



TYNWALD COURT OFFICIAL REPORT

RECORTYS OIKOIL
QUAIYL TINVAAL

PROCEEDINGS DAALTYN

(HANSARD)

Douglas, Tuesday, 17th June 2025

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Present:

The President of Tynwald (Hon. L D Skelly)

In the Council:

The Attorney General (Mr W H Wannenburgh),
Mrs T M August-Phillips, Mr G R Clueit, Mrs D Kelsey,
Mrs D K Kinnish, Mr R J Mercer, Mr P H Reid
with Ms J Corkish, Deputy Clerk of Tynwald.

In the Keys:

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

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Tynwald

The Court met at 10 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, Eaghtyrane.

The President: In the absence of the Lord Bishop and the Chaplain, I shall lead prayer.

PRAYERS

The President

Leave of absence granted

The President: Hon. Members, I have given leave of absence to Yn Aspick, the Lord Bishop; Loayreyder; Mr Craine; Mr Crookall; and Mrs Morphet.

Tribute to Mr Andrew Hillas

10 **The President:** Hon. Members, I know we were all shocked to hear of the death last week of Mr Andrew Hillas. I am sure you will wish to join in sending our thoughts and prayers to our Lord Bishop and her wider family.

Members: Hear, hear.

Bills for signature

15 **The President:** Hon. Members, we have the Town and Country Planning (Amendment) Bill 2024 and the Income Tax Bill 2024 ready for signature. Is the Court content to circulate while we conduct other business? (**Members:** Agreed.)
Thank you.

Papers laid before the Court

The President: We turn to Item 1 and I call on the Clerk to lay papers.

20

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

Thank you, Mr President. I lay before the Court the papers listed at Item 1 of the Order Paper.

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

Public Sector Pensions Act 2011

Isle of Man Teachers' Pension Scheme 2025 [[SD 2025/0098](#)] [[MEMO](#)]

Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025 [[SD 2025/0071](#)] [[MEMO](#)]

Health and Safety at Work Etc. Act 1974

Ionising Radiation (Medical Exposure) (Amendment) Regulations 2025 [[SD 2025/0116](#)] [[MEMO](#)]

Social Security Act 2000

Social Security Legislation (Benefits) (Application) Order 2025 [[SD 2025/0118](#)] [[MEMO](#)]

Global Minimum Tax (Pillar Two) Order 2024

Global Minimum Tax (Pillar Two) (Amendment) Order 2025 [[SD 2025/0136](#)] [[MEMO](#)]

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

Criminal Justice, Police and Courts Act 2007

Criminal Justice, Police and Courts (Electronic Monitoring: Responsible Persons) Order 2025 [[SD 2025/0146](#)] [[MEMO](#)]

Criminal Justice, Police and Courts (Electronic Monitoring) Rules 2025 [[SD 2025/0147](#)] [[MEMO](#)]

Items not subject to motion

Documents subject to negative resolution

Customs and Excise Act 1993 and Taxation (Cross-border Trade) Act 2018

Customs (Miscellaneous Amendments) (No.2) Regulations 2025 [[SD 2025/0127](#)] [[MEMO](#)]

Gaming Betting and Lotteries Act 1988

Crown Green Bowling Festival Order 2025 [[SD 2025/0039](#)] [[MEMO](#)]

Crown Green Bowling Festival Order (No.2) 2025 [[SD 2025/0040](#)] [[MEMO](#)]

Documents subject to laying only

Agricultural Marketing (No.2) Act 1948

Milk Prices (Amendment) Order 2025 [[SD 2025/0145](#)] [[MEMO](#)]

Criminal Justice Act 2001

Curfew Monitoring (Responsible Persons) (Amendment) Order 2025 [[SD 2025/0148](#)]
[MEMO]

Immigration Recognition of United Kingdom (UK) Visas for Employment Policy [[GC 2025/0010](#)]
[MEMO]

Trade in Animals and Related Products Order 2020

Trade and Related Products Declaration of Special Measures: Importation of Animal Casings from Susceptible Animals from Hungary, Austria and Slovakia [[GC 2025/0012](#)]

Trade and Related Products Declaration of Special Measures: Personal Imports from Susceptible Animals from EEA states, the Faroe Islands, Greenland and Switzerland [[GC 2025/0013](#)]

Trade and Related Products Declaration of Special Measures: Germany (Revocation) [[GC 2025/0014](#)]

Trade and Related Products Declaration of Special Measures: Importation of untreated wool and hair from Hungary, Austria and Slovakia [[GC 2025/0015](#)]

Reports

Council of Ministers' Annual Report on Poverty Measures [[GD 2025/0027](#)]

Information Commissioner's Annual Report 2024/25 [[GD 2025/0028](#)]

Questions

CHIEF MINISTER

1. Everall Inquiry recommendations – Which implemented, operating

The Hon. Member for Onchan, Ms Edge, to ask the Chief Minister:

Which of the 132 recommendations of the Everall Inquiry into the Care of Young People have been implemented and remain in operation in Children's Services.

25 **The President:** We turn to Item 2, our Question Paper, and our first starred Question. I call on the Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

30 I would like to ask the Chief Minister which of the 132 recommendations of the Everall Inquiry into the Care of Young People have been implemented and remain in operation in Children's Services?

The President: I call on the Ard-shirveishagh to reply.

35 **The Chief Minister (Mr Cannan):** Thank you, Mr President.

Following the publication of the Report of the Commission of Inquiry into the Care of Young People in May 2006 by Mark Overall QC, the Council of Ministers reported to Tynwald annually on the implementation of the Report's recommendations. These reports, which I can supply to Hon. Members should they so wish, detail how and when each recommendation was
40 implemented. The final report to Tynwald, in 2013, stated that nearly all of the recommendations had been implemented.

Mr President, let me be clear, this was not the end of the work for Children's Services. They are on a continuous improvement and development journey to ensure that practice and intervention are evidence-based, appropriate, timely and developed from lessons learnt. The
45 practice supports families remaining together where this is safe and appropriate, and improves outcomes for children by keeping them at the centre of everything that the team does. This work is overseen by the Manx Care board, the Department of Health and Social Care and the Safeguarding Board.

50 **The President:** Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President; and I thank the Chief Minister for that update.

I know it is some considerable time since this Report. However, looking at the 132 recommendations, there are certainly many in there that are not the responsibility of Children's
55 Services, they are the responsibility of the Department of Education or the Department of Home Affairs, and many of them do not appear to be in operation today. So can the Chief Minister either agree that he will look into that, or provide an update if he has it with him today?

The President: Chief Minister to reply.

60 **The Chief Minister:** I think it is very important, Mr President, that we take every opportunity to ensure that our Children and Families Services are operating to the highest standard, but I must emphasise that since this Report was published in 2006, and since the Council of Ministers last formally reported on this Report in 2013, work has continued to develop and
65 improve, where possible, in terms of delivery of our Children and Families Services.

For instance, the Social Policy and Children's Committee of Council, following that Report, oversaw the implementation of recommendations from the Care Inspectorate Review, with a subsequent progress review published in June 2016 followed by a Combined Action Plan for Children and Young People laid before Tynwald in 2018 and 2019.

70 More recently, there has been the 2023 Ofsted report on Children and Families Services, and indeed since that report – and I think it is important that we all understand what is happening – Children and Families Services have undertaken the following improvements during the term of this Government: embedded a quality assurance (QA) and audit framework; developed more training and workshop schedules to address gaps in practice determined from audits and
75 complaints; recruitment to a new post that will monitor and have oversight of training, development and practice; set up resource panels for children with disabilities; development of two new posts for children with disabilities outreach services; development and implementation of the Bridges project and the Edge of Care project, supporting children to remain at home with families and supporting children in care to return home, where it is safe to do so; development
80 of better planning for care leavers over 18; free bus travel and gym membership for 18-plus care leavers; in the past 12 months, 10 agency staff converted to permanent staff to bolster our service levels; the development of evidence-based interventions and risk assessments for children who are subject to statutory youth justice; and fostering a recruitment strategy that has seen an increase of three foster carers over the past 12 months, and there are currently five in
85 the assessment process.

Just to give some more confidence about some of the work that has been undertaken, Hon. Members will recall that in April 2024 a new service was launched, the EduCare Initiative,

which would see professionals work with families to help avoid children entering care or to help them return home from care, where possible. I can tell you, having spoken this morning with the Head of Children's Services, that since that initiative was launched, five young people have returned home from care.

I would like, finally, in response to that question, to pay tribute to our staff in Children and Families Services, who are working incredibly hard and are under a significant amount of pressure at the moment. They have my full support for the work that they are undertaking.

Several Members: Hear, hear.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I thank the Chief Minister for saying ... I am not sure who he has spoken to this morning with regard to who is Head of Children's Services. It would be helpful to know who that is, now the person who was in charge is an interim in the DHSC.

My concern with regard to the recommendations, and certainly what a number of people have raised as concerns with me is the quality of data and how the performance and the data are being measured. It was certainly a very clear recommendation in that original Report with regard to the collection of data, the records kept on our young people and how it would be measured. There is certainly mention in here of reports going into the Social Affairs Policy Review Committee.

I am just wondering, when a QA framework comes in, do they forget that there are other mechanisms that should possibly be adhered to when they are reporting? It is the quality of data, how it is being recorded and how it is being measured by the Council of Ministers to ensure that we are doing the best we can for all of our young people.

The President: Ard-shirveishagh to reply.

The Chief Minister: What I would be happy to do, because it is quite a detailed subject, Mr President, is get the full scope of our data management processes and provide not only the Hon. Member but this Court with an overview of how that data is then reported on, through the chain, eventually to the relevant Council of Ministers sub-committee and, if necessary, to the Council of Ministers.

The President: Supplementary, Mr Callister.

Mr Callister: Thank you, Mr President.

I thank the Chief Minister for the information this morning. I will be honest, I have not read the Everall Inquiry Report for some time, but I am certain that one of the recommendations within that Report is to appoint a Children's Commissioner on the Island. May I ask the Chief Minister, once again, if he will seriously look at this for the children and young people on our Island?

The President: Ard-shirveishagh to reply.

The Chief Minister: We absolutely continue to evaluate what is best. That matter was raised in the Ofsted report as well, in 2023. I have told everybody this morning that the improvements that have been made since the Ofsted report are in a process of continuous improvement. As we speak today, I am also updating and will produce very shortly updated and refreshed criteria for the Children's Champion. I hope to appoint an Hon. Member to take that appointment on.

140 We continue to evaluate how effective a Children's Commissioner will be on the Island and what the scope of their role would be, given that we now have a number of multi-agencies looking after this particular area, of course. Not least, we have a Safeguarding Board with an independent chair as well.

145 Finally, Mr President, I want to remind Hon. Members, but also everybody, that safeguarding is everybody's business. It is not just the responsibility of one person or one board; it is all of our business. We all share responsibilities in that respect, and there are various mechanisms by which we can alert the relevant agencies to any safeguarding concerns we have, particularly when it comes to our children.

The President: Supplementary, Ms Edge.

150 **Ms Edge:** Thank you, Mr President – apologies, I was going to say Mr Speaker then.

The Chief Minister has talked very much about Children's Services but the Report had significant recommendations for the Department of Education, Sport and Children and the Department of Home Affairs and also recommendations around the Youth Justice Team, which we all know in here, Hon. Members, we do not have any longer. I know the Minister for Home Affairs has said that she is in the process of looking at that, but here we are in 2025, we do not have a youth justice service, we do not have some of the recommendations in the Report that there should be a chief officer dedicated to youth justice, etc., and the Department of Education should be involved.

160 As probably the only Member in here working in education at the time of this Report, and knowing the importance of ensuring that records are well kept, I have my doubts as to whether the recommendations and the records that were being kept at that time will still be appropriate. I would urge the Chief Minister, when he is reviewing this and sending any information out, to reassure the Hon. Court that Education, Home Affairs and Children's Services are all keeping appropriate records in the appropriate manner as recommended in this Report. I know things change, but I want to know if there is joined-up digital thinking around this.

The President: Ard-shirveishagh to reply.

170 **The Chief Minister:** Mr President, I gave a commitment not two questions ago in terms of my answer that I would update this Hon. Court fully, in writing, about our data management processes, how that data is appropriately reported through to the relevant Council of Ministers sub-committee, but also how it is shared and developed on an integrated basis across Government.

175 **The President:** Final supplementary, Mr Callister.

Mr Callister: Thank you, Mr President.

180 The Chief Minister, in his remarks there, mentioned the Children's Champion and that he would be looking to appoint one in due course. There have been four Children's Champions in my time in this Chamber. Each one of those highlighted the restrictions in that role. If he is not going to appoint a Children's Commissioner, will he then look at the remit of that role in order to ensure that those people who are appointed as Children's Champion can represent young people on our Island?

185 **The President:** Ard-shirveishagh to reply.

The Chief Minister: I would be happy to discuss more closely with the Member, who has fulfilled this position, how he feels that role can be 'freed up' I think was the word he used. I am certainly conscious that we need to have a Commissioner who has the capability to access the

appropriate areas and is also able to express their concerns in an appropriate way. I hope that that will be reflected in the terms of reference that we bring forward.

195 I would be happy to discuss that further with the Hon. Member before I actually bring those terms of reference forward, because I realise he does have considerable knowledge, both from a political perspective but also from a personal perspective, in this area and I would be happy to discuss that with him.

200 **The President:** A final supplementary – I will allow it – I call on the Hon. Member, Mrs Poole-Wilson.

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

205 I wonder if the Chief Minister would agree with me that the Hon. Member for Onchan is absolutely right that in another place last week I did have the opportunity to give some progress on the work that we are progressing around making sure that we do have a youth justice function that is absolutely right for our purposes today. Whilst we recognise that the youth justice lead sits in Manx Care, it is absolutely important that we have a multi-agency approach. That is exactly why it is so important, I am sure he will agree with me, that we continue the work to put in place our new target operating model and that we bring forward suitable proposals as soon as we can.

210 **The President:** Ard-shirveishagh to reply.

215 **The Chief Minister:** I am absolutely pleased to endorse the Home Affairs Minister in terms of the progress that has been made. If you read the Everall Report, there is that highlight about the protocols around youth justice links into the Department of Education. I know she is seeking to address that, and I look forward to being able to work with her and indeed to recognise some of the ambition that we have in this area.

ENTERPRISE

2. TT 2025 debrief – What will take place; who involved

The Hon. Member for Arbory, Castletown and Malew, Mr Glover, to ask the Minister for Enterprise:

What debrief will take place following TT 2025, who will be involved, and if he will make a statement.

220 **The President:** We move on to our second starred Question. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

I seek to ask the Minister for Enterprise what debrief will take place following TT 2025, who will be involved, and if he will make a statement?

225 **The President:** I call on Shirveishagh Gastid Dellal to reply.

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

I would like to thank the Hon. Member for his Question. Following each event, a thorough and structured debrief process is undertaken to review all aspects of the event. This includes operational performance, safety procedures, medical response, spectator experience, commercial performance, and delivery against the key objectives set.

Debriefs take place at all levels and involve all key stakeholders, including the Department as event promoter, ACU Events as race organiser, the TT Marshals' Association and Manx Road-Racing Medical Services. Cross-departmental reviews also take place via working groups and the National Motorsport Committee, as inter-Government collaboration is a critical part of this process to ensure a comprehensive evaluation.

I would like to place on record my thanks to all stakeholders, those internal to Government and our external partners, for their continued support, collaboration and commitment (A Member: Hear, hear.) both in preparation, during the event and in support of the debrief and feedback process. (A Member: Hear, hear.) Their involvement is valued and critical to the success of the TT.

Following the debrief, any identified areas for improvement are documented, prioritised and actioned in readiness for subsequent events. This process ensures the continued development and enhancement of the TT races with the ultimate aim of delivering a successful and sustainable event year on year.

Thank you.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

I thank the Minister for his reply. I also congratulate the race organisers on the very difficult conditions that they had to deal with to get the event on.

It is the third year of this new racing schedule. The first year was blessed with good weather and no problems, but in the last two years the weather has not been favourable, so is the schedule one of the considerations that will form part of this debrief?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I think it is always important that you take each event and make those assessments. As far as the schedule is concerned, the current schedule has been developed through consultation with the race organiser ACU, competitors, teams, marshals and medics. It is important that there is stability in the schedule so that all parties know what is planned well in advance. I think that is the issue here; we are already planning, committing and bedding in for the following year. Again, if there were to be any changes, that would be, I think, a cross-agency discussion with all stakeholders to assess whether that was necessary.

Clearly this has been, as the Hon. Member mentioned, a challenging TT again with the weather, but let's not forget that there was some amazing racing, and actually nine of the 10 races were delivered in the programme despite the best efforts of the weather to cause chaos. I note what the Hon. Member is saying. At this stage I do not believe there is a plan to change the schedule as such at this stage, but it must always be looked at.

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you very much.

Building on that last question, I did not hear any reference to any members from local authorities being involved in either the thanks or the planning for the schedule. Can the Minister confirm that he will reach out to the local authorities? They are very important; they make very important provision for our motorsports events.

280 For instance, Douglas was looking impeccable in terms of street cleaning during the TT.
Perhaps it was because nobody was here, but to me it seems that excellent public servants are
out there overnight doing lots of things, (**A Member:** Hear, hear.) which we need to put on
record (**A Member:** Hear, hear.) because they do not get mentioned. I am aware already of
285 two commissioners who have made representation about the schedule, so I think it would be
disrespectful to ignore those submissions.

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

290 I note the Hon. Member's comments. As I said in my original statement, I would like to place
on record my thanks to all stakeholders, those internal to Government and our external
partners, for their continued support, collaboration and commitment. I absolutely recognise the
work that local authorities do as part of this. The continued co-operation, for example with
Douglas City Council, is vital, but of course they also recognise the huge benefit they get from
295 the event and are happy to work with us on that.
Thank you.

The President: Supplementary, Mr Glover.

300 **Mr Glover:** Gura mie eu, Eaghtyrane.

With regard to the races, obviously the weather has a major say, but if you look at the
nine races that went ahead, there was only one that was at full race distance this year, and also
we lost the Senior TT. How can that schedule be tweaked to give more certainty to the Senior
TT, the premier race of the meeting, taking place? Under this schedule it has effectively got the
305 day it is to be held on and a reserve of an afternoon, which does not seem to be an option that is
being looked at with any certainty.

The President: Shirveishagh to reply.

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

As I said earlier, there is a sense that it is important that these decisions are had, and they
will be had now with all the stakeholders that I have mentioned. It is a little bit early yet to look
at feedback – the event has just finished – but certainly the initial responses will be coming back
by the end of this month into early July and ongoing throughout the year in other areas. I think it
315 is important that we remember that this event is about cross-collaboration with support from
the TT marshals, from across Government and the promoter. These concerns that the
Hon. Member is raising are legitimate and I would think that as part of this whole process they
will be wanting to discuss those issues.
Thank you.

320

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I have two questions for the Minister. How does he get feedback from the sponsors and how
325 is that fed into ongoing processes? Also, with regard to the merchandise contract, who in the
Department signs off any new designs and ensures that they are not the colour of a marshal's
vest going forward? There were many comments – I do not know if the Minister was aware of
them during TT – that we seem to be trying to merchandise and look like we are Formula One
rather than our traditional, unique TT. Who is responsible for ensuring that that merchandise is
330 to the standard we would require to promote our TT?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

335 I think we are straying away a little bit from the original statement, but what I would say to the Hon. Member is that, as the promoter obviously the Department for Enterprise is very much involved in that process, but again, as part of an ongoing debrief of the event and assessment and feedback, these matters will be discussed going forward.

Thank you.

340

The President: Supplementary, Mr Callister.

Mr Callister: Thank you, Mr President.

345 I thank the Minister for the information this morning. The new race schedule that was introduced about three years ago was there to maximise visitors during three peaks during the event. Would the Minister agree with me that neither the promoter nor the organiser can be held accountable for long periods of poor weather, which is what we experienced this year and we experienced last year; it is just how the dice rolls?

Thank you.

350

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

355 I thank the Hon. Member for his comment and I would agree with that. I think he makes a very important point, but I also accept that, quite rightly, after a major event like this it is always important that we take feedback and review. Those structures are in place, those individuals and those stakeholder groups, all involved are in place and I have every confidence in them and their ability to discuss those matters and take things forward.

Thank you.

360

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you very much.

365 If the amount of time that is available, Mr President, is fixed, perhaps there could be fewer races in that time, and that would create more time. So, my questions are as follows. Firstly, does the Minister agree that this debrief, this review, should include how many people were involved spending money around the town as well as directly on the TT and the Grandstand? I do think that is where we might lose the Isle of Man's population and support for the races if we do not make sure we see this as a balanced TT for everybody in the Island.

370 Secondly, I have been sent quite a few examples of YouTube films and YouTube livestreaming that have been taken down during the course of the TT. I have put down a Written Question for this but I just wanted to make sure that the Minister would consider what the law around this is and what the policy around this is, because that is another way that we could perhaps upset quite a few people who have got in the habit of filming and live-streaming from around the course.

375

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

380 The Hon. Member has done a great job of advertising his Written Question, to which, quite right, there will be an Answer coming and then there will be a response to that, so I do not really want to comment on that any further.

It is important that we take feedback from all involved, all stakeholders. This is a joint effort across Government, across the Island, and we want to make sure we do listen to that, but ultimately these things have to be data driven and there will be opportunities, for example, for the Business Agency to reach out to businesses, which they will do post-event, to understand what effect it has had on them. Clearly, all these things are really important to make sure that, quite rightly, as you say, this is an event for everybody and we take it forward in that vein.

Thank you.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

I am not asking the Minister to have the ability to control the weather – even that is beyond our Ministers here – but I am pointing out that the new schedule does not have much wriggle room in it now, as it currently is.

My question is, building on the interjections from Douglas Central MHK Mr Thomas: will the Minister be talking to not just Douglas City Council but to Port Erin Commissioners, Peel Commissioners, even Ramsey Commissioners – who do not have a Sprint, for example, now, in the new format – just to get feedback from them? What I have initially seen is that numbers were very much down.

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I do not want to comment on numbers at this stage. I think it is important that we get the data, we get the facts on that, but I think, as I mentioned in the earlier answer, through the Business Agency there will be that reach out across the Island, and we have those ongoing relationships with the hospitality and retail sectors across the Island, so we will definitely be wanting to get that feedback and that understanding.

Thank you.

The President: Supplementary, Mrs Kinnish.

Mrs Kinnish: Gura mie eu, Eaghtyrane.

Has the Minister considered consultation with the Manx residents as part of the debrief regarding the schedule for the Senior Race now being on the Saturday when the national holiday on the Friday is referred to as the Senior Race Day public holiday, just to understand the effect and impact on local people?

Gura mie eu.

A Member: Hear, hear.

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I would make the point that there has been previous public consultation, that there was public consultation before the schedule was changed, before that happened two, three, four years ago. We have had that conversation. I think the important point here is that this is not the DfE setting this out. This is consultation that is made across the organisers, the competitors, the teams, the marshals and the medics. They are all part of this process of discussing the schedule and how it works. That is ongoing.

I take the Member's point but the danger is ... It is always going to be a divisive issue, I think, the schedule, I accept that, but we have to listen to the professionals involved in this, who have

435 consulted, and that is how we have built this plan. The data we get, the feedback we get and the principles of why we made those changes I think are very positive, but I recognise that some people will always be unhappy with the change.

Thank you.

440 **The President:** Final supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I did not really get an answer with regard to the orange t-shirts that were very similar to marshals and the health and safety aspect with regard to that. I know there was some concern
445 from marshals raised. Can the Minister confirm, from a health and safety point of view, does his Department sign off the designs and the colours used for the merchandise; and, if not, why not, and does he think he should?

The President: Shirveishagh to reply.

450

The Minister: Mr President, I am not going to go into detail on that at this stage. What I would say is if the marshals have a legitimate concern they are part of the stakeholder group for feedback and that is something they will be able to feed back and make sure that if there are any concerns, these are addressed.

455 Thank you.

INFRASTRUCTURE

3. Sea Services Agreement variations since 31st May 2019 – Publishing; sea services framework working group terms of reference, membership

The Hon. Member for Douglas Central, Mr Thomas, to ask the Minister for Infrastructure:

If she will publish all variations made to the Sea Services Agreement since 31st May 2019; and what the terms of reference and membership of the sea services framework working group are.

The President: We move on to our third starred Question. I call on the Hon. Member for Douglas Central, Mr Thomas.

Mr Thomas: Thank you, Mr President.

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I would like to ask the Minister for Infrastructure if she will publish all variations made to the Sea Services Agreement since 31st March 2019, and what the terms of reference and membership of the sea services framework working group are?

The President: I call on the Shirveishagh Bun-troggalys to reply.

465

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

470

I thank the Hon. Member for his Question. All the variations to the Sea Services Agreement since 31st May 2019 are publicly available as downloadable documents on the Strategic Sea Services page of the Government website, gov.im, though probably not today because it is offline until five o'clock. Two such variations have been issued during this period, dated 30th June 2021 and 30th September 2021.

The sea services working group is structured into two sub-groups. The terms of reference and membership for both sub-groups are currently being finalised.

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

Mr Thomas: Thank you very much.

I appreciate the Minister confirming that there is only the first and the second variation as detailed and also announcing that the working group is still being established. I think the
480 Minister should be reminded that the working group is to report by December. Does the Minister agree with me that that is quite an ambitious timescale now, and forming that working group is urgent?

485 **The President:** Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

Yes, I agree with the Hon. Member. We are aware of the timeframe that we are having to work in and we are trying to work at pace.

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

Mr Thomas: Thank you.

The Treasury Minister mentioned in another place that there was liaison going on between the Steam Packet and the Department of Infrastructure about varying the Sea Services
495 Agreement. Does the Minister agree with me that he must have been wrong or the Department of Infrastructure is pre-empting what the working group considers and finds?

The President: Shirveishagh to reply.

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

It is at the discretion of the chair as to where specialists or other input might be required for the working groups. This could include the Department of Environment, Food and Agriculture, the Department for Enterprise, the Treasury, the Isle of Man Steam Packet and the Attorney General's Chambers. So, in setting up this body, we have allowed that the membership could be
505 drawn up as required by the working group.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

510 I just noticed that in that list there was not a consumer element. Is it planned to include the OFT or a lay member of the OFT to represent consumers?

The President: Shirveishagh to reply.

515 **The Minister:** Thank you.

The working group, at the moment, we are anticipating is membership drawn from relevant Government Departments, but I absolutely take his point that perhaps the OFT would be a good body to include in that.

520 **The President:** Final supplementary, Mr Thomas.

Mr Thomas: Thank you.

It seems that this is the same error that has been made the last two times that the sea services framework has been reviewed. Can the Minister confirm who is the chair of the working group, given that the terms of reference are not yet published? It is just the Department of Infrastructure in general at the moment.

Secondly, can the Minister confirm that she understands that given that there have been no variations of the Sea Services Agreement, the date will be passed in a couple of weeks when the Sea Services Agreement can be varied in its own terms? To read out 'Strategic Reset':

13.1. Within six (6) Months of each Review Date the Department shall be entitled to issue a Contract Variation Notice to the Company requiring a variation to the provisions set out in [various clauses] ...

And the review date is defined as 'the fifth tenth fifteenth and twentieth anniversary as appropriate of the Commencement Date', which was 1st January 2020. Is the Minister aware that effectively Government has dillied and dallied and we have missed the chance to vary the Sea Services Agreement at its fifth anniversary?

The President: Shirveishagh to reply.

The Minister: Thank you very much.

In answer to the first part of the question, it is the Director of Harbours who is preparing the working group from the Department perspective. And yes, we are aware of the deadlines.

MANX UTILITIES AUTHORITY

4. Earystane site – Meteorological Office concerns

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Chair of the Manx Utilities Authority:

What concerns about the Earystane site have been made known to the Authority by the Meteorological Office during any assessment of potential windfarm sites.

The President: We move on to our fourth starred Question. 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 Chair of the Manx Utilities Authority what considerations about the Earystane site have been made known to the Authority by the Meteorological Office during any assessment of potential windfarm sites?

The President: I call on the Caairliagh Shirveishyn Vannin to reply.

The Chair of the Manx Utilities Authority (Mr Wannenburgh): Thank you, Mr President. Neither Manx Utilities nor Wardell Armstrong have received any concerns from the Met Office about the site or indeed any other potential site.

The President: Supplementary, Mr Moorhouse.

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

Unfortunately, your Answer only focuses on the current assessment, and the Question is actually looking at any assessment of potential windfarm sites. I would like to draw your attention to the late 1990s, when the case for a windfarm at this site was actually dismissed as a possible site for the wind turbines because it would be subject to significant turbulence off South Barrule and north-westerly air streams. Has the board been made aware of that situation?

The President: Caairliagh to reply.

The Chair: Thank you, Mr President.

Modern advances in technology may mean that historical conclusions are no longer valid. Since the 1990s, class 1 turbines are now specifically designed to operate in extreme weather conditions. As a result, class 1 turbines will naturally be the turbine of choice for this site.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

The Chair says that he has had no concerns expressed to Manx Utilities or indeed to Wardell Armstrong. Have the Met Office been asked?

The President: Caairliagh to reply.

The Chair: Thank you, Mr President.

I believe they have. I will need to confirm that, but yes.

The President: Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

With regard to the datasets being used, there was a UK Met Office site at Meary Veg for many years and it has been suggested that their data does suggest there is significant turbulence from South Barrule in a north-westerly airstream. In terms of that data, if it is available, could it be made available as soon as possible to Tynwald Members? And if not, could the MUA get a copy of it and make it available?

The President: Caairliagh to reply.

The Chair: Thank you, Mr President.

As detailed on the Manx Utilities website, a 30-year dataset from the Numerical Objective Analysis of Boundary Layer database (NOABL), which includes all the data from the Met Office, has been used in the initial site selection process. Further data was collected using the SoDAR device placed at Earystane. For completeness, the dataset was further supplemented by the Hadley dataset, which is sourced directly from the UK Met Office.

The Hadley and NOABL datasets are in the public domain and available from the Met Office, and of course Tynwald Members can avail themselves of this information. This is not something that Manx Utilities can provide as we are not the information owner.

Thank you.

The President: Final supplementary, Mr Moorhouse.

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

In addition to the materials that are on the website, and with regard specifically to the environmental impact assessments, will Wardell Armstrong be looking at comparative studies done for the whole Island, or are they just focusing on a small area of the Island in terms of the

610 wind? The reason I ask that is because attention has been drawn to the similar issues of the north-westerly airstreams of Greeba Mountain, and there have been historic issues in terms of impact on structures. Can that be looked at as part of the environmental impact assessment?

The Chair has tried to provide some reassurance in terms of the modern equipment, but in terms of that modern equipment, can it deal with what the church had to deal with quite a while ago?

615 **The President:** Caairliagh to reply.

The Chair: Thank you, Mr President.

620 Wardell Armstrong have undertaken modelling based on best practice for wind turbine design. The datasets which are used are extensive, with data captured from 50 m up to over 200 m. This information includes all turbulence experienced at the site which could impact wind turbines. SoDAR is specifically designed to measure the direction and wind speed of all fluid layers above the device. The collected data supports other datasets that are available. Class 1 turbines are specifically designed to withstand extreme weather conditions. They will be
625 selected because of the known conditions recorded at the site.

I think what is important is that the full details will only be available once the EIA is formally submitted, which will provide an opportunity for further scrutiny.

Thank you.

Q5 converted to Written Answer

630 **The President:** We move on to our unstarred Questions. Question 5 has been converted to written.

CHIEF MINISTER

6. Local government amendment legislation – Plans

The Hon. Member for Douglas Central, Mr Thomas, to ask the Chief Minister:

Whether his Government plans to introduce further local government amendment legislation; and if so, what this will address.

The President: We move on to Question 6, and I call on the Hon. Member for Douglas Central, Mr Thomas.

Mr Thomas: Thank you, Mr President.

635 I would like to ask the Chief Minister whether his Government plans to introduce further local government amendment legislation; and if so, what this will address?

The President: I call on the Ard-shirveishagh to reply.

640 **The Chief Minister (Mr Cannan):** Thank you, Mr President.

There are no plans to introduce further local government amendment legislation other than the two Bills which are otherwise in the legislative programme. They are the Elections (Keys and

Local Authorities) (Amendment) Bill and the Local Government (Amendment) Bill 2023, which is currently in the Branches.

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The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you, Mr President.

650 Does the Chief Minister agree with me, though, that Ms Lord-Brennan made some excellent points about some possible amendments? I think Ms Edge did the same about some other amendments. Also, there are some pretty controversial new clauses that were introduced that became clause 5 in the Bill. So wouldn't it be a good idea to withdraw that clause 5 officially and put all of these excellent ideas into a new Bill that can be properly consulted on and properly brought forward at a later stage, and we finally get the 12-year-old Bill that is currently in the
655 Legislative Council through?

The President: That question is out of order as the Bill is already in the Branches. Do you have a further supplementary, Mr Thomas?

660 **Mr Thomas:** Thank you.

Does the Chief Minister agree with me that it is a bit unfortunate that the Legislative Council already decided not to take the 2021 version of this Bill through the Branches because it had not been confirmed in the House of Keys, (**The President:** Mr Thomas –) and it is now –

665 **The President:** Mr Thomas, the same issue applies here.

Mr Thomas: – in the 2023 Bill?

The President: No other supplementaries? No.

7. F35 fighter jet parts for export to Israel – Whether in production on Island

The Hon. Member for Douglas East, Ms Faragher, to ask the Chief Minister:

Whether F35 fighter jet parts for export to Israel are in production in the Island, and if he will make a statement.

670 **The President:** We move on to Question 7. I call on the Hon. Member for Douglas East, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

675 I would like to ask the Chief Minister whether F35 fighter jet parts for export to Israel are in production in the Island, and if he will make a statement?

The President: I call on the Ard-shirveishagh to reply.

680 **The Chief Minister (Mr Cannan):** Mr President, to export certain goods from the Isle of Man or the UK, particularly those considered strategic or dual use, you will most likely need an export licence. The type of licence required depends on the specific items, their destination and their intended use. The Export Control Joint Unit is the UK body that administers export controls and issues licences.

685 The Isle of Man Government is not made aware of the specific programmes that Isle of Man businesses are working on. However, I can confirm that we are compliant and we do not expect support to countries where export licences are not permitted.

The President: Supplementary, Ms Faragher.

690 **Ms Faragher:** Gura mie eu, Eaghtyrane.

Gura mie eu, Ard-shirveishagh – thank you, Chief Minister – for that brief reply. Does the Chief Minister think that involvement in manufacturing components for the F35 used in conflicts where war crimes are alleged raises concerns about the Island being seen as complicit in those actions?

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The President: Ard-shirveishagh to reply.

The Chief Minister: What I should first of all say, Mr President, is that we have a highly skilled manufacturing sector that employs some 1,200 people on this Island designing and manufacturing precision-engineered components for aerospace commercial and defence programmes. We should be immensely proud of our engineering sector and the skills that are employed therein. (**A Member:** That's right.)

705 In terms of specifics, what I would say, and I have told the Hon. Member, is that we are compliant with the standards that are applied by the Export Control Joint Unit by the UK government. In terms of the F35 programme, it is a global programme that has a broader strategic role in NATO and, as the Defence Secretary answered on 5th September 2024, has implications for our support for Ukraine and the capability of our allies far beyond that of just one particular conflict.

710 **The President:** Supplementary, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

715 I am just trying to get some answers here. I fully accept that some matters sit with the UK, but surely the Chief Minister would agree that we do have responsibility for economic activity taking place here and that we can consider the ethical implications of things that take place here. Would the Chief Minister agree that legality alone does not always answer ethical responsibility, particularly where international humanitarian law is concerned?

720 **The President:** Ard-shirveishagh to reply.

The Chief Minister: Our manufacturing businesses, Mr President, are part of global supply chains involved in global aerospace commercial and defence businesses. We absolutely align with the United Kingdom on these international matters. I have already explained to the Hon. Member that export control is a matter for the United Kingdom. We comply with the necessary standards.

725 Perhaps it might also be of interest for the Hon. Member to note that in September 2024 the UK government made the decision that the UK would suspend arms export licences to Israel for use in military operations in Gaza. I have already explained to the Hon. Member that the F35 is an international programme and has far greater implications than simply one conflict.

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The President: Final supplementary, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

735 I do appreciate the Chief Minister's responses but actually I am asking further questions, and just repeating the same answers is not really giving me the answers that I am seeking.

Obviously, as I have said, I fully accept that some matters do sit with the UK, but surely the Chief can understand that we have responsibility for what actually takes place in the Island, and that is what I am asking here. Would the Chief Minister at least commit today to consider seeking further advice or assessment in light of our commitment to good international citizenship and compliance with international humanitarian law and engagement?

Thank you.

The President: Ard-shirveishagh to reply.

The Chief Minister: I have already told the Hon. Member our position on this. If she wants to stop jobs in manufacturing in the Island, then that is her business. It is not my intention to impact on local families and local skills. I have already told you we should be very proud of our manufacturing sector, the role that it plays both in defence, commercial aviation in particular, and indeed in terms of manufacturing precision and component parts for so many different programmes that receive international exposure and are dealt with by many international businesses and countries.

That is the position that the Isle of Man Government adopts. We of course expect our businesses to fully comply with the export licence requirements, and I confirm that all these types of parts that she is referring to are fully under the control of the Export Control Joint Unit in the United Kingdom.

8. Government messaging to TT visitors – Whether sufficient

The Hon. Member for Arbory, Castletown and Malew, Mr Glover, to ask the Chief Minister:

Whether in his opinion there was sufficient messaging from the Government to TT visitors.

