a significant problem, as the Regulations could be adapted without actually changing. The definitions can be changed within the Regulations as they are by CURA.

Mr Thomas also asked another question about the Cabinet Office agreement, about any changes they may make. I think it would be likely to be difficult for Cabinet Office to implement something under this section as they would be Regulations under the Act and it could be argued that there is a legitimate expectation for the Authority who would regulate the sector. This is –

The President: Point of order, Ms Lord-Brennan.

Ms Lord-Brennan: Would the Hon. Member give way?

Mrs Corlett: Certainly, yes.

The President: Please go ahead.

Ms Lord-Brennan: If I can provide some assurance the Cabinet Office will be looking at any changes that are required along the suggestions made in future. I believe that will provide the point of comfort that Mr Thomas was looking for. I understand his point and I will take that away. I hope that helps the hon. mover.

Thank you.

The President: Do continue, Mrs Corlett.

Mrs Corlett: I thank the Minister for that reply, as it helped me out considerably. She understood that point far more than I did. Thank you.

The inflation report really is not a problem because that can be changed outside of the Regulations.

Mr Callister; timing is the main issue. Actually, honestly, if we do not do this now then the long-term risks are far greater than the short term.

I would like to thank this Court for taking these Regulations today and for the frank and open debate on them. This is the culmination of a lot of work by the Authority, and it is the next step in bringing fair and transparent regulation to the gas sector. It is important that all views and concerns are addressed openly. Independent regulation is the cornerstone of ensuring customers are protected and for fostering strong economic performance. While the framework being introduced is likely to result in higher tariffs in the short term, it is inherently a fair framework and the Authority itself really can do no more than be fair. Tariffs will be reflective of the cost of providing the service and maintaining the finance ability of the Island's gas network. Any increases in tariffs would be solely due to the cost of the gas and the international commodity market, which is absolutely beyond our control.

I fully understand that gas tariffs and regulation of Manx Gas are topics that come with a lot of history and are very clearly very emotive, but I would ask that Members see that in the Authority we have an independent economic regulator with a proven track record. As elected

representatives, we must trust our regulator to deliver on the responsibilities that we have it tasked with. I do not expect this to be blind faith in the Authority either. All its work is in the public domain. All decisions are published, along with the evidence and the arguments that were considered. Any interested party has a voice in the process and is afforded equal weight and the Authority has always made itself available to anyone who is interested to discuss its work. It behaves the way a regulator does in any other jurisdiction and can be judged on its actions.

This vote, while admittedly not an easy one, is a vote to stay the course for independent regulation. It may be tempting to think that this can be deferred with the intention of protecting customers, but actually it cannot. We cannot manage our way through an international crisis by hoping that someone else will ensure our gas network does not fail. We all want to protect customers, but protecting the public gas supply at risk is not protecting their interests. It is also not protecting the wider public interest and the economy. None of us want to see high tariffs, but the potential damage caused by the alternatives is many more times worse and is something that will be with us for a very long time.

The independent regulator is seeking our support – the independent regulator that this Court asked to take on this role. This vote is simple. We vote for independent regulation of critical national infrastructure that balances the competing interests of all parties or we vote against it. There is no vote we can take today that will prevent an international crisis from impacting our Island, but there is a vote we can make to help us manage it, to help us come out of the crisis quicker and to protect the long-term interests of the Island and its people. The Authority would not be moving these Regulations today and I would not be standing here presenting them to you if we did not believe it was the right thing to do. We have no easy decisions before us today, but there is a right decision. I only ask that everyone in this Hon. Court leave aside the history and look to the future, and support the Authority introducing independent regulation to the Island's gas sector.

I beg to move.

The President: Hon. Members, we come to voting on Item 22 as set out on the Order Paper. All those in favour, please say aye; those against, please say no.

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

In the Keys – Ayes 22, Noes 1

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mrs Christian
Mrs Corlett
Mr Crookall
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Moorhouse
Mr Peters
Mrs Poole-Wilson
Mr Smith
The Speaker

AGAINST

Mr Callister

Mr Thomas
Mr Wannenburgh

The Speaker: Eaghtyrane, in the Keys, 22 votes for, 1 against.

In the Council – Ayes 8, Noes 0

FOR	AGAINST
Mr Craine	None
Mr Greenhill	
Mr Henderson	
Mrs Kelsey	
The Lord Bishop	
Mrs Maska	
Mr Mercer	
Mrs Sharpe	

The President: In the Legislative Council, 8 for, none against. Therefore, motion carried.

**23.-24. Social Security Administration Act 1992 –
State Pension Revaluation for Transitional Pensions Order 2022 approved;
State Pension Debits and Credits (Revaluation) Order 2022 approved**

The Minister for the Treasury to move:

23. *That the State Pension Revaluation for Transitional Pensions Order 2022* [[SD 2022/0081](#)] [[MEMO](#)] *be approved.*

24. *That the State Pension Debits and Credits (Revaluation) Order 2022* [[SD 2022/0082](#)] [[MEMO](#)] *be approved.*

The President: Hon. Members, I have had a request from the Treasury Minister to take Items 23 and 24 together and vote separately. Is the Court content?

6065 **Members:** Agreed.

The President: Thank you very much.
I call on the Treasury Minister to move.

6070 **The Minister for the Treasury (Mr Ashford):** Thank you, Mr President.

These Orders specify the percentages by which certain transitional elements of the Manx state pension are to be revalued to ensure their value is not eroded by inflation, as required by sections 148AC and 148AD respectively of the Social Security Administration Act 1992 as it is applied in the Island.

6075 The first Order is concerned with the revaluation of protected payments for people reaching state pension age on or after 11th April 2022 to take account of prices inflation in Great Britain between 6th April 2019, when the Manx state pension was introduced, and when they reach state pension age and start to receive their pension.

6080 The second Order provides for the revaluation by prices inflation in Great Britain of the new state pension scheme credits and debits, which arise when a pension-sharing order is made by the courts where divorce proceedings begin on or after 6th April 2019, and the person subject to the pension debit reaches state pension age on or after 6th April 2019. Further information has been provided to Hon. Members in the memorandum.

6085 Mr President, I beg to move that the Items numbered 23 and 24 on the Order Paper be approved.

The President: Mrs Maltby.

Mrs Maltby: Thank you.

6090 I am very pleased to finally second Items 23 and 24 on the Order Paper, and reserve my remarks.

6095 **The President:** Hon. Members, we have two Items there. I will put Item 23 as set out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 23 carried.

Now Item 24 as on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Motion 24 carried, too.

Happy birthday to Dr Allinson

6100 That, Hon. Members, concludes the business of Tynwald Court for this month and just before Council leaves I would like to say laa-ruggyree sonney dhyt to Dr Allinson; that is happy birthday in Manx to you. (**The Speaker:** Hear, hear.)

Council will now withdraw and leave the House of Keys to transact whatever business Loayreyder desires.

The Council withdrew.

House of Keys

The Speaker: Thank you, Eaghtyrane.

6105 Having no other business to put before the House, the House stands adjourned until next Tuesday at 10 o'clock in our own Chamber.

Thank you.

The House adjourned at 8.24 p.m.