

2.12 The Deputy of St. Martin of the Chairman of the Privileges and Procedures Committee regarding a health and safety audit on the public areas of the States Chamber:

Given that the acoustics and heating systems are poor and there are no toilets or lift facilities in the public area of the States Chamber, has a health and safety audit been conducted in recent times? If so, what was the outcome, and if not, would the Chairman agree to call for one?

Connétable J. Gallichan of St. Mary (Chairman, Privileges and Procedures Committee):

At the time of the refurbishment of the States Building, an access audit was completed, and wherever possible, in practical terms, the recommendations were incorporated in the scope of work being carried out. Investigation was undertaken at the time of the refurbishment into the provision of access for the disabled to the public gallery in the States Chamber. However, it was considered impossible to provide a lift to the gallery level. There is a limit to what can be achieved when operating in an historic building which is designated a Site of Special Interest. A site risk profile is due to be completed on the States building by September 2009. The site risk profile is a co-ordinated report which details the results of surveys carried out in relation to specific risk assessments, from working at height, to fire and glazing, *et cetera*. The Department of Electronics has confirmed that an induction loop has been installed in the States Chamber to assist those with hearing aids, and discreet speakers are present in the public gallery. The problems experienced recently with the heating system have been resolved by the toning-down of the valves within the heating system. The Privileges and Procedures Committee continues to keep the matter of facilities under consideration but recognises that there are limitations in relation to what can be achieved within an historic building.

2.12.1 The Deputy of St. Martin:

I am one of those who like to make sure everyone in the House hears what I am saying but I believe there are a number of people who do not speak very loudly and I feel very sorry for those people who are up in the public gallery who I can see stretching to hear what the Chairman was saying. Even though I accept that there may well be acoustics that checked-out, can I get an assurance from the Chairman that probably another check-out will be made and probably ask the members of the public whether they themselves can hear what is being said in the Chamber? Because, again, I have complaints made to me and I know that they have been to P.P.C (Privileges and Procedures Committee) in the past but it appears that nothing is happening. So can I have an assurance from the Minister that if we cannot do anything about the lifts and we cannot do anything about the toilet facilities at least we can do something about those people up in the gallery so they hear what is being said in this Chamber?

The Connétable of St. Mary:

I was given to understand that the Department of Electronics were going to try, if it were possible, to conduct another test today. I do not know whether that has happened. But certainly they have informed me that the loop and the discreet speakers are available. This matter has been considered recently by the Privileges and Procedures Committee and we did decide at that time to inquire whether there were any new revised speaker systems which could be installed to improve acoustics in the Chamber, especially in the public galleries. I understand that in the past when it was

attempted to boost the level of sound generated in that area, there were problems with feedback to the microphones in the lower Chamber and so there is a balance to be struck. But I do advise the Deputy that the P.P.C. is looking into this at the moment.

2.12.2 The Deputy of St. John:

Given there is concern that security of this building is being breached and maybe by Members locking themselves in rooms at night, what is the policy of the P.P.C. in Members being allowed to use this building overnight and, furthermore, do they supply breakfast in the morning?

The Bailiff:

I am sorry. [Laughter] The question is about acoustics, heating and health and safety - so I think that is straying a bit far.

The Deputy of St. John:

It is all part and parcel of health and safety. On a point of order, it is part and parcel of health and safety within this building in general.

The Bailiff:

Sorry, Deputy.

2.12.3 The Connétable of St. Helier:

Would the Chairman advise whether she is comfortable with the fact that it would be impossible for somebody in a wheelchair to get into the visitors' gallery, and, indeed, challenging for a States Member in a wheelchair to attend sessions of the House and that in the United Kingdom, certainly under the Disability Discrimination Act, the States would be required by law to make changes to the structure of the building to accommodate disabled people? Would she be prepared to undertake to pursue disabled access in the States Chamber with her colleagues?

The Connétable of St. Mary:

In an ideal world I would like to see the building fully accessible to all members of the community. I repeat, though, there are limitations that are imposed on us by the building. I am not an expert on U.K. law, but my understanding of the Disability Discrimination Act is that where there is an existing public building the Act does not necessarily override planning considerations and listing status. That is my understanding but, as I say, I am not an expert.

The Connétable of St. Helier:

I did ask whether the Chairman would be willing to pursue this matter with the appropriate authorities.

The Connétable of St. Mary:

I am sorry. I thought that was implicit in my answer. We work within the constraints of the building. I understand that all these matters were looked into when the refurbishment was undertaken, I think a matter of only 6 or so years ago. I would also advise that while the Privileges and Procedures Committee is responsible for the provision of Members' facilities here, there is also, in fact, a cross-over area of responsibility with Property Holdings who are more responsible for the building. What I can assure the Constable of St. Helier is that I will - and, where necessary, liaise with Property Holdings to - investigate what is possible.

2.12.4 Deputy T.M. Pitman:

Really, just to follow on from the Constable of St. Helier, would the Chairman of the P.P.C. not concede that this is just one part of the wider issue of engaging with the public and is a very, very urgent matter, and give an undertaking to take that forward in any way she can?

The Connétable of St. Mary:

I am sorry, could the Deputy qualify which particular aspect is he ...

The Deputy Bailiff:

The question of wheelchairs, I think.

The Connétable of St. Mary:

I can only say what I have already said. The building has its limitations. In an ideal world ... and many parliaments around the world have, in fact, moved into completely different buildings other than the historic ones where it was not possible to modernise them. I do not believe in this economic climate that would be a possibility that any of us readily propose at this moment. All I can suggest is that we continue to work with what is possible within the building. There are other ways to engage with the public. We do have a feed broadcast. Persons can appear, clearly ...

The Deputy Bailiff:

I think generally it was about wheelchairs.

2.12.5 Deputy D.J. De Sousa:

Can the Chairperson please inform the House as to whether, staying on the same subject, this is human rights compliant? Surely people have a right to access the building and through disability are possibly being excluded.

The Connétable of St. Mary:

I am not aware that there is a human rights issue with this. As I said, there are constraints there on the building and I am not qualified at this moment to say which overrides which. I have indicated previously that I will liaise where necessary with Property Holdings to investigate what the levels are and I will take that forward, of course, in all areas.

2.12.6 Senator T.J. Le Main:

I go on health and safety. Can the Chairman give me some assurance that Members of this Assembly will not use this Chamber downstairs for sleepover purposes and that health and safety is not compromised, and that, as I say, Members do not use this, as has been the case in the last week or so, of a Member sleeping over after a drinking session?

The Connétable of St. Mary:

I do not have any firm facts what activities take place within the building. What I can say is that one of the facilities provided to States Members is 24/7 access to the States Members facilities. The 24/7 access is so they can meet the needs of their constituencies as required. No Member of the States would therefore presumably have a right to occupy one area to the exclusivity of others. However, as regards health and safety, all Members must operate knowing that they have to take responsibility for their own actions. If they are in the building overnight working, as

Members come in very, very early - I know that from personal experience - there is a possibility that in, for example, the event of fire ... enough said.

Deputy P.V.F. Le Claire:

Could I seek clarification? What are the rules regarding sleeping in the Chamber?
[Laughter]

The Bailiff:

As long as you do not ask how many Members do it. Very well.