The President: Moving on to Question 8, I call on the Hon. Member for Arbory, Castletown and Malew, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

I seek to ask the Chief Minister, whether in his opinion there was sufficient messaging from the Government to TT visitors?

The President: I call on the Ard-shirveishagh to reply.

The Chief Minister (Mr Cannan): Mr President, there was a co-ordinated multichannel effort across Government to deliver clear, practical information including safety messaging, event updates, public health guidance and relocation promotion. Spokespeople were chosen for their strong connection to the TT audience, including former winner Richard 'Milky' Quayle, alongside the tourist character from Visit Isle of Man's award-winning 'There is more to iTT' campaign and other well-known voices from the racing community.

The TT remains a proud part of our Island's culture and heritage, and across Government we continue to shape our communications around what our visitors value most, and recognise the important role the right spokespeople can play in promoting the Island on a global stage.

Thank you.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

780 I just want to place on record that the Department Member with responsibility for TT and motorsport was outstanding at the event, and a big improvement was the WhatsApp messaging. (Interjection by Mr Callister) The current one.

785 The reason for the Question, though, is I did not hear a welcome from the Chief Minister or indeed the Enterprise Minister to TT visitors to the Island, or indeed a 'goodbye and safe travels.' It just seems like it was a PR opportunity missed by central Government.

The President: Ard-shirveishagh to reply.

790 **The Chief Minister:** There is absolutely a role for senior political leaders to play in terms of promoting the Island, welcoming visitors to the Island and reinforcing key messages, but I do think that that needs to be put carefully into context and be balanced.

795 I will take the Hon. Member's considerations on this and seek to consult further as to whether a more prominent visual welcome from senior politicians or the Chief Minister, perhaps on his Harley, (Laughter) might be more appropriate, (**A Member:** No, no.) but it is a valid point. It has to be in balance, though, and it has to be in the context of what is meaningful to our visitors.

The President: Supplementary, Ms Edge.

800 **Ms Edge:** Thank you, Mr President.

805 The Chief Minister has brought me to my feet talking about a Harley. I just wonder whether he would mind explaining what the role is of politicians up at the TT. Are they there to promote and support what is going on? I would just like to understand what the role is. Are they there in a professional capacity at all times and should they be presenting and representing the Government in that way?

The President: Ard-shirveishagh to reply.

The Chief Minister: Thank you. I will not ask who Harley was.

810 I think there is a role because we do get a wide variety of visitors to the TT. We also get individual visitors to the TT who potentially carry influence, whether that is commercial influence or representative influence, in different spheres. So there is absolutely a role for senior politicians or any politician to play as they see fit. But of course, like everything else, these matters do need to be put into balance and into context and dealt with appropriately.

TREASURY

9. Major Projects Board –

Meeting dates since establishment; projects considered; advice to Treasury, CoMin

The Hon. Member for Douglas Central, Mr Thomas, to ask the Minister for the Treasury:

On which dates since it was established the Major Projects Board has met; what capital programme projects it has considered; and what advice it has provided to the Treasury and to the Council of Ministers.

815 **The President:** Moving on to Question 9, I call on the Hon. Member for Douglas Central, Mr Thomas.

Mr Thomas: Thank you, Mr President.

I would like to ask the Minister for the Treasury on which dates since it was established the Major Projects Board has met, what capital programme projects it has considered and what advice it has provided to the Treasury and to the Council of Ministers?

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The President: I call on the Shirveishagh Tashtee to reply.

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

I would like to thank the Hon. Member for his Question. The Major Projects Board is
825 scheduled to meet on a monthly basis and has met on nine occasions since May 2024. It did not meet in July, October or December in 2024 and nor did it meet in February 2025.

The Board has considered and discussed projects including the new Castle Rushen High School project development, the Department of Home Affairs blue light hub proposals, a project development funding request in relation to the Isle of Man Prison, the proposed Manx Care
830 Record project and the redevelopment of Radcliffe Villas.

With respect to the Department for Infrastructure, there was discussion of several discrete schemes, including a project development funding request for Balthane roundabout plans, waste management plans, airfield drainage, and there was also consideration of certain Manx Utilities schemes including dispatchable generation proposals, wastewater treatment proposals
835 in relation to timing and land purchase, and their onshore wind project.

The Board has provided advice to Treasury and the Council of Ministers on the onshore wind project and has provided advice to Treasury and the Strategic Asset and Capital Investment Committee (SACIC) on a number of the issues above, as well as supporting consideration of the pipeline of projects to understand affordability and impacts as well as commentary and queries
840 for the project management units on other projects.

Thank you.

The President: Supplementary, Mr Thomas.

845 **Mr Thomas:** Thank you very much.

I can find a press release about the appointment of the Chair. Can the Minister confirm whether or not there are any other external advisers on this Major Projects Board alongside the Chair? I might have just missed something. I noticed that in that list we have now moved into software projects like the Manx Care Record and projects that are very specialised, like Manx
850 Utilities projects.

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

855 I thank the Hon. Member for his supplementary question. At the start of the request by the Council of Ministers for the Major Projects Board to be established, the initial idea was to have three external representatives on the Board. Unfortunately, when the initial advertisement went out for members, only one was found to be appointable, and so since the establishment of the Major Projects Board there has been just the independent Chair of it. However, we will be
860 looking again at the governance of the Board and the constituents of the Board as we go forward.

In terms of his other comment regarding the outline of projects, some of these projects are considerable IT projects which require project management from start to finish, particularly the Manx Care Record. Obviously the Major Projects Board will be using their expertise to tie into
865 the work that has already been carried out by the Transformation Board and the Department of Health and Social Care in that respect.

Thank you.

The President: Supplementary, Mr Hooper.

870 **Mr Hooper:** Thank you very much, Eaghtyrane.

The Minister talked about this Board meeting monthly, except for the four months when it did not meet. Can he provide some rationale as to why the terms of reference to the Board are not being adhered to? Why is it not meeting monthly, like he said it was?

875 Also, the terms of reference make reference to monthly or quarterly reports to the Council of Ministers. Can he confirm those monthly or quarterly reports are being provided, and how a quarterly report was provided to the Council of Ministers for a quarter when the Board did not meet?

The President: Shirveishagh to reply.

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The Minister: Thank you very much, Mr President.

I thank the Hon. Member for this supplementary question. The missing dates were because of either unavailability or only limited items on the agenda, so these were then rounded into another meeting. Obviously when there was nothing to be discussed there were no reports that

885 came forward.

Thank you.

The President: Supplementary, Mr Thomas.

890 **Mr Thomas:** Thank you very much.

Those terms of reference are very clear that the Major Projects Board – when it eventually came into fruition, at least in partial fruition – is an oversight body; it is not a delivery body. It is my understanding that the Department of Infrastructure still leads on project delivery for most projects. Presumably DHSC is leading on the Manx Care Record.

895 It is just a simple question to the Minister. When the public wants to have a go at Major Projects' performance in the future, should they be having a go at Treasury because of its responsibility for the Major Projects Board, or should they be having a go still at the Department of Infrastructure? Should the record move on, and should Treasury be the font of all evil when it comes to major capital projects' overspend, delay and bad performance?

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The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

905 I am sure the Hon. Member and other people will continue to blame Treasury where that blame is due, but I think he is absolutely right that the Major Projects Board was established to give that strategic oversight. It does not distract from the operational delivery of these projects, which will lie in the Department or the Project Management Unit of the Department for Infrastructure.

Thank you.

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The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

915 The Minister mentioned that they also look at the works and capital schemes that are in the pipeline. Would the Minister mind circulating what is in the pipeline so Hon. Members have a better understanding of the capital programme, because it is not all clearly listed in the Pink Book anymore?

Also, with regard to the projects that the Minister mentioned – Castle Rushen High School, the Department of Home Affairs blue light, the Prison, DoI discrete schemes, the MUA – does he

920 think that if he went out to referendum on that to the Manx public, they would agree with those capital projects and the professional expertise in Treasury to be having oversight of these? As he has just stated, there is only one independent professional person. How is he going to beef up that team to ensure they can do proper due diligence on any scheme coming forward and take the shackles off Treasury and make sure that the Departments have more of a say?

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The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

In terms of the pipeline of projects, these are outlined in the Budget and also in the project development funding bids that come forward, which again are outlined in the Budget.

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The Hon. Member's references to shackles ... Again, this is not about shackling. This is about strategic oversight of those important high-value projects; high value in terms of their impact to our society or monetary value. This is to give the extra oversight and the extra support to those organisations that are bringing these projects forward, whether they be individual Departments, Manx Utilities or the Department of Infrastructure.

935

Thank you.

The President: Supplementary, Mr Thomas.

940 **Mr Thomas:** Thank you very much.

I noticed the Manx Utilities Authority was included. Two of the largest investment projects at the moment are around sea services and the Westmoreland Village site. Has the Major Projects Board considered, in the way laid out in the terms of reference, both of those huge investments of public funds through arm's-length organisations, or is that a major blind spot in the control?

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Secondly, what role did the Major Projects Board decide in the relative weighting of the significant Manx Care DHSC healthcare projects? I am talking about Radcliffe Villas coming forward very early, the ambulance station and the Manx Care Record, which is a huge amount of millions of pounds.

Finally, the terms of reference allocate to the Board responsibility to consider the economic impact and delivery objectives of projects aligned to the Island Plan, also to strategically consider the risk, including the strategic appropriateness. Were Mr Quayle and Mr Brown wrong yesterday; it is not actually Treasury that is running all of this, it is Treasury advisers, the Major Projects Board, who are deciding where the money gets spent, but they have a blind spot to things like the Manx Development Corporation and the Steam Packet?

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The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I will try to deal with three questions in one again. The Hon. Member talks about the Sea Services Agreement, which is an agreement, and the Hon. Member, the Minister for the DoI, has already answered that, and also the Westmoreland Village site, which is a large potential investment. It is still obviously an active planning application, so I will not comment on it particularly, but I would draw his attention yet again ... when he talks about public funds, that that is aimed to be developed using private funds through the banking agreements that he is well aware of.

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In terms of weighting for projects going forward, that is not the role of the Major Projects Board; it is strategic oversight. So he is unfortunately incorrect that the Major Projects Board would in some ways steer various Departments in terms of what they can and cannot do.

I think he is absolutely right in terms of the terms of reference and the economic impact. However, I would disagree with him in terms of where money is being spent. That is the role of Tynwald in terms of agreeing the Budget. What the Major Projects Board does is have that

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strategic oversight of those agreed infrastructure investments which are going forward, which conform with the terms of reference and will benefit from that external oversight as they are progressed.

975 Thank you.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

980 The Minister has just said 'agreed infrastructure investments'. Who have they been agreed by? Many of these projects that have been mentioned, yes, we know about them but they have never come before this hon. place.

I just wonder whether the Minister can answer my first question with regard to the priority of these projects and what the value is of the ones that they are currently very heavily involved in – the school, the Prison, the DHA blue light, and obviously these discrete schemes which sound like they are secret schemes. I know they are not, but it does give that impression.

985 What is that agreed investment infrastructure? Who has agreed it? I do not believe any Hon. Member in here has agreed how much the investment is for Castle Rushen High School, for example, and when we can see this, but that pipeline ... I would like an answer on that being circulated because it is not clear in the Pink Book.

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

995 I thank the Hon. Member for her question. Again we are talking about the Budget process, and the priority of the projects coming forward will be determined very much by the individual Departments bringing them forward. Obviously their deliverability will be operationalised by the Department of Infrastructure or whoever delivers that.

1000 In terms of Castle Rushen High School, the Prison development and the Department of Home Affairs blue light project, all of these have been subject to project development funding, which is in the Pink Book, and when those come forward, if they come forward for a final Infrastructure scheme, then that will obviously come forward as a capital bid to this Hon. Court.

Thank you.

1005 **The President:** Supplementary, Mrs August-Phillips.

Mrs August-Phillips: Gura mie eu, Eaghtyrane.

1010 Does the Board consider, for these major projects, whether or not there is the right level of subject matter expertise working on operational delivery, and indeed at their own high level strategic level as well, where necessary, or is that the responsibility of Departments? It seems sensible in risk managing some specialised projects to completion. The reason why I am asking is that Government seems to have some history in this particular area of becoming a somewhat bad client in not identifying risk at an early enough stage – the Liverpool Landing Stage, for example.

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The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

1020 I thank the Hon. Member for a very good point, which is that pre-loading of projects as they come forward to try to identify the possible risks, identify the possible challenges and make sure that we have as much information at the start of a project to identify those and try to anticipate them and build in contingencies rather than wait for things to start going awry halfway through the project.

1025 She is quite right, and one of the benefits of the Major Projects Unit is to look at these proposals coming forward in the round, to use that private sector expertise to identify where problems may arise and therefore try to bring in some early identification and mitigation for those. That is very important, obviously, with complex capital builds and infrastructure, but also is increasingly very important in terms of large digital developments and digital projects, to make absolutely certain that when they are initiated and when the bids come before this Hon. Court for the funding for them, all of this prior work has already been done.

1030 Thank you.

The President: Supplementary, Mr Thomas.

1035 **Mr Thomas:** Thank you very much.

To avoid written questions, would the Minister agree to circulate the actual terms of reference of the Major Projects Board? Apparently I am right about that, and I am just reading out what I can see, but apparently I am also wrong about what they mean. I think it would be helpful to circulate the terms of reference, signed, with the actual membership described accurately and the actual role and practice over that time in terms of regularity of meetings and reporting and so on.

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Secondly, does the Minister agree with me that it would be helpful to start publishing the agendas at least of the Major Projects Board, so at least civil servants around the other parts of Government know what is going on?

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The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

The terms of reference of the Major Projects Board are already published and available on the Government website.

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In terms of the members of the Board, at present that is the Chair, the expert adviser, the Deputy Chief Financial Officer, the Director of Strategic Assets, Management and Valuations, and also His Majesty's Solicitor General.

In terms of some of the other comments that the Hon. Member has made, I think the Major Projects Board has been liaising very closely with other civil servants in the relevant Departments when the projects that they are leading on have been identified as certainly needing and perhaps benefiting from this oversight. As the project development board continues to look at the various projects coming forward, obviously that liaison will increase.

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Thank you.

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The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

The Minister mentioned a whole myriad of projects that are in development at the moment and would come forward for a supplementary vote once the figure was known to this Hon. Court. Does that apply to the windfarm as well?

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The President: Shirveishagh to reply.

1070 **The Minister:** Thank you very much, Mr President.

The full funding for the onshore wind project from Manx Utilities I understand would be subject to a full capital bid in terms of coming forward to Tynwald for agreement, yes.

Thank you.

1075 **A Member:** Hear, hear.

The President: Final supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

1080 We often ask for terms of reference to be published in this place, and the Treasury Minister
has rightly identified that the terms of reference for the Major Projects Board are already
published, but he has also confirmed that those terms of reference have not been adhered to.
They have not recruited the extra external advisers, they have not actually met monthly and
they are not providing quarterly reports (**Mr Thomas:** Hear, hear.) to the Council of Ministers.
1085 Can the Treasury Minister advise what the purpose is of drawing up and then publishing terms
of reference if he clearly has no intention of abiding by them?

A Member: Hear, hear.

1090 **The President:** Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I thank the Hon. Member for his comments. It is regrettable that we were not able to fully
constitute the Board, but that is certainly still the ambition going forward, and as the capital
programme advances, that external oversight, I think, will be very useful.

1095 I completely understand his question, but the terms of reference are just that. They are
terms of reference in terms of how this body should be structured, when it should be meeting,
what the requirements should be on it, but as I have already pointed out, there have been
several occasions when there were not meetings because of either unavailability or limited
items on the agenda, and that is why there has been a deviation from those terms of reference.

1100 Thank you.

10. Review of the Isle of Man Government Procurement Policy – Recommendation progress

The Hon. Member for Douglas East, Ms Faragher, to ask the Minister for the Treasury:

What progress has been made with the recommendations in the Review of the Isle of Man
Government Procurement Policy [[GD 2022/0042](#)].

The President: We move on to Question 10. I call on the Hon. Member for Douglas East,
Ms Faragher.

1105 **Ms Faragher:** Gura mie eu, Eaghtyrane.

I would like to ask the Minister for the Treasury what progress has been made with the
recommendations in the Review of the Isle of Man Government Procurement Policy?

The President: I call on the Shirveishagh Tashtee to reply.

1110 **The Minister for the Treasury (Dr Allinson):** Thank you, Mr President.

I would like to thank the Hon. Member for her Question. Rather than stand here today going
through each and every one of the 13 main recommendations and the further 33 proposed
actions, I believed it would be in everyone's interest to share with Hon. Members, in advance of
today's sitting, a summary of the progress that has been made to date. I would also like to start
1115 by taking a few minutes of the Hon. Court's time to provide a little bit of background, which
I hope will prove useful.

In December 2020, following a competitive procurement exercise, Treasury commissioned Prism Business Consulting Ltd to conduct a review of the Procurement Policy to check that the policy framework and its implementation were achieving the objectives that were set and, where necessary, to update the policy and procedure to ensure that it was fit for purpose. Work commenced in January 2021 and was substantially complete by the end of June 2021. Following the production of the final report, a Members' briefing was held in May 2022 before the final report was laid before Tynwald in June 2022.

The Review found that:

The Policy essentially remains fit for purpose and the core objectives remain sound.

However, there were some significant areas of improvement identified, particularly in the implementation of the policy objectives. A summary of the recommendations for improvements was set out in the document I circulated yesterday.

Prism Business Consulting were engaged by Treasury on two further occasions to assist with the delivery of the Review recommendations. The first occasion was to facilitate a workshop with members of the Chamber of Commerce, and the second to benchmark the measurement of procurement performance with UK public bodies and other Crown Dependencies. Both engagements assisted the progress made to date and are referenced in the circulated document.

Of the 33 actions arising from the original report, I am advised that 17 are all but substantially complete, recognising of course the will of this Hon. Court expressed at our May sitting to further review the local benefit of the Government's procurement decisions.

In addition, I have been advised that progress has been made on a further 13 recommendations, the majority of which have now been subsumed into the Government's Efficiency Programme, which should be able to provide the resources necessary to bring them to conclusion. Furthermore, the workstream within the Efficiency Programme to review procurement resourcing has the potential to enable the work on the remaining three recommendations to start.

I hope Hon. Members appreciate that, mindful of the number of recommendations in the original Review, I may not have all the necessary information to hand to answer all supplementary questions that may be asked. I will, of course, do my best but may need to circulate some answers after this sitting.

Thank you.

The President: Supplementary, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

Gura mie eu, Shirveishagh. Thank you to the Minister for his response and also for the update that he circulated. In that update, most of the recommendations are marked as green, which suggests that they have either been completed or implemented, but this policy document is over three years old now, and when you look more closely at the commentary there does not seem to be much evidence of application of the recommendations in practice.

For instance, recommendations 5 and 6 both relate to social benefit and social value. The action notes say that the Chamber of Commerce was consulted and requested that the approach not be too onerous, but it is not clear what specifically was considered onerous; nor is it determined why the Chamber of Commerce were given the final determination here. I would really like an answer to that: why it was decided that the Chamber of Commerce's view was the final say in this.

The commentary under recommendation 6 is quite unfocused. It refers to various ways of measuring social value, but then it says that these will not be considered until after a review of the resourcing process under recommendation 5. Despite that, both recommendations 5 and 6

are marked as green, marked as complete. Can the Minister clarify how these are considered complete when key questions remain unresolved and much of the implementation seems to have been deferred?

Thank you.

1170

A Member: Hear, hear.

The President: Shirveishagh to reply.

1175 **The Minister:** Thank you very much, Mr President.

I thank the Hon. Member for her comments. The implementation of changes to the Procurement Policy and the operation of that, as she said, has taken time in terms of working with all the local providers. Again, with a procurement, what we are trying to do is get absolute value for money for the Manx taxpayer but also support the local community, including the local economy and, obviously, as she has commented, the social values going forward.

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One of the key requirements, though, of any Government policy going forward is that it is easy to understand and easy to implement and does not appear to be onerous to those people who would be going into procurement with Government in terms of certain tenders. That is why various trade representative bodies, such as the Chamber of Commerce and Construction Isle of Man, have been consulted in terms of the necessary paperwork that has to be done.

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Their feedback, and I think the local economy's feedback in total, has been to make things as simple as possible so that local providers of services and goods can operate on a level playing field with some of the larger players across the water. That is what the Procurement Policy is aiming to do: balance that need for value for money and the benefits of the local economy with ease of access to procurement through things like the quick quote system and through clear dialogue with all those involved in procuring services through the Government portal.

1190

Thank you.

The President: Supplementary, Mr Hooper.

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Mr Hooper: Thank you very much, Mr President.

I would like to pick up on exactly the same point. I would like to thank the Treasury Minister for circulating this very detailed response, but actually the narrative and the content of this response is very much at odds with the statement he has given us that everything in here, or most of it, is substantially complete.

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I will give the Treasury Minister an example. Recommendation 1.3 is that an annual efficiency statement of savings should be formally captured and reported upon to improve the standing of the service. This is marked as green and the Treasury has confirmed that this data is being recorded. I have not seen an annual efficiency report, I do not remember ever even hearing about an annual efficiency and savings report from the Treasury, from Procurement Services, but the Treasury is confirming this is green, this has been done. So can the Minister provide some information as to where this annual efficiency and savings report has been formally captured and reported on, because he is sitting here telling this Hon. Court that it is being done?

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1210 **The President:** Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I thank the Hon. Member for his comment. He is quite right, I have not seen the exact annual efficiency report either and I have brought this to the attention of the Head of Procurement. We are collecting the data, we will be reporting far more, and that will be subsumed within the efficiency and productivity initiatives now taking place right across Government. But we need to report this and we need to evidence that some of the initiatives that have been brought through

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this Review and through the changes in procurement provide that value for money but also that social and local economy benefit.

1220 Thank you.

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you very much.

1225 Green has been assumed to be an indicator of completeness. My recollection is that most often blue means complete and green means still on track and so on. Perhaps, especially given the nature of this Question, the Treasury Minister could advise us exactly what the supplementary information I hope he is going to publish means, whether green actually means complete or whether it means on track.

1230 The second point is that throughout this document there is reference to the contracts register and to the procurement and contracts workstream of the Efficiency Programme. Two questions. I seem to remember the contracts register was being centralised nearly a decade ago, so presumably we could have an accurate report on where we are in terms of the registration of contracts.

1235 Secondly, there seems to be an assumption that we are centralising contracts in all of this, so if there is a Department out there, or an office out there, or a board out there that is doing something and saving money by having its own contract rather than the central bureaucratised programme, look out because they are coming after your contract for shared services in all of these things. Does the Minister agree?

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The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

1245 I thank the Hon. Member for his comments, and I think there was a question in there as well. In terms of when you look at the recommendations, it was all about professionalising procurement.

1250 So while he talks about centralising this, I think it is very much evidence of professionalising this, having a Head of Procurement, making sure that wherever procurement happens it is done in the right way, and that feeds into the Hon. Member from Douglas East's question about social value and how that is incorporated.

1255 We need to make sure that we have a comprehensive and consistent approach to procurement right across Government going forward, and that is what this policy was aimed to deliver. That is what we are striving for in terms of the RAG status. All of these are ongoing and all of these are subject to continual review going forward, as we stated in the last sitting of this Hon. Court.

Thank you.

The President: Supplementary, Ms Faragher.

1260 **Ms Faragher:** Gura mie eu, Eaghtyrane.

1265 Thank you to the Minister for his responses so far, but in terms of the Chamber of Commerce input, this policy document also relates to social care procurement, so it really does not fit at all that the Chamber of Commerce would have input into how we apply social value in that context. Could the Minister please provide some reassurance today that they are going to look at this again, because we are actually missing out on valuable community enrichment by not applying social value appropriately in those contracts?

In terms of his comments regarding his actions that are marked as green, I do appreciate what he said there, but, with respect, if the commitments are marked as complete while key

elements are still under review or have not been applied in practice, does that not risk giving a false sense of progress?

Thank you.

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I thank the Hon. Member for her comment. This is an ongoing and continually changing aspect of how taxpayer money is spent in the best way, but also how it is used to incentivise the local economy and, as she says, bring in economic and social value to everything we do in terms of using the public purse. In fact, looking at social value, there is the clear statement that every public pound spent is an opportunity to contribute to the well-being and sustainability of our society – in other words, to unlock its social value – and I do think that is important as we go forward.

In terms of some of the other aspects of the policy, there have been some interesting developments in the United Kingdom, which I know she is aware of, in terms of their Procurement Act 2023, which has just come into effect in March this year. Some of the practice notes and statements about that – and certainly Treasury will be looking at those – very much incentivise as one of the key targets the new opportunities in terms of public procurement for small to medium-size enterprises, which Members are obviously aware are the bedrock of our local economy, but also the voluntary community and social enterprises which are present very much in our nation and which are very important.

I think it is absolutely right that particularly in terms of social care contracts we take into account the social value that these organisations bring to our community and which can actually be encouraged and enhanced by being part of the procurement process.

Thank you.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I thank the Member for bringing this Question because it has enabled the website to be updated with the successful bidders. Certainly it was out of date for some considerable time, so I thank her for raising that and ensuring that the project team have updated it.

My question for the Minister is with regard to quick quotes. They do not appear to be part of that reporting of interests and who has been successful in the quick quotes. The Minister might wish to check on this and make sure that all quick quotes are going out on the portal and that it is done through a fair process, because I am aware of a few quick quotes recently that have not been on the portal but the jobs have started.

The President: Shirveishagh to reply.

The Minister: Thank you very much.

I thank the Hon. Member for her comments and I will certainly take that up with the Head of Procurement in terms of quick quotes. I am aware that sometimes there is a framework agreement established for some of the minor works, but I will certainly take on board what she has said and take that further.

Thank you.

The President: Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

1320 I am really glad that the Treasury Minister made reference to the ongoing Efficiency Programme workstreams, because again there are a number of things in this report that do not seem to stack up. I am also glad that he said he has not seen those annual efficiency savings either – because why are we interested in annual efficiency savings? Who cares?

1325 There are two particular recommendations I would like to draw his attention to that are now incorporated in the ongoing Efficiency Programme. One is recommendation 4.1.1, which says, ‘analyse your current procurement structure and find out if it aligns with the overall Government objectives’. Eight years ago that was a recommendation. It was repeated as a recommendation in 2022, and now the Treasury are saying, ‘We are still thinking about it.’ So eight years on from the 2017 Prism report, the Treasury still does not know if procurement structures and policy align with overall Government objectives.

1330 There is another recommendation in here as well that I would like to ask about because again this has been incorporated into a workstream, and that is recommendation 9, which states that Procurement should attend kick-off and contract review meetings. Again, that has been subsumed into the procurement and contracts workstream. So actually it feels like nothing is happening here. It feels like we had a report eight years ago, an update three years ago, and now we are saying we still have not done those quite basic things like making sure Procurement attend kick-off meetings, and so now we are subsuming it into yet another Government workstream.

1340 Can the Treasury Minister confirm whether the narrative in this report is actually accurate and that is actually what is happening within the Treasury procurement review; that we are just knocking things further and further down the road instead of actually making change? That is how this report reads.

1345 **The President:** Shirveishagh to reply.

The Minister: Thank you very much.

This is just an update on where we are in terms of the various recommendations, which was compiled over the last week, rather than a full report in terms of procurement, but I take on board the Hon. Member’s comments.

1350 In terms of the particular recommendations he recommends, recommendation 4.1.1, ‘analyse your current procurement structure and find out if it aligns with the overall Government objectives’, obviously the overall Government objectives are in the Island Plan, which has been agreed by this Hon. Court, and certainly we have pivoted a lot of the procurement and contract workstreams to address that and address the priorities that we have agreed for our community.

1355 In terms of recommendation 9 and the need to take part in what he terms kick-off meetings –

1360 **Mr Hooper:** It is in the report.

The Minister: – that is overall project management, and there have, as stated in the comments, been some issues, obviously, in terms of resources and time. With the kick-off and contract review meetings we will be spending more time looking into these in enhanced detail as part of the workstream for the Efficiency Programme.

1365 Thank you.

The President: Supplementary, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

1370 Thank you to the Treasury Minister for his comments around social value and for noting that the United Kingdom has a recent Act that defines social value. I think it is really important to

note that the definition of social value that Treasury is using is not in line with the widely accepted definition of social value as it relates to procurement and is not in line with the UK legislation's definition. Our policy seems to be based on a 2017 document that is applied on a discretionary basis across Departments. Please can the Minister commit today to standardising social value across all Departments and basing this on the use of the widely accepted definition of social value in procurement?

Thank you.

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I would like to thank the Hon. Member for bringing this whole subject up. I have been advised that there is no legal definition of social value in Manx law and the definition used for procurement processes is that set out in the Procurement Policy agreed by Tynwald in 2017, which stated:

As a concept, social value is about seeking to maximise the additional benefit that can be created when procuring services above and beyond the benefit of merely the services themselves. Social value is about looking beyond the price of each individual contract and looking at what the collective benefit to a community is when Government chooses to award a contract.

So I think there is a definition that we use.

With the new legislation in the United Kingdom, it has basically brought together four different milestone Acts, including the Public Services (Social Value) Act 2012, which again had specific guidance on how to define, measure and track social value, but when I have gone into more detail the definition of social value is very much that broad holistic view in terms of what social value does. Some of the requirements now under the UK legislation are quite onerous on small companies or voluntary organisations because they go through a very large evaluation of social value, which often involves quite considerable time, expertise and resources.

Certainly, we will be looking at the actual definition of social value, the working definition that we use on the Island, and hopefully align that with the other workstreams that are happening in terms of Government but also enhanced in both the Economic Strategy as promoted by the Department for Enterprise and, more importantly, the Island Plan and our overall economic strategy for this Island.

Thank you.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

The Minister mentioned that there could be framework agreements in place. Can he either circulate these or ... where can they be published? I think they should be published, or certainly Hon. Members should be aware of them.

Also, could he state whether the value for quick quotes has increased recently or is it still ...? I believe it was £2,000 – it might be £10,000 now – but can he confirm what the value is for quick quotes?

Would he not agree that the social value of any contract is to try to keep as much funding for any of these projects on the Isle of Man with local employment contractors rather than looking at best value for money and utilising UK contractors or UK definitions?

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I thank the Hon. Member for her questions. It was my interpretation as well that quick quotes are up to about £10,000, but I will look to get some clarification of that should I be incorrect.

In terms of her comments about social value, it is not just about keeping money on the Island; it is the effect of that money in terms of the local economy and the local people. It is not just about the necessary number of pounds that are spent; it is making sure that those are spent in the maximal way to encourage our local economy and benefit our local community.

Thank you.

The President: Final supplementary, Mr Thomas.

Mr Thomas: Thank you very much.

Does the Minister agree with me that looking into the definition of social value, which has been going on for eight years now, could in itself be an inefficiency and create extra resource? It is getting to be nearly as long as Mr Watterson's search for the definition of relative poverty, which has been going on for 18 years.

Secondly, does the Minister agree with me that actually having participation in working groups, evaluation of contracts from the centre, in itself could create a lot of resources being expended, which in itself could lead to inefficiency? So can the Treasury Minister assure this place and the public beyond that he accepts that this is a difficult area and we need to move on, and the Treasury needs to be firm in asserting the results of this looking into over many years and the centralisation of contracts, rather than just pontificating about the meaning of social value and trying to bring about something that is impossible?

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

I thank the Hon. Member for his realistic interpretation. Trying to measure social value is incredibly difficult to do on a very dogmatic scale. When I have looked into the various measures now being advocated in the United Kingdom, the Social Value TOM System is the most widely used standard, and that looks at opportunity for all, 41 measurements; inclusive growth, 27 measurements; safeguarding and restoring our world, 11 measurements; empowering communities, 37 measurements. There are computer algorithms to do this that need to be bought by various companies to witness what they are doing in terms of social value.

So I do not think measuring social value is impossible, but I think it can be quite difficult if it is too prescriptive. What we need to have is a broad, agreed framework by this Hon. Court in terms of how we determine social value, how we want to institute that into Government procurement in the way that we advocate spending taxpayers' money.

In terms of his other comments, I think he is right – and this was some of the feedback from our local economy – that by putting up more and more barriers, more and more hurdles that people had to jump over, it did dissuade some local companies from taking part in the procurement system completely, and it did favour those large companies from across who had the resources to be able to evidence some of this work.

It is absolutely right that we bear in mind social value and the economic value of the procurement exercises on our Island. It is also absolutely right that procurement, whilst being professionalised ... the core tenets of it and governance around it is broadened to incorporate all those people and all those Departments that might be spending public money through the purchase of services or goods.

Thank you.

EDUCATION, SPORT AND CULTURE

**11. National Sports Centre tile report –
Progress analysing**

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for Education, Sport and Culture:

What progress has been made with analysing the report about the tiles at the National Sports Centre which she referred to in answer to Question 10 on 8th April 2025.

The President: We move on to Question 11. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

1470 **Mr Moorhouse:** Thank you, Mr President.

I would like to ask the Minister for Education, Sport and Culture what progress has been made with analysing the report about the tiles at the National Sports Centre which she referred to in answer to Question 10 on 8th April 2025?

Thank you.

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The President: I call on the Shirveishagh Ynsee, Spoyrt as Cultoor to reply.

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

1480 As Members will be aware, the Department has been eager to understand the root cause of how the tiling issue occurred. Unfortunately, this has required a series of investigations and specialist reports that have taken some time. The Department has now received the reports and is currently considering the findings.

1485 In addition, the Department is currently in dialogue with the main contractor regarding the outcome of the reports into this matter. I will update Members of further progress once those meetings have taken place.

Thank you, Mr President.

The President: Supplementary, Mr Moorhouse.

1490 **Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

We still seem to be in the long grass with this. Is the Minister able to give us an indication of how much has been spent so far on the report, the investigations and the lost revenue?

The President: Shirveishagh to reply.

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The Minister: Thank you, Mr President.

The total spend to date is £13,000. That is £10,500 for the site visit and report and £2,500 for material analysis and those technical notes.

1500 In regard to loss of revenue, six lanes of the pool remain fully open. I do not have any detail around staff time for those.

Thank you.

The President: Supplementary, Mr Moorhouse.

1505 **Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

It was quite interesting that in the initial Answer reference was made to the main contractor. With regard to the main contractor and the work that was done, is there an indication of how long discussion is likely to go on for before an alternative action is taken?

1510 **The President:** Shirveishagh to reply.

The Minister: Thank you, Mr President.

The discussions are ongoing. As soon as I have any resolution to that, any update for Members, I will of course bring it.

1515 In terms of the time for completing the work to the swimming pool, the Department would have liked any repair work to be completed by September 2025, to ensure that school swimming would not be affected for the next academic year. However, it is unlikely that that deadline can be achieved.

1520 **The President:** Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

The Minister has just mentioned some costs and it sounds like the Department has paid them. Can she confirm that they will be claimed back from the main contractor, what is the defects period for the contract held with the main contractor still, and are there any outstanding contingencies or has he been paid in full?

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The President: Shirveishagh to reply.

1530 **The Minister:** Thank you, Mr President.

We are currently in dialogue with the main contractor and I think we need to allow that process to complete. The tile issue was first discovered in November 2023 when the fault was first identified. Since then, the series of tests and analysis has been ongoing and we are within the time that we are able to discuss those findings with the contractor.

1535 **The President:** Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

The timescale is rather concerning; we have already had this going on for almost two years. In terms of going forward, there is a key date coming up in 2029 with the Island Games coming home. Is the Minister able to reassure us that the work will be done by then, or are we still likely to be in discussions?

1540

The President: Shirveishagh to reply.

1545 **The Minister:** Thank you, Mr President.

As I said, we have to wait for the outcome of the discussions with the main contractor regarding those reports, but I would anticipate indeed that we would have the pool in tip-top condition, along with all our sports facilities, in time for the Island Games in 2029.

1550 Thank you.

The President: Final supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I did not get an answer with regard to the defects period. I appreciate that the Minister might not know, but I would like that circulated to Hon. Members. I would also like an answer to 'there will be no cost to the public purse of this contract defect'.

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The President: Shirveishagh to reply.

1560

The Minister: Thank you, Mr President.

We are in discussion with the contractor. When we have the outcome of those discussions, I will be in a better position to update Hon. Members.

**12. Secondary school work experience scheme –
What is in place**

The Hon. Member for Onchan, Ms Edge, to ask the Minister for Education, Sport and Culture:

What work experience scheme is in place in her Department's secondary schools.

The President: We move on to Question 12. I call on the Hon. Member for Onchan, Ms Edge.

1565

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Education, Sport and Culture what work experience scheme is in place in her Department's secondary schools?

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The President: I call on Shirveishagh Ynsee, Spoyrt as Cultoor to reply.

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

1575

The Department implemented the Employability and Careers Education Entitlement Offer Policy for all DESC maintained schools and UCM in 2023. This offer includes a requirement for secondary school pupils to have access to a comprehensive, well-planned school careers education programme that includes curricular opportunities to learn about personal finance education and at least five engagements with employers/employer groups.

1580

Within the policy, there is provision for schools to use targeted work placements, including those for pupils who are planning on entering the workforce directly or those who are on modified timetables. These placements can help support positive next steps, at the end of compulsory schooling, into employment or further education at UCM.

1585

Schools can also use targeted work placements for those intending to move directly into employment at the end of Key Stage 5. The Department also has a policy for school work experience. This covers the setting up and management of school work experience placements in line with the safeguarding – both health and safety and welfare – responsibilities of schools.

Thank you, Mr President.

The President: Supplementary, Ms Edge.

1590

Ms Edge: Thank you, Mr President.

I wonder if the Minister can advise what numbers are actually achieving having work experience placements from her secondary schools. I know the answer, so I would like to think that I will get the same one.

1595

Also, on Manx Radio, on 3rd June 2025, she said that careers advice and work experience gives all of our Island students insight into their potential career paths. So who in our schools is actually going out and ensuring that all students are getting access to work experience?

The President: Shirveishagh to reply.

1600 **The Minister:** Thank you, Mr President.
All students are given careers advice.

Ms Edge: Work experience is the question.

1605 **The Minister:** The system that we had pre-COVID, we have not gone back to that. It is more meaningful, targeted work experience for the student at the relevant period in their time. For instance, in summer 2025 a year 12 World of Work event, an experience of the workplace, including a work placement, is being piloted across all five secondary schools for those students intending to move straight into the workforce at the end of their sixth-form studies. Many of
1610 these students will be seeking earn as you learn employment opportunities that will enable them to build on strong level 3 qualifications, A-levels and BTEC level 3 profiles.

There are approximately 97 students taking part this year, and around 53 businesses have offered 124 places for them to choose from. The event will take place for Ballakermeen High School between 8th and 11th July, and all other high schools between 14th and 17th July.

1615 Thank you, Mr President.

The President: Supplementary, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

1620 Would the Minister not agree that it is perhaps more straightforward just to be up front and recognise that work experience is simply not in place in the same way (**A Member:** Hear, hear.) it was a few years ago? I have certainly had teachers mention this to me. Would she consider asking the Department to support in a fuller way changes that need to happen to actually give younger people experience in the real world? I think what we are hearing is something that is
1625 almost bubble-wrapped around for a very short period of time, that is linked in with the curriculum. Is she happy with the current lack of arrangements?

The President: Shirveishagh to reply.

1630 **The Minister:** Thank you, Mr President.

I would say I agree with the Hon. Member. We have seen a change in pattern, not least from the employers offering work placements. While we have recognised it, we are now offering a more targeted approach. In recent years, the availability and the nature of work experience placements has changed. How many people are aware of the reports previously, perhaps, when
1635 a young student is given two weeks' work experience but pretty much ends up making the tea for a couple of weeks, rather than genuine experience of what it is like in the workplace?

The changes we have experienced are changes in working patterns. The rise of hybrid and remote working makes it more difficult for some employers to accommodate young people in a traditional workplace setting. There are capacity pressures on employers, particularly small
1640 businesses, which may limit their ability to support placements due to staffing or operational constraints; health and safety and safeguarding requirements which, while essential, can present additional barriers to participation for some employers.

Despite these challenges, the Department remains committed to ensuring that all students have meaningful experiences of the workplace. This includes exploring more flexible and
1645 innovative approaches such as virtual placements, project-based learning in partnership with employers, and increased engagement with the local business community to promote the benefits of offering placements.

Thank you, Mr President.

1650 **The President:** Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

The Minister has just stood up and told us all about the wonderful year 12 World of Work and she has over 100 employers, but now she has contradicted that and said it is difficult for employers to come forward. I am really concerned that there is not any joined-up thinking here.

Also, that work experience is for students in year 12, who are over the age of 16. What is going to be put in place for students from year 10, as previously, and can she do a breakdown of how many students in year 10 and 11 are getting any work experience for their future careers? When they are in year 12 they have usually chosen their future career, so I want to know what is going to be put in place for years 10 and 11 for workplace experience. I know numbers of students in Onchan who have come to me saying they are not getting anything and they would love to have some experience doing their chosen career.

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I gave the information. There are 124 places. We would need considerably more to accommodate all year 10 students. I think, as I have explained, it is a changing nature with the Department, what students want and expect and what employers are able to offer.

In line with the Employability and Careers Education Entitlement offer, all students in Key Stage 4 have the opportunity for independent careers advice and guidance from a qualified careers adviser. Some Key Stage 4 students the school identifies as being potentially vulnerable on transition may need more than one meeting to help them explore their skills and aspirations and secure a positive pathway forward at the end of school.

The schools are adjusting, pivoting, doing amazing work in this area, and I think we have to recognise that there are different opportunities, but I am aware that some students who are planning to go into the workplace have targeted work experience that is an area of their interest. So, while it might not be as general as it was, there are many positive connections that the Department has with local businesses and employers to accommodate students in an appropriate way at an appropriate time for them in their education journey.

The President: Supplementary, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

We are speaking as if it is a case of 'if' young people go into the workplace. I found out recently that, of the low employment we have, there is a high proportion of unemployment in the 18-29 age group. Does the Minister agree that sometimes, in order to allow younger people to have the experience, it is a case of Government doing less and not more, because sometimes bureaucracy can just get in the way when actually Government needs to get out of the way?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I am not sure about the bureaucracy. There are many conversations going on from the careers team working closely with employers to maximise opportunities for experience of the workplace, but we cannot generate hundreds of work experience places for all years of children when they simply do not exist. That is the changing nature of work experience on the Island.

However, as well as making connections between young people and employers, strong partnerships have been formed with the Department for Enterprise, Junior Achievement, the JobCentre, DESC's Outreach Team and employers from a wide range of sectors. The careers team establishes and maintains relationships with employers, individuals and organisations who wish to engage with Education through careers talks, employer visits, work placements and

other supportive provisions. Information on these contacts and opportunities is regularly updated and shared with key staff in schools.

1705 Thank you, Mr President.

The President: Final supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

1710 I would like to know the date when the Department contacted employers and approached them to see if they would take work experience students. I am fed up of hearing that they have careers advice. Careers advice is sitting down for an hour with a careers adviser; it is not work experience. My Question was very clear about work experience, not careers advice.

1715 Also, can she please commit to circulating how many have had targeted work experience from our secondary schools in years 10 and 11? These students tend to know what they want to do, and they are not getting the opportunity. My phone is going ding-dong here with parents contacting me saying their students in year 12 have not had the opportunity that the Minister is talking about today because they are away on a university trip and it is the same dates. I think the Minister needs to go back, check her facts and look at work experience, not careers advice, please.

1720

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

1725 The entitlement offer came in in 2023 and, as I said, the careers teams work closely with students. It is not feasible for all students in all years to have meaningful work experience with employers on an Island the scale that we are. However, those students who are going into the workplace have targeted support to identify their ambitions, likes and dislikes, and to find relevant and accessible work experience for the individual.

1730 Thank you, Mr President.

**13. & 24. Ballakermeen High School parent information leaflet –
What meant by need for learning and teaching focus, and the clear self-evaluation priority**

The Hon. Member for Ramsey, Mr Hooper, to ask the Minister for Education, Sport and Culture:

13. What is meant by the statement in the Ballakermeen High School parent information leaflet that the school has identified the need to focus on learning and teaching across the curriculum.

24. What is meant by the statement in the Ballakermeen High School parent information leaflet that the clear self-evaluation priority is to develop the quality and consistency of learning, teaching and assessment so that it offers appropriate engagement, motivation and challenge for your children, matched to their individual needs.

The President: Now, Hon. Members, we come to Question 13. We will take Questions 13 and 24 combined and the Minister will answer both Questions.

I invite the Hon. Member for Ramsey, Mr Hooper, to ask both Questions.

1735 **Mr Hooper:** Thank you very much, Mr President.

I would like to ask the Minister for Education, Sport and Culture what is meant by the statement in the Ballakermeen High School parent information leaflet that the school has

identified the need to focus on learning and teaching across the curriculum; and what is meant by the statement in the Ballakermeen High School parent information leaflet that the clear self-evaluation priority is to develop the quality and consistency of learning, teaching and assessment so it offers appropriate engagement, motivation and challenge for your children, matched to their individual needs?

The President: I call on the Shirveishagh Ynsee, Spoyrt as Cultoor to reply.

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

Following an external validation visit, the school, alongside the external validation team, identified the priority to continue to work on improving the quality of teaching across all subjects, as outlined within the parent and carer information. A focus on this area was identified as not all subjects or individuals were being offered a consistent approach of teaching, which is what the school strives to achieve at a whole school level.

To ensure there is continuous improvement in this area, an evidence-based training programme has been calendared throughout the school year which focuses on a consistent approach of how learners learn, think and retain information, with an understanding of the learning process as the basis for effective teaching. This continuous improvement will ensure that quality of teaching is consistent across the school and that teaching is fully responsive to the needs and progress of all learners across all subjects.

With engaging lessons being built on relationships where teachers really understand all learners with a clear learning intent, using a variety of research-based approaches will result in the school fostering positive learning behaviours and good progress of all learners. By working on the further development of this area, all teachers will use ongoing assessment information to support every learner's learning journey.

As we come to the end of the pilot process, the Department recognises that process and documentation need to be reviewed and amended, and we are currently working closely with Etio to progress with this, based on feedback which continues to be gathered.

Thank you, Mr President.

The President: Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I would like to thank the Minister for that Answer. I hope that she and her Department can see that the fact that this was not a simple one-line response shows that the information that has previously been provided to parents is not understandable enough, and I would like to thank her for providing a much more comprehensive explanation of what some of that educational language in the reports really does mean.

The Minister has just mentioned that they are working with their provider to make sure that, going forward, the reports that are produced are improved; that they are more meaningful and understandable I hope is the aim here. Can the Minister confirm that the cost of any of that improvement is already factored into the costs she has previously disclosed to the House for the Etio contract?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I thank the Hon. Member for the Question and also for his additional one and allowing me to place on Hansard the information that I circulated to Members last week.

Yes, the total cost of the contract to the Department of Education, Sport and Culture over the three years of the contract for external validation is between £150,000 and £250,000. For clarity, the price includes all costs of travel, accommodation and expenses of the external validation

1790 team, plus compilation of the information collated following the completion of external validation visits on each school and educational service, and the annual overviews that the company provides.

The President: Supplementary, Mr Glover.

1795

Mr Glover: Gura mie eu, Eaghtyrane.

Would the Minister agree that it is absolutely vital that the public-facing documents mean something to the parents rather than it getting lost in education speak and parents looking glazed eyed at what they are reading, and thinking, 'I do not know what this actually means'? It has to mean something to the parents and avoid getting lost in professional speak.

1800

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

Indeed, I agree with the Hon. Member. As a Department we have provided that feedback to the company and we will look forward, from the coming September onwards, to the validation visits providing information in an improved way, so that it conveys a true sense of the school or educational service to parents and carers but also is able to draw out anything for celebration as well.

1810

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

The Minister has just been really clear there about the cost of this contract, £150,000 to £250,000. That does seem significantly on the high end, the £250,000, but she also stated it includes cost of travel. Can she confirm that there have been no extras over and above the signed contract? And how can she determine that the cost of travel etc. is included in that price when we have not entered the third year of the contract yet?

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1820 **The President:** Shirveishagh to reply.

The Minister: Thank you, Mr President.

The price range that I provided re the contract awarded to Etio was for the total cost of providing the service. There have been no additions.

1825

The President: Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

The Minister mentioned in her remarks that, from September, going forwards they are going to be looking to improve the information that is available. I would refer her, as I have done already, to places like Scotland and Wales that do have much more informative parent information reports that are produced and are still maintaining the confidentiality of the whole process.

I would encourage the Department to look at those, but also I would request that the Department, as well as looking at the new reports that are about to come out, also take a look at the reports that have already been published, to see if there is any way at all the Department could provide more meaningful information to parents of those schools – appreciating that some of those inspections were undertaken some time ago and things will have changed, but actually to try and improve the information that is out there for those schools that have already gone through that process.

1840

There is a real gap, I think, in not just identifying areas for improvement but celebrating some of the really good work that goes on in those schools, and some of that does not come across as well as it could do from some of those parent information reports.

1845 **A Member:** Hear, hear.

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

1850 Again, I thank the Hon. Member for supplying the reports from other jurisdictions. We take back that feedback. That feedback has been provided to Etio.

We will be looking at an improved format going forward from September, but it is their report that they are providing to us and they are aware of the feedback that we have already gathered.

1855 **The President:** Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

1860 I wonder if the Minister knows how many visits are expected next year. Can she make comment on the recent change in one of the providers, the independent validators, who come to the Island, the change in their job? They no longer work for Etio, so can she confirm, going forward, are there enough people still in Etio with the expertise we require, how this contract will continue going forward and how many visits next year?

1865 **The President:** Shirveishagh to reply.

The Minister: Thank you, Mr President.

The contract the Department has is with the company and they will provide the necessary number of external validators in order to meet the contract.

ENTERPRISE

14. Island Campus memorandum of understanding – Date signed

The Hon. Member for Onchan, Ms Edge, to ask the Minister for Enterprise:

What the date was of the memorandum of understanding he signed with regard to an Island Campus.

1870 **The President:** We move on to Question 14. I call on the Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Enterprise what the date was of the memorandum of understanding he signed with regard to the Island Campus?

1875 **The President:** I call on the Shirveishagh Gastid Dellal to reply.

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

1880 I would like to thank the Hon. Member for her Question. I have not signed a memorandum of understanding in respect of an Island Campus.
Thank you.

The President: Supplementary, Ms Edge.

1885 **Ms Edge:** Thank you, Mr President.

There is certainly something circulating with regard to an agreement with regard to the Island Campus. I think it was very early on in your career as a Minister. Can you confirm what it was that was signed? It might just be a letter of agreement rather than a memorandum of understanding, but I do not want to get into pedantics; you know what I am asking about. Can
1890 you confirm that this agreement, or whatever it was that you signed, has reached the end of its ... It was a 12-month agreement, apparently. Has it reached the end of that, and has it been renewed?

The President: Shirveishagh to reply.

1895

The Minister: Thank you, Mr President.

I have not signed any form of agreement. A high-level proposal was previously received in respect of a large-scale development, referred to as the Biosphere Innovation Gateway. No MOU was entered into in respect of this or any other similar proposal.

1900 The Department did, as has previously been disclosed, provide a letter offering to provide a key contact within the Department who would be available to provide liaison during an 18-month period as the proposer further developed their thinking and plans. That letter was provided in July 2023. As it stands, no further detailed proposals have been forthcoming. A copy of the letter, together with some additionally requested information, was also supplied to the
1905 Economic Policy Review Committee in late 2023, early 2024.

No formal support has been provided and no financial costs have been incurred by the Department on this initiative to date.

Thank you.

1910 **The President:** Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

It is really interesting that the Department for Enterprise has not incurred any cost. I am assuming then that this is a Department of Education, Sport and Culture piece of work. The
1915 reason I am assuming that is because the Island Plan says that the Island Campus research should be published by March 2025. I do not recall that it has been published. We are now past that date.

Seeing as the Minister has said his Department has not undertaken any work on it, I am assuming that work has been done by another part of Government. I wonder if the Minister
1920 could confirm where this work is up to in respect of the Island Campus research and that Island Plan action that talks about undertaking this work and then publishing it – by March 2025, according to the Island Plan.

The President: Shirveishagh to reply.

1925

The Minister: Thank you, Mr President.

As I said, the Question was about a memorandum of understanding, which this is not. What I can say, just for the Hon. Member and for general information, is the published research paper into the viability of an Island Campus is already available. I think that report was last discussed,
1930 to the best of my knowledge, in the House of Keys on 13th May in response to a supplementary

question in Questions to the DESC Minister. I think it is published and is readily available to review. I do not have any more information other than that.

**15. Manx National Heritage visitor attraction entry charges –
Implementation policy**

The Hon. Member for Onchan, Ms Edge, to ask the Minister for Enterprise:

What the policy of Manx National Heritage is on the implementation of charges for entry to its visitor attractions.

The President: We move on to Question 15. I call on the Hon. Member for Onchan, Ms Edge.

1935 **Ms Edge:** Thank you, Mr President.

I would like to ask the Minister for Enterprise, or the member for Manx National Heritage, what the policy of Manx National Heritage is on the implementation of charges for entry to its visitor attractions?

1940 **The President:** I call on the Shirveishagh Gastid Dellal to reply.

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

1945 I am advised that the admission prices for Manx National Heritage sites are reviewed annually and are compared with similar attractions locally and off Island. All pricing decisions are made as part of the annual budgetary process and require approval from the trustees of the Manx Museum and National Trust.

1950 Manx National Heritage operates a clear policy regarding two standard single admission ticket prices across all sites for adults and for students. The current policy also gives free entry to children, a practice not commonly found elsewhere. Any price changes take effect at the beginning of the calendar year and are published on the website and on site.

Thank you.

1955 **The President:** Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

1960 I wonder if the Minister would mind asking the trustees if we can have circulation of that policy and what the age of the children limit is – is there a specific age on that? I am very interested to see that we look at off-Island prices, but this is the Isle of Man and I want to know whether there has been any decrease in entry, because certainly over the TT period there was big concern about £15.50 to go up Laxey Wheel. That seems to be a significant increase – and that is per person, not for the whole family.

1965 Would the Minister commit to circulating the policy so that we can understand what the age range is, so that if a family comes to us ...? It might be because the child is over 12 or something, but I want to make sure that the policy replicates throughout all of the facilities. The access for children, in my opinion, should be free to all of these historical and cultural areas. How did they come up with the £15.50 and has it reduced entry into our amazing cultural facilities?

1970 **The President:** Shirveishagh to reply.

The Minister: Thank you, Mr President.

I am quite happy to go back to the trustees and ask them to provide that information.
Thank you.

1975 **The President:** Supplementary, Mr Callister.

Mr Callister: Thank you, Mr President.

1980 I thank the Minister for the information this morning. Would the Minister agree with me that maybe Manx National Heritage needs to promote the annual pass, which is available to both adults and children, which would actually give access to all of our attractions at a reasonable cost?
Thank you.

1985 **The President:** Shirveishagh to reply.

The Minister: Thank you, Mr President.

1990 I am happy to note that from the Hon. Member. Ultimately this is the decision of the trustees, how they decide to structure this. Clearly a broader point is the fact that obviously they have the ongoing costs and maintenance of the sites to think about and they do need to charge for that. It is up to them to decide, on an operational basis, how they deploy that. I am happy to take those comments away.
Thank you.

ENVIRONMENT, FOOD AND AGRICULTURE

16. Critically important biodiversity conservation sites – Whether effectively protected, managed

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for Environment, Food and Agriculture:

Whether all sites of critical importance for conservation of our biodiversity are effectively protected and managed so that resident or migratory wildlife has adequate refuge to safeguard its future survival.

1995 **The President:** We move on to Question 16. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

2000 I would like to ask the Minister for Environment, Food and Agriculture whether all sites of critical importance for conservation of our biodiversity are effectively protected and managed so that resident or migratory wildlife has adequate refuge to safeguard its future survival?

The President: I call on the Shirveishagh Chymmyltaght, Bee as Eiriny's to reply.

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

2005 I acknowledge that the work on safeguarding sites of critical importance for biodiversity is ongoing and that not all such sites have been formally protected to ensure their preservation of biodiversity. I do, however, note that the objective in the Biodiversity Strategy covering this commitment has four specific actions relating to site protection and enhancement, all of which have seen progress.

I can confirm that action 17 has been fulfilled, with the Online Nature Recovery Network confirming that 20% of land and inland water is appropriately conserved and managed.

Action 18 has also been fulfilled, confirming that at least 10% of our marine ecosystem has been conserved by our marine nature reserves.

Action 19 involves increased consideration of biodiversity and environmental sustainability when assessing developments on or adjacent to protected sites. Advisory comments are made by my officers in the ecosystem policy team every week on planning applications, and it is for the Planning Committee, or planning officers in the case of delegated applications, to make a balanced decision. Furthermore, in order to improve planning applications in relation to ecological considerations, a guide for applicants has been published on the Planning webpages.

My officers have made considerable progress regarding action 20 in the sustainable management of fisheries in the marine environment and also on land, taking forward ambitious work to restore our upland peatlands.

As you may see, there have been significant work and achievements under these actions, and we are reviewing the Biodiversity Strategy to consider the level of future ambition which can be achieved on the Isle of Man, alongside continuing to protect sites in a priority manner across the Department.

Thank you.

The President: Supplementary, Mr Moorhouse.

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

Many red list species are located on the site of the proposed windfarm. What concerns have DEFA raised about this with regard to the conservation of our biodiversity?

Also, is she able to provide a timetable for the introduction and implementation of the Environmental Protection Bill?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

The views of the Department in relation to the scoping documents for surveys for the windfarm proposals have been published online, both for the Cair Vie and Mooir Vannin projects. These are aimed at ensuring comprehensive environmental impact assessments that must take, obviously, all of the relevant wildlife issues into account. Officers will submit views on both applications, once submitted, when the assessments have been completed and are available for comment, and such discussions will be open to public scrutiny.

In regard to the Environmental Protection Bill, we are currently in the consultation phase of that Bill, but once we have gone through that consultation, in a similar manner as we did for the Animal Welfare Bill, I would expect that we would publish a programme of how we intend to bring in the secondary legislation that would sit alongside that.

The President: Supplementary, Mr Moorhouse.

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

In the 1990s, 117 sites were identified for designation. How many Areas of Special Scientific Interest (ASSI) have been designated since 1990, how many of these have been designated during this administration, and how many are pending? Are the Department and the Minister concerned about this dataset?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

Since 1990, 26 sites have been designated as ASSIs and one was rescinded following consultation, leaving 25 confirmed ASSIs at the present time. This covers 2,495 hectares, which is 4.3% of our land. During the current administration, we paused such designations whilst undertaking a review of ASSI procedures and management agreement payments, which has now
2065 been published.

We did, however, confirm three ASSIs during the current administration: Marine Drive, Curragh Pharrick and Douglas Head. Preparatory work has also been undertaken on a number of sites to varying degrees. Furthermore, six landowners have offered land for assessment as potential ASSI sites, in addition to the consideration of DEFA land and early discussions with
2070 another statutory landholder. So there is significant work that is going on in this space and I am comfortable that the officers are working appropriately in that regard.

The President: Final supplementary, Mr Moorhouse.

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

Does the Department have adequate staff and resources to allow for an assessment and designation of potential ASSI sites? The Minister identified three that had come through in this administration, but is there capacity to do more, particularly where the landowner has expressed a request for its designation, given that is going to be potentially the fastest way to create a conservation of biological diversity and move us towards the 30% of our land and sea being protected by 2030?
2080

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I think it is important to note that the '30 by 30' target sits as part of the UK's policy settings, as the Hon. Member noted, and the UK has acknowledged the need to work with all of the Crown Dependencies as to what that means for them. 30 by 30 is not explicit Government policy at this time, and the Isle of Man has made progress towards 30 by 30 through our work on other policy objectives. I just want to make that clear before I start.
2090

Those pieces of work around the Nature Recovery Network, around the marine nature reserves, are also defined clearly on our mapping systems at gov.im for anyone who wants to understand better where that sits.

In my Answer before, we talked specifically about focusing on those areas where landowners had expressed a keenness for their area to be designated for an ASSI, but we are really focusing at the minute around Government land. I think it is important that we acknowledge that Government is a significant landowner across the Island. While noting that we are not actively going out to landowners to ask about potential ASSI sites, some have come and brought land forward to us voluntarily, which we have worked with them on. We are looking at Government land, and there is certainly a lot of work to do on that land that is already under consideration.
2100

With additional staff resource to focus on ASSI designations, we could of course achieve a lot more, faster, and I would say that is the same pretty much for everything across Government, but we have to balance the resource that we have available in the Department, and some of the work we have been able to outsource, in terms of contracting some of the survey and assessment work for progressing ASSI designations.
2105

Thank you.

HEALTH AND SOCIAL CARE

**17. Homeless people placed in DoI housing over TT –
Why asked to pay rent**

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for Health and Social Care:

What factors led to homeless people placed in Department of Infrastructure housing over TT being asked to pay rent after the licence was signed.

The President: Moving on to Question 17, I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

2110 **Mr Moorhouse:** Thank you Mr President.

I would like to ask the Minister for Health and Social Care what factors led to homeless people placed in Department of Infrastructure housing over TT being asked to pay rent after the licence was signed?

2115 **The President:** I call on the Shirveishagh Slaynt, Kiarail y Theay to reply.

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

2120 Individuals experiencing homelessness who were supported with accommodation in the Department of Infrastructure properties during the TT period was a necessary response to seasonal pressures within the local accommodation sector. Due to the high demand for hotel and bed and breakfast rooms for visitors, many clients were required to vacate their temporary lodgings, making alternative arrangements essential to ensure their continued shelter and well-being. This pattern is consistent across peak tourism seasons, not just for TT.

2125 As part of this transition, individuals were asked to contribute to their rent where they were in receipt of income, whether through Income Support, employment or pensions provisions. This policy aligns with the standard landlord-tenant agreements and reflects a fair expectation of financial contribution.

2130 These contributions do not affect personal allowances, Disability Living Allowance or other benefits, ensuring that individuals retain access to necessary support while contributing appropriately to their housing costs. This approach supports equitable treatment for individuals and pays a crucial role in fostering financial independence and supporting people to be tenancy ready as they move from temporary accommodation to long-term housing solutions.

Thank you, Mr President.

2135 **The President:** Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

2140 Thank you, Minister, for that Answer. In the Answer, there was no real depth in terms of when this requirement appeared. In terms of the licence, did that make any reference to rent having to be paid? There seems to be some concern that the payment was requested once the individuals had moved into the houses, so if she could she give an indication of when that was decided, when the tenants received that information, it would be useful.

2145 **The President:** Shirveishagh to reply.

The Minister: Thank you, Mr President.

2150 In the information that I have available, Manx Care and the Department of Infrastructure received a finalised tripartite licence to occupy from the Attorney General's Chambers in the week commencing 9th May. This followed various discussions between the relevant parties to formulate the legal document. Within the agreement, there is a specific reference to licence fee representing fee to be charged weekly over the term of the licence.

The President: Supplementary, Mr Thomas.

2155 **Mr Thomas:** Thank you very much.

Can the Minister confirm that these people are probably paid from the Treasury's Housing and Communities Fund, which somebody like the Cabinet Office, which is responsible for the Housing and Communities Board, has made an application for? So perhaps this detailed Question could go subsequently to the Treasury in that extent.

2160 Secondly, Social Security, which was mentioned, is also the responsibility of the Treasury, so perhaps we need a detailed answer from the Treasury in this respect, because it has been brought to my attention that people who use respite facilities and get hugely expensive aspects paid for are now being charged for the accommodation. They are getting stupidly small bills to pay for accommodation relative to the huge amount that is being paid for the wraparound services. We do need to find out what is going on. Will the Minister agree to follow this up with Treasury?

The President: It is widening the scope, but I will give the Minister an opportunity to comment.

2170 **The Minister:** Thank you, Mr President.

I absolutely do not mind answering that. The Hon. Member is correct, individuals are assessed for entitlement to benefits by the Treasury Social Security Division and the assessment is based on an individual basis rather than a set rate due to an individual being homeless. As the Hon. Member has suggested, further information around specifics of this would need to be directed to the Treasury Minister.

Thank you.

The President: Supplementary, Mr Moorhouse.

2180 **Mr Moorhouse:** Thank you, Mr President.

In the initial Answer, reference was made to them being tenancy ready. Could the Minister give us an indication of what that refers to? Will the money be reimbursed to pay for a deposit on a house once the agreement comes to an end, to enable individuals to be able to move forward? That seems to be a major concern that many people have when going from homelessness to actually getting a house.

The President: Shirveishagh to reply.

2190 **The Minister:** Thank you, Mr President.

I assume the Hon. Member refers to those individuals who are actively in employment. My understanding is that Manx Care and the Department of Infrastructure are working with the Treasury Social Security Division to consider the process for reimbursement, but I do not have those details at this point.

2195 With regard to 'tenancy ready', I assume that in essence what that means is that they need to be prepared for being able to afford lodging in the future.

Thank you, Mr President.

INFRASTRUCTURE

**18. Automated number plate recognition system –
When last used; whether enforcement process legal issues resolved**

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

When the automated number plate recognition system was last used, and whether legal issues regarding the enforcement process have been resolved.

The President: We move on to Question 18. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

2200

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Minister for Infrastructure when the automated number plate recognition (ANPR) system was last used and whether legal issues regarding the enforcement process have been resolved?

2205

The President: I call on the Shirveishagh Bun-troggalys to reply.

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

2210

I thank the Hon. Member for his Question. The Department last deployed the system on 11th June 2025. The Department is unaware of any legal issues regarding the enforcement process.

The President: Supplementary, Mr Moorhouse.

2215

Mr Moorhouse: Thank you, Mr President.

In the previous Answer, there was an indication that it was being paused. Today's Answer suggests that it was used last week. Could the Minister give us an indication of how often the system is currently being used?

2220

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

The equipment that we have is deployed as and when resource in the Department permits. Currently it is deployed at least once a week.

2225

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

2230

I wonder if the Minister could say how many times when ANPR has been utilised there has been either an on-the-spot fine for various things or any legal prosecutions on the Island, or is it just warnings that are going out?

The President: Shirveishagh to reply.

2235

The Minister: Thank you, Mr President.

I am afraid I do not have that information with me, but I can look to find out.

The President: Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

2240 Is the Minister able to give us an indication of how many people have been caught without appropriate licences, either in the recent period or going back further?

The President: Shirveishagh to reply.

2245 **The Minister:** Thank you, Mr President.
No, I do not have that information with me.

**19. Crossing at QEII and Mylchreest Court bus stop –
Addressing concerns, requirements**

The Hon. Member for Glenfaba and Peel, Ms Lord-Brennan, to ask the Minister for Infrastructure:

When will her Department address concerns and requirements for a crossing at QEII and a bus stop to serve Mylchreest Court.

The President: Moving on to Question 19, I call on the Hon. Member for Glenfaba and Peel, Ms Lord-Brennan.

2250 **Ms Lord-Brennan:** Thank you, Mr President.

I would like to ask the Minister for Infrastructure when her Department will address concerns and requirements for a crossing at QEII and a bus stop to serve Mylchreest Court?

The President: I call on the Shirveishagh Bun-troggalys to reply.

2255

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

I would like to thank the Hon. Member for her resolve on this matter; I fully recognise the concerns that she has raised about this area.

2260 The issues relating to the lack of crossing outside QEII High School and the absence of a bus stop opposite Mylchreest Court are clearly longstanding and affect some of the most vulnerable members of the community, including students, older residents and users of nearby community facilities.

2265 As the Court may be aware, since 2021 the Department has operated a politically led Minor Improvements Committee, chaired by the Minister, to assess and prioritise highways improvement projects across the Island. This was established specifically to manage the increasing number of local improvement requests, many of which are important but could not be delivered through core maintenance budgets. The committee is there to ensure that all schemes are reviewed consistently and fairly, based on corporate and Government priorities, technical advice and available funding.

2270 While the committee was expected to sit in March, I regret to say that meeting was delayed. However, I am delighted to confirm that the committee is due to meet on 4th July and I can confirm that progress has already been made on the design of a crossing and a bus stop, which will be presented for consideration at that meeting.

2275 **The President:** Supplementary, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

I am grateful to hear that there is a commitment from the Minister, of course I am, and I am very keen that this is something that actually can be concluded. It is not something I would usually bring to Tynwald, but it has been going on for a very long time. (**A Member:** Hear, hear.)

In terms of the core maintenance budget that the Minister refers to, I guess the inability for a core maintenance budget to be used for what I would term basic infrastructure – a bus stop, a crossing – does beg the question: what local input is there into the minor schemes process that she references, and, more broadly, how can communities get what they want and need from DoI?

A Member: Hear, hear.

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I think the clue is in the name of the maintenance budget: it is about maintaining existing infrastructure. This is actually additional infrastructure that is going in, so that is why it requires some additional funding to be made available.

I think the Hon. Member has amply demonstrated how communities can best put requests through to the Department.

The President: Supplementary, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

Well, it certainly has not worked so far in a period of time probably spanning eight years. I do not wish to divert the question, but Members will be aware that there are other signs of other infrastructure going up that are probably not maintenance.

What way is there for communities to say, 'Well, actually, in terms of funds that are being used in our area, our priority for these particular interventions ...' perhaps in terms of safety ... I think these two issues would absolutely affect the safety of the most vulnerable members in the area, so how is that achieved?

To make this point, I have concerns that DoI struggles to respond to needs that are repeated over a long period of time. How can the Minister improve that – hopefully – with the changes that she might be pursuing? In this case, there is a poor lady who lives in Mylchreest Court, who every time I see her, when I asked her about it – she is 90 now – she honestly thinks this is never going to get done. What reassurance can she give my constituents that a crossing and a bus stop in this particular area are not going to come beneath other priorities for Peel?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

I think until I actually have the papers available for that meeting I do not know what decisions we will be faced with, but I know there are a large number of requests that come in from local authorities and from representatives in this Court around improvements that they would like in their areas. I am also aware that we have several officers who are out and about across our communities identifying improvements and changes that are needed. The backlog of work exceeds some of our capability to deliver it, but on this particular issue we are alive and aware to this and intending to move forward.

The President: Supplementary, Mr Callister.

Mr Callister: Thank you, Mr President.

2330 I thank the Minister for the information this morning. How can we ensure that the minor improvements scheme is fair and just right across all of our communities and constituencies? In my constituency there is the Onchan roadmap, which has been in place since 2018, and very few of those works have been carried out under the minor improvements scheme. We have also asked for a crossing point on Governor's Road several times, and one on Hillberry Road. How can we get improvements and how can we get fairness for all of our constituents?

2335

The President: The Question before us is about a crossing and bus stop in Peel, but I will give the Minister an opportunity if she wishes to comment.

Mr Callister: It is on Hansard. Thank you, Mr President.

2340

The Minister: Thank you, Mr President.

2345 The minor highways improvement budget for 2025-26 is £620,000; we have some existing commitments to that. However, the Hon. Member will be delighted to know that I met with Onchan Commissioners last night, primarily to discuss the 20-mile-an-hour proposals across their area, of which they were massively supportive, and the discussions continued to discuss the need for a crossing on Governor's Road and on Hillberry. Officers have taken note and we are looking to see whether we can deliver that in short order.

The President: Supplementary, Ms Edge.

2350

Ms Edge: Thank you, Mr President.

I wonder if the Minister could circulate the minor improvements plan, particularly for crossings throughout the Island. I think it would be really helpful to Hon. Members to see the full list and how it has been prioritised.

2355

The President: Minister to reply.

The Minister: Thank you, Mr President.

2360 I am not aware that there is a document that is in a state to be circulated, but I will ask the Department what we have available that we can share.

The President: Final supplementary, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

2365 I think the public probably like the idea of minor improvements actually happening, but the budget is quite low, in fairness, £620,000, and my fear would be that one proposal could swamp most of that budget.

2370 So as well as an appeal to say actually, in terms of the Question at hand – the crossing – could it not be something that is an over-the-top design, something with a bus stop that could be achieved in a cost-effective way? Will the Minister consider transferring the budget that is proposed, with the signage and the posts etc., from the current project that is contentious, perhaps to the minor improvement scheme and pursue a way for local communities to input to a greater degree as to what they want and what they see as the bigger issues to be fixed?

2375 Secondly, I understand one of the responses to why this has not been progressed has been that Highways is without an employed traffic engineer. Could she get back to us just to advise how long Highways has been without an employed traffic engineer and what bearing this is having on some of the projects that are underway, or not?

Thank you, Mr President.

2380 **The President:** Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

The Department is charged with being fiscally responsible and we are managing our budgets and allocation of those budgets in a responsible way. We intend to come in on budget this year and that is testament to my officers managing those budgets accordingly, so I will not be

ordering them to transfer funds around within the Department in order to satisfy this.

Our highways traffic engineer left and moved to another position in December and we have so far not managed to recruit to that post.

**20. Coal tar challenge –
Solutions update; projects delayed since first raised**

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

If she will provide an update on proposed solutions to the coal tar challenge and advise how many projects have been delayed since it was first raised as an issue.

The President: We move on to Question 20. 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 if she will provide an update on proposed solutions to the coal tar challenge and advise how many projects have been delayed since it was first raised as an issue?

The President: I call on the Shirveishagh Bun-troggalys to reply.

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

I thank the Hon. Member for his Question. The Department has engaged a specialist UK consultant to advise on the treatment of currently stored asphalt waste containing coal tar, and as part of the Waste Strategy the Department is continuing to develop a storage and processing facility to allow coal-tar material to be safely stored until suitable quantities are available for it to be recycled. A planning application is currently being prepared for the proposed storage facility.

As a result of the presence of coal tar in highways intended for improvement, approximately 20 Department schemes have been delayed.

The President: Supplementary, Mr Moorhouse.

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

The construction of the Balthane roundabout is planned for early next year, but without clarity over the storage of coal tar, will that progress? Is there now enough certainty that the management of the coal tar will be solvable, and how quickly does she expect a date on that work to be announced?

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

We have a paradox here, in that the Balthane roundabout that the Hon. Member has referred is both the source and the solution to the coal tar waste programme. We are intending

that we will be starting in March, or early next year, working on that. However, the coal tar that we have already in storage will be treated and repurposed as road aggregate underneath that scheme as well. So, although there is coal tar there, we will be able to deal with it in situ and we will be recycling it as part of the construction.

2425

The President: Supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

2430

Thank you, Minister, for that positive answer; hopefully that all goes to plan. There is a slight problem that relates to the Environment Protection Bill and the associated secondary regulations. In terms of that, it is only just starting to progress. In terms of the coal tar, it could well be classified as hazardous waste under that new framework.

2435

Given that situation, has the Department done the groundwork or considered the implications of this in terms of getting a full licence for the hazard waste to be disposed of; or, as in the previous answer, will she need a licence with it being dealt with on site? Will a licence be required? Further, could she confirm whether the Department has obtained or plans to obtain the necessary approval or exemptions with regard to the coal tar and the Bill?

2440

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

2445

I am delighted to confirm that DEFA have been party to the conversations about how we are to deal with the stored coal tar waste that we have and future coal tar waste, and in fact we have taken extensive advice. Everything that we do will involve the sites being properly licensed in the appropriate way, and the reason that we have employed a consultant to advise us on the repurposing and recycling of the coal tar waste is to ensure that we meet all the available environmental standards. I do not intend to apply for any exemptions from those standards.

2450

The President: Supplementary, Mr Thomas.

Mr Thomas: Thank you very much.

2455

Can the Minister confirm that this solution involving Balthane roundabout has been around for a number of years and has been discussed with DEFA for a number of years and the issue has been about whether or not a million quid or two million quid is added on to the cost of the Balthane roundabout to pay for it or there is transparency and openness about the fact that this is a solution that is needed for other projects and would it be right to just add it on to the Balthane roundabout cost? The Treasury is involved: surprise, surprise.

2460

The President: Shirveishagh to reply.

The Minister: Thank you very much, Mr President.

2465

What is happening here is that we are actually starting to deal with implementing a proper Waste Strategy and dealing with the different waste streams, and so we are dealing with this as a waste stream, and part of the solution is at Balthane.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

2470

You mentioned that consultants have been employed. I take it they have come up and know the background and essence of this solution. Is it being applied elsewhere, apart from here on the Isle of Man?

The President: Shirveishagh to reply.

2475 **The Minister:** Thank you very much.

Yes, indeed, Mr President, the consultant is a UK specialist in the recycling of coal tar waste. There are two commonly used treatments. We are evaluating which one of those is best for our situation and our location. Given the substantial groundwater that moves across that site, we need to know that the solution that we put in place is the very best one that we can achieve.

2480 **The President:** Final supplementary, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

2485 In the initial Answer, the Minister told us how many projects have been delayed. Is there any indication of the cost of this?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

2490 We have absolutely no way of calculating that level of data. The projects that have been delayed are so wide and so varied and have been delayed over so many years that it is impossible for my officers to achieve that.

ATTORNEY GENERAL

21. People employed within Attorney General's Chambers – Number on 31st March 2024, 2025; above-market rate salaries; bonuses; additional payments

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Attorney General:

How many people were employed within his Chambers on 31st March 2024 and 31st March 2025; between those dates how many were paid (a) a salary above the market rate, (b) a bonus and (c) any other additional payment; and what the reasons were for any such payments.

The President: We move on to Question 21. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

2495 **Mr Moorhouse:** Thank you, Mr President.

I would like to ask HM Attorney General how many people were employed within his Chambers on 31st March 2024 and 31st March 2025; between these dates how many were paid (a) a salary above the market rate, (b) a bonus and (c) other additional payments; and what the reasons were for any such payments?

2500 Thank you.

The President: I call on the Attorney General to reply.

2505 **The Attorney General (Mr Wannenburgh):** Thank you, sir, and thank you to the Hon. Member for his Question.

As at 31st March 2024, Chambers employed 75 members of staff, some of whom were part-time. At that time a number of positions were vacant pending recruitment.

2510 As at 31st March 2025, the number of staff had risen to 87, again a number of whom are part-time. The increase includes recruitments made to those previously vacant posts, some limited term appointments, as well as to meet the recommendations of the Wright report, as approved by this Hon. Court, particularly in relation to increased resourcing within our Civil Litigation Division.

2515 Regarding remuneration of all staff, I can confirm no employees were paid salaries above the market rate; no bonuses were awarded to any staff during this period; one employee received a benefit in kind under Civil Service terms and conditions, namely one day's pay as a choice in recognition of a 10-year Civil Service anniversary; and finally, no additional payments were made except for reimbursements of travel and subsistence expenses when incurred for approved training, again in line with Government subsistence for such expenses.

2520 Thank you, sir.

The President: Supplementary, Mr Moorhouse.

2525 **Mr Moorhouse:** Thank you, Mr President, and thank you for such a detailed Answer.

With regard to the market rate, a job was recently promoted with regard to that. In terms of that position and the market rate, does it refer to the local market rate or the international one, and what is the range of these payments? I know you have said it has not been done already, but if an indication could be given it would be appreciated.

2530 **The President:** Attorney General.

2535 **The Attorney General:** I will try to assist. The Hon. Member's question was how many members of staff are paid above the market rate and I answered none, but some of our positions are market rated and those ratings are fixed by independent recruitment consultants. That exercise in making recommendations included taking account of the experience in other jurisdictions; I remember Belfast being particularly mentioned.

Thank you, sir.

**Procedural motion –
Standing Orders suspended to extend Question Time to one o'clock**

2540 **The President:** Hon. Members, we have concluded our allocated time for Questions. Ms Edge.

Ms Edge: Thank you, Mr President.

I wonder if I could move, under Standing Orders, that we complete Questions, and hopefully they will be completed by the one o'clock cut off.

2545 **The President:** I beg your pardon, one moment, please. May I just clarify that that is to continue Questions until one o'clock?

2550 **Ms Edge:** I think we could get them completed if Members are succinct and the responders are. (Laughter)

The President: Sorry, clarity, please.

Ms Edge: Yes, one o'clock.

2555 **The President:** Mr Moorhouse.

Mr Moorhouse: Could I second, please?

2560 **The President:** You wish to second. The proposal is to continue Question Time until one o'clock. 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 3

FOR

Mr Ashford
Mrs Barber
Mrs Caine
Mr Callister
Ms Christian
The Deputy Speaker
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Moorhouse
Mrs Poole-Wilson
Mr Smith
Mr Thomas
Mr Wannenburgh

AGAINST

Dr Allinson
Mr Cannan
Mr Peters

The Deputy Speaker: Mr President, in the Keys, 19 for, 3 against.

In the Council – Ayes 5, Noes 0

FOR

Mrs August-Phillips
Mrs Kelsey
Mrs Kinnish
Mr Mercer
Mr Reid

AGAINST

None

The President: Legislative Council: 5 for, none against. Therefore, we will continue Question Time until the one o'clock lunch break.

PUBLIC SECTOR PENSIONS AUTHORITY

**22. Local Government Superannuation Scheme –
PSPA assistance to DoI**

The Hon. Member for Douglas Central, Mr Thomas, to ask the Vice Chair of the Public Sector Pensions Authority:

Whether the Authority has assisted the Department of Infrastructure in relation to the Local Government Superannuation Scheme; and if so, how, when and with what success.

2565 **The President:** We now move on to Question 22. I call on the Hon. Member for Douglas Central, Mr Thomas.

Mr Thomas: I beg leave to ask the Vice-Chair of the Public Sector Pensions Authority whether the Authority has assisted the Department of Infrastructure in relation to the Local Government Superannuation Scheme; and if so, how, when and with what success?

2570

The President: I call on the Vice-Chair of the Public Sector Pensions Authority.

The Vice-Chair of Public Sector Pensions Authority (Mr Callister): Thank you, Mr President. I thank my hon. colleague from Douglas Central for the Question this morning. The former
2575 Chief Executive of the Public Sector Pensions Authority was appointed by the Infrastructure Minister to Chair of the DoI Local Government Superannuation Scheme Policy Review Group during the period from 2021 until he left the PSPA in March 2024.

The Group was established to consider how the Local Government Superannuation Scheme could be transformed to both modernise and make it more sustainable. A set of reform
2580 proposals were identified by the Group in March 2023. The Department and Douglas City Council consulted with the Superannuation Scheme employers, employees and unions regarding the reform proposals in July 2023. Douglas City Council agreed to progress the scheme reform in November 2023. In addition, to aid the Department in progressing the reforms, the PSPA provided a template draft of the legislation reflecting the new design.

2585 My understanding is that the functions of the Policy Review Group ended as the Group had met its terms of reference objectives to design a new Local Government Superannuation Scheme. However, the Department of Infrastructure has yet to introduce, via amendment legislation, proposals put forward by the Local Government Superannuation Scheme Policy Review Group, so there have been no changes to the Local Government Superannuation Scheme
2590 and it currently remains as it was.

Thank you, Mr President.

The President: Supplementary, Mr Thomas.

2595 **Mr Thomas:** Thank you very much.

Do I understand correctly, then, that the Public Sector Pensions Authority was instrumental in developing a solution that would save ratepayers a million pounds a year, slightly more even than was estimated in the Written Answer that has already been published, but that has not been progressed because we are waiting for the Department of Infrastructure to draft some
2600 legislation which has already been outlined to them in template?

The President: Vice-Chair to reply.

The Vice-Chair: Thank you, Mr President.

2605 I cannot speak on behalf of the Department of Infrastructure Minister. I have no knowledge or information relating to potential savings that the new scheme would provide. As I said in my original Answer, we were asked to fulfil a terms of reference. I believe that was filled by the Group. There is nothing further to add, Mr President.

2610 **The President:** Supplementary, Mr Thomas.

Mr Thomas: Thank you very much. The Vice-Chair and the members of the board of the Public Sector Pensions Authority just need to look at the Answer to Question W-202501-1567 to find that information, although it was out of date for a couple of years; that is where I get a million pounds from rather than the £900,000 that was just identified.

2615 Basically I did say, when Mr Callister was seconding the local authority reform Bill back in 2021, that I was sceptical about the value of having the Department of Infrastructure as the middleman between the Public Sector Pensions Authority and Douglas City Council as the pensions administrator. To quote myself, I just wonder why the Department of Infrastructure, given it does not have the obvious capacity in respect of public sector pensions –

2620 **The President:** Hon. Member, this is Question Time.

Mr Thomas: Why is it even still involved?

2625 **The President:** Come to your question, please.

Mr Thomas: I have asked a question already, Mr President, with respect. I have asked the question why –

2630 **The President:** Can you now resume your seat? If you have asked your question, please resume your seat. This is not about making statements.

Mr Thomas: Does the Vice-Chair agree –?

2635 **The President:** Hon. Member, resume your seat.
Vice-Chair to reply to the question.

The Vice-Chair: Thank you, Mr President. I think there was a question there.

2640 In respect of the Written Answer that was received by the Hon. Member for Douglas Central on 15th May 2025, I have read that and, as I have said before, the Chief Executive of the PSPA was requested to chair the Group on behalf of the Minister of the Department of Infrastructure. That Group met, it actually fulfilled its terms of reference, and in respect of that it just says the Group was required to develop and submit a work plan for approval by the Department on an

2645 annual basis within the timescale advised by the Department. The Group will strive to carry out key areas of work in line with the agreed work plan, but the work plan will be subject to flexibility to respond to other matters that arise.

The Group has fulfilled its terms of reference. I think any additional questions in respect of the benefits of the scheme should be put to the DoI Minister.

2650 Thank you.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

2655 Some very up-to-date information: if anybody attended the Onchan District Commissioners meeting last night, it was an agenda item, item 11, and there was a letter from Onchan District

Commissioners that went to the Chief Minister with regard to the Government Superannuation Scheme and the drafting of the instructions, which I believe has come out of this Group. That was on 30th May 2025, so it is quite recent. So I wonder who is actually dealing with this. Is it the DoI, is it the PSPA, or is it the Chief Minister?

The President: Vice-Chair to reply.

The Vice-Chair: Thank you, Mr President.
Like my colleague from Onchan, I read the agendas and I read every item that comes before my local authority.

As I have said, the Group was set up; they were asked to look at certain items. As I have said in my introduction, the scheme is there but it has not been implemented by the Department of Infrastructure. I cannot speak on behalf of the Minister; maybe that question should go directly to the DoI Minister. Thank you.

The President: Final supplementary question, Mr Thomas.

Mr Thomas: So, as I asked back in 2021, would it not be better to have the Public Sector Pensions Authority actually having the legal responsibility for this Superannuation Scheme rather than the Department of Infrastructure acting as middleman? That would save a million pounds of ratepayers' money.

Is the Vice-Chair of the Public Sector Pensions Authority also aware that Douglas City Council wrote widely, including to the Chief Minister – I think it was as far back as March/April time – about this disastrous situation of incompetence and negligence, more or less?

The President: Vice-Chair to reply.

The Vice-Chair: Thank you, Mr President.
I thank my colleague from Douglas Central for the question. I am more than happy to take this back to the PSPA in respect of who should manage the scheme based on savings, as he has mentioned there, but at this present moment in time ... We were asked to actually look at forming a group. The Group has brought back some changes to the Local Government Superannuation Scheme. Those changes have not been implemented so far, but I will take the other part of his question back to the Public Sector Pensions Authority for them to look at who best should administrate the Scheme in the future.

CHIEF MINISTER

23. Whistleblowers and working culture since May 2023 – Improvements

The Hon. Member for Onchan, Ms Edge, to ask the Chief Minister:

What improvements have taken place in the treatment of whistleblowers and in working culture more generally since May 2023.

The President: We move on to Question 23. I call on the Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

2695 I would like to ask the Chief Minister what improvements have taken place in the treatment of whistleblowers and in working culture more generally since May 2023?

The President: I call on the Ard-shirveishagh to reply.

2700 **The Chief Minister (Mr Cannan):** Mr President, let me take the matter of whistleblowing first. The Government's Whistleblowing Policy affords protection for those who report suspicions of major wrongdoing – for example, criminal offences, legal breaches, serious risks to health and safety and so on. It is vital that we do so, and taking whistleblowing seriously is one important element of a culture of openness, integrity and accountability.

2705 Since 2022-23, the Office of Human Resources has recorded four whistleblowing cases. This does not make the Government complacent, however, and we need to continue to encourage staff to have the confidence to report.

Recent improvements include, firstly, following the recommendation made in the Independent Review of the Government's Management of the Ranson Case Report to Tynwald in January 2024, there have been changes in the way litigation cases have been handled, which may include a protected disclosure. These are handled to ensure that any conflicts are identified and managed.

2710 Secondly, the updated Whistleblowing Policy, which was put in place in October 2022, is currently being reviewed to take into account recent changes to employment legislation relating to the duty to report for prescribed persons, interim relief, precarious liability, and the introduction of a public interest test. The review also aims to further simplify the language used in the policy to make it more user friendly and to ensure it is clear how staff can raise a concern.

2720 The Integrity Line also remains available to employees as an avenue to report any major wrongdoings involved in the public service. This is operated by Crimestoppers, an independent organisation which has strict protocols in place to protect the anonymity of those raising concerns.

2725 Moving on to the broader point about working culture, I will highlight some key improvements made via our public service Great Place to Work programme since May 2023. Over 2,000 staff participated in a Government-wide survey and their feedback has been used to directly shape our actions. The survey has also informed the launch of a new performance development framework supported by online tools, training webinars and face-to-face sessions to help managers and staff have more meaningful conversations about performance and development.

2730 A culture maturity model was introduced in 2024 to help Departments assess their current state and identify areas for improvement. Leadership engagement has been a priority, with conferences and workshops helping to align senior teams around cultural goals. More recently, the Office of Human Resources has refreshed and revised the Public Service People Strategy, which has been through extensive consultation and is now moving into implementation. This Strategy sets out a clear direction for how we support, recognise and develop people across our public service.

2735 Overall, these actions have been about creating a more open, supportive and higher-performing culture, one where staff feel valued, heard and empowered to contribute to public service excellence.

2740 **The President:** Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

2745 I thank the Chief Minister for saying what he thinks has actually happened to the culture for whistleblowers, but previously, back in 2023, when you stated that you were going to really look at this and it was a serious thing ... What evidence have you or the Council of Ministers received to say that the culture for whistleblowers particularly has changed and improved? I am surprised

to hear there are only four cases; I know of at least four. Would he also commit to circulating the survey results of the 2,000 staff, so that Hon. Members in here can have an understanding of the true issues that our staff are reporting back?

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The President: Ard-shirveishagh to reply.

The Chief Minister: All I can go on is the evidence in terms of the data that has been processed. Hon Members know we have made significant improvements under this Government in terms of handling of whistleblowing and in terms of, I hope, the integrity of that particular service.

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There have been 23 complaints raised via the Integrity Line in 2022-23; 40 complaints were raised in 2023-24; and 27 have been received in 2024-25. All these complaints have or are being dealt with. In terms of specific whistleblowing cases, there was one case in 2022-23, two cases in 2023-24, and one case in 2024-25. I can tell the Hon. Member that three of those cases were closed in 2024, which I would presume to indicate have been successfully closed by mutual agreement; and of course in 2024-25 there is one case that is currently being investigated.

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I take comfort from the fact that there has been a clear indication, a move to ensure that whistleblowers have adequate protection around them if they need to inform the Integrity Line, or anybody else under that protected disclosure mechanism, of issues within the public service, and I take comfort from the fact that we have also enhanced and delivered our training but also our governance in terms of operational management co-ordination among all levels of public service.

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The President: Supplementary, Ms Edge.

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Ms Edge: Thank you, Mr President.

I will start with the whistleblowing cases and then I will come on to the Integrity Line. It is clear to me that the Office of Human Resources is not recording people who have raised whistleblowing concerns. I am not saying they are definitely whistleblowing concerns, but it is very clear to me and to all the people who contact me that those figures are not accurate. The culture clearly has not changed for whistleblowers, in my opinion, and I would ask you to check those figures. OHR need to check all their emails and see if whistleblowing is mentioned.

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Then I want to move on to the Integrity Line. Are you not concerned at the figures, that they are clearly going up? In 2024-25 you said it was 27. What happens with those reports? Are they actually then being fed into the right processes or are they just being shut down by inexperienced managers, which you have talked about ... they need a lot of training? I would say yes, they do, and I would like to see what that training is. I am very concerned that there is only one whistleblowing case in 2024-25.

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The President: Ard-shirveishagh to reply.

The Chief Minister: Of course one needs to strike a balance of having an open process where staff feel confident to be able to report complaints versus a concern about potentially the number and level of complaints. In 2023-24 there were 40 complaints raised, and this year arguably we could be approximately trending on the same sort of level. Bear in mind that there are 7,500 full-time equivalent workers in Government. That is a lot of people, and 40 complaints about issues within their Departments or the way that issues have been dealt with, or perhaps relations with managers, could be argued is potentially to be expected in that scale of workforce. The important thing is that we do have reporting mechanisms.

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We have clearly identified and been very transparent about the numbers of actual whistleblowing cases. The Hon. Member knows it is a very sensitive subject, and of course we are completely open, through the executive reporting mechanisms, through the Integrity Line, to

dealing with these concerns and ensuring that they have been properly handled. The Hon. Member will know – if she wants, I am going to start listing them all – that we have made a number of changes to our employment legislation regarding whistleblowing to add further protection and weight to people who raise these sorts of concerns.

The President: Supplementary, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

The Chief Minister mentioned that three of the four whistleblowing cases have been mutually settled. Just for clarity, is he referring to non-disclosure agreements?

The President: Ard-shirveishagh to reply.

The Chief Minister: No, I am just responding to the question in terms of how many whistleblowing cases there have been and the fact that those cases have been closed. I think it is important, Mr President, that I emphasise that this is, like everything else, an ongoing process and that this Government in particular has taken positive steps forward.

We have a new public interest test for protected disclosures; removal of the good faith requirement, making it easier for individuals to come forward without fear that their motives will be scrutinised; extension of vicarious liability, meaning employers may now be held responsible for detrimental treatment of whistleblowers; interim relief, a mechanism whereby if the Employment and Equality Tribunal considers there is good chance of an unfair dismissal as a result of making a protected disclosure complaint being successful, it may order that the complainant is either reinstated or the complainant is paid by their employer while the case proceeds; and an expanded list of prescribed persons.

Hon. Members, it is impossible to go into detail about every single case. There is a lot at stake here within these types of cases and of course they need to be properly investigated and handled professionally and appropriately on all sides of the coin.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

Can the Chief Minister confirm whether Manx Care's whistleblowing complaints are included in those figures or if they have been kept outside, also the MUA and any of those big organisations that are not direct departmental? That might be why the figure is a bit skewed.

I just want to say to the Chief Minister that the culture around whistleblowers that I have supported is certainly not changing. I am happy that the legislation is coming in, but the key thing is one of the recommendations from the late Attorney General – and I believe the Attorney General has now employed somebody specialist in this area ... is going to them too late and not stopping it early. I think this is a key area that the culture in Government needs to change. If somebody talks about whistleblowing, protect that individual, listen to them and make sure it does not go any further would be my aim.

However, I can prove to you that the treatment of whistleblowers throughout our Government – and I am happy to come and meet you with regard to this – has not changed. It is of detriment, in my opinion, to people's health etc. because of the lengthy process that is being dragged out. If the learned Attorney was involved earlier and these Departments did not think they were the managers that could deal with it, you might see less of them coming forward.

I am still shocked that there are only four, but it could be that you have not got all of the figures if it is Manx Care or the MUA, etc.

Thank you.

The President: Ard-shirveishagh to reply.

The Chief Minister: I will confirm that exact detail to the Hon. Member. My understanding is that I have the complete list of Government whistleblowing cases. I will confirm to the Hon. Member whether in fact there is any truth to that insinuation that there may be some other cases that have not been reported effectively this morning. I will ensure that that is brought forward to the Hon. Member.

On the second point she raises – I take these matters incredibly seriously – if she can prove to me that whistleblowing cases are not being handled appropriately, then I would ask her please to write to me so that this is properly documented and I can then respond properly, effectively and professionally to her as to my response and the Government's response to her documentation of evidence of proof.

I think the important thing to bear in mind, Mr President, is that we are in the business of improvement, we have been in the business of improvement. We have taken a number of actions to improve matters in this sphere and we continue to listen to views on whether there can be further improvements made. I would ask the Hon. Member to document that and I will respond accordingly.

EDUCATION, SPORT AND CULTURE

25. Students not in education – Monitoring policy

The Hon. Member for Onchan, Ms Edge, to ask the Minister for Education, Sport and Culture:

What her policy is in respect of the monitoring of students not in education.

The President: Hon. Members, Question 24 has already been completed.
Question 25. The Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Education, Sport and Culture what policy is in place in respect of monitoring of students not in education?

The President: I call on the Shirveishagh Ynsee, Spoyrt as Cultoor to reply.

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

The key reasons why children are not in school are that they are too ill to attend school, are on modified timetables, are receiving secondary school outreach, are electively home educated, are suspended from school or are not regularly attending school.

The Department has built an outreach team in each secondary school and this operates as a bridge between schools and pupils who are not in full-time education. There is a wide range of reasons why students may not be in education and, depending on the reason, the level of appropriateness of action taken, the type of support provided, and monitoring will differ.

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

I thank the Minister for the list of the people she believes are not in education. What I did not hear is how it is monitored. I heard about an outreach scheme, which I think is really excellent and I was pleased to see that introduced, but how are individual students being monitored to ensure they are not getting into any activities that could give them a criminal record?

The President: Shirveishagh to reply.

The Minister: Thank you, Mr President.

2895 The Department has education welfare officers and they have analysed the reasons cited by schools and parents for poor attendance. The 2.7 full-time education officers work as the conduit between the school, the parents and the students with the aim to re-engage students into school. The education welfare officers work on a supportive basis, utilising supportive strategies to address reasons for non-attendance or poor attendance at school. The officers work with schools and parents, often following a number of interventions attempted by schools prior to referring to the Education Welfare Service. It all depends on the individual reasons as to why they are not in education.

The President: Supplementary, Ms Edge.

2905 **Ms Edge:** Thank you, Mr President.

The Minister is very clear on the list. Could she circulate the figures perhaps over the last three years, or even just the last year would be helpful, of all the people she has listed, of the criteria with the real, modified outreach? I think that would be really helpful for Members to understand, and then we can look at how that can be improved other than attendance. To me it does not sound like it has been monitored very well or supportive in getting students back into school, off the streets and in education, which is always the aim.

The President: Shirveishagh to reply.

2915 **The Minister:** Thank you, Mr President.

The Hon. Member is correct. The comparative data that we have over the last four years would indicate that attendance on the Isle of Man has not recovered to pre-COVID figures and is declining. It is a priority for the Department.

2920 The level of detail that the Hon. Member is requesting is not held centrally by the Department.

The President: Hon. Members, that concludes Question time. We will now break for lunch. The Court will stand adjourned until 2.30.

The Court adjourned at 1.03 p.m.
and resumed its sitting at 2.30 p.m.

Order of the Day

**3. Standing Committee of Tynwald on Public Accounts –
Second Report for the Session 2024-25: Student Awards –
Combined Vote under Standing Order 3.19(1) –
Combined vote requested for next sitting**

For a combined vote on amendment A to recommendation 3, and for subsequent continuation of voting.

Extract from April 2025 Votes and Proceedings:

Motion made –

That the Standing Committee of Tynwald on Public Accounts – Second Report for the Session 2024-25: Student Awards [PP 2025/0011] be received and the following recommendations be approved –

Recommendation 1

That Tynwald is of the opinion that the Department of Education, Sport and Culture should review the student awards policy aims to ensure they align with the educational aims in the Island Plan.

Recommendation 2

That Tynwald is of the opinion that the Department of Education, Sport and Culture should collect data to allow it to undertake quantitative and qualitative analysis of the outcomes of student awards funding to assist in understanding whether the resources invested are delivering the most positive impact.

Recommendation 3

That Tynwald is of the opinion that the minimum income threshold at which a full maintenance grant will be awarded should be uplifted to at least £30,388 and the thresholds should then be adjusted annually, in line with inflation.

Recommendation 4

That Tynwald is of the opinion that the Department of Education, Sport and Culture should work with Treasury to ensure that a formal investigation and debt collection process for maximising the recovery of student loan debt is in place.

Recommendation 5

That Tynwald is of the opinion that the Department of Education, Sport and Culture should review support for full time distance learning courses and those undertaking full time study at the University College of Man with a view to providing support equivalent, excepting a proportion for travel costs, to those undertaking full time study elsewhere.

Recommendation 6

That Tynwald is of the opinion that the Department of Education, Sport and Culture should increase disability support levels to at least £2,600 per annum for the annual allowance; £19,760 per annum for a medical helper; £7,800 for the one-off payment; and that these

should be adjusted annually, in line with inflation; consideration should also be given to the removal of the upper contributor income limit.

Recommendation 7

That Tynwald is of the opinion that the Department of Education, Sport and Culture should consider alternative options to the academic achievement eligibility criterion, currently 80 UCAS points, to permit access to funding for those with other relevant experience, qualifications or clear alternative career paths.

Recommendation 8

That Tynwald is of the opinion that the Department of Education, Sport and Culture should work with the Treasury to implement a statutory automated transfer of information to the student awards system from the income tax system, for income data, and also with schools for results data.

Recommendation 9

That Tynwald is of the opinion that Departments involved in designing incentive schemes for employers and employees should have a clear vision for the policy outcomes and ensure adequate data is collected, from the outset, to assess success.

Recommendation 10

That Tynwald is of the opinion that Skills Isle of Man should identify how incentives could be used to address skills shortages; to include consideration of the use of bursaries, schemes including loan forgiveness and removing the bar to funding support for study at the same level as a previous qualifications; and submit a report, including a timed implementation plan with details of the expected costs and benefits, to Tynwald in time for it to be debated at the March 2026 sitting.

Recommendation 11

That Tynwald is of the opinion that the Student Awards Scheme should continue to provide tuition fee and maintenance support through a combination of means-tested grants and access to loans.

Recommendation 12

That the Department of Education, Sport and Culture should consider how to expand loan provision in order to offer loans for maintenance support in order to meet their 'affordable for all' policy objective.

Recommendation 13

The Department of Education, Sport and Culture should submit a report to Tynwald, included a timed and costed implementation plan, in time for debate at the sitting in May 2025; and progress reports should be submitted annually thereafter until all of the approved recommendations have been implemented.

(A) In Recommendation 3, to leave out all the words after 'That Tynwald is of the opinion that' and in their place to add the words 'the Department of Education, Sport and Culture should consider increasing the minimum income threshold at which a full maintenance grant will be awarded to at least £30,388 and consider this as part of the wider budgetary considerations for students commencing their studies in September 2026.

(B) In Recommendation 6, to leave out all the words after 'That Tynwald is of the opinion that' and in their place to add the words 'the Department of Education, Sport and Culture

should review and cost an increase in disability support levels to at least £2,600 per annum for the annual allowance; £19,760 per annum for a medical helper; £7,800 for the one-off payment; and that the Department consider adjusting these annually, in line with inflation; consideration should also be given to the removal of the upper contributor income limit.'

(C) In Recommendation 8, to leave out all the words after 'That Tynwald is of the opinion that' and in their place to add the words 'the Department of Education, Sport and Culture should work with Treasury to review the sharing of income data to support student awards applications and work with schools for the sharing of results data.'

(D) In Recommendation 10, to leave out all the words after 'That Tynwald is of the opinion that' and in their place to add the words 'the Department of Education, Sport and Culture should identify how incentives could be used to address skills shortages; to include consideration of the use of bursaries, schemes including loan forgiveness and removing the bar to funding support for study at the same level as previous qualifications; and submit a report, including costs and benefits, to Tynwald in time for it to be debated at the May 2026 sitting.'

(E) In Recommendation 13, to leave out '2025' and in its place to add '2026'.

Mrs Caine

Recommendation 1 carried.

Recommendation 2 carried

Amendment A to Recommendation 3 –

Court divided.

In the Keys – Ayes 14, Noes 7

For: Dr Allinson, Mr Ashford, Mrs Barber, Mrs Caine, Mr Cannan, Ms Christian, Mr Crookall, Dr Haywood, Mr Johnston, Ms Lord-Brennan, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Thomas.

Against: Mr Callister, Deputy Speaker, Ms Faragher, Mr Glover, Mr Hooper, Mr Moorhouse, Mr Wannenburgh.

In the Council – Ayes 3, Noes 5

For: Mr Clueit, Mr Craine, Mr Reid.

Against: Mrs August-Phillips, Mrs Kelsey, Mrs Kinnish, Mr Mercer, Mrs Morphet.

Mrs Caine gave notice under Standing Order 3.19(1) of her intention to move her amendment to Recommendation 3 for a combined vote at the June 2025 sitting.

The President: Hon. Members, we return to our Order Paper and we turn to Item 3, the Report of the Public Accounts Committee on Student Awards.

The story so far is set out on the Order Paper. The Report has been debated and we are partway through voting. Two months ago, when the Court voted on amendment (A) to

recommendation 3, the Branches were in disagreement. Mrs Caine gave notice of her intention to move the amendment to recommendation 3 for a combined vote at this sitting.

2930 I now invite Mrs Caine to do so.

The Minister for Education, Sport and Culture (Mrs Caine): Thank you, Mr President.
I beg to move.

2935 **The President:** Thank you.

I put the question to the Court, now voting as one body, that amendment (A) to recommendation 3 be made. All those in favour, please say aye; those against, please say no.

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

In Tynwald – Ayes 16, Noes 11

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Cannan
Ms Christian
Mr Clueit
Dr Haywood
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Peters
Mrs Poole-Wilson
Mr Smith
Mr Thomas
Mr Wannenburgh

AGAINST

Mrs August-Phillips
Mr Callister
The Deputy Speaker
Ms Faragher
Mr Glover
Mr Hooper
Mrs Kelsey
Mrs Kinnish
Mr Mercer
Mr Moorhouse
Mr Reid

The President: Thank you; 16 for and 11 against, the amendment is carried.

2940 Having dealt with the combined vote, we now go back to separate voting. I put recommendation 3 as amended. All those in favour, please say aye; all those against, please say no. The ayes have it. The ayes have it. Recommendation 3, as amended, passes.

We now move on to recommendation 4 as printed on the Order Paper. All those in favour, please say aye; all those against, please say no. The ayes have it. The ayes have it.
Recommendation 4 passes.

2945 We now move on to recommendation 5. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Recommendation 5 is carried.

Now we come to recommendation 6, to which there is amendment (B). I put first to you the amendment. All those in favour, please say aye; all those against, please say no.

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

In the Keys – Ayes 15, Noes 6

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine

AGAINST

Mr Callister
The Deputy Speaker
Mr Glover
Mr Hooper

Mr Cannan
Ms Christian
Ms Faragher
Dr Haywood
Mr Johnston
Mrs Maltby
Mr Peters
Mrs Poole-Wilson
Mr Smith
Mr Thomas
Mr Wannenburg

Ms Lord-Brennan
Mr Moorhouse

The Deputy Speaker: Mr President, in the Keys 15 for, 6 against.

In the Council – Ayes 1, Noes 4

FOR

Mrs Kelsey

AGAINST

Mr Clueit
Mrs Kinnish
Mr Mercer
Mr Reid

2950 **The President:** Legislative Council: 1 for, 4 against. The Branches are in disagreement, so the amendment does not carry.
I now put to you –

2955 **Mrs Caine:** Mr President, could I ask for a combined vote on this amendment as well, please?

The President: You want to ask for a combined vote for which sitting?

Mrs Caine: The next sitting.

2960 **The President:** The next sitting.

Mrs Caine: Can it go forward at this sitting so that we can deal with it?

2965 **The President:** No, it has to be our next sitting, which will be July. Mrs Caine has asked for combined voting on this Item for the next sitting; therefore, voting will stop once more.

Items 4 and 5 withdrawn

The President: We move on. The next two Items, 4 and 5, have been withdrawn.

**6. Etio Annual Overview –
Using External Validation of Schools and Education Services 2024 recommendations –
Combined vote requested for next sitting**

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to move:

That Tynwald is of the opinion that the Department of Education, Sport and Culture should work with teachers, parents, students, educational experts and other key stakeholders to use the recommendations on school attendance and behaviour for learning in Etio's Annual Overview – Isle of Man External Validation of Schools and Education Services 2024 to produce by December 2025 a report to Tynwald outlining strategies which can be implemented in the Department's schools beginning in the summer term of 2026.

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

2970 **Mr Moorhouse:** Thank you, Mr President.

Hopefully now is the time to start the rebuild. Last spring I was the first to ask the Minister to have sight of the full report. From that moment, it could be argued, the disconnect grew between the aims of the inspection process, what has been happening in local schools, and our focus.

2975 The first Etio Annual Overview report on the Isle of Man External Validation of Schools and Education Services 2024 arrived at the end of April – with little razzmatazz; if you had blinked, you might have missed it – and it is an important document. This motion seeks to draw attention to two of the most important areas of that report: attendance and behaviour. Improvement in these areas will have a dramatic impact on all our schools.

2980 In recent weeks I have had many meetings with teachers and head teachers. During all these meetings, the conversations have focused on two aspects of the Annual Overview: attendance and behaviour. On page 8 of the report, attendance and behaviour at our high schools were highlighted. Since schools returned after the first lockdown on Monday, 12th June 2020, attendance has been an area of concern for many teachers. If the students are not in the room
2985 and ready to learn, outcomes will not be maximised.

With regard to high schools, the attendance report identifies two core areas: first, to prioritise consistent attendance for improved engagement and academic success; and second, to apply targeted interventions and promote positive school culture to boost attendance rates.

2990 With regard to the high school behaviour for learning, three areas of focus were identified: to promote personalised teaching strategies to improve learner engagement and learning behaviour; to develop supportive environments, with teacher and learner relationships at the core, to encourage responsibility, reduce learning disruption and engage in academic performance; and finally – from my perspective what I see is key – to consider an Island-wide approach to the behaviour for learning.

2995 The aim of this motion is to raise awareness of what can be done and to encourage participation from all key stakeholders. There is a real risk here that if things are not done in this way we will not maximise the potential improvements in this area.

3000 One of the most positive impacts on teaching and learning when I taught at Castle Rushen was the behaviour for learning strategy, which can still be seen as part of the school's classroom behaviour policy. That behaviour policy was simple and it worked. It was developed in a way which invited debate and consideration from all the key stakeholders. There was a real involvement and buy-in.

It had a clear launch date, on the Monday after the TT break, and all students and parents were made aware of the reasons for and the ways in which the policy would be implemented.

3005 That launch was done really well and it worked for the reasons that I have brought this motion:
to give clear focus to attendance and behaviour and a clear timetable for change.

I recognise that the Department would like to respond to the report in one way. In almost all cases, that works and produces reasonable actions. I do not want to detract from the wider body of work but to ensure that these two focal points are fully assessed so that appropriate and
3010 workable strategies are introduced and will make a real difference.

The motion calls for all stakeholders to be involved in the process if we are going to get the best of outcomes. Without taking this decisive course of action, there is a risk. There is nothing worse than a small number of individuals focusing on what should be done. If we get it wrong and the documentation simply is dumped, with minimal or no involvement from our teachers
3015 and pupils, the chance of achieving what could be there going forward will be minimal. By bringing in all stakeholders in an appropriate way, enthusiasm will build and there will be real buy-in to what could be a significant impact.

As part of the motion there are two key staging points: December 2025, the report to Tynwald outlining strategies which can be implemented; and the spring term will be one of
3020 refinement and ensuring the policy is fully considered by all stakeholders in readiness for introduction in the Island's schools at the beginning of the summer term 2026.

Hopefully this motion is seen as a mechanism to get things moving in the right direction, to turn the page, to enthuse stakeholders and, most importantly, improve outcomes and the learning environment of our young people. What do you think?

3025 Thank you, Mr President.

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

Ms Edge: I am happy to second and reserve my remarks.

3030 **The President:** I call on the Hon. Member, Mrs Caine.

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

To begin, I would like to thank the Hon. Member for Arbory, Castletown and Malew,
3035 Mr Moorhouse, for tabling this motion today. I appreciate the importance he places on education, as do we all.

When developing the external validation process, the Department was keen to understand the emerging themes, including areas of strength and areas for growth and development which would be identified during the external validation process.

3040 The Department published the Annual Overview compiled by Etio, which provided an analysis of the themes, a compelling narrative around the priorities emerging, and highlighted key considerations. Two of these themes have been recognised by the Hon. Member in respect of behaviour and attendance within our high schools.

However, I would like to assure Hon. Members that it is necessary for the Department, in
3045 conjunction and collaboration with school leaders, to tackle all priority areas that were identified by Etio. These include a focus on early years and, importantly, the transition from primary to secondary schools. It is imperative that we address all areas where we could and should do better, and that is what we are aiming to do with the establishment of the educational leadership team.

3050 The Annual Overview recognises that positive behaviour for learning is fundamentally linked to the quality of learning and teaching, playing a crucial role in shaping and impacting educational outcomes. The Department has now started to build a foundation, with constructive dialogue, with targeted interventions into schools and educational services, that will ultimately improve learner engagement, enhance outcomes for all learners and continue to establish a self-
3055 improving education system to ensure the capacity for future improvement.

We have created an action plan based on the emerging areas of priority, including behaviour and attendance, which will be worked on alongside school and educational services leaders. The identified actions will form part of the Department Plan 2025-26, which sets out in detail how the Department will deliver our priority outcomes, monitor and measure our success and how we will ensure continuous improvement.

Actions will then be tracked, with updates provided each quarter when the Department produces a progress report which is published on to the Department's website. The purpose of the progress report is to provide an update on progress made to date, together with highlighting any amendments made to the actions during that quarter.

Mr President, I beg to move an amendment, which I hope will be circulated. The amendment in my name is to reflect the ongoing work of the Department and to avoid making additional work by the duplication of reporting. I do hope Members feel able to support it.

The amended motion would read: 'That Tynwald is of the opinion that the Department of Education, Sport and Culture should work with teachers, parents, students, educational experts and other key stakeholders to respond to the emerging priorities as set out within Etio's Annual Overview – Isle of Man External Validation of Schools and Education Services 2024 to form actions which will be included within the Department Plan 2025-26; and that those actions should then be tracked and updates provided quarterly on the Department's website.'

I beg to move the amendment:

To leave out all words after 'That Tynwald is of the opinion that' and in their place to add the words 'the Department of Education Sport and Culture should work with teachers, parents, students, educational experts and other key stakeholders to respond to the emerging priorities as set out within the Etio's Annual Overview – Isle of Man External Validation of Schools and Education Services 2024 to form actions which will be included within the Department Plan 2025-2026; and that those actions should then be tracked and updates provided quarterly on the Department's website.'

The President: I call on the Hon. Member, Mrs Maltby.

Mrs Maltby: Gura mie eu, Eaghtyrane.

I beg to second the amendment.

The President: I call on the Hon. Member, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

I am going to go with support for Mr Moorhouse's original motion. I can see what the Department are looking to do but I worry that they are actually setting themselves up for something they cannot do, because, as far as I am aware without the information to do with the report, the information contained in the report is things that the schools themselves may have to address.

I can only imagine being in a situation a little bit down the line where we are trying to capture things within a departmental plan and tracking that – and we have heard it being indicated – might be tricky or sensitive issues. This is about what is happening and the quality within the schools.

I am sure that the Government amendment will go through. I think it is a really positive response from the Minister and it is brilliant that the Hon. Member for Arbory, Castletown and Malew has brought this forward, but I am going to support Mr Moorhouse, not the amendment.

Thank you, Mr President.

The President: I call on Ms Edge.

Ms Edge: Thank you, Mr President.

3100 When I saw this on the Order Paper I thought, 'I wonder who Mr Moorhouse has been
speaking to?' but I think from his opening remarks it is very clear that there is concern within the
profession with regard to the way that the reports are being handled. I appreciate what the
Minister has just stated, that it is to enhance outcomes, but I am not sure I have heard anything
3105 from the Minister that is telling me it is going to enhance any outcomes for our students.
However, if you look at the Island Plan and what was expected of Education, that has all then
been built into the departmental plans.

I just want to go back to some of the conversations this morning with regard to the Overall
report etc. There was a theme back in 2006 with regard to behaviour and the challenges, the
investment required by the Government, and also attendance. We heard from the Minister this
3110 morning with regard to attendance at school and how it has not got back to the levels before
COVID. I think that is a really serious matter, that we are not back.

I hate hearing the word 'COVID' because we should have progressed beyond that. I am really
quite alarmed to have heard the Minister this morning say that, post-COVID, here we are in 2025
and our attendance levels are not back at what they were. There is something quite seriously
3115 wrong that is not being addressed in the Department.

I know the Minister said that they have welfare officers and they get attendance reports, but
there is something wrong. I am not saying that is the Minister's fault or the Department's fault;
it is probably something very wrong with our current education system for young people post-
COVID as to how they wish to study.

3120 Certainly we do need a hybrid model and I would like to think that part and parcel of greater
and better outcomes for individuals – if it is going to be in the Department Plan – would be
about doing that blended approach to education, that they do not have to be sitting
permanently in classrooms and there is that opportunity for hybrid immersive education going
forward. It is something I have always been very keen on. It should be about the student's stage,
3125 not their age, and I think we fall into this trap that we always assume students in our schools are
at a certain age.

I appreciate why the Minister is amending this. I appreciate that she is talking about the
review and it will go into the report in 2025-26; however, those actions that she states will be
tracked and updates provided quarterly on the Department's website ... That facility is already
3130 there and should have been happening, and I do not understand why it has not been happening.

Attendance has always been a key figure, and certainly behaviour. I know there was debate
in here – was it last year? – with regard to policies and equal policy across schools. Many of us
said you cannot have the same policy in every school because the environments are so different,
but certainly there was the bullying policy and the behaviour policy; I do not know whether that
3135 has advanced any further or not. Obviously Mr Moorhouse would not be bringing this forward
unless there were serious concerns within the profession. I know he is still in touch with the
profession, as I am, and certainly it does appear that the behaviour challenges in our schools are
not getting any better. They appear to be declining and we do need to find a solution to that.

I think we should be supporting Mr Moorhouse. He has given plenty of time. I would not have
3140 given that length of time to look at this, but he has given plenty of time for things to be
implemented in the summer term of 2026. That is a good period of time to do any
implementation of something different because then you have a break and you have September
to tweak and change, if necessary. I would encourage Members to support Mr Moorhouse.

We get annual plans from the Department. It is not necessarily achieving the changes that we
3145 want to see on the ground for our students on behaviour and their attendance. I think that we
all in this hon. place want to see better attendance and better behaviour; however, you have to
invest in this.

Certainly it sounds to me like the Department is very aware that the attendance has not
improved since COVID, or is not back to the levels it was pre-COVID, so they know what the

3150 problems are. However, to wait until their Department plan to address them and not start work now I think is not a great position to be in and I wish that we were investing in this area more.

I will be supporting Mr Moorhouse on this and not the Department and the departmental plan, because that will be coming to us anyway and this is a piece of work outside of that.

Thank you, Mr President.

3155

The President: I call on the mover to reply.

Mr Moorhouse: Thank you, Mr President; thank you, Ms Edge, for seconding the motion; and thank you, Minister, for sharing your thoughts.

3160

The motion does not aim in any single way to distract from the body of work which is being done; it is simply trying to enhance and improve the process. I do worry about the risks of not engaging with everyone who could be spoken to and heard. Those people in the classroom are at risk of not being part of this process: the teachers and students. My motion will not duplicate things but simply ensure the maximum focus on two aspects which could have a significant impact; two aspects that were drawn to our attention by the official report at the end of April.

3165

Thank you, Ms Lord-Brennan, for recognising the positive nature of what I proposed; and thank you, Ms Edge, for the focus on perception. That is important. There is concern that at the moment the divide between us the politicians, the Department, the teachers in the classroom, the students, the parents and the guardians is growing and it is already too wide. The simple aim of this motion was to bring everyone together to look for solutions for the benefit of all; the focus on essentials, to engage with all key players and to achieve more. I do worry that the amendment does not open the door but simply builds on the divide at a crucial moment. The amendment can be summarised in four simple words: more of the same.

3170

I do hope that you will consider what I am trying to do. I am not trying to derail the train, I am not trying to ask for anything special; I am asking you to focus on the report that we were presented with at the end of April and those key areas which could really improve learning, behaviour and attendance within our schools and have a great impact not only on the local environment within those schools but the national environment. It is a simple thing, just moving things forward slightly, not bringing in any major changes, not questioning the system but allowing real engagement and real positivity.

3175

3180

Thank you, Mr President.

The President: Hon. Members, we come to vote on Item 6 as laid out on the Order Paper, to which you have an amendment in the name of Mrs Caine. I put first the amendment. All those in favour, please say aye; all those against, please say no.

3185

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

In the Keys – Ayes 13, Noes 9

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Cannan
Ms Christian
Dr Haywood
Mr Johnston
Mrs Maltby
Mr Peters
Mrs Poole-Wilson

AGAINST

Mr Callister
The Deputy Speaker
Ms Edge
Ms Faragher
Mr Glover
Mr Hooper
Ms Lord-Brennan
Mr Moorhouse
Mr Thomas

Mr Smith
Mr Wannenburg

The Deputy Speaker: Mr President, in the Keys, 13 for, 9 against.

In the Council – Ayes 2, Noes 3

FOR
Mr Clueit
Mr Mercer

AGAINST
Mrs Kelsey
Mrs Kinnish
Mr Reid

The President: Legislative Council: 2 for, 3 against. Therefore, the amendment fails.

Mrs Caine: Mr President, could I ask for a combined vote on that one, please?

3190

The President: You would like to ask for a combined vote for the next sitting? (**Mrs Caine:** Yes, please.) That is possible to do. Thank you. That will be a combined vote, then, for the next sitting on the amendment at Item 6.

Item 7 withdrawn

The President: Hon. Members, Item 7 has been withdrawn.

8. Family Library – Steps to prevent closure – Amended motion carried

The Hon. Member for Douglas East, Ms Faragher, to move:

That Tynwald calls upon the Council of Ministers to take urgent steps to prevent the closure of the Family Library, and to develop and bring forward for debate and decision by Tynwald no later than the October sitting a sustainable funding proposal to secure its long-term future.

3195 **The President:** We now move on to Item 8. I call on the Hon. Member for Douglas East, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

3200 I rise today to introduce my motion regarding the Family Library. I must be honest, this is more than just a debate for me; this is in many ways a love letter to an institution that has quietly supported so many lives, including mine.

3205 Like many in our community, I have benefited from this wonderful place at various stages of my life: as a wide-eyed child discovering the magic of books, as a slightly sleep-deprived new mum grateful for a safe and welcoming space, and as a parent navigating the joys, or more often chaos, of young children. At each stage, the Family Library has offered not just books but support, connection and a sense of belonging.

The Family Library is not simply about books on shelves. What makes it so precious is the breadth of service it provides; five distinct and interconnected strands that serve our community in ways that few, if any, other organisations can. First, family services help to nurture literacy, curiosity and confidence in families from the earliest years, providing a valuable, warm, free or very cheap place for parents to gather and talk or take part in classes. The Sing and Sign classes are attended by about 150 parents and children per week, and over the last 10 years around 45,000 people have taken part in Sing and Sign classes with Nicki.

Second, the mobile library bus ensures that access to knowledge and connection is not limited by geography or mobility. The bus travels Island wide, bringing over 2,000 books and audiobooks to the rural community, visiting care homes, playschools and sheltered accommodation.

Third is support for schools, working alongside teachers to enrich education and provide library services for some schools, with class visits on many days from local schools.

Fourth is bibliotherapy, which offers beautifully curated memory boxes that bring comfort and stimulation to those living with dementia, and support to their carers.

Fifth and finally, the home delivery service brings not just books but conversation and connection to housebound individuals, people who are living in long-term care, carers and others who are immobile for other reasons, who might otherwise feel forgotten or isolated. The home delivery service is available to anyone who finds it difficult to visit their nearest library and is open to people of all ages.

What makes the Family Library unique is not only what it does but how it does it. It fills gaps that statutory services cannot always reach. It bridges education, social care, mental health support and community inclusion, and it does so with compassion, care and a real ability to adapt to the evolving needs of our community.

The potential closure of such a service is not simply a matter of budget lines; it is a question of what kind of community we want to be, whether we value not just the provision of services but the human connections and quiet support systems that strengthen our society in ways that are difficult to quantify but impossible to replace once lost.

So I bring this motion not out of sentimentality but out of a deeply practical recognition: the Family Library is one of those rare institutions that quietly prevents larger, costlier social problems down the line by supporting families early, by combatting isolation, by promoting mental well-being, by building resilience. This is an investment in prevention, in community and in the kind of Island we want to live in.

Eaghtyrane, ta mee shirrey kied dy chur roish y treealtys ta scrut fo aym. I beg to move the motion standing in my name.

The President: I call on the Hon. Member, Mr Glover.

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

The President: I call on the Hon. Member, Dr Allinson.

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

I would like to thank the Hon. Member for Douglas East, Ms Faragher, for moving this motion today.

I was surprised, shocked and saddened by the sudden announcement from the current directors of the Family Library Ltd that all services would cease by 31st July this year. This decision has created uncertainty for all the staff involved and a sense of fear and trepidation for all those who rely on the services the charity provides, whether that be in the physical building on Westmoreland Road, visiting the mobile library on one of its six routes around the Island, being visited by the home library service or participating in one of the bibliotherapy sessions.

3260 There has also been concern around the loss of services to local schools and community groups when the charity closes, and it is absolutely right and proper that these concerns are shared on the floor of Tynwald Court.

3265 The running of the Library was taken over by the charity in 2012. Since then, two additional services have been developed: the home delivery and the bibliotherapy services. The number of staff employed has increased and the cost of running all the services has increased accordingly. Tynwald has previously debated both the role of the Family Library, library services provided by local authorities in general and the value of mobile library services, which often reach out to vulnerable and isolated members of our community.

3270 Following a Tynwald motion in 2017, £100,000 was provided to the Family Library Ltd and a further £138,500 was provided in 2019-20 whilst the Council of Ministers Working Party reported on the overall provision of library services on the Isle of Man. After further intervention by the Council of Ministers, Treasury agreed a five-year funding scheme in 2022, with over £330,000 of taxpayers' money being given to the company already, a further £80,000 due to be paid this August and £65,000 promised for next year.

3275 The Library building, which was refurbished to a high standard in 2007, has been provided to the charity for a peppercorn rent. The mobile library vehicle has been provided to them with the routine servicing and fuel being provided by the Department of Infrastructure. Treasury has asked for an urgent meeting with the directors and has requested the accounts for the year ending 31st July 2024 and management accounts from August 2024 to date. However, we have been advised by them that it will not be possible to provide these until the end of the month, and so have a meeting scheduled for 30th June.

I have met with Douglas City Council to discuss their position, and while they recognise the social value of the service, they have no plans to take these over or provide financial assistance.

3285 I have also visited the Family Library to speak with staff, who are obviously very concerned for the future of the charity and the uncertainty which is currently also affecting users of the services they provide in Douglas and around the Island.

3290 The current directors have obviously decided to close all services and I hope that Treasury can better understand the financial pressures which have led to their decision when we meet them later this month. In the meantime, the Friends of the Family Library are attempting to fundraise and there are members of our local community interested in establishing a new framework to sustain some of the services established over the last decade.

3295 In view of the role that the mobile library and home delivery services provide to our community, I wish to move an amendment which I hope will reflect the range of people around our Island who would be affected should the Family Library cease to exist. I would like to move that Tynwald calls on the Council of Ministers to urgently work with the Family Library and Mobile Library services to understand their financial and operating position, with due consideration given to maintaining continuity of service throughout the transition period, and bring forward options for October Tynwald with the objective of securing valued community services.

3300 Treasury have already started this process, but, due to the prior commitments of the existing directors, have not been able to obtain the comprehensive financial information and understanding of the challenges they have been facing yet. We will be moving at pace to assess the situation and will try to report back to those who currently rely on these services, and this Hon. Court, as soon as possible.

Mr President, I beg to move the amendment in my name:

To leave out all the words after 'That Tynwald calls on the Council of Ministers' and in their place to add the words 'to urgently work with the Family Library and Mobile Library services to understand their financial and operating position, with due consideration given to maintaining continuity of service throughout the transition period, and to bring forward options for October Tynwald with the objective of securing valued community services.'

3305 **The President:** I call on the Lhiass-loayreyder.

The Deputy Speaker: Thank you, Mr President. I beg to second the amendment.

3310 So many of us have experienced first-hand this inclusive and supportive hub for all aspects of the Island's community that is the Family Library. It is much more than just a library, it is a safe place to learn, to play, to socialise, and it does foster that sense of belonging. The Library and its dedicated staff provide support for families in often economically challenging circumstances. These services have an extensive impact on the Island.

3315 The Family Library plays its part in supporting thousands of residents by providing affordable, educational and creative activities in that warm, welcoming and safe environment. The Library also provides young people with opportunities for volunteering and work experience, enabling young people to discover the value of helping the community and working with others, developing those skills that are vital for the future benefit of us all.

3320 Isolation and loneliness is a topic often discussed in this Hon. Court. Mobile services supply library services to those who cannot access a library, but, like the Family Library, it is not just about books. Human interaction with the staff and volunteers providing outreach services can sometimes be the only contact that some people – many of whom are among the more vulnerable members of our society – have. This amendment gives assurance that urgent action will be taken, and that is essential because the clock is ticking.

3325 A new board of directors is required, and support through that transition period will be absolutely vital. The Library needs help, and when I say that I do not mean that it should be taken into Government; I believe that would be completely the wrong thing to do. It must stay as a charity, and that way it allows the flexibility to adapt to what is needed and what it can supply, not the interference or rigidity that would surround it if it were taken into a Government Department.

3330 While, of course, as with every service, it must operate within financial constraints, the value of this service is hard to calculate in monetary terms but easy to calculate in social value. The current directors have decided to call it a day, and if the Council Ministers are to help, Treasury needs to better understand the financial pressures which have led to this decision by the current directors.

3335 There is a genuine will from staff, volunteers, users and supporters of the Family Library to provide a sustainable service. The Friends of the Family Library are working hard to raise funds and there are a number of members of our local community who are prepared to step in and help establish a new framework to sustain those valuable services into the future. It is true to say you don't know what you've got till it's gone – and once this is gone it is gone; there is really
3340 no getting it back.

Mr President, we must continue to hold on to the values of our own communities and of the communities we serve.

Thank you.

3345 **The President:** I call on the Hon. Member, Mr Callister.

Mr Callister: Thank you, Mr President.

I thank my colleague from Douglas East, Ms Faragher, for bringing the motion today. Unfortunately I have not prepared a speech because I have found it really difficult to try and get
3350 all the facts and information to be able to put something together in support or to say that I do not support it. In my heart, I do support it; I support all libraries across the Island.

I was wondering if the mover of this motion, or even the Treasury Minister, could possibly arrange a Tynwald Members' presentation on this in order for us to ask questions about the people who use this. Are most people using this rural? Are they within our towns and villages?
3355 Some of those towns and villages already have access to libraries. We have to make sure that if this service is desperately needed by our community then we get right behind it, absolutely, but

I know Douglas has a fantastic library; Ramsey, Onchan and other places around the Island do offer already fantastic libraries. I want to save this Library but I need to understand exactly what the current position is and what the future position might be.

3360 Just looking through the amendment from the Treasury Minister, I have also got a question and I am not sure if the mover of the motion would be able to answer this question, or again if the Treasury Minister will have to intervene. According to my colleague from Douglas East, the service will end on 31st July, but what the Treasury Minister is asking this Court to do is for the Council of Ministers to go away and then bring forward options for October.

3365 So what will actually happen from 1st August to the end of October, and possibly right the way into November? There is going to be a period where there is a void. I know the Treasury Minister mentioned that there was going to be a payment in August, but I was wondering if someone could just clarify the financial position and if this Library will remain open until we have this report back in October, and then for those recommendations – if there are any – to be
3370 fully utilised and implemented, possibly in November and December. I just think that at the moment –

Dr Allinson: Would the Member give way?

3375 **Mr Callister:** More than happy.

Dr Allinson: I do apologise for interrupting you, Hon. Member, but you have posed the question.

In essence, I do not think I or the mover can give that guarantee at the moment because the
3380 directors have quite publicly said that they are going to wrap up the company and cease trading on 31st July. What I hope we can do when we meet the directors is understand the current financial situation and why it has come to this point, because no warning was given to Treasury in advance of this announcement.

3385 What we then need to do is look at, from the Friends of the Family Library's point of view, if a new board is going to be construed, if a new framework is going to be arranged, how that can be supported, and then come back to Hon. Members. But it is managing this transition at a very uncertain time.

Thank you, Hon. Member, for giving way.

3390 **The President:** Back to you, Mr Callister.

Mr Callister: Thank you, Mr President.

I am grateful to the Treasury Minister. I was actually speaking until either the Member for Douglas East or the Treasury Minister intervened because I think there are some gaps here. If
3395 you look at the amendment, then realistically I think October is the wrong date; maybe it should be July. If all of us can get some form of presentation to actually ask these questions, then I think we will have a better way forward.

I am also concerned because, as I think the mover of the motion has already said, there are staff involved here, so at the moment this does not join up. The library service is going to end on
3400 31st July. Tynwald may look again in October. What will actually happen to those staff in the intervening period? I think realistically that date on the amendment needs to be July and the Treasury Minister and his officers need to have an urgent meeting with the Family Library in order to understand exactly what is happening and for then a Tynwald Members' presentation to be given so we can look at all the information.

3405 I would say that I also reached out to the directors and asked for financial information – the last accounts, management statements – so I could understand exactly how these services are being delivered, the costs involved and who benefits from those. Unfortunately I did not get the answers that I wanted from the directors, which is incredibly disappointing when I am there to

try to help the Family Library and keep this facility open. I am hoping they will be more engaging with the Treasury Minister.

Thank you, Mr President.

The President: I call on the Hon. Member Mr Ashford.

The Minister for the Cabinet Office (Mr Ashford): Thank you very much, Mr President. I suppose I should start by declaring an interest in the fact that my daughter has been thoroughly enjoying the Sing and Sign lessons that are being done at the Family Library.

I was, of course, the Treasury Minister the last time we were here when the Family Library was having difficulties and we agreed the package of funding that would take it through until 2027; it is a shame that we are here yet again. One of the things that was identified at that time was a real wish in the community to be able to help support the services that the Family Library was delivering, and in particular the mobile library.

One of the things I always remember, as Treasury Minister going around and seeing the services – because I must confess, up until that point I had not had much engagement with the Family Library – was the mobile library and the way that it adds to the communities around our Island, and the number of users and people who are very reliant on it even from a community point of view and just having some human interaction.

So I thank the Treasury Minister for the amendment here today, which of course I will be fully supportive of because I think the crucial thing here is that we understand the financial and operating position of the Library and why we are in the situation, again, that we were in about four years ago. We do need to fully understand that. I also thank the Treasury Minister for being willing to engage with the Library and trying to get a better understanding of that.

I think everyone wants the same thing, which is to see those valuable community services continue. What we need to do is formulate how that is best done and how we ensure that we keep the community cohesion that the Family Library has been very good at supporting over many decades previously.

I hope that others within our community will be able to step up. Like Mrs Corlett, I do not believe it would be right for it to sit within Government. I think it is a community service and the clue is there, that it should be delivered by the community. I hope people will support the Treasury Minister's amendment and that we can find a solution that benefits all those who rely on this service.

The President: I call on the Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

May I just, first of all, ask about this amendment, because it does say 'the Hon. Member for Ramsey, Dr Allinson, to move as an amendment to Mr Speaker's amendment', which has confused me because I have not seen Mr Speaker's amendment – so is this valid?

The President: Over to the Clerk.

The Clerk: Mr President, I apologise to you, to the Court and to Dr Allinson. Those words should not have appeared on the paper before Members. It is not an amendment to Mr Speaker's amendment; it is an amendment to the motion as it appears on the Order Paper.

The President: Hopefully that is clarified, Hon. Members. On the paper before you it is incorrectly titled as an amendment to Mr Speaker's; it should be as an amendment to Ms Faragher's motion.

Back to you, Mr Glover.

3460 **Mr Glover:** Gura mie eu, Eaghtyrane.

I think the points have been very validly made already, but I am just going to sum up a little bit. It really is a service from cradle to grave here that is being provided by the community and adding to what Government is offering; in fact, enhancing what Government is offering. If Government were to try to provide what the Family Library is providing, I think they would fall on fallow ground.

3465 Having visited the Family Library, met with the Friends and been shown around – and maybe the Treasury Minister could back this up a little bit more – my understanding is that not only is the Family Library closing at the end of July, also that the two directors are going to stand down, but that there are three further directors wanting to get involved with the Family Library.

3470 I would just like some clarity on that. Certainly the Friends of the Family Library are taking steps as well to improve fundraising and the financial model. They recognise that there is an awful lot more that can be done.

The Cabinet Officer Minister has talked about the 45,000 people taking part over the last 10 years in Sing and Sign with Nicki, and we have the mobile library. Certainly as to my

3475 constituency, there are big rural areas within Arbory and Malew, and in fact Arbory and Rushen Commissioners provide funding to the Library.

Maybe something that can be looked at is what the local authorities can contribute, particularly the rural local authorities. Obviously you have Castletown with a library, Port Erin with a library, Douglas with a library, Ramsey with a library – **(Mr Callister:** And Onchan.) and

3480 Onchan, thank you; I will have left one out, I am absolutely convinced. It is the rural communities that really benefit, as well as some of the town services, but the mobile library is absolutely vital to a lot of people there.

It is helping them feel included and have a social appointment within that service. It is three routes every week, so that is something that I am sure the Treasury Minister would be able to

3485 explore with the Family Library. Also the home delivery service; very much the same for those who cannot get out and visit the mobile library and cannot get out to visit a library within our city and our towns around the Island, so it is, for the same social reasons, an absolutely vital service.

Then we have the work that goes on with 17 sessions a month, remember, in care homes, in

3490 the dementia units, Hospice, Sight Matters, and other vital areas of helping people, helping patients, helping people who are having troubles within their lives. There is so much more to it than it just being a library.

Obviously I am seconding the actual motion, but the Treasury Minister's amendment is also better than nothing, absolutely.

3495 **The President:** I call on the Hon. Member, Mrs Kinnish.

Mrs Kinnish: Gura mie eu, Eaghtyrane.

I would like to thank the mover for bringing this motion, and I am not going to repeat the value and benefit that has so clearly and eloquently been put forward by Hon. Members before

3500 me. I would also like to thank the Minister for his engagement with key parties to try to bring forward some sort of resolution, but in essence this motion.

I think any organisation must evolve and restructure as necessary, and efficiencies should always be found. I think this service is no exception. Having reviewed some of the filed accounts,

3505 there is clearly an opportunity here and I believe that there can be business restructure to make some form of model work effectively to maintain key services. Because of that, and because of looking at those accounts, I think I will support the amendment today because I really would like to understand the financial and operating position. I think that is the right way to go forward with this, so I will be supporting this amendment.

3510 Gura mie eu, Eaghtyrane.

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

Mr Thomas: Thank you very much.

3515 The campaigns for the Family Library have been going on for some years. I did find my badge
from 2022 and I have to declare the interest that I did hold campaign meetings back in the 2021
election in the Family Library and did, with their permission, have the photograph inside my
manifesto. So take it, without saying any more, that I am a supporter of the services – except to
say that it does not get mentioned but I do know the Family Library goes into places like learning
3520 disability day centres, as well, and is very much appreciated inside those services.

What I am going to say, though, is that we have to be very careful here with this amendment
that we are not putting unreasonable pressure on the current directors. We have to remember
that those directors have obligations under the Companies Act, and in fact in terms of beneficial
ownership as well.

3525 If they think this is not a going concern and if there are only two of them, they benefit
because this is a company limited by guarantee, so we have to make sure that we do not get
into a Corrin Home situation – and this is how it played out – whereby we start saying things and
making decisions in here that cannot possibly be delivered. You pay £400 if you miss a deadline
to Companies House, as far as I remember, and there are all sorts of deadlines and statements,
3530 particularly about beneficial ownership, that you cannot get around, so we have to be really
careful.

On that basis, I am minded for the more general original motion rather than the specific one,
because we have to put ourselves in the shoes of the directors who are making the real
decisions. What I am saying is that the Family Library will go on. If you are talking about the
3535 precious rural library endowed by the Carnegie Foundation in the Noble's Assembly Hall, all of
which have a century of history, the Family Library will be going on. But we do not want to mess,
as politicians, with companies law and with those situations.

The second thing along those lines is I was fascinated to see for the first time and read for the
first time the grant legal agreement, because that grant legal agreement is made under the
3540 Financial Provisions and Currency Act section 4(1). I have heard it loosely talked about as being
public funds, and today in his speech the Treasury Minister said it was taxpayers' funds. Well, it
really is not; it is bona vacantia funds.

If you go back to section 4 of the Financial Provisions and Currency Act, it says in
subsection (2) that if there is another legal provision, you cannot use subsection (1). I would
3545 have thought as bona vacantia it goes back to the Companies Act 1931 and 2006. There is
perhaps a different legal provision, which means that that agreement might not be completely
kosher in terms of how we treat it.

I think we have to face up to the fact that we have an incredibly valuable service that was
made here. (**A Member:** Hear, hear.) The decision that was made in 2012 to take it out of the
3550 Department of Education and Social Care was the wrong decision because it was made for
political reasons to do with protecting student grants and that sort of thing. We need to go back
and revisit that basis.

The decision that was made not to carry forward with the Council of Ministers Tynwald
Working Group proposals for libraries reorganisation that was on the table all those years ago
3555 was the wrong decision because it was an easy fix that could be taken. The simple fact is we
have not given £300,000 of taxpayer funds; £300,000 of bona vacantia funds have been spent in
the last three years, and so we are into a very complicated area.

I really do think we have to keep this incredibly simple. We have not got to get into finding
the latest blame person and blaming them for where we are. We have to make sure that the
3560 Family Library is secure, that the rural library services are secure, the bibliotherapy services; and,
if they are worthwhile and they should be paid for, they are paid for properly. We should not
carry on fudging and bringing in the latest thing.

3565 I am not even sure if the three new directors would know that they will be responsible for the Family Library, as far as I know, under beneficial ownership because there are fewer than four of them or something. There are no exemptions, because if it is a company limited by guarantee, there are not any owners. I tried that and eventually I had to back down.

3570 Basically the law is very precise about all of these things and we want to make sure that we are not amateurishly going into places we should not be going, which are pretty complicated in terms of public finance law and company law. We should basically just be saying we support this service and we will do everything that is necessary to continue it, as the original motion says.

The President: I call on the Hon. Member, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

3575 God help me, I am standing up to agree with the Hon. Member for Douglas Central.
(Interjection)

3580 I am quite worried about the amendment for a number of reasons, and I will try to talk through the logic here. The first one is that impact on the directors' responsibilities in law. One of the reasons that the directors have told the Treasury they cannot accept any further funding is because they know that service is not going to carry on, so if they accept any more money they feel they are placing themselves at risk of breaking company law, or even getting in trouble with Mr Attorney as their regulator, and that is a position I can well understand.

3585 The Treasury's amendment talks about urgently working with them and giving due consideration to maintaining the continuity of service and to bring forward options, but actually you are not going to achieve any of that if the directors do not feel confident that they can do this in accordance with company law. So far, I have had no reassurance from the Treasury, from the mover, that this amendment will do that.

3590 That is a worry because what if we resolve today that yes, we should go away and work with them, but the directors' position is, 'I am sorry, we know we do not have the funding, we know we cannot carry on,' and therefore any attempt to help is actually going to be stymied by that requirement in company law for the directors to act responsibly –

Dr Allinson: Would the Hon. Member give way?

3595 **Mr Hooper:** Yes, of course.

Dr Allinson: Thank you, Mr President.

3600 I completely understand your comments and the comments of Mr Thomas, but the reality is that this company will cease to be trading on 31st July. That is absolutely the wish and the stated determination of the directors. That is their right and it is certainly not Treasury's intention to go against that decision, because we cannot; it is their decision as company directors and I understand their rationale for doing that.

3605 However, I think there is that ambition to preserve the services that the establishment is currently providing, and that is why we need to work together with the Friends of the Family Library to look at whether a new structure can be created, with new trustees or directors going forward, which could then continue in that transitional period. Otherwise, if the company folds on 31st July, the doors will shut.

Thank you, Mr Hooper. Thank you, Mr President.

3610 **The President:** Mr Hooper.

Mr Hooper: Thank you, Mr President.

I would like to thank the Treasury Minister for that intervention but it was less helpful than I think he thought it might be, because any new structure would be under the same legal

3615 restrictions. If they did not feel comfortable that the service was going to carry on, they could not accept money from the Treasury either.

I think this is the challenge here. The motion as worded by Ms Faragher talks about preventing the closure of the Library. I think if that is preventing the cessation of services, that might have been more accurate to what we are looking for here, but the Treasury motion does not actually talk about that. It does not say we are going to stop services from ceasing, it says we are going to give due consideration to maintaining a continuity of service, and that is not the same thing at all.

Quite frankly, I do not trust this Government to continue services. When they are saying 'due consideration', what they mean is, 'We will think about it and when it turns out to be too difficult, we are not going to do it.' That is what I think worries me with the language here, because any new model, any new structure or any new company that is going to get themselves up and running by the end of the month before all this shuts down ... The reality is that is not going to happen.

So when Treasury are saying all the Government is willing to commit to is giving due consideration to maintaining continuity of service, they are not saying, 'We are going to make sure services are not ceased,' like Mr Glover talks about; they are actually saying, 'Services might stop, and we will figure out what we do afterwards.' That is reinforced by the language here that talks about the objective of securing valued community services, but it does not say what they are.

3635 Which of these services that the Family Library and the mobile library provide does this Government believe are valued community services? I have no idea, and honestly, again, I have very little confidence that my view on what is a valued community service is going to align with what the Government thinks is a valued community service.

That brings you on to another consideration. If we accept the Treasury position that actually the only outcome here is that things are going to close and things are going to stop ... I think Mr Thomas has made some valuable points about the way company law may almost say that that is going to happen unless someone else steps up and says, 'We are going to fund this service in the meantime.' If you want to secure those services, we know the running costs of the Library are around about £300,000 a year. That is what is in the accounts they filed with Mr Attorney, with the regulator. A small portion of that relates to their admin costs and most of it is things like staff salaries, but about half of their funding is not provided by Government.

3645 So if Government wants to continue to provide those services without any real loss in continuity, it is going to have to find double the amount of money they are currently putting in, because half the money is not bona vacantia funding, half of it is privately donated. Does this mean the Government is saying, 'In order to do what we think is achievable longer term, we are going to have to double our investment in this because the alternative', as Ms Faragher has set out, 'is that we should continue supporting them at the agreed level of funding that we actually signed up to a number of years ago'?

3655 That seems more palatable to me, to say, 'We said we would give them £125,000 a year', I think it was, 'but we reduce that every year.' Surely it is cheaper for us to keep paying £125,000 a year than it is (**A Member:** Hear, hear.) to double that contribution to £250,000, to nearly £300,000, to keep running those services.

3660 It does not quite stack up, and I think that is where the amendment falls down because it does not give any certainty. It just says we should work with them, we should understand the position, we could consider maintaining services and we should have an objective of bringing forward some options to secure those valuable community services, but none of it is defined. It is all very woolly; it is very wishy-washy. Again, I am used to that now from this Government. You do not get a meaningful commitment. You get something that on the face of it sounds great, but when you actually read what they are asking us to approve, it does not do the thing they tell us it is trying to do.

The other reason that this worries me is saying, 'Let's trust the Treasury to go and sort this out.' That is what we did last time. We trusted the Treasury to go and sort this out last time. A number of years ago we said, 'Go fix this problem.' They sort of did, but equally they sort of did not.

3670 If you look at the legal agreement here that was provided, there were certain responsibilities placed on either party. One of the responsibilities here was that they were supposed to meet with the Family Library in June every year to talk about the upcoming year. I assumed that happened, because obviously the Treasury would never sign or publish a document with requirements in that they do not adhere to. But one of the other requirements, which is more
3675 interesting to me, is that every May they were supposed to get an update of the funds that have been raised through the Family Library's fundraising and a fundraising plan, to provide the Treasury with reassurance that this organisation was on a sustainable footing.

Now the Treasury are saying they did not know anything about this organisation not being sustainable, they did not know that this was going to happen, which begs the question: what did
3680 they receive in May this year, last year and the year before around the statements that were being made to say how much money the Library had raised and what they were planning on doing going forwards?

Having seen those documents, having seen the Family Library had not raised the sort of money they were expecting to raise and was unlikely to raise the sort of money they needed to
3685 raise going forward, surely the Treasury would have started asking questions this May and last May, saying, 'Actually, guys, something feels wrong here. Are you sure everything is okay?' I have not heard any of that from the Government. I have not heard anything from the Government, from the Treasury, saying, 'Actually, yes, we were all over this because £300,000 worth of taxpayers' money' – or bona vacantia money – 'is a lot of money to hand over to an
3690 organisation with no governance around it, no control.'

Again, I am not confident the Treasury have been undertaking their responsibilities in that legal agreement to do that work, and so I am standing here thinking, 'Well, I am not confident the Government have made a commitment in this amendment to actually sustain those services. I am not confident that the way this amendment is worded is actually going to mesh neatly with
3695 the way company law may place requirements on these directors, or even the regulator may place requirements on them as charity trustees. I am not confident the Treasury knows what it is doing or is capable of adhering to some of its requirements and things that it sets out.'

Mr Thomas raises a valuable point that the legal powers that agreement was issued under may even be questionable in this case. There are lots and lots of questions, all of which lead me
3700 to a reduced level of confidence. An amended motion that does not actually explicitly state, 'We want to continue these services' ... I do not think I can support that. I think if this amendment from the Government had stated, 'We will continue to support these services', I would be more comfortable, but they have not made that commitment and it does not feel like they are willing to. It does not feel like they are willing to say, 'Actually, we think that these services are
3705 really valuable and we do not want to see a loss of service.'

What it feels like they are trying to do is give themselves some air cover so we can say politically, 'Oh, we resolved that we would try our best and it did not turn out, but what can you do? We tried our best.' That is what it feels like to me.

I would encourage Members to look at the wording on the page of that amendment, look at
3710 the wording of the original motion, and which one actually provides us with some certainty. Which one of those actually is saying, 'You need to go and do something that has a deliverable outcome on it, a sustainable funding proposal to secure the long-term future of these services, not just an options appraisal that has been considered.'

We need a commitment from Government that says, 'We think this is valuable. We are going
3715 to do what we can. We are going to do everything to make sure these services are secured into the long term,' (A Member: Hear, hear.) not simply, 'We are going to bring forward some options about securing these potential services maybe into the longer term.'

I think that is where I fall down here. This amendment does not give me any certainty, does not give me any confidence, does not give me any reassurance (**A Member:** Hear, hear.) that we are going to end up with something that actually solves the problem; and we are going to be back here, as we were a number of years ago, having the same conversation because the same issue has arisen.

I am not for a moment saying that we should be handing over money to a private organisation hand over fist without any controls, without any checks or balances or governance. What I am saying is the governance that the Treasury put in place by themselves last time around does not seem to have been adequate; does not seem to have been enforced, actually. That is worrying because we are relying on the Treasury to go away and do this again, when the last time the Treasury were told to go and do it and were left in complete control of what happened ... we are here again.

This has not solved the problem, so why do we keep doing the same thing over and over again? Why do we keep saying, 'Yes, that is fine: Treasury, you go crack on and solve this issue'? They are not going to. They did not solve it four years ago, three years ago. They are not going to solve it today; it is going to be yet more of the same.

For all those reasons and probably many more, I would encourage Members to support the motion as it is originally worded and not to support this amendment which I think just waters things down just a little bit too much for my liking.

The President: I call on the Hon. Member, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

I have been sitting here feeling more and more uncomfortable as time has gone on. Listening to the Hon. Member for Ramsey, you are left thinking, 'Well, that is what people get for trying to help out and improve a situation.'

We have heard from the Treasury Minister that there has been – I was just jotting down the figures that he said – £330,000, £80,000, £65,000-plus support from Government for infrastructure, buses and things like that. The point I want to make is that it is really difficult. The reality, Hon. Members, is that this has been a stellar political play for the directors of the Family Library. It has been difficult to deal with this as a constituency MHK because of course I absolutely share the view of the hon. mover and also of Mr Thomas that the Family Library is an incredible asset, and that is why it has been previously given Government support. When that has been provided it has also already been said that actually there needed to be a plan on this.

What happened in reality was the directors announced, 'We are closing the Library: contact your MHK,' putting us absolutely all on the spot as if it was something that Government and MHKs are running. Clearly it is something valuable, particularly if it is in your area. Clearly, it is valuable, as Mr Glover has said, if your constituents appreciate the rural services.

I totally understand why the staff are advocating, rightly so ... And you notice that the meaningful correspondence that Hon. Members have had comes from the Friends of the Family Library. They are the staff who work there; they have the direct public interface. They want the service to continue. When my constituents have asked, 'Are you going to champion this in Tynwald? Are you going to ask about it?' I have had to clarify, 'Look, it is not being run by the Government. Government have tried to help. I believe Tynwald will support it.'

Fundamentally questions need to be asked of the directors. (**A Member:** Hear, hear.) There are clearly concerns about where some of the money has gone. I get the need to do something. I am with people on that journey of wanting to maintain particularly the rural mobile library services and recognising that things need to be supported, but unless there is the co-operation of the directors, this will struggle; it has red flags all over it.

I also worry about the precedent that is being set, because there are many other organisations that operate on a charitable level. I think that Government and Tynwald Members have been put in a really tricky situation over this. It is a good sign for the public that this has

3770 been taken up, that there is interest and there is a response, but we cannot fool ourselves into thinking that this can all be intervened in and run indirectly.

I think questions need to be asked of the directors. It is possible that this needs to be potentially referred on to the charities regulation side of things. What I see on all sides is elected Members trying to do what they can, but there are definitely questions to be asked about how this has been run and where the money has gone.

Thank you, Mr President.

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

3780 **Ms Edge:** Thank you, Mr President.

I concur with the last speaker, very much so. I thank the Treasury Minister for circulating some documentation to all Hon. Members; it was really helpful.

My big concern is the lack of governance that appears to be around the structure. To pick up on the Hon. Member for Ramsey Mr Hooper's comments with regard to Treasury and have they actually not been following the grant process, I think what we have all heard quite clearly is that the governance structure around this particular charity has not been the best. As the Hon. Member for Glenfaba and Peel has just stated, at what point do the charities administrators in the Attorney General's get involved? I am just very concerned.

None of us wants to see social isolation for anybody, whether they are young or whether they are old, in our communities. While we have heard lots, we have had lots of constituents contact us, we all know the value of the Family Library. I think Mr Thomas hit the nail on the head. I think it was a mistake at the time for it to go out to a charity when it was an educational resource and the mobile library was run and it went round all of our Island very successfully.

I think there have been errors in the way that we have looked at the Family Library in the past. One of the concerns which really did jump out at me when you do actually see the accounts in both years ... and it is about the directors, because the directors are listed as receiving payments in 2022, but then the directors' fees are not listed as receiving anything in the 2023 summary. However, if you look at the text for the financial statements, it says they have received funding. That really concerns me, that these have been submitted into our Attorney General's; they have been audited. The whole governance framework is really quite alarming and worrying to me.

One of the other things that I picked up – the staff work really hard and I know they service an awful lot of our people – is staff private health insurance. Is that purely staff? Is that directors? It is a line in the accounts that really jumped out at me: staff private health insurance. Does every charity have this line in their reporting accounts? I do not know, but there are various things that really do concern me.

I heard what the Hon. Member for Douglas North, Mr Ashford, said: we have been here before. I think the only debate we have not had in here that we had in the last administration is Manx Radio, so far; I think it is the only one. We have been here before and the one thing that all Hon. Members supported the Family Library for the last time we debated it was that they had to go away and equal the funding. When you look at these accounts, there has been no fundraising, it appears to me, going forward. Suddenly for the directors to throw their hats in, throw the problem on Tynwald, really and truthfully, in the manner that they have, without any discussions, I do not think is a good way to operate any charity on our Island.

I think there has been plenty of opportunity for them to approach Treasury. They know the funding of £80,000 is due in October. To throw the towel in and say, 'That's it, we're packing in', knowing that they can do that ... But actually who are they holding hostage? All our young people, all our elderly people who are isolated in our communities. It is not actually Tynwald, it is the people they serve, and I think they have done an injustice to the charity to do it in the manner that they have.

I just wish they had come forward and spoken earlier. That would have given far greater opportunity for everybody to try to find a solution – because I am sure there is a solution in here somewhere – without closing those doors. The way that the directors have done it, I think door closure is the only way, and that really upsets me for the social aspect of the Family Library on the Island.

I am not sure which one I will be supporting at this present time, but I do feel the only one you can support is the Treasury one because we are going to find out further information. At the minute we are all saying we have not got all of the facts and all of the information. The only people who can get us that information are the Treasury, and I think we would be foolish to go in any other direction at this time. We should all be in here with facts and figures to make these decisions going forward.

The original motion says that the Council of Ministers takes urgent steps to prevent the closure of the Family Library. Unless I am wrong, I do not believe the Council of Ministers can stop what the charity directors have done. If the hon. mover can tell me otherwise, that is fine, I will accept that, but that is the motion. It says, ‘urgent steps to prevent the closure’. The directors have decided to close. They are responsible for the charity and the company, and I am not sure the Council of Ministers can step in in the way the motion is worded.

I probably am more minded to go with the amendment, to ensure that we are all voting on accurate information in here to go forward and hopefully not lose this resource. There might be a period of time when it is not available during the school holiday periods, which would be sad, but I do think it is really important to get the right structure in place going forward to ensure that there is no social isolation for our people in the communities around the Island.

The mobile library has always been a resource for our communities that we have all valued. For anybody who has never been on it, it is definitely worth a trip out to go on that Family Library and see what it means to the people of the Isle of Man, but also the importance to our young people.

I think I actually view the Family Library more as a nurturing centre. We have all heard about children, schools and education, and it is the nurturing element of the Family Library that makes it stand out from all of the libraries. I think that is really important for us to keep hold of, but we have to have the facts and figures before we can go and just throw some more money at a charity that actually knew, when they got the last tranche of funding, that they had to match that funding, and I cannot see any evidence to show that they have tried to do that.

Thank you, Mr President.

The President: I call on the mover to reply.

Ms Faragher: Gura mie eu, Eaghtyrane.

Thank you to everybody for all of your contributions. It has been a really interesting and respectful debate, and I really appreciate that.

Firstly, thank you to my seconder, Mr Glover, obviously for seconding and for his comments. In terms of the comments he has made about the directors, it is my understanding too that there is a continuity plan for directorship already in train. I agree, of course, with his comments with regard to the importance of the mobile library and home delivery services; thank you for that.

I would like to thank Dr Allinson for his engagement and his collaborative approach to this motion throughout the past couple of weeks. I really do appreciate the work that has been undertaken by him to try to understand the issues and to try to find a resolution.

With regard to the amendment, as I said, I do really appreciate the engagement and I believe there is a genuine will to find a good outcome here, but due to the wording at the very end of the amendment, which seems to indicate that some services may be closed with others being prioritised, I will be voting against the amendment in the first instance.

In terms of his comments that the directors' view is that the Library will close, which is what I have understood from my own meetings and conversations with everyone involved, I just wanted to comment on the wording of my own motion stating, 'to prevent closure'. I am sure that can be interpreted as meaning that the Library overall should not close, even if there is an official closure with a reopening the following day or shortly thereafter.

I would like to thank Mrs Corlett for her heartfelt words and for the quote of my namesake that 'you don't know what you've got 'til it's gone'. I would just note that I do not think that my motion mandates that services should stick within Government; it simply tasks Government with seeking a solution, which could indeed be outside of Government.

Mr Callister, thank you for your contribution. I would be very happy to arrange a presentation. I believe I could co-ordinate that with the staff, and I thank Mr Callister for the prompt on that. With regard to Mr Callister asking the question what will happen in that void, as I understand it, that is why the words were added regarding continuity of services in Dr Allinson's amendment, and I would thank Dr Allinson for including that.

Thank you to Mr Ashford for his contribution and his comments giving understanding and appreciation of the services that the Library brings to our community. I do agree with Mr Ashford that it is clear that everybody wants the same thing. I am assured that there is a lot of will in this hon. place to ensure that the Family Library continues, which is really positive to see.

Thank you to Mrs Kinnish for her contribution. While I do agree that evolution can be a good thing, I would just comment that when something works, it should be protected. I think that is why I prefer the original wording of the motion, although I am also reasonably content that the amendment will still bring us what we are all hoping for.

Thank you to Mr Thomas. I agree that the closure of the Library is the prerogative of the directors. That is absolutely clear, and their determination to take this course is something that I have discovered since I put in my motion in the first instance. While I understand the Library will be closing, because that is their decision to make, I also hope to ensure that it can reopen very shortly afterward, as I said previously. I felt really buoyed when he said that the Family Library will go on. Maybe he can make us up some badges with that on. (Laughter)

Thank you to Mr Hooper for his contribution. With regard to Mr Hooper's comments around the amendment perhaps going against the directors' decision to close, I am not quite sure that it does conflict with that decision. I think, as I have previously commented, the bit about continuity of services was something I thought was particularly important about the amendment, just because it gives that surety to staff and to service users.

I do think that Mr Hooper's comments with regard to the lack of certainty in the amendment perhaps ring true, although, as I have said, I have a genuine sense today that there is a will to reach a positive resolution in this matter and a genuine understanding of how important the Family Library is to our community.

Thank you to Ms Lord-Brennan for your contribution, for comments around the support of the Family Library and how valuable it is, which obviously I agree with. I understand Ms Lord-Brennan's comments with regard to concerns about this maybe not being a Government service. I think she is saying that we are at risk of blurring that line a bit further. I think I am right in that. I get that.

In terms of both Ms Lord-Brennan's and Ms Edge's comments around the accounts, although I have been aware for the last two or three weeks of these areas the two Members spoke about, personally my focus has been on ensuring that the important services provided by the Family Library continue for the benefit of our community and that the staff who deliver those services are protected and supported. While I do agree with many of those comments, I want to have that as a focus today, hence the wording of my motion.

Thank you, Ms Edge, for your contribution as well. With regard to Ms Edge's words about facts and figures, I am not aware that I am missing anything. I would just reiterate that I have had many meetings with both staff and directors to obtain an overview of the situation and

I have read the accounts. In many ways, my comment on that would be that this is background stuff, in a way. In a year, that will not matter, but those services still will and they will still be really important to our community, so I hope it makes sense that I am trying to separate those out.

With that, Eaghtyrane, I beg to move. Thank you.

The President: Hon. Members, we come to vote on Item 8 on the Order Paper, to which you have an amendment in the name of Dr Allinson. I put first the 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 15, Noes 7

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Cannan
Ms Christian
The Deputy Speaker
Ms Edge
Dr Haywood
Mr Johnston
Ms Lord-Brennan
Mr Moorhouse
Mrs Poole-Wilson
Mr Smith
Mr Wannenburg

AGAINST

Mr Callister
Ms Faragher
Mr Glover
Mr Hooper
Mrs Maltby
Mr Peters
Mr Thomas

The Deputy Speaker: Mr President, in the Keys, 15 for, 7 against.

In the Council – Ayes 6, Noes 0

FOR

Mrs August-Phillips
Mr Clueit
Mrs Kelsey
Mrs Kinnish
Mr Mercer
Mr Reid

AGAINST

None

The President: Legislative Council: 6 for, none against. Therefore, the amendment is carried.

I now put to you the motion as amended. All those in favour, please say aye; all those against, please say no.

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

In the Keys – Ayes 21, Noes 1

FOR

Dr Allinson
Mr Ashford

AGAINST

Mr Moorhouse

Mrs Barber
Mrs Caine
Mr Callister
Mr Cannan
Ms Christian
The Deputy Speaker
Ms Edge
Ms Faragher
Mr Glover
Dr Haywood
Mr Hooper
Mr Johnston
Ms Lord-Brennan
Mrs Maltby
Mr Peters
Mrs Poole-Wilson
Mr Smith
Mr Thomas
Mr Wannenburgh

The Deputy Speaker: Mr President, in the Keys, 21 for, 1 against.

In the Council – Ayes 6, Noes 0

FOR

Mrs August-Phillips
Mr Clueit
Mrs Kelsey
Mrs Kinnish
Mr Mercer
Mr Reid

AGAINST

None

The President: Legislative Council: 6 for, none against. Therefore, Item 8, as amended, is carried.

**9. Employment of Children (No. 2) Regulations 2018 Reform –
Amending to permit greater flexibility –
Amended motion carried**

The Hon. Member for Glenfaba and Peel, Ms Lord-Brennan, to move:

That Tynwald is of the opinion that the law on the employment of children should be reformed and in particular:

(a) that the general prohibition on employment should end on the day a child reaches the end of school Year 8, rather than from their 13th birthday as at present;

(b) that the types of employment which may be undertaken by a child from then until their 16th birthday, the times at which they may be employed, and the information which ought to be recorded by their employers, should be altered to permit greater flexibility and to reflect practicalities and workplace opportunities;

(c) that regulations 3 to 11 of the Employment of Children (No. 2) Regulations [SD 2018/0121] should be amended to give effect to this opinion; and

(d) that the Department of Education, Sport and Culture should bring forward amending regulations for approval by Tynwald at the July 2025 sitting to come into operation before the end of July 2025.

3940 **The President:** We move on to Item 9. I call on the Hon. Member for Glenfaba and Peel, Ms Lord-Brennan.

Ms Lord-Brennan: Thank you, Mr President.

3945 For a little bit of scene-setting and just to sweep our minds outside of this Court, which is sometimes a healthy thing, I want to start by referencing a news story some of you may have seen recently. It is one of achievement, tenacity, hard work and also inspiration.

 Isla Gale, from Sulby, was 17 when she won a national fishing award for Trainee Fisherman of the Year, when she flew the Manx flag in Aberdeen and was described as being a twinkle of hope in a struggling industry. She started fishing aged 12 when she begged her mum to let her
3950 go to sea with her dad, an experienced skipper. She began her career scalloping on the Isle of Man and has since become an ambassador for the Island and the fishing community. This includes encouraging more women and young people to consider a career in the fishing industry, as well as advocating strongly for safety at sea.

 Earlier this year, at just age 20, she passed her exams and obtained her Certificate of
3955 Competency as a Class 2 Deck Officer for fishing, becoming the first female to achieve and hold this qualification in the Island, a huge achievement for Isla and for the fishing industry on the Isle of Man; pretty impressive stuff. Isla, rightly described as a trailblazer, recently won in the Gef 30 Under 30 Awards – that was the article I spotted the other day – and her achievements have also been highlighted by DEFA in previous years. For her, winning that award is more than a
3960 personal achievement for Isla, it is a recognition for an entire lifestyle built on perseverance. She says in the coverage:

 It means a lot to have those tough days and long hours acknowledged. It motivates me to keep going, to keep breaking barriers and to hopefully inspire others to do the same. You never know where you might go by inspiring others and sharing your story. These awards show what's possible and that your dreams really are within reach.

 Isla's journey began during school holidays and weekends, which takes us partly to the issue at hand. This is when she spent time on the water and quickly fell in love with life offshore. It was not long before her dedication caught the eye of professionals in the field and she was
3965 headhunted for an apprenticeship. From there, the sea became more than a calling; it became a career. It gave her the skills, the discipline, the work ethic and the confidence that make her who she is today. This started off at weekends and after school. Fishing is a notoriously dangerous line of work. Many of us, of our own less dangerous experience, would look back and think, 'Yes, the work I was able to do as a teenager gave me invaluable skills and really made me.'

3970 This begs the question: who are we in here to limit, in an over-the-top, overly prescriptive bureaucratic and stifling way, in law, the working opportunities that young people get and employers can offer? That is why I am proposing to this Court that the law on the employment of children should be reformed, with the heart of the proposal being in part (b) of the motion, that the types of employment, the times at which they may be employed and the information
3975 which ought to be recorded by their employers should be altered to permit greater flexibility and to reflect practicalities and workplace opportunity. That is the phrasing in the motion proposed.

Hon. Members can see for themselves how restrictive and heavily proscribed the current Regulations from 2018 are, the effect being – and I am really sorry for stating the obvious – that there are fewer part-time summer job opportunities for young people, fewer employers willing to go down that route for fear of falling foul of the law, which places offences not only on employers but parents, when of course there is already existing employment law and health and safety law, and indeed existing record keeping.

Regulation in the area of what you can do and what you cannot do, and when, is difficult. We know this in this Court from COVID. When you try to regulate for every potential circumstance, it becomes more fraught with issues and worse the more you do it.

Young people do need to be protected, yes, but the Department of Education needs to look at the approach to these Regulations from a practical perspective and with reference to elsewhere and what our Island needs. They need to do that for the working hours, break times and the permitted work, and consider, in my view, using guidance – and there is a discrepancy between the guidance and the current law, by the way – rather than prescriptive law and, in effect, detailed directives and additional bureaucracy.

Instead, perhaps a general offence of imposing unreasonable conditions on an employee child should be considered, along with guidance and positive assistance that could perhaps come from the Department to help employers meet expectations.

Some of the restrictions and permitted work simply do not make sense because the Regulations attempt to both provide for and against every instance. There is also, unlike elsewhere, no differentiation between a 13-year-old and 15- to 16-year-olds or 14-year-olds. This does exist elsewhere; different rules apply. It is just a very odd approach that strips away, in my opinion, all reasonableness and sensibility. My case to Government is that small adjustments to regulations could make a big difference and that this is needed.

Of course, no one is saying that young people, teenagers, must work. We are not in the age of the mines and the chimney sweeps. Education must come first, and rightly so. But we have a real issue here, and here is why, and it is why key organisations, parents and businesses, all with direct experience, especially on this issue and trying to help improve things for young people ... The key message that comes out is that flexibility is needed.

I put it to Hon. Members that the need to adjust the extent of these Regulations links critically with having a skilled workforce. Hours and work possibilities need to be sensible for hospitality and retail. This is where most potential jobs are, and those are the areas that it would work in. The scope of potential jobs needs to be widened or, ideally, not so overly prescribed. Think about Isla.

There is some specific context, though, to think about, which adds to the case for change. Schools no longer offer work experience programmes in the way that they did. Real-life experience cannot be beaten, and this is getting confused at an Education official level, I would suggest, with curriculum opportunities and work careers advice. These are simply separate areas.

Post-COVID, young people lack engagement. That is not their fault; they probably, though, do spend more time in front of screens than anything else. Actions short of strike in schools which endure for a period of time also meant that extracurricular activities were also curtailed. We have also had, in the same period, regulation of part-time and summer work that is overly restrictive. All of this means a lack of experience. So how can we expect them to walk into a job at age 18? Young people want to work but we make it too restrictive and it stores up problems. And we wonder about how we meet future skills and needs.

The motion and call for reform is about opportunity. Working at a younger age sets people up for life and gives valuable skills, teaches responsibility and interpersonal skills, and the money is also helpful. Crucially, it promotes and supports a path to independence. It teaches that valuable lesson, Hon. Members, that effort equals reward, and it teaches young people to strive and that one opportunity can lead to another, better opportunity and greater gains. As it stands,

under these Regulations we stifle opportunity and do young people a disservice now, and they should be given more credit. Let's believe in them more.

If the principle is not enough, why else should we be concerned? Well, it turns out that although we have low unemployment as an Island, there is a high level of unemployment in the 18-29 age bracket, especially in young men. But there is a high demand for jobs for young people. In one case related to me, there were over 400 applications for four or so jobs for under-18s. Four hundred. Jobs for under-16s go within 24 hours. Imagine how demoralising it must be to be seeking a chance and not given it.

Tynwald is responsible for this and we can reverse it. Whatever the age, most jobs say experience required, but we are simply not letting them get the experience. To make some adjustments is a win-win-win for young people, businesses and Government. Also, if regulations are easier, it will promote compliance.

Mr President, the main arguments relate to (b) in the motion, but I want to speak briefly on ages in the motion as drafted, and also impetus. First, I have clarified to Members that my intention with part (a) was partly to raise the floor in terms of the age for the majority of the youngest, whilst also providing some equity for the few who do not turn 13 until the end of the summer in that school year cohort.

I recognise the reasons brought to my attention, for which I am grateful, that this proposal, in capturing the few who are still aged 12, may bring issues with International Labour Organization (ILO) conventions in terms of age, so I am happy to support an amendment which would remove part (a), but wanted to make my intention clear. For the majority, it would have raised the age slightly and, in any case, UK guidance actually states age 14.

Secondly, part (b) refers to the 16th birthday. This in fact needs to fall fully in line with the interpretation of both 'child' and 'compulsory school age' in both the Regulations and the Act. I believe there is an amendment coming to address that, and it is really a drafting oversight on my part. But this is not really about ages. It is about getting some impetus and a shift from the Department of Education on this flexibility, just to unlock opportunities for young people.

That is why July is stated in the motion, as, theoretically, small changes in regulation could be made and put in place before the summer, as the Regulations themselves are straightforward; they are only a few pages. Even if this were to be changed down the line in a wider way, if this was done – and I know it needs political determination, and not only from the Department of Education, I suggest – small changes could make a difference for this summer for those seeking jobs and workplace experience, and so more employers can give young people the chance of part-time working if they wish, just without it being impractical.

Let's have some balance, some flexibility, and recognise that law cannot manage risk, and that health and safety and employment and other law and employer responsibilities also exist in addition to these Regulations from DESC. It is vital that we give teenagers every opportunity to get work experience and develop their life skills, should they wish to do so. I ask Hon. Members to support the essence and impetus of this motion and really just give young people a chance.

Thank you, Mr President.

The President: I call on the Hon. Member, Mrs Kinnish.

Mrs Kinnish: Gura mie eu, Eaghtyrane.

I beg to second. I am grateful to Ms Lord-Brennan for bringing this motion to shine the light on the need for a review. I attended a Junior Achievement presentation earlier this year and frustrations were shared by employers present.

In preparing for this motion, I looked at the historic byelaws and regulations from 1969 to 2018. They clearly set out the evolution of changing roles and businesses but also demonstrate the clear need for some regulation and control of employment of children, and this principle I do not dispute.

4080 So where are we now with our children outside of school? Social media and gaming have a grip on our young people more now than in 2018. I am going to go as far as calling the time invested by young people on social media and gaming as an addiction for many, sucking hours of time, creating distractions from homework out of school, inappropriate behaviours between children, a lack of social interaction with real people, and an inability to communicate. I could
4085 go on.

Social media, whether you are in favour or not, is having a negative impact on many of our children; and gaming, for those gaming for hours on end into the early hours, is having a negative impact on those children going into school. Yet some parents prefer to know that their children are at home; some consider it safer than being out socialising. Personally I disagree. We
4090 are all aware of the harm that can occur online whilst a child is in their own home.

My point here is that young people could be doing something of more developmental value whilst earning some money and learning the value of money, having opportunities to work in environments outside alongside adults outside of their own family, developing communication skills, noting the importance of punctuality, time management, appropriate behaviours, specific
4095 skills development and an insight into what they may like and dislike in the world of work ahead.

I am sure that many Hon. Members will have stories of employment during secondary school years, me included, but opportunities for young people have dried up because of the current Regulations. We have recently heard this evidence, both from the mover and Junior Achievement, so it is timely for a review to consider what those barriers are in practice. My own
4100 reading and interpretation of the current Regulations suggests a lack of flexibility for the current labour market and the evolution of children as they are, here and now.

To consider some practical examples, imagine being offered a part-time job one night a week in a restaurant as a 15-year-old. The shift starts at 6.30 and finishes at 9.30, three hours, but it is in term time so, I am sorry, it is a non-starter; you cannot work more than two hours. No point
4105 for an employer.

Imagine working in a kitchen and not being able, at age 15, to put some cheese into an electric grating machine, a machine that does not operate unless the lid is closed. It is a safeguard, but you cannot do this.

Imagine working in a kitchen and not being allowed to take the rubbish out to the bin. You
4110 cannot do it.

Imagine trying to do domestic work in a hotel but not being able to safely use the cleaning products. You cannot do it.

Imagine being offered a job in a kitchen emptying the dishwasher and drying off dishes on a Sunday for four hours from 12 until four. Sorry you cannot; the law only allows two hours. No
4115 use to any employer.

Imagine working in a shop, in retail, on a Saturday for seven hours. That you can do, but imagine working in a shop in retail on a Sunday: two hours is your maximum. When we changed the Shops Act in 2000 we removed those restricting trading hours on a Sunday, but I ask what employer will employ a young person for two hours to fill shelves. It is just pointless and it is
4120 onerous. Perhaps managing the maximum number of hours over an entire weekend could be an option, for example, so that a young person could choose whether to work on a Saturday or a Sunday.

Working in a shop but not being able to do the checkout role because you cannot sell alcohol – quite right, but those individuals could have adult supervision of those sales, as is
4125 evident with young people on the checkout who are aged 16 and 17. If I have overlooked anything in those 2021 licensing laws, I apologise.

I think it is important to emphasise that these Regulations are intended to be about the health, well-being and education of children. They are not intended to be about health and safety; the Management of Health and Safety at Work Regulations 2003 adequately deal
4130 with this.

So how is the health and well-being of children defined by way of these Regulations?
Allowing a child more flexibility to obtain a part-time job, say for example for a maximum of four hours after school – and remember schools now finish earlier than they did – seems to be a better option for some children rather than sitting at home scrolling for endless hours on social media. The well-being of children is being damaged by the restrictive employment options resulting in no job options.

Most parents would have an interest in what their children are doing and what the balance should be in those children's lives. Anecdotally, I recall asking students aged 16 to 17 in my classrooms, who had finished compulsory education, who had part-time jobs and who did not. Very few had jobs, even at that age, and a comment I would often hear was that their parents did not want them to work, so that they could focus on their study. In those cases, parents were exerting influence, but I also hear the other side anecdotally – the parents who want their children to have part-time jobs and learn the value of money and develop other skills.

I think reviewing these Regulations properly, we need to listen to all stakeholders openly and transparently to see if we can get to a place where there are more opportunities for children to work, to help shape them into young adults ready to make valuable contributions in the workplace.

The obligation for employers to record the information for the Department does not work in practice. If you look at that document, it is a PDF, so if you have not got the software to edit it yourself you will need to manually print it off and faff around with a hard-copy document. Employers have to register employees with the Treasury. Can information not be shared with the Department and the Department spot check employers who employ children? There must be other ways to deal with this. If we are going to ask employers to record that information directly with the Department, please can we digitalise it so that an online submission can be made for ease of the employer?

Consider rest breaks, after two hours' work, for 15 minutes. Come on now. I feel there is something ageist that someone aged 14 or 15 cannot manage two hours without a rest. Some older people might struggle with two consecutive hours standing and not be entitled to that equivalent break. Four hours seems more rational and manageable for the employer and manageable by a child. Health and safety compliance can introduce additional breaks over and above the minimum recommendation.

I accept the need for regulation but we do need to evolve and we have done this in the past. We are no longer sending children down mineshafts or expecting them to work under weaving machines anymore. It is quite right that these issues forced change. It is not that long ago that some children, some people I know, were climbing chimneys in Peel to hang and smoke the herring. That would most definitely exceed the height requirement in the current Regulations, but it used to happen, and I am sure if Mr Crookall were here he could perhaps remember whether anyone ever fell down those Peel chimneys.

I accept that there should be some restrictions, but let's revisit this and let's bring some flexibility so we can bring some opportunities and some skills back to children, particularly social interaction and communication skills, and make things better for those young people who want to work.

Gura mie eu, Eaghtyrane.

The President: I call on the Hon. Member, Mrs Caine.

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

The Department of Education, Sport and Culture recognises the value and independence that experience of paid work brings to young people on the Isle of Man. The primary purpose of the Employment of Children Regulations 2018 is to put parameters in place around the terms under which children can be employed to ensure their safety and equally to ensure that their education is not compromised.

The Regulations state the type of occupation in which children over the age of 13 and under the school leaving age may be employed. Other conditions of employment are stated, particularly around hours of work and rest breaks. For those employing young people, registers of employment must be maintained.

Children's right to education is protected by prohibiting work during school hours and limiting the amount of time they can work, so they do not miss school, are not exhausted and are able to engage in their education provision. Regulation 8 states that no child may be employed in any work for more than 28 hours in any week, and that no child may be employed in any work on more than six days in any week. There are also restrictions on working on a school night.

The Regulations specify permitted employment of children aged 13 and above, where children can be employed in light work of specific categories which are considered safe and appropriate for children and do not pose risks to their health or development. This approach is in line with the Island's compliance with the International Labour Organization's Minimum Age Convention, in particular Article 7 of that Convention, and with neighbouring jurisdictions.

Setting clear regulations ensures that employers are aware of their responsibilities and understand what is required to comply with the law. It is important to note that the minimum age of 13 is very well established in international law. However, I agree with the Hon. Member in Council, Mrs Kinnish, that the Regulations do require revision.

I can assure Hon. Members that my Department is currently reviewing the Employment of Children Regulations 2018 and I plan to bring new regulations to Tynwald by the end of this year, following a targeted consultation with key stakeholders and, importantly, with young people. If approved by Tynwald, these regulations will come into operation on 1st April 2026 to allow for employers to prepare for any small changes to the law.

As I have said, the Department fully recognises the value of some work experience for Island children, but our overriding priority must always be to ensure that we do nothing that may affect their well-being and their education. I would like to say that I fully agree with the hon. mover, Ms Lord-Brennan, that Isla Gale's journey has been truly inspirational. I am frequently inspired by all the young people I come into contact with and I fully accept the need to revise the Employment of Children Regulations to support the availability of opportunities for young people to obtain appropriate paid work.

The Department is very aware of the need to listen to feedback from Members, from employers and from the young people, but I just do not feel it is right that we amend one or two measures and bring these forward in a rushed way for next month.

Mr President, I ask that Members recognise that the Department is looking to introduce new, revised regulations and will consider the need to permit greater flexibility and to reflect practicalities and workplace opportunities, where possible. I propose to bring these forward by the end of 2025.

Therefore, I beg to move the amendment, which I hope is able to be circulated, which would replace the Hon. Member's motion, even though I am fully appreciative of where she is coming from in wanting to see amendments to these Regulations.

My amendment would state that Tynwald is of the opinion that the law on the employment of children should be reformed and notes that the Department of Education, Sport and Culture has an ongoing review of the Employment of Children Regulations 2018 and plans to carry out a targeted consultation with key stakeholders including young people, with the intention that new regulations will come forward to Tynwald for approval by the end of 2025 with the aim of coming into force from April 2026.

Thank you, Mr President. I beg to move:

To leave out all words after 'That Tynwald is of the opinion that the law on the employment of children should be reformed' and in their place to add the words 'and notes that the Department of Education, Sport and Culture has an ongoing review of the Employment of

Children Regulations 2018 and plans to carry out a targeted consultation with key stakeholders including young people, with the intention that new regulations come forward to Tynwald for approval by the end of 2025 with the aim of coming into force from April 2026.'

The President: I call on the Hon. Member, Mr Johnston.

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

I stand to second the amendment. As mentioned by the Hon. Member of Council
4235 Mrs Kinnish, I also attended a recent Junior Achievement presentation – an excellent presentation, as always, from them – about some of the issues and challenges around employment. It was very useful to have at that presentation an officer from DESC to talk a bit about the existing legislation.

4240 There are a couple of points I would make. First of all, I think there is a lack of clarity often about the existing Regulations, and uncertainty, and I think there is opportunity there to do more to make sure that people understand the existing Regulations.

Secondly, I think the important part is to have that engagement with employers to understand their issues and, again, have those conversations. That is certainly something that my Department has been doing alongside DESC and the work we do within the Agencies,
4245 especially, I think, within the Business Agency and the Visit Agency in those areas where those skills are often needed in those sectors. I think it is important to make that point.

Listening to the debate so far, I think there is an awful lot of common sense in what everyone has been saying. The important thing is that we distil that down into a sensible situation. I think this amendment does that; it concentrates it down and recognises that there is valuable work
4250 going on and some more time is needed to bring that together. I think by supporting this amendment and getting that work done, we will continue to support the Department of Education in that role. Bringing forward a well thought out set of regulations going forward is the right approach.

Thank you.

4255

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

Mr Thomas: Thank you very much, Mr President.

Hon. Members will agree that I circulated an amendment based on the motion, rather than
4260 the amendment that has been circulated since I put my amendment round. My amendment, to which I am going to speak, is varying the original motion, to be clear.

The first point I wanted to make is that I was persuaded by the eloquence, the passion and the common sense, but also the diligence and the work that had gone into preparing my amendment by some of the key people who have already spoken in this debate. I commend
4265 them for that. I have to be honest, this is not a great area of interest to me, but I want the Court to know and the public to know that there has been very detailed discussion, based on laws that have hardly penetrated in the past, about exactly how to take things forward.

So mine is a very technical amendment. In saying that, I want to say it amends the motion, so if we do end up supporting Government's motion, it is quite a general one, so my amendment is well made in the context of the slowed-down approach to this. What I can hear from the
4270 Government amendment is that it will not apply this summer, even though people have looked at it in great depth, have decided it should apply already and, as far as I heard, the Chamber of Commerce and the Junior Achievement Programme are talking about bringing it on – we need this early on. So we are in a situation where we need to resolve this as soon as possible, and that
4275 is the speech I wanted to make.

Basically, my amendment builds on the excellent points that the original mover made in respect of the ages. My amendment basically removes part (a) to deal with the ILO issue, as it

was described, to keep the consensus, and in fact leave the status quo as it is, because the current Regulations state age 13.

4280 That is the lead to the second part, adjust part (b) firstly, as, in good faith by all involved, the original motion as first drafted is not quite correct because both the Education Act and the Regulations already define a child and compulsory school age appropriately. Therefore, the amendment I am proposing removes any reference to age, as it is superfluous because the primary legislation already achieves what the original motion was trying to achieve.

4285 Basically my amendment is neaten things up. I do hope that we are bold in all of this and we go appropriately quickly, because if we are doing the right thing, why wait? I look forward to hearing the mover's response to Government's amendment that was circulated after I had circulated my amendment. I am sure the mover, given the way she has approached this, will be able to deal with the technical issues that arise from ages, which my amendment addresses.

4290 I beg to move:

To leave out part (a); and in part (b) to leave out 'from then until their 16th birthday'.

The President: I call on the Hon. Member, Mr Clueit.

Mr Clueit: Gura mie eu, Eaghtyrane.

4295 There is a delicate balance between ensuring the opportunities for our children to obtain early employment, that they are maximised, while at the same time protecting children in employment from abusive employers. Many of the current limitations on child employment result from specific cases of abuse over the decades. Relaxing these must be approached with considerable caution. That is not to say that there is no room for improvement, especially in regard to administrative burdens on employers.

4300 In terms of the amendment by the Minister and the assurance that DESC is already working on this, I would strongly urge the Department to ensure that amendments to regulations simplify the administrative burden on employers, where possible. Surely the intent must be to ensure that the information required to show employer compliance with the Regulations is maintained without prescribing the specific format in which it must be kept?

4305 For example, the Register of Employment of Child of School Age form published by the Department preconceives a work week starting on a Sunday, when many companies start their week on a Monday. This would remove the need for an employer who works to a different schedule to maintain different periods for different staff. Administrative burdens without serving any rational purpose are an unnecessary barrier to employment. Regulations need to focus on the protection and outcomes rather than administrative tick-boxing.

4310 The motion clearly seeks action to benefit children seeking employment this summer, but the reality is that it is highly unlikely, unfortunately. There is an obligation under section 12 of the United Nations Convention of the Rights of the Child – an obligation a number of Members have had reinforced during a recent briefing – for us to take into account the views of children as part of any legislation that affects them.

4315 This implies a consultation, something that takes time and presents the challenge of engagement. I feel that the only viable method of engaging with children is through the schools and that any consideration of using the Consultation Hub for this would likely result in non-viable engagement, though I do recognise the resource challenge of organising such consultation through the schools.

4320 While I support the original motion and the amendment brought by Mr Thomas, I am content to wait for the Department to complete their review and bring their recommendations before this Court for debate and approval, and will therefore support the DESC amendment.

Gura mie eu, Eaghtyrane.

4325

The President: I call on the Hon. Member, Mr Reid.

Mr Reid: Gura mie eu, Eaghtyrane.
I beg to second Mr Thomas's amendment.

4330 **The President:** I call on the Hon. Member, Ms Edge.

Ms Edge: Thank you, Mr President.

I have just asked the Clerk to circulate an amendment that I have prepared to the Minister's amendment.

4335 I think this is one of the really important topics for us all to be in here debating today. One of the areas that I think could be done really quickly – it is not in my amendment, but it could be done really quickly by the Department – is to bring out, before the summer holidays, clear guidance for all employers who wish to take any young person on from the age of 13.

4340 I was an employer of young people in a café environment, and I will be honest with you: I did not find the paperwork burdensome. I actually taught the young people about the legislation and why we were filling it in. I think it is really important to take them on that journey with you. They were all delighted to be given an opportunity at 13 years of age. If the Department would commit to looking at that guidance for employers, I think we could streamline just that element quite quickly so employers understand that they can employ young people and it is not as
4345 difficult as some make it sound.

I will speak about my amendment first. I am conscious that it was the end of the year, so we could expect that in here in December. However, I prefer to see a date that has to be returned for approval to this hon. place. The one area that I feel is really important in this whole piece of work is including the Skills Board. Certainly in my time on the Skills Board ... one of the key areas
4350 that we are going to be able to give these young people opportunity is through the Skills Board. It is not through the Department of Education – they are there to educate the children – but it is through the Skills Board.

I have specifically mentioned the Skills Board in here to be involved in this process because they have the contacts with the businesses that will employ these young people and I think that
4355 is really important. I would have preferred the Skills Board to bring this back instead of the Department of Education. However, I appreciate where the legislation sits and that we have to look at that and make sure we are doing it right.

I was privileged when I was younger to be working at the Sefton Hotel from the age of 12, but even back in those days you were not allowed to do anything more than make toast. However,
4360 the health and safety in those days was not like it is today, so I do think there is a fine balance of what you can expect young people to do. Having worked and employed young people, they are all at different stages and ages, no matter what their age. Their age is not important; it is whether they have common sense, I would say, that is probably the most important, and then how you train them to work in your organisation is really important.

4365 Just to pick up on some of it with regard to how you have to report and that the week starts on a Sunday, I think most of the businesses that young people will be involved in are seven-day week businesses anyway, so I do not think it really matters what the start of the week is. They are not going to be working in an office on a Monday to Friday. These jobs are mostly going to be in the hospitality sector.

4370 I have to say the biggest issue that I have heard from all employers is that they want to get young people in early so that they can train them into what they want in their organisation. What we are missing for young people is the resilience to be able to go out and the confidence, since COVID, to go out and look for a job or actually get one.

4375 I went to the briefing the other day with Just the Job and – no disrespect to what they are aiming to do – it is a bit like the careers service that the Minister talked about. It is a bit like a younger version of the JobCentre, where we have highly skilled professionals who should be encouraging people into the workplace.

I know they have been out doing this, so I have spoken to some youngsters with regard to what happens: what happens in the school when Just the Job come in; what are they helping you with? I have to say it was not a positive: 'Oh, it was great, we did this, we did that' It sounded to me like it was purely, 'Sit down and we will show you how to do a CV', and that was at a certain age rather than these younger children at 13 who could be going out to work.

I appreciate that they appear to be looking at the 18-25 sector, but this whole motion is about younger children and getting them out into the workplace earlier to pick up those social skills and be able to work and have work in communities, which is what it is, and there is nothing more important to young people than to be able to do that. I think what we have all found post-COVID is they communicate through these.

I think if we can give them opportunities to go out into the workplace earlier, they will be able to have those skills that we hear all the employers crying out for, and those skills are brought by actually doing it. They are not taught to you. You cannot teach everybody how to do one thing because everybody is different and I think going out and doing it is the thing. I would prefer to hear, 'Give us a job', rather than 'Just the Job' – 'Give us a job' because that is what young people really want; they want that job opportunity. They do not want to know what Just the Job is, it is 'Give us a job' and maybe that is something that we could think about going forward.

I also had the privilege last year of hearing the amazing The Apprentice lady Rachel Woolford at an event where she was the guest speaker. She talked about her youth and working on a farm and helping, and how it had got her to be ... I think she was the youngest ever Apprentice winner. We sat and had a really good conversation afterwards. A good Yorkshire lass, as she called herself. (**A Member:** Hear, hear.)

What she absolutely could not believe was that in Isle of Man you can work from the age of 13. She said, 'Why aren't you selling that? Why aren't you making use of that?' That would help children get on to The Apprentice, like she did. I thought, 'It is true, we have unique opportunities here that we should be thinking of our own and how we can make that better.'

If you support my amendment, it makes the Department come back in October and it also ensures that the Skills Board is involved. I am not saying they would not have been classed as a key stakeholder, but they might have been missed; they might have gone to Construction Isle of Man instead of the Skills Board. The Skills Board is where this sits because that is where the future is, and they know where the gaps are in what the employers are looking for.

So I hope you can support my amendment to the Minister's amendment and also bringing it back in October. I think that is plenty of time to come back to this hon. place with that. We could perhaps in the New Year have some legislation at that point so young people start in 2026 with 'Give us a job.' It would be a great opportunity if we can succeed with that.

The other option could have been to amend and put it to a Committee and Hon. Members in here could have done something a bit quicker, but I am happy to give the Department – I know it has been getting worked on for some time – that opportunity. But I do think it needs to be October, not the end of the year, so that we can be sure ... I am not sure where Easter falls next year, but children could be out there working and having those great opportunities next Easter for their age.

The only other thing that I want to say, Mr President, is to reiterate that if we can get that guidance out –

The President: Will the Hon. Member give way? Apologies.

Ms Edge: Please update that guidance for employers and let them see it is not as difficult as it is made out. I certainly listened to Just the Job. It is not as difficult as everybody is making out. I have done it; I did it along with the employees. It is a file, you keep their names in it, you keep their NI records and whatever – at 13 they will not be paying it – but it is straightforward. However, you could also digitise that yourself. I know the Hon. Member of Council did say,

4430 'What about digitisation?' You could do a spreadsheet yourself and work with the young people to make that an easier process.

Thank you, Mr President. I beg to move:

(a) to leave out the word 'targeted';

(b) after the words 'including young people' to add the words 'and the Skills Board'; and

(c) to leave out the words 'approval by the end of 2025 with the aim of coming into force from April 2026' and in their place to add the words 'approval by October 2025'.

The President: I call on the Hon. Member, Mr Moorhouse.

4435 **Mr Moorhouse:** Thank you, Mr President.

I would like to second Ms Edge's amendment and the valuable input she has put in there.

Thank you very much.

The President: To speak to the amendment, I call on the Hon. Member, Mr Reid.

4440

Mr Reid: Gura mie eu, Eaghtyrane.

I would just like to pick up on Ms Edge's comments – particularly on the amendment she is putting through, which I will fully support – regarding the Skills Board and the fact that the Skills Board actually has an employer forum built in already where they can consult with employers;

4445 so that, I completely agree, would be very helpful in terms of bringing this forward.

Gura mie eu, Eaghtyrane.

The President: I call on the mover to speak to the amendment. I call on Mrs Caine.

4450 **Mrs Caine:** Thank you, Mr President.

Just briefly, I rise to ask if Members would support the amendment that I have brought before us. I fully hear everything that Hon. Members have said.

4455 **The President:** Hon. Member, your opportunity to speak a second time is only to the amendment.

Mrs Caine: The amendments.

4460 The difficulties I have with the amendments, while appreciating the sentiment behind them ... Firstly, Mr Thomas's amendment. We are looking at those aspects that you have highlighted. However, the amendment (b) that is remaining says the times the information that was recorded should be altered, and I would just say that we are reviewing it all but we cannot undertake that everything will be altered. It will be altered as appropriate.

4465 In terms of Ms Edge's amendment, while acknowledging the Hon. Member of Council Mr Reid's point, we are happy to do a targeted consultation involving all those people, the stakeholders, who have that input to us. That is more of a bridge for the adult skills gap, but obviously there is valuable information that they would have.

4470 To the point that the Hon. Member of Council, Mr Clueit made, we are not planning to put it on the Consultation Hub. The reason why I am hesitating to support the Hon. Member, Ms Edge's amendment is that it is the intention that the new regulations will come forward for approval in October 2025. That was our intention and it is still our hope that we will bring the regulations for October, but that rather depends on the ability to gather all the feedback from all those interested parties and be able to have our regulations before us.

4475 Even though it is the intention for October, that might slip until November, and in any event it would not be fair to bring in the regulations immediately, so the intention is that we will bring them in the autumn as soon as we can – October, if it is at all possible – but that, as my

amendment makes clear, the new laws would come in from 1st April to be fair to employers and to enable a period of time for engagement with all the employers to advise what the new systems and categories would be covering all our legislation over the employment of children.

Thank you, Mr President.

4480

The President: To speak to the amendments, I call on Mrs Kinnish.

Mrs Kinnish: Gura mie eu, Eaghtyrane.

4485

I would like to speak to Ms Edge's amendment, really just to get some feedback because while I welcome the early date, and I know the original motion was earlier than that ... But just thinking about this in reality, having listened to the debate and having listened to the contribution by my colleague in Council, Mr Clueit, to hear those children's voices, how is that going to be achieved?

4490

If we are going to go via the school route and perhaps have some focus groups and hear what people are going to say, those children are not going to be back at school until the second week of September, and then these regulations would have to be brought on to the Register of Business mid-September. That is just with four weeks on the Register of Business. So I am not sure, in practical terms, if we are to listen to the children's voices, whether that could be achieved in reality.

4495

Mrs Caine: Would the Hon. Member give way?

The President: Would the Hon. Member give way?

Mrs Caine.

4500

Mrs Caine: Thank you, Mr President.

I will say that it is our intention, if possible, to conduct that face-to-face engagement with young people this term, those in the years, so that we are able to bring it for October, if at all possible. But again that rather depends on the schools' ability to host that.

4505

Thank you, Mr President.

The President: Back to you, Mrs Kinnish.

4510

Mrs Kinnish: Thank you. The only comment I would like to make about that is that you will not necessarily achieve all the voices that you perhaps need to hear, because some of those children will be on exam leave and have finished their GCSEs. I am not sure that in terms of timing it is the most practical time. I applaud the Department for being enthusiastic to try and garner those opinions early, but I am just trying to think about the practical elements of this. Ultimately we do not want to be rushing things through if we are not going to achieve the right outcomes, so I would just like Members to think about the practicalities of that.

4515

I can see the commitment made by the Department. I really welcome that because that is really what we wanted to achieve, that those Regulations are going to be reviewed and that they are going to listen and take on board some of those comments that have been raised today and listen to those voices and have some proper consultation and input.

4520

Thank you, Mr President.

The President: I call on the Hon. Member Mrs Kelsey.

Mrs Kelsey: Gura mie eu, Eaghtyrane.

4525

I just really wanted to talk to the Education Minister, Mrs Caine's amendment very succinctly. When she raised it, she said approval before the end of 2025, and we have had that discussion, but then she said coming into force in April 2026. That is not written in the amendment, so I just

wanted to be certain what we are voting on when we come to vote on this amendment, if the mover of that amendment could possibly say.

4530

The President: Do you want to give way? I think that is what you are asking. I will give the floor to Mrs Caine.

Mrs Caine: Thank you, Mr President.

4535

I see that part has been omitted. That was a late addition that I had asked to go on, but this is the printed –

The President: Could I just confer with the Clerk – one moment, please.

4540

The Clerk: Once again, Mr President, I apologise to you, to the Minister and to the Court. The omission of the words was my mistake and they were in the version which Mrs Caine presented to me properly.

4545

The President: Okay, can I just ask that the Clerk then repeat the entire wording of Mrs Caine's amendment so we can be clear and it will be in Hansard correctly?

4550

The Clerk: Yes, Mr President. The amendment should have read: 'To leave out all words after "That Tynwald is of the opinion that the law on the employment of children should be reformed" and in their place to add the words "and notes that the Department of Education, Sport and Culture has an ongoing review of the Employment of Children Regulations 2018 and plans to carry out a targeted consultation with key stakeholders including young people, with the intention that new regulations come forward to Tynwald for approval by the end of 2025 with the aim of coming into force from April 2026."'

4555

The President: Thank you. Hopefully that is clear.
The floor is back to you, Mrs Kelsey. Have you finished?

Mrs Kelsey: Thank you very much, Mr President.

4560

The President: Thank you for highlighting that.
I call on the mover to reply.

Ms Lord-Brennan: Thank you, Mr President.

4565

I am not going to sum up everything everybody has said; I am just going to say thank you very much to everybody who has contributed.

I think that the proposal from Ms Edge in terms of involving the Skills Board is a good suggestion.

I would like to heartily thank Mrs Kinnish. It has been a real pleasure to work with her on this issue and it is really good to find other people who have a shared passion in this.

4570

It is excellent to hear that the DfE Minister also wants to see some input into these Regulations.

4575

In terms of the voting and the proposals, I am glad to hear that the Department has said that they will back the part of the motion that says that the working Regulations need to be reformed, but I think that the other aspects are perhaps a little bit too hesitant. Things can be done quicker. I think things should be done in a bit of a bolder way. We have a Tynwald Youth Select Committee now. It is perfectly possible that that might be a route to engage on this issue and bring something forward, maybe not for July, although I think that that would be possible to make some discrete tweaks by DESC. I think that would be possible in a narrow way, but if not that, then by autumn.

4580 I suppose I am not sure how it will go, it is a moving thing, but I would support the amendment from Ms Edge.

I would like to thank Mr Thomas for addressing drafting errors that were my fault, really, in terms of the ages. But ultimately, if it comes to it, then obviously I want to back the motion as amended with Mr Thomas's amendment.

4585 Thank you, everybody, and I hope that we can move all this forward because we do need to get to a better place for young people in terms of what we can allow them to do. It is for their benefit and we can make a difference.

Thank you, Mr President.

4590 **The President:** Now, Hon. Members, we come to vote on this Item.

Mr Clueit: Gura mie eu, Eaghtyrane.

When we come to the main motion, could we vote on the sections independently, please?

4595 **The President:** That is going to be difficult, depending on the amendments.

Hon. Members, we have three amendments: one in the name of Mrs Caine, one in the name of Mr Thomas and one in the name of Ms Edge. My proposal was to take Ms Edge's first, which is an amendment to Mrs Caine's amendment, then take Mrs Caine's as amended or as printed. Should Mrs Caine's carry, Mr Thomas's will fall; should it fail, I then put Mr Thomas's amendment.

4600

I believe that to be the correct format. Would the Clerks concur? Yes. Thank you. So, once more, just to clarify, I propose to put Ms Edge's amendment first, which is an amendment to Mrs Caine's, then Mrs Caine's, amended or as printed. Should that carry, Mr Thomas's will fall; should it fail, I then put Mr Thomas's amendment.

4605 I put to you Ms Edge's amendment first. 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 10, Noes 12

FOR

Mr Callister
The Deputy Speaker
Ms Edge
Ms Faragher
Mr Glover
Ms Lord-Brennan
Mr Moorhouse
Mr Smith
Mr Thomas
Mr Wannenburgh

AGAINST

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Cannan
Ms Christian
Dr Haywood
Mr Hooper
Mr Johnston
Mrs Maltby
Mr Peters
Mrs Poole-Wilson

The Deputy Speaker: Mr President, in the Keys, 10 for, 12 against.

In the Council – Ayes 5, Noes 1

FOR

Mrs August-Phillips
Mr Clueit
Mrs Kelsey
Mr Mercer
Mr Reid

AGAINST

Mrs Kinnish

The President: Legislative Council: 5 for, 1 against. Therefore, the amendment fails.

I now put to you Mrs Caine's amendment as printed. All those in favour, please say aye; all those against, please say no.

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

In the Keys – Ayes 16, Noes 6

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Cannan
Ms Christian
The Deputy Speaker
Ms Faragher
Dr Haywood
Mr Hooper
Mr Johnston
Mrs Maltby
Mr Peters
Mrs Poole-Wilson
Mr Smith
Mr Wannenburg

AGAINST

Mr Callister
Ms Edge
Mr Glover
Ms Lord-Brennan
Mr Moorhouse
Mr Thomas

The Deputy Speaker: Mr President, in the Keys, 16 for, 6 against.

In the Council – Ayes 3, Noes 3

FOR

Mrs August-Phillips
Mr Clueit
Mr Mercer

AGAINST

Mrs Kelsey
Mrs Kinnish
Mr Reid

The President: Legislative Council: 3 for, 3 against. As with Standing Orders, I vote with the Keys. Therefore, the amendment of Mrs Caine carries.

Mr Thomas's amendment falls, so I now put to you the motion as amended. All those in favour, please say aye; all those against, please say no. The ayes have it. The ayes have it. Item 9, as amended, carried.

This seems like an appropriate time to take a tea break, Hon. Members. The Court will now stand adjourned until 20 past five.

The Court adjourned at 4.51 p.m.
and resumed its sitting at 5.21 p.m.

**Announcement of Royal Assent –
Town and Country Planning (Amendment) Act 2025;
Income Tax Act 2025**

The President: [Audio missing] ... the Income Tax Act 2025.

**10. All-age Support and Diagnosis Pathways for ADHD & Autism –
DHSC plan for introduction –
Motion carried**

The Hon. Member for Douglas East, Ms Faragher, to move:

That Tynwald is of the opinion that the Department of Health and Social Care and Manx Care should plan for the introduction of all-age support and diagnosis pathways for attention deficit hyperactivity syndrome and autism and that this plan: should consider the findings from the dyslexia, dyscalculia, dysgraphia and dyspraxia committee and the economic impact of not providing diagnosis and support for neurodivergence; and be brought, along with the associated funding requirements, for debate and vote at or before the February 2026 sitting of Tynwald Court.

4620 **The President:** We now move on to Item 10 and I call on the Hon. Member for Douglas East, Ms Faragher.

Ms Faragher: Gura mie eu, Eaghtyrane.

I would like to speak today about the importance and the urgency of establishing all-age
4625 diagnosis and support pathways for ADHD and autism.

I wanted to start with some comments from members of the public who have contacted me since the publication of this motion, but even I have been surprised by the sheer volume of emails and messages I have received on this, and I found that I just did not know where to start with choosing comments. It is the most emails I have received on a single topic. I hope that that
4630 in itself raises some awareness amongst Hon. Members of the extent of our constituents that this issue does affect.

Neurodivergent conditions such as autism and ADHD do not respect the artificial boundaries we sometimes place on health services. They do not conveniently confine themselves to childhood, presenting only during school years and resolving themselves automatically in
4635 adulthood. They are lifelong conditions affecting people from early childhood right through to old age, and our services, if they are to be effective, humane and fit for purpose, must reflect that reality.

Currently, too many people face unacceptable delays, confusion and gaps in provision simply because their needs do not fall into the right category at the right time. An adult who suspects
4640 they may have ADHD or autism has no pathway to obtain a diagnosis and only has recourse to trying to navigate a private system that is not only extremely expensive but is also often unclear, overstretched and not equipped to provide appropriate post-diagnostic support.

If they do feel they can afford the assessment and obtain a diagnosis, medication is not available via Manx Care, forcing them to spend an unending amount of money on very high-cost
4645 prescriptions and acceding to the ongoing review requirements and charges of private providers. Children may receive a diagnosis, but as they move into adolescence and adulthood the support often drops away, as though their challenges or needs simply disappear with age. Neurodivergence does not expire at 18.

We know that early diagnosis can be life changing. It enables people to better understand themselves, access appropriate support and make informed choices about education, employment and relationships. But timely diagnosis and ongoing support can also be equally transformative at any age. Adults who have lived for years without an explanation for their experiences often describe a diagnosis as finally making sense of a lifetime of struggle and allowing them to access the strategies, accommodations and support they need to thrive.

But let us also be clear: this is not simply about diagnosis. Diagnosis without support can leave individuals and families feeling lost. What we need is a whole pathway, one that includes assessment but also practical help in education, employment, mental health, social care and daily living. This is not simply a matter of compassion, although that alone would be enough; it is a matter of prevention.

Without appropriate support, we know that neurodivergent individuals are at a greater risk of mental health challenges, unemployment, social isolation and, significantly, involvement with the criminal justice system. I want to draw Members' attention to the work of the ADHD Foundation and related research, which has found that approximately one quarter of the UK prison population has undiagnosed ADHD. That is an extraordinary statistic. It speaks to the human cost of failing to identify and support people early and the very real pressures this places on our criminal justice system, mental health services and wider society.

Research consistently tells us that all neuro-minorities are more heavily represented in the criminal justice system. When we fail to diagnose and support people appropriately, we risk problems escalating, often in tragic and entirely avoidable ways.

This speaks to the part of the motion I bring today that talks of the economic impact of not providing diagnosis and support for neuro-minorities. It is far better, both for individuals and for public services, to intervene early and consistently, rather than to pick up the pieces later at far greater cost, both financially and in human terms.

I want to acknowledge that there are dedicated professionals in our services doing their very best, but they are trying to work within a system that does not yet provide the coherent joined-up pathway that is needed. This is not a criticism of individuals but of a structure that we now have an opportunity to improve. I also want to take this opportunity to thank the Minister and the staff in the Department of Health and Social Care for their willingness to engage and work with me on this.

Eaghtyrane, Olteynyn Onnorail, neurodivergent people are already part of our community. They are our neighbours, colleagues, friends and family. This is about giving them a fair chance to participate fully in our society, at every stage of life, with the right support at the right time. We have an opportunity to create a service that reflects modern understanding, best practice and, above all, the dignity of every individual. An all-age pathway is not a luxury; it is simply the right thing to do.

Eaghtyrane, ta mee shirrey kied dy chur roish y treealtys ta scrut fo aym. I beg to move the motion standing in my name.

The President: I call on the Hon. Member, Ms Christian.

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

I beg to second and would like to speak in support of the motion. May I first take the opportunity to genuinely thank the Hon. Member for Douglas East, Ms Faragher, for her collaborative work with the Department to bring forward this motion that we can support. As a political Member for the Department previously, I acknowledge that the Hon. Member was instrumental in bringing forward the National Autism Spectrum Condition Strategy, supported the inclusion of an objective within the 2024-25 Mandate calling for Manx Care to scope the requirements for establishing an adult ADHD diagnosis pathway, and talking passionately about neurodevelopment conditions.

4700 We know that many individuals, particularly adults, for whom no diagnostic pathway currently exists for ADHD, struggle to access the support, treatment or care that they need. This can have a detrimental impact on many aspects of life, including physical and mental health, academic performance, employment and relationships with family, friends and colleagues.

4705 It is clear from the previous objective described in the 2024-25 Mandate to Manx Care and those contained within the National ASC Strategy Action Plan that the development of an accessible, all-age support and diagnosis pathway for ASC and ADHD is of clear importance in the Department's long-term strategic direction.

4710 However, while preparatory work to form a business case was completed by Manx Care and subsequently included within the Department's financial plan submission, the additional resources and funding required to deliver this within the 2025-26 Mandate to Manx Care has not been possible. As I have alluded to in this Court previously, the focus on greater financial responsibility, sustainability and driving improvement through efficiency with the resources we have has to be our priority.

4715 That said, Hon. Members, the Mandate 2025-26 does not cancel our previous commitments but describes a change in the timeframe from when the pathway will be available. The Department continues to progress the implementation of its ASC strategy through a multi-agency steering group, which includes local third sector organisations. This means that we consider what improvements we can make in-year to enhance the services already being provided.

4720 As the motion describes, there is a real opportunity, and the Hon. Member also spoke about the opportunity here, to join up a number of active and related programmes of work. The establishment of the Select Committee on Dyslexia, Dyscalculia, Dyspraxia and Dysgraphia – you all know I am dyslexic; hopefully one day somebody will come up with shorter words in a way that I can actually speak those words – by Tynwald in November 2024 to consider a Petition for
4725 Redress regarding support for these conditions is due to report its findings at the October sitting of Tynwald in 2025.

It is eminently sensible to understand the outcome of the report and the recommendations of the Committee, to consider, where practically possible, ways to develop holistic care pathways that avoid standalone services or duplicated pathways. This offers a more holistic, patient-centred and best-value-for-money approach.
4730

To bring forward a debate before the February 2026 sitting of Tynwald will be challenging, particularly as the Department does not have the requisite skills to undertake an economic impact evaluation. However, we have been in discussion with the kind support of our colleagues in Public Health, and we do hope to secure support to undertake a literature review over the
4735 summer that may go some way to help determine this position.

While an economic impact assessment can also be highly useful to quantify the costs associated with missed or late diagnoses related to issues such as workplace productivity loss, healthcare costs, lower academic achievement, impacting or stifling employment opportunity, and even costs associated with the criminal justice system, I do wish to point out at this juncture
4740 that this approach to assess the ADHD and ASC economic impact in isolation could unintentionally create policy funding disparities, particularly where there are other cohorts of individuals who may also feel challenges to access services are equally deserving of economic analysis.

4745 However, since becoming Minister, I am very cognisant of the lack of data we currently hold on economic benefits, and this is an area where I hope to be working with colleagues in Public Health and Manx Care to improve this in the future.

I do hope Hon. Members will support this motion. It is not about if we can do this but how and when we can do it, and I look forward to bringing back further work at the February sitting of Tynwald 2026.

4750 Thank you, Mr President.

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

Mr Thomas: Thank you very much.

4755 I am excited by the enthusiasm from Government for this motion, because I think it might
have quite evolutionary, if not revolutionary, context and outcomes from a financing point of
view, because a plain reading of what is on the paper before us is that this plan is going to come
with the associated funding requirements for debate and vote. The February 2026 sitting of
Tynwald Court is mentioned, and that is the Budget sitting, so a plain reading of the Treasury Act
4760 or the Finance Act 1958 would be that if it is coming with the funding requirements at the
Budget sitting or before the Budget sitting, it is going to be funded.

We have lived under a misapprehension for a long time in this place. Section 9 of the
Treasury Act is very specific. What we have in the Budget is an estimate of the income and
expenditure for the purposes of the Government during the next financial year, distinguishing
4765 the same under the respective heads thereof and providing an estimated surplus of income and
expenditure. So our budgeting is an annual Budget, and it is just in the following year we have to
have an excess of income over expenditure.

It seems to me that this is a pretty positive resolution. It might say at the beginning 'Tynwald
is of the opinion', and it might have been thought that traditionally that just meant that Tynwald
4770 was of the will that this should happen, but it seems to me that this motion, that has just been
supported by Government, presumably with Treasury concurrence, in that context is committing
us to come back with the identified funding and, I assume, to be funding this programme. I am
not averse to that, but to me it has profound impacts once you combine it with the fact that
normally ... We are in the current financial year; this is about the next financial year. It is only an
4775 annual commitment.

So, to me, this is a new approach. This is transformational. This should be taken into account
by the Committee looking at Budget reform, because this here is a pretty substantial motion
that we are being asked to approve.

If you go back to the good old days, the Finance Act 1958, basically what needed to be
4780 financed in the following year was any money voted or appropriated by resolution of Tynwald
with the concurrence of the Treasury for the purposes of the Government of the Isle of Man. Oh,
my God, the Government of the Isle of Man does exist. We do have a Government of the Isle of
Man. I thought we did not, but, hey, we have a Government of the Isle of Man and we have had
the concept of an annual Budget as laid out in the Finance Act and also in the Budget Act,
4785 section 9, if you read it in a certain way.

I am not going to get into the merits of this, it seems an excellent proposal, but I think this
has huge import as it has addressed the costed and funding issue that the Minister moved
originally, unsuccessfully, in this place. We have now got an actual requirement for Government
to fund something, the way I read it. On that basis I will be supporting it, but we have to
4790 understand as well that that means other things cannot be funded. This is going high up our
priority list. If it is beyond business as usual, this is something that is being added in as a top
priority beyond business as usual in the area of healthcare.

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

4795

Ms Edge: Thank you, Mr President.

I am going to be quite brief on this. While I fully support diagnosis and pathways for
individuals, I too am concerned about the cost, because we are being asked to vote on
something that we agree with but with no idea –
4800 it could be costing us £10 million – how many people are waiting for diagnosis.

I am very familiar with it, and there are some pathways already being opened up for
individuals, but while we are investing in this we are not investing in our young people with
ADHD pathways, and the huge waiting lists for CAMHS. I know that there is a new system being

brought in that the Department has worked with, Isle Listen, but I think this is a bigger piece than just the all-age support.

I am just concerned that we have recently ... Was it £3 million we put into being able to do an online scheme, and that was recently launched by the psychiatrist at Noble's Hospital, and also by I think it was Isle Listen? That was an online pathway that has already had £3 million, so I am really concerned. Is there enough money there to cover this, or is this looking for additional money, because the Court has supported £3 million – I believe it was £3 million – and I am just nervous that we could be walking into a £10 million bill.

Thank you, Mr President.

The President: I call on the Hon. Member, Mrs Kinnish.

Mrs Kinnish: Gura mie eu, Eaghtyrane.

I would just like to speak in support of the motion. I have the privilege of sitting on the Dyslexia, Dyscalculia, Dyspraxia and Dysgraphia Committee and it has been enlightening, but it is an oversight, really, when we think about neurodivergence and not considering ADHD and autism. I recognise that autism is being addressed through the pathway, but it is a bit of a slow burner.

I just want to touch on the economic and social impact of not providing a diagnosis. I know the motion says economic impact, but it is also tied in with social impact. Often people will think, 'I do not want to get a diagnosis', or parents might say, 'I do not want a diagnosis because I do not want my child to have a label', but I think we are shifting away from that now because having a diagnosis enables that person to understand what is going on in their world. Once they can put a label to what is going on in their world, they can work with that and other people can work with that.

Having ADHD brings diversity of thought. You often see creative people, spontaneous people; we have high energy, problem solving, great intuition, innovative, hyper-focused ... And with autism we see great abilities for pattern recognition, good memories, good planning and sorting skills. We need to celebrate those advantages for those individuals because then they can contribute to an economic impact in our environment in a positive way. When we do not do that, we see a detrimental economic impact because one in four prisoners in ... The data in the UK shows that those individuals are going to prison and have not had a diagnosis as a child, and having a diagnosis could have made all the difference.

I just wanted to raise those points with regard to the benefits of neurodiversity and why it is important to support an all-age support and diagnosis pathway.

Gura mie eu, Eaghtyrane.

The President: I call on the mover to reply.

Ms Faragher: Gura mie eu, Eaghtyrane.

Thank you to everybody who has contributed. Thanks, first of all, to Ms Christian for seconding my motion, and again I just want to extend my thanks to the Department for all the work that they have done with me on this.

I think Ms Christian's comments in terms of pulling in the work from the Dyslexia, Dyscalculia, Dyspraxia and Dysgraphia Committee ... That was the reason why I used the phrase 'neuro-minorities', by the way, Ms Christian, because that is quite a mouthful. That was super important and that was something that we thought needed to be brought in, because all of those neuro-minorities are overrepresented in mental health services and in prison etc., so it is pulling those things together, which is something that we seem to be missing out at the moment with the separate workstreams.

I did understand Ms Christian's comments with regard to the potential for maybe policy imbalances – some other areas might not have the same focus – but I just think that this is an

important piece of work to be getting along with for all of the reasons that I hope I have outlined in my introduction.

Thanks to Mr Thomas for his comments. I like the interpretation that if it is coming in the February sitting it is going to be funded, but I am not necessarily in agreement that that is what it would mean, and I also do not agree that it would necessarily mean that other things would require to be deprioritised. That is not necessarily the outcome of outlining budget requirements, as I am sure Mr Thomas is aware. The motion commits us to bringing forward what the funding requirements will be. The work needs to be undertaken to understand the cost in addition to the findings of the Dyslexia, Dyscalculia, Dyspraxia and Dysgraphia Committee.

One thing that I really do want to outline in terms of Mr Thomas's comments is that there will be cost benefits to introducing the pathway. I had really hoped to make that point in my introduction, so I apologise if I did not make it clearly enough, but what I am trying to say is that there will be cost benefits to this. It is not necessarily about saying we will have to deprioritise other services. Actually, that cannot be the case if we are saying that there will be cost benefits to this, so I do need to try and make that clear to Hon. Members.

Again, to Ms Edge's comment that we might not be investing in young people or CAMHS, that is not accurate. If I can draw from both my time in the Department and the answers to Hon. Members' questions from the current Minister for the Department of Health and Social Care, the children's pathway has been prioritised and is in place. CAMHS do need further resource, but that is already in train and is partially addressed, so I do not think that there is any question that the children's pathway or Children's Services will be impacted in any way, shape or form by adults also having a diagnosis and support pathway.

I am very sorry that I did not pick up on Mrs Kinnish's comments because I was too busy typing away for others, so I do apologise but I appreciate your contribution.

With that, I am going to sit down. Thank you very much.

The President: Hon. Members, we come to vote on Item 10 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 10 is carried.

11. Public Sector Pensions Act 2011 – Isle of Man Teachers' Pension Scheme 2025 approved

The Vice Chair of the Public Sector Pensions Authority to move:

That Tynwald approves the Isle of Man Teachers' Pension Scheme 2025 [[SD 2025/0098](#)] [[MEMO](#)] be approved.

The President: Moving on to Item 11, I call on the Vice-Chair of the Public Sector Pensions Authority to move.

The Vice-Chair of the Public Sector Pensions Authority (Mr Callister): Thank you, Mr President.

On behalf of the Public Sector Pensions Authority, I am asking this Hon. Court today to approve the Isle of Man Teachers' Pension Scheme 2025. The Public Sector Pensions Authority undertook a review of the Teachers' Superannuation Order 2011 with a view to making a new amendment Scheme. The aim is to make the new Scheme easier for members and administrators to follow, as well as removing or replacing redundant phrases and references to the UK or the Isle of Man pension provisions and legislation that no longer applies to the Isle of Man. These changes are clarifying and administrative in nature only.

After due consultation, the Public Sector Pensions Authority has drafted the new Teachers' Pension Scheme 2025 to make administration and management of the Scheme more effective by improving clarity without making any detrimental changes to the benefit provisions.

4900 In addition to making it more simplified, the new amendment Scheme will also protect scheme members from the rising cost of living. Under the Scheme, the salary bands of teachers that are used to calculate the rate of contributions will be updated annually to ensure that the level of contributions paid by the members is increased to protect the contribution rates against inflation. These changes ensure that, as the Scheme members' salaries increase with inflation, 4905 their contributions will increase at a fairer rate. Treasury has given its support to the new regulations.

Mr President, I beg to move the Isle of Man Teachers' Scheme 2025 be approved.

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

4910

Mr Thomas: I am pleased to second.

Obviously the Public Sector Pensions Authority is a fine organisation and writes excellent regulations and scheme provisions and the like. I noticed in the mover's speech that this was about clarifying things and administrative things and simplifying the prose, but when I turn to 4915 some of the provisions and I read things like, in provision 2:

2 Overriding Provisions

2.1 Subject to rule 3, the provisions in this rule are overriding and apply although a rule or any other announcement, notification or provision of this Scheme appears to contradict them –

– which I do not understand head nor tail of, but presumably teachers, who are much cleverer than me, do understand ...

Then, if we go to the next provision – I only got to 3:

3 Governance and Application of this Scheme

3.1 The provisions in this rule 3 are overriding and apply although a rule or any other announcement, notification or provision of this Scheme appears to contradict them.

4920 All I am seeking is the assurance that the Public Sector Pensions Authority has worked properly with teachers and their representatives at a technical level, and this really is just clarifying and simplifying and helps everybody.

I have just basically put myself on the record for when teachers want to come back and say, 'Things were changed in those schemes that we did not know were going to hit us.' They will be coming to me to help them sort them out because of a misunderstanding. I am not exactly clear, 4925 I have not read every provision, but it seems to me that it is an awfully long set of provisions, and I hope that every single one is absolutely perfect.

I am pleased to second this and I will be voting for it.

The President: I call on the Hon. Member, Mr Hooper.

4930

Mr Hooper: Thank you very much, Mr President.

I had a similar concern to Mr Thomas. These regulations are very different to the 2011 Scheme regulations – deliberately, I think – but I would hesitate to say that these are simplified or easily understandable for anyone. Reading through them, they are gobbledygook in some cases, which probably is worth the PSPA going back and considering. 4935

The question I have for the hon. mover is quite a simple one. The head of this document says that they have consulted with Scheme members, but I cannot see any evidence of that in the notes or in the information that has been provided. I cannot see where we have been reassured that members have been consulted properly and were supportive of these changes that are

4940 being proposed. I know they are only administrative, although there is also a financial cost associated with the inflation uplifts, but I would just like to get that reassurance that when members of the Scheme were consulted they were fully supportive of all the changes that are included in this Order.

4945 **The President:** I call on the Hon. Member, Ms Edge.

Ms Edge: Thank you, Mr President.

Very similar to the other Members who have spoken: did this go through all the teaching unions to ensure that it had the right reach, and it did reach all employees?

4950 I just want to pick up on the hon. mover's comment that it is going to help with the rate of inflation. Teachers' pay recently has been way over the rate of inflation, so has this been done to ensure that their pension contributions can only be at the rate of inflation rather than the rate of their increases? I was just concerned about some of the comments that were made around that. It might be that the benefit will be in line with the rate of inflation, but it was not
4955 very clear.

I do need to have a better understanding that all members have been aware of this and it was circulated appropriately to them and through the unions.

The President: I call on the mover to reply.

4960

Mr Callister: Thank you, Mr President; and I thank the three Members who have spoken.

Firstly, I thank my colleague from Douglas Central, Mr Thomas, for seconding the Scheme. Just to give him, Mr Hooper and Ms Edge some clarity, there was a six-week consultation period, which closed on 2nd April 2024. That consultation response summary and the PSPA responses
4965 are available online via their website. That document is dated 8th May 2024. We only had two responses from members ... I am sorry, no responses from actual members of the new Scheme and two responses from the trade union. Since then – obviously this was all carried out in 2024 – there has been continuous dialogue with unions, with Treasury and among PSPA members and the board members in order to ensure this is right.

4970 Mr Hooper is absolutely correct, the legislation around pension provision is incredibly complex and it is something even I am trying desperately to get my head around every single day of the week. As far as I am aware, due process has been followed. As far as I understand from speaking to the officers who are absolute experts in this area, these are all just clarification and administrative functions, and, as far as I am aware, all due process has been followed.

4975 I beg to move that the Isle of Man Teachers' Pension Scheme 2025 be approved.

The President: Hon. Members, we come to vote on Item 11 as laid out in the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 11 carried.

12. Public Sector Pensions Act 2011 – Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025 approved

The Vice Chair of the Public Sector Pensions Authority to move:

That the Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025 [[SD 2025/0071](#)] [[MEMO](#)] be approved.

4980 **The President:** Moving on to Item 12, I call on the Vice-Chair of the Public Sector Pensions Authority to move.

The Vice-Chair of the Public Sector Pensions Authority (Mr Callister): Thank you, Mr President.

4985 Again, on behalf of the Public Sector Pensions Authority, I am asking this Court to approve the Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025. In April 2012, the Isle of Man Unified Scheme implemented bringing together 15 separate public sector schemes into one scheme. In 2014, the membership of another four schemes were bulk transferred into the scheme and those schemes revoked. This is the normal procedure and process by which pension schemes are amalgamated and/or merged.

4990 What now remains outside the current active schemes for the Police, teachers and the judiciary system are two schemes, which are also closed and whose membership is made up of pension members only. These schemes are the Superannuation (Manual Workers) (No.1) Scheme 1973 and the Judicial Pension Scheme 1992. Therefore, in line with the approach taken with other public sector schemes, it is proposed that these pension members and the benefits are transferred into the Unified Scheme under the proposed Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025. I just want to clarify that there is no change in members' benefits once transferred.

4995 The Regulations will allow the Public Sector Pensions Authority to simplify the administrative process of managing the memberships of these schemes. However, as the Regulations are purely administrative in nature, they do not affect the benefits that the pensioner members have received or will receive in the future.

5000 As for the administrative savings that will be realised, these will be arranged through the Government arrangements for the scheme in which, under the provisions of the Public Sector Pensions Act 2011, the PSPA must arrange for annual audited accounts to be drawn up in respect of any scheme which it administers. That is where the cost will be saved. Two redundant schemes will reduce the number of audited accounts that will be needed and prepared and ultimately laid before this Court. Treasury again has given its support to the new Regulations.

5005 Mr President, I beg to move that the Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025 be approved.

5010 **The President:** I call on the Hon. Member, Mr Mercer.

5015 **Mr Mercer:** Thank you, Mr President.
I beg to second.

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

5020 **Mr Thomas:** Thank you very much.

I hope there is nothing significant in the other political Member of the PSPA not seconding the previous motion that I was pleased to second.

5025 Anyhow, in terms of this motion, I just want an assurance from the Vice-Chair that every word on these five pages is perfect, because we have two members of the holy trinity of people who know and care about their pensions in this. We have the Judicial Pension Scheme members from 1992, we have the Superannuation (Manual Workers) (No.1) Scheme from 1973, and if we had the Fire Service Pension Scheme included in there we would have the holy trinity of people who really know and understand pensions law. So I am seeking that assurance that every word has been checked very carefully and this is as smooth and as without consequences as the PSPA want it to be and as I want it to be.

5030

One of the privileges of my life was once discussing the finer points of pensions law with five senior legal members of the Isle of Man profession in the same room at once, and I am still here today to enjoy talking with you on that basis.

5035 **The President:** Hon. Member, Mr Hooper.

Mr Hooper: Thank you, Mr President.

5040 Again, it is the same question. I just want to be reassured that before making these orders, all the members of these schemes and their representatives have in fact been consulted, because, again, there is a reference to that in the order but no reference in the explanatory memorandum or the other information that has been provided.

The President: Mover to reply.

5045 **Mr Callister:** Thank you, Mr President.

5050 Again, I thank the three Members who have spoken. Firstly, I thank my colleague from Council for seconding the motion, Mr Thomas. He is asking for reassurance. I have the highest level of trust in the work of the officers who work within the Public Sector Pensions Authority. They know their stuff, they know how to engage, they know how to deal with members, and I give that reassurance. The scheme that is being transferred in does have 54 pension members in it, so they are in there.

5055 In respect of Mr Hooper's question with regard to the consultation, the consultation ran from 13th December 2024 to 31st January 2025. That is available on the Public Sector Pensions Authority website and it is dated February 2025. Again, there were only three responses in that consultation. Two were from pension members and one was from Treasury around the nature of seeking some extra guidance from the Attorney General's Chambers. All of that information is available via the website.

I beg to move that the Miscellaneous Public Sector Pension Schemes Bulk Transfer and Revocation Regulations 2025 be moved.

5060 Thank you, Mr President.

The President: We come to vote on Item 12. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 12 is carried.

13. Health and Safety at Work Etc. Act 1974 – Ionising Radiation (Medical Exposure) (Amendment) Regulations 2025 approved

The Minister for Environment, Food and Agriculture to move:

That the Ionising Radiation (Medical Exposure) (Amendment) Regulations 2025
[\[SD 2025/0116\]](#) [\[MEMO\]](#) be approved.

5065 **The President:** Moving on to Item 13, I call on the Minister for Environment, Food and Agriculture.

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

5070 I rise today to seek the Court's approval to make amendments to the Island's Ionising Radiation (Medical Exposure) Regulations 2019, which will incorporate changes made to the UK equivalent legislation. The primary purpose of the Ionising Radiation (Medical Exposure) (Amendment) Regulations 2025 is to ensure that our principal regulations remain in step with

the UK's legislation, thereby maintaining compliance with the Euratom Basic Safety Standards Directive and ensuring our continued ability to import radioactive sources on to the Island.

5075 In 2019, my Department introduced the principal regulation to regulate work with ionising radiations on the Isle of Man. This was crucial for hospital services and other businesses, such as dentists and chiropractors. The UK has recently updated their regulations and we must follow suit to ensure parity and industry good practice. It will also ensure that any employers relocating to the Isle of Man from the UK who have previously worked with ionising radiation will be working to the same legislation that they previously used.

5080 The amendments include extended radiation protection. The protections afforded by the principal regulations will be extended to cover all exposures regulated under the legislation, including non-medical imaging exposures, for example images examining detainees for concealed items within their body. There will also be formalised requirements for sharing relevant patient information and justifications for exposures, as well as amended duties
5085 regarding clinical audits and accidental or unintended exposures. Finally, the amendments will introduce enhanced requirements to keep ionising radiation doses as low as reasonably practicable so that medical exposures continue to be effective without causing additional harm.

Currently, 25 employers are registered under the principal regulations, including hospitals, dentists and a chiropractor. While the number of affected employers is relatively low, the high-
5090 risk nature of ionising radiation exposure necessitates the introduction of these updates to reflect industry standards and good practice. A consultation exercise with affected duty holders has been conducted, with no negative feedback received.

By approving these amendments, we will uphold the highest standards of safety and compliance in the use of ionising radiation, benefiting both medical and non-medical sectors on
5095 the Isle of Man.

Mr President, I beg to move the motion standing in my name.

The President: Hon. Member, Mr Hooper.

5100 **Mr Hooper:** Thank you, Mr President.
I beg to second and reserve my remarks.

The President: Hon. Members, we come to vote on Item 13. All those in favour, please say aye; all those against, please say no. The ayes have it. The ayes have it. Item 13 carried.

14. Social Security Act 2000 – Social Security Legislation (Benefits) (Application) Order 2025 approved

The Minister for the Treasury to move:

That the Social Security Legislation (Benefits) (Application) Order 2025 [[SD 2025/0118](#)]
[[MEMO](#)] be approved.

5105 **The President:** Moving on to Item 14, I call on the Minister for the Treasury to move.

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

This Order applies to the Island a Statutory Instrument of the United Kingdom Parliament which provides that the earning factors relating to National Insurance contributions for historic
5110 tax years, which are used in the calculation of additional state pension and guaranteed minimum pensions under the old State Retirement Pension Scheme, maintain their value in line with the increase in average earnings in the United Kingdom.

The revaluation of earnings factors ensures that the value of the earnings on which a person has paid or is treated as having paid National Insurance contributions, or the flat rate contribution they have paid, which give rise to entitlement to additional state pension benefits, keeps pace with increases in earnings over time.

The Statutory Instrument applied by this Order relates in particular to the Additional State Pension or assets of the old State Retirement Pension. The State Retirement Pension was replaced by the new Manx State Pension for people who reach state pension age on or after 6th April 2019. The Manx State Pension has no additional earnings-related element, and consequently there can be no further accruals of Additional State Pension after 5th April 2019. However, under transitional rules for new pensioners, it is necessary to calculate what their notional entitlement will have been under the old State Retirement Pension Scheme as of 5th April 2019.

Furthermore, new awards of inherited Additional State Pensions are still possible, payable as part of an old State Retirement Pension to a surviving spouse of a civil partner who reached state pension age before 6th April 2019 and whose deceased spouse or civil partner had reached or would have reached State Retirement Pension after 5th April 2019.

Statutory Documents such as the one applied to the Island by this Order are made by the UK Department for Work and Pensions each year and are subsequently applied to the Island by Order made by Treasury, subject to this Hon. Court's approval. The applied legislation I have just described is deemed to have had effect in the Island from the date on which it had effect in Great Britain.

Further information is provided in the memorandum which has been circulated to Hon. Members.

Mr President, I beg to move that the Social Security Legislation (Benefits) (Application) Order 2025 be approved.

The President: I call on the Hon. Member, Mr Smith.

Mr Smith: Thank you, Mr President.
I beg to second.

The President: Hon. Members, we come to vote on Item 14. All those in favour, please say aye; all those against, please say no. The ayes have it. The ayes have it.

15. Global Minimum Tax (Pillar Two) Order 2024 – Global Minimum Tax (Pillar Two) (Amendment) Order 2025 approved

The Minister for the Treasury to move:

That the Global Minimum Tax (Pillar Two) (Amendment) Order 2025 [\[SD 2025/0136\]](#) [\[MEMO\]](#) be approved.

The President: We come to Item 15. I call on the Treasury Minister to move.

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

This Order is made under section 67 of the Global Minimum Tax (Pillar Two) Order 2024.

Before I provide you and the Hon. Members with the details pertaining to this Order, I would like to provide a brief overview of Pillar Two by way of a reminder. The Organisation for Economic Co-operation and Development, known as the OECD, is a forum and knowledge hub for data analysis and best practice in public policy. The OECD's Base Erosion and Profit Shifting

Initiative, commonly referred to as BEPS, aims to improve transparency between multinational businesses and tax authorities and help identify aggressive tax avoidance.

Pillar Two Global Minimum Tax is a BEPS initiative that applies to large multinational enterprises with an annual revenue of €750 million or more in consolidated financial statements of the ultimate parent entity. The OECD have set out a common approach to Pillar Two by way of Global Anti-Base Erosion Model Rules, GloBE rules for short.

The GloBE rules aim to ensure that the income of large multinational enterprises are taxed at a minimum effective tax rate of 15% in each of the jurisdictions in which they operate. From 1st January 2025, the Isle of Man implemented a 15% domestic top-up tax in relation to multinational enterprise profits arising in the Island, and a multinational top-up tax in respect of low-tax multinational enterprise profits arriving outside the Island.

This Order amends the Global Minimum Tax (Pillar Two) Order 2024 by updating the definition of administrative guidance to include the most recent versions published by the OECD. OECD Pillar Two Administrative Guidance clarifies and simplifies the GloBE rules by providing detailed interpretations and guidance on specific aspects of the rules to help businesses and tax authorities understand and implement them. Furthermore, this Order inserts safe harbour status in Article 62 to provide that Treasury may by order describe the safe harbour status of another jurisdiction's qualified domestic minimum top-up tax.

Pillar Two safe harbour status may be granted to a jurisdiction with a robust, qualified domestic minimum top-up tax in place. Safe harbour rules are designed to simplify compliance and reduce the burden on businesses, especially in the early stages of Pillar Two implementation.

Approval of the Order being considered today will demonstrate the Island's continuing dedication to meeting international standards and help us to continue to play our part in the global move to ensure fair taxation.

Mr President, I beg to move.

The President: I call on the Hon. Member, Mr Clueit.

Mr Clueit: Gura mie eu, Eaghtyrane.
I beg to second.

The President: I call on the Hon. Member, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I appreciate this is quite technical stuff that is going on here, but there is a section in here that worries me a little bit because it talks about these changes being applied backdated, so from 1st January.

When the original Pillar Two stuff was moved, that is again quite a big piece of tax legislation being passed by way of regulation, which is really concerning to me, the way we are starting to do this now. We give big, complicated pieces of law that are just being flashed through Tynwald without any real, meaningful debate at all. This is a big piece of tax law, but again it is that retrospective application that concerns me a little bit. I wonder if the Treasury Minister could advise why that is necessary. Why are we saying these changes will apply from 1st January 2025 as opposed to just going forwards?

The original Order makes a number of references to safe harbour status. Why is it now needed to put in additional measures and additional powers for Treasury to prescribe safe harbour status? Originally, it seemed that the Order had a process for establishing what were considered safe harbours. This looks like a change to that process and I would like some clarification of why that is necessary.

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

Mr Thomas: Thank you very much.

I had three compliments today from Mr Hooper, and I thought I would try to rush in first to get a fourth one, but in the end I have the opportunity to reciprocate because that is a similar point to the one I was going to make. It is an excellent point that Mr Hooper has just made.

5210 I will simplify the question for the Treasury Minister to answer. Basically, was it wrong at the end of 2024? Was SD 2024/0234 wrong and this is a correction for it, or can we now expect lots of these as we go forward? Has this become the new sanctions order or the new anti-money laundering, terrorism financing order, where we will see two or three of them, for quite a few years, every couple of months or something like that? That is a very simple question.

5215 I notice that this Order amends the Global Minimum Tax Administrative Guidance. It is based on the Administrative Guidance, which we are putting into an Order, into provisions in law, rather than just administrative guidance. Are we going to be doing that all of the time? If so, could we not go back and amend the 2024 Order for this and have ambulatory reference to the sorts of things that we are going to be automatically updating because of the obligations we

5220 have made?
Look, this is a very important £35 million that we are bagging on, most of which is coming from the banks on the Isle of Man, and we need to make sure we get it right. We need to make sure we understand what we are doing, and the people who are responsible for eventually contributing all of that money, who are currently contributing that money and continuing to contribute in a new form.

5225 We need to make sure we get it right, so I think we need more of an explanation, not necessarily today but I do think we want to understand how we are going to handle Pillar Two legislation. We cannot have an Order every time some administrative guidance changes, otherwise we will end up upsetting the people who are paying Pillar Two tax in this place.

5230

The President: I call on the mover to reply.

The Minister: Thank you very much, Mr President.

5235 I thank both Members for their comments. If I can address the final comment of the Hon. Member Mr Thomas to begin with, at the origin obviously we knew that the OECD would be changing their guidance as the GloBE rules evolved, so these are updating the latest guidance. In due course the Treasury will be replacing all these by a new Pillar Two Act which will enable updates from the OECD to be automatically brought in, rather than what I agree is at the moment, the origin of the Pillar Two rules, a cumbersome process of constantly

5240 updating these.
I can assure him that we are working on the Pillar Two Act at the moment, which will give the allowance to bring these in almost automatically, obviously with due consideration, in exactly the same way as the Sanctions Act now allows that to happen without delays and without impedance.

5245 In terms of the comments made by the Hon. Member for Ramsey Mr Hooper, when we talk about this being deemed to be an operation from the beginning of the financial year, that is because what we are doing is changing the underlying guidance going forward, which obviously was only published in March 2025, but it means that we are updating the underlying Order, which is currently going through. So it brings all these aspects into effect very quickly and also very efficiently going forward.

5250

With that, Mr President, I beg to move.

The President: We come to vote on Item 15. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 15 is carried.

**16.-17. Criminal Justice, Police and Courts Act 2007 –
Criminal Justice, Police and Courts (Electronic Monitoring: Responsible Persons)
Order 2025 approved;
Criminal Justice, Police and Courts (Electronic Monitoring) Rules 2025 approved**

The Minister for Justice and Home Affairs to move:

16. That the Criminal Justice, Police and Courts (Electronic Monitoring: Responsible Persons) Order 2025 [[SD 2025/0146](#)] [[MEMO](#)] be approved.

17. That the Criminal Justice, Police and Courts (Electronic Monitoring) Rules 2025 [[SD 2025/0147](#)] [[MEMO](#)] be approved.

5255 **The President:** We come to our last two Items, 16 and 17. They have not completed the four weeks on the Register of Business. Is the Court content to take them at this sitting? (**Members:** Agreed.) Thank you.

 Having agreed that, the Minister has asked to move them together but vote separately. Is the Court content? (**Members:** Agreed.)

5260 I call on the Minister to move Items 16 and 17. Minister for Justice and Home Affairs.

The Minister for Justice and Home Affairs (Mrs Poole-Wilson): Thank you, Mr President; and I thank the Hon. Court for agreeing that these Items can be moved today and also that they can be moved together and voted on separately.

5265 Hon. Members will be aware that the Department has a number of active workstreams in relation to electronic monitoring – or tagging, as this is more commonly referred to. The Department has made considerable progress in modernising and piloting this approach over the last few years, and Members will be aware that completed and ongoing objectives have been reflected within the Department Plan in recent iterations.

5270 There are already existing pathways for electronic monitoring in relation to individuals released on licence or on parole under Schedule 2 of the Custody Act 1995. More recently, electronic monitoring has been extended to temporary release, including that provided for under section 23A of the Custody Act 1995. These pathways did not require the making of any secondary legislation but are supplemented by Department policies.

5275 Further consideration of the use of tagging saw the establishment of a dedicated cross-governmental project on electronic monitoring last year. This project is led by the Department and aligned with the Youth Justice project, involving representatives from across the criminal justice system both within and outside Government. This includes representatives from the Department of Home Affairs, the Isle of Man Courts, the Prison and Probation Service, the
5280 Constabulary, the Attorney General’s Chambers, Manx Care, the Department of Education, Sport and Culture, and the Isle of Man Law Society.

 This project is part of the Department’s wider efforts to modernise the tools available to the criminal justice system and, where appropriate, provide alternatives to custody. This approach is in line with a key aim of the Criminal Justice Strategy, namely to reserve custody for the most
5285 serious offenders.

 The two instruments before the Hon. Court today represent a package of measures that correspond to the next significant electronic monitoring pathway identified by the project. This is for adults on court bail with an electronic monitoring condition, which means we will provide the court with a further non-custodial option on remanding those aged 18 or over and accused
5290 of offences while they await trial or sentence.

 If established, this pathway will allow the courts an option short of remanding to custody for appropriate cases. This can be delivered in a manner that both supports public safety requirements and avoids unnecessary use of prison accommodation, recognising that, in the

case of court bail, the individual awaits trial or sentencing. Therefore, that individual either has not been found guilty or has not yet been issued with a custodial sentence.

In addition, it is recognised that sentences under 12 months, including time on remand, provide limited opportunities to rehabilitate an offender but significantly disrupt employment, accommodation, family life and other supportive factors for the individual in question. As Hon. Members are aware, a number of effective police operations targeting serious and organised crime and new domestic abuse and sexual offences have been significant factors in the increased occupancy at the Prison.

Therefore, an effective non-custodial remand option will also assist with management of prison occupancy while having a broader benefit to the individual in question and, importantly, maintaining public safety. These instruments will provide the underpinning legislation for this pathway to commence in the near future.

First, the 2025 Order fulfils a requirement set out within section 48(3) of the Criminal Justice, Police and Courts Act 2007. This provision stipulates that those responsible for electronic monitoring of individuals, where such a condition is part of a relevant community order, must be of a description specified by order; in other words, as a responsible person as set out within the proposed order.

As noted in this instance and under this particular pathway, the electronic monitoring in question is specified to be in relation to an order under the Bail Act 1952 when made in connection with a person aged 18 or over. Therefore, the 2025 Order sets out the appropriate range of responsible persons who might monitor such individuals. These people include an employee of Buddi, which is the service provider of the monitoring device, and a police officer where a significant breach of conditions has been detected.

Due to the legislative requirements of section 48(3), the 2025 Order must be in place prior to commencement of electronic monitoring of any individual as part of any conditions of the bail order that the individual has been made subject to. The 2025 Order revokes a historic Order from 2009 that was intended to support usage of electronic monitoring at that time. Contracted usage of electronic monitoring fell into abeyance in the early 2010s. However, the 2009 Order was never revoked. It is being revoked now and replaced with the 2025 Order with its narrowed focus towards electronic monitoring of the court bail pathway for those aged 18 or over.

Secondly, the rules set out the information to be provided to a responsible person by the court and to support the wider process. The responsible person is also referred to as the monitor within the rules, as the single point of contact at an operational level that is provided with the initial information and any update from the court. These rules are being proposed for introduction concurrent to the 2025 Order to enable the use of court bail with electronic monitoring conditions.

If Hon. Members approve these instruments today, they will mark further progress in implementation of wider use of electronic monitoring, and impact of their use will be monitored with regular reports to the Department and to the Criminal Justice Board via the Project Steering Committee. The Project Steering Committee will be considering further pathways for electronic monitoring, which will include consideration of the range of additional community orders that the Criminal Justice, Police and Courts Act 2007 provides for the electronic monitoring of, with a view to progression of further pathways in due course.

The work on these pathways is part of work within the criminal justice system to ensure the system operates efficiently and that suitable sentencing is supported, whether this is by way of pathways such as these or by way of modernisation of legislation. This also supports the wider aim that, where appropriate, alternatives to custody are provided alongside those that enable rehabilitation for offenders.

Therefore, Mr President, I beg to move that the Criminal Justice, Police and Courts (Electronic Monitoring: Responsible Persons) Order 2025 and the Criminal Justice, Police and Courts (Electronic Monitoring) Rules 2025 be approved.

The President: I call on the Hon. Member, Mr Wannenburg.

Mr Wannenburg: Thank you, Mr President.
I beg to second the reserve my remarks.

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The President: I call on the Hon. Member, Mr Glover.

Mr Glover: Gura mie eu, Eaghtyrane.

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Just one quick question. It says in the memorandum that resources are going to come from the existing Department budget, but could she just give a little bit more detail on how much this is going to cost?

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

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Ms Edge: Thank you, Mr President.

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I have a few concerns with this today, and the Responsible Persons Order. I am not doing this out of resistance to reform, but out of concern for fairness, public safety and the values that define our Island. The legislation is more than a technical update; it actually risks embedding a surveillance culture that punishes rather than rehabilitates, especially when applied to people who have not yet been convicted of any crime. The Minister has just clearly stated that they are not convicted, they are not guilty of a crime, but we are tagging and surveilling them.

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Independent studies and professional bodies confirm that electronic monitoring does not reduce reoffending but it does cause anxiety, disruption and social exclusion, especially in a close-knit community like ours. Napo, the professional association for probation staff, recently highlighted over 120 serious failures in tagging systems. These included delays of up to seven weeks in fitting devices; tags issued to the wrong individuals, including victims; and breaches for things as trivial as taking a bath or rolling over in bed. Victims of domestic abuse have been punished for fleeing danger because the tag rules were stricter than the safeguarding guidance. The system has been described as mechanistic, rigid and unjust.

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Is this the model we want to bring here? Is this the model we intend to introduce? This is not a public safety solution, it is a costly data-sharing contract with UK and Irish companies. It hands over our citizens' private information, including their locations and their offences, to companies not on Island. Is this outside Manx legal protection? Once this data leaves our control, we cannot guarantee its safety. I hope that the Minister can reassure me that the data is secure and has been approved by the Information Commissioner for the way that these two companies are going to be handling Manx data. If there was a situation in the future, can we hold these companies to account in our courts if it impacts an individual who has been on a tagging order?

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I also feel there is a risk that this could be introduced to children in the future, and that is deeply concerning. Reports show that tagging can damage children's mental health, education and self-worth. By passing this now, are we risking enabling its expansion to young people later, despite clear evidence of harm? I have witnessed harm when it was in previously. I have seen tagging systems in operation on our Island and I have witnessed what it does to an individual.

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We also need to ask whether tagging could soon be used as an early release scheme – the Minister has confirmed it will be – increasing the risk to the public, especially victims and vulnerable groups, just to ease our prison pressure.

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That brings me to succession planning. The Government has long known and even published the evidence that the number of people entering custody is rising. Our Chief Constable warned us that he would have the Prison full. That was not this year, that was not last year; I think it was the year before. We know it is due to improved detection, investigation and more proactive policing, but instead of planning ahead and expanding prison capacity, we did a short-term fix. The Department is rushing forward with a possible, in my opinion dangerous and ill-considered, alternative: tagging.

What has happened to the fifth wing that is there, ready to be built, in statute, at Isle of Man Prison? Why are we not getting additional accommodation there? I feel this is a kneejerk reaction, not a proper long-term plan. It risks costing more, compromising public safety, and, I fear, could damage the Island's reputation. Is this the right solution or not? I think we should be investing in mental health services, employment opportunities, restorative justice and housing. Those are the things that actually will reduce crime and change people's lives.

I am considering not voting for this today, due to what I have said. However, I would like some reassurance from the Minister with regard to the answers that I require, particularly for the UK companies handling this and our data.

Thank you, Mr President.

The President: I call on the Minister to reply.

The Minister: Thank you very much, Mr President.

The President: Sorry, I missed Mr Hooper. I call on the Hon. Member, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

Unlike the previous speaker, I am quite supportive of what is being proposed here, but I do have real concerns about some of the points that have been raised. The question around data management and whether these contracts are going to be overseen by Manx law or English and Wales law, the UK courts, is quite a valid question, but I do not think it is relevant for the Order in front of us. The question I have for the Minister is slightly bigger than that.

The Order that is in front of us is quite clear that any employee of this company will be able to access this monitoring data; not a specified set of employees, not employees directly related to the contract, not a particular grouping, but a blanket provision that says as long as you are employed by this company, Buddi Ltd, you are deemed a responsible person and you can have access to this data. That is quite worrying. **(Ms Edge: Very.)** The last time we saw a blanket exemption for a company in this Court that I can recall was during COVID when the Steam Packet had a blanket exemption for landing staff on and off the Island, and that caused all sorts of problems. Again, I have a concern here.

I have no issue with saying a constable should have this power; that is absolutely fine. Constables can monitor; they have particular sets of professional standards. As a Court, we know nothing about this company. **(Ms Edge: Hear, hear.)** It is a UK based company; the others are UK or Irish companies. They are not subject to our jurisdiction, they are not subject to our courts, and we are saying that any employee of this firm can be deemed a responsible person and suddenly have access.

I am not comfortable with that. I would be comfortable if it was more narrowly drawn as to who these people are and what restrictions there are, but it is quite dangerous to just say we have a limited company over there and anyone they choose to employ can have access in legal terms.

There may be restrictions in the contracts to say who can and cannot, but that is not in front of us today. We have not seen that information, that is not being provided to give us reassurance, so we are being asked to basically say we are comfortable that any employee of these three private companies from the UK or Ireland can have access to monitoring data which includes very personal information about these defendants – name and address, telephone number, the things they have been charged with, some of which may not be public; I do not know how far this trial goes, how far this system goes.

It is very concerning that this Order places no restrictions at all on these individuals and the people these companies could choose to employ and give access to this quite personal, quite sensitive information in accordance with this piece of legislation. I am quite comfortable with the second set of regulations, they do not make this error, but in terms of this blanket provision

5450 I really think the Department needs to have a good think about whether that is appropriate in this instance.

Is it appropriate to say anybody employed by these three firms is considered a responsible person and can have access to all this very sensitive information, or not? That would not seem to be compliant with our data protection requirements, which would assume restrictions in terms of access etc. That really is concerning and I need a lot more reassurance from the Minister before I can support that particular set of regulations today.

Ms Edge: Hear, hear.

5460 **The President:** Minister to reply.

The Minister: Thank you, Mr President.

Thank you to the Hon. Members who have spoken and I hope I can provide the reassurance that Hon. Members are seeking today.

5465 First of all, Mr Glover asked about the resources. In my opening remarks I pointed out that this use of tagging and the other pathways that we already have in place is absolutely subject to monitoring. There is a dedicated budget for the tags themselves. What is very difficult for us to know at this point is how many situations that otherwise would have involved somebody being remanded to prison will be suitable to not be remanded but be subject to court bail with a condition of electronic monitoring.

5470 So we will be monitoring this. We have looked at the likely financial implications. We believe we can absorb that within our existing budget. I think there will be a separate question if future pathways of electronic monitoring become available, but it is something that we will continue to monitor moving forward.

5475 In terms of Ms Edge, I think the important point with these particular provisions is that this is as an alternative to being remanded to prison on bail, so – (Interjection by Ms Edge) No, it is really important, actually, that I make it absolutely clear to Hon. Members that this is not because of the prison population. It is because there will be some situations where it is appropriate for someone to be on court bail subject to conditions, and the provision of electronic monitoring is a way of providing the level of public safety element without the fully disruptive element of remanding somebody to prison before they have received a conviction or a sentence.

5485 I want to emphasise that this is not being done lightly, it is absolutely being done in line with public safety requirements, and the court itself would only make a bail provision, a court bail order, that is lower than remand to prison in situations where that was appropriate and where electronic monitoring was a suitable condition of that. I hope that provides some reassurance.

As the Hon. Member also touched on, yes, there are existing pathways in place already. We already have electronic monitoring in place for those people who are released on licence as part of parole conditions and we have used electronic monitoring as part of temporary release.

5490 I answered a Question from the Hon. Member for Arbory, Castletown and Malew in this Hon. Court last March when he asked specifically about the prison population and, as part of that, I did point out that under section 23A of the Custody Act there is a power to consider temporary release.

5495 I also made very clear that there are strict provisions as to who may be considered. For example, serious sexual and violent offenders are not going to be apt to be considered under the Custody Act, and the Department has also made its own additional provisions around not considering those convicted of domestic abuse and other offences. I would like to make clear that again this is done very much with the importance of balancing public safety and taking account of public safety. I hope that offers some assurance on that.

5500 In terms of the Information Commissioner and the data protection elements, there are data protection impact assessments that sit alongside this. These are the legislative instruments that

provide for this pathway to be utilised. Sitting behind this, and indeed behind the other pathways that we already have in place, are the operational provisions.

The question has been: what is the relationship with different providers? Yes, we have contracts in place, and yes, we have data impact assessments in place, because you are absolutely right, this involves the processing of data and it is important that all of that is well done. The suggestion was that this is kneejerk. It has actually taken quite a long time to develop these pathways, precisely because of the need to do this properly, being sensitive to the data that has to be processed and the procedures that would sit alongside it.

I suppose this is the tension between practice and what we put in legislation. I think it is very difficult for the Department, which has a contract with Buddi and also with Bidvest Noonan, to specify in those contracts the exact person from day to day (Interjection by Ms Edge) who might be monitoring at any given time –

The President: Will the Hon. Member give way?

The Minister: – but I am content to try and provide some further assurance as to what is agreed in those arrangements and also hopefully to reassure you that data impact assessment has to form a part of this.

Ms Edge: Would the Member give way?

The Minister: I hope that has provided some assurance.
I will give way.

Ms Edge: Thank you.

You did not actually state that the Information Commissioner was in favour of this. You said that we have data analysis and you have done impact assessments etc. You did not say if the Information Commissioner was confident with the very issues that Mr Hooper from Ramsey has raised as well, that our data will be sitting in the hands of people. And can they be held to account in our courts in the Isle of Man, in our jurisdiction?

The President: Back to you, Minister.

The Minister: Thank you.

I am content to get that clarification and explain. My understanding of the data impact assessment work is that part of that is to try and make sure that the Information Commissioner is content with how we are approaching this, but I will seek that clarification and provide that to Hon. Members.

One other thing I would just add is reference is made to under-18s. That is going to be part of further development of work, but absolutely none of that would be brought back. I would emphasise that, again, this would be part of trying to provide the right solution in appropriate cases. If it is something short of remanding someone to secure custody that allows them still to live part of their life, be with their family and undertake other supportive factors in the community, and it is appropriate, then I would suggest having that pathway available is something that is worth exploring, and that is why the –

Mr Hooper: Would the Minister give way just briefly? (**The Minister:** Yes.)

Again, I accept all that, but this regulation applies to any community order for bail. It does not specify only for adults, (**Ms Edge:** Agreed.) so by approving this here today we are essentially giving the Department the ability to make a decision to extend it to under-18s, which again I accept the reasons for and I have no issue with in principle.

5555 My issue then, though, is that that information can then be supplied to administrators, secretaries, the directors and the finance team at Bidvest Noonan because the regulation does not say anything about them being required to be in connection with the active monitoring that is going on; unlike, for example, the regulation about the members of staff working at the bail hostel, where it specifically says only those members of the PSC stationed at the bail hostel. It does not just say the PSC and leave it open to interpretation. That is my issue.

5560 All this stuff the Minister is talking about sounds positive, but actually what we are being asked to do is that blanket approval that will allow all these things. There is no requirement I see to come back to Tynwald when you want to extend this to under-18s, yet that is covered already by the Regulations.

5565 While I accept and quite support the direction of travel and all the things the Minister has set out, the risk from my perspective is that the Minister may not be the Minister in 12 months' time and the next Minister may do something completely insane. That is something that we need to be very conscious of when we are approving regulations like this.

The President: Back to you, Minister.

5570 **The Minister:** Thank you.

You are absolutely right, a Minister should never assume they will be the Minister forever and a day. I take the Hon. Member's point. I would emphasise that this is only going to people over 18 at this point, with further work. I will seek to circulate to Hon. Members further information around the data impact assessment and the arrangements as to how there is some oversight or security around who is monitoring in practice.

5575 With that, I beg to move.

Ms Edge: It would have to be in this Act.

5580 **The President:** Hon. Members, we come to vote on these last two Items. I put first Item 16. All those in favour, please say aye; all those against, please say no.

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

In the Keys – Ayes 16, Noes 6

FOR

Dr Allinson
Mr Ashford
Mrs Barber
Mrs Caine
Mr Callister
Mr Cannan
Ms Christian
The Deputy Speaker
Dr Haywood
Mr Johnston
Ms Lord-Brennan
Mr Peters
Mrs Poole-Wilson
Mr Smith
Mr Thomas
Mr Wannenburgh

AGAINST

Ms Edge
Ms Faragher
Mr Glover
Mr Hooper
Mrs Maltby
Mr Moorhouse

The Deputy Speaker: Mr President, in the Keys, 16 for, 6 against.

In the Council – Ayes 6, Noes 0

FOR

Mrs August-Phillips
Mr Clueit
Mrs Kelsey
Mrs Kinnish
Mr Mercer
Mr Reid

AGAINST

None

The President: Legislative Council: 6 for, none against. Therefore, Item 16 is carried.

I now put to you Item 17. All those in favour, please say aye; all those against, please say no.
The ayes have it. The ayes have it. Item 17 is carried.

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That concludes the business of Tynwald Court this month. The Council will now withdraw and leave Keys in the hands of Lhiass-loayreyder.

The Council withdrew.

House of Keys

The Deputy Speaker: Thank you, Mr President.

Having no further business to put before the House today, we stand adjourned until our next sitting on 24th June, at nine o'clock in our own Chamber.

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The House adjourned at 6.34 p.m.