



The Presiding Officer  
The Royal Court  
St Peter Port  
Guernsey  
GY1 2PB

Sir Charles Frossard House  
La Charroterie  
St Peter Port  
Guernsey  
GY1 1FH  
+44 (0) 1481 227000  
policyandresources@gov.gg  
www.gov.gg

23 March 2026

Dear Sir

**LETTER OF COMMENT - REQUÊTE: CANNABIS: ESTABLISHMENT OF CROSS-COMMITTEE WORKING GROUP TO EXAMINE REGULATORY OPTIONS – P.2026/10**

I refer to the above Requête which is scheduled for debate by the States of Deliberation at the meeting commencing 25<sup>th</sup> March 2026.

Since drafting the letter, and engagement with wider committees, the Policy & Resources Committee (“the Committee”) has become aware of the Requéants’ intention to submit a Motion to Withdraw the Requête. Notwithstanding this, and acknowledging it is for the Assembly to determine whether it supports such a Motion, the Committee considers it appropriate to put on record the consultation undertaken in the interests of transparency, good governance and the effective discharge of its mandate.

In accordance with Rule 28(2)(b) of the Rules of Procedure of the States of Deliberation and their Committees, the Policy & Resources Committee (“the Committee”) has consulted with the Committee *for* Health & Social Care (“CfHSC”), the Committee *for* Home Affairs (“CfHA”), the Committee *for* Economic Development (“CfED”), and the Committee *for* Education, Sport & Culture (“CfESC”). It has also consulted with His Majesty’s Comptroller on constitutional matters. The Committee thanks those consulted for their detailed responses.

In line with Rule 49 of the Rules of Procedure, Policy & Resources Committee members who are Requéants did not participate in deliberations on this matter. Similarly, the responses from those committees whose members include Requéants - namely CfHSC, CfHA and CfESC - have provided advice as quorate committees without the engagement of those members.

The Committee has considered the Requête in detail and discussed the consultation responses. Key considerations are outlined in this letter, and the full committee consultation responses are appended.

## **Legalisation or decriminalisation**

The Requête asks the States to ‘agree in principle that the Bailiwick of Guernsey should properly examine the feasibility, risks, and potential benefits of introducing a legal, government-regulated cannabis access framework, beginning with consideration of a time-limited pilot programme...’

Drugs policy terminology can be inexact and confusing, and terms can become conflated. The Committee interprets the Requête’s proposals to refer to ‘legalisation’ rather than ‘decriminalisation,’ on the understanding that ‘legalisation’ generally refers to legalising both supply and use, whereas ‘decriminalisation’ means reducing, eliminating, or not enforcing criminal sanctions for users (usually for cases involving only small amounts of a drug) but not for suppliers. This has a substantive impact on the status of the proposals with respect to international law, leading to a potentially significant constitutional challenge as explored below.

## **Weighing up policy prioritisation**

Legalising cannabis is not a Government Work Plan priority; nor has it been identified as a priority for any committee. The CfHSC response underscores that ‘current evidence suggests that cannabis reform is not a primary health improvement priority for the Bailiwick,’ while the CfHA response notes that ‘the matter may have been more appropriately considered as part of the Government Work Plan debate.’

The CfHSC reply also says ‘The Committee is concerned that diverting time, capacity and investment towards this work, on a policy that cannot possibly be implemented in the short or medium term, risks detracting from areas of greater health, care and public health need, including alcohol related harm, tobacco use, obesity, mental health, and the scoping of service provision required to meet current and future health and care demands, where the burden of harm is demonstrably higher.’

## **Impact on imminent plans to reduce diversion of medicinal cannabis**

The CfHSC and CfHA consultation responses note their concern that legally prescribed medicinal cannabis is being forwarded or sold (‘diverted’) to islanders for whom it was not prescribed. The Requête also acknowledges this concern.

Both committees recently approved an Implementation Plan, authored by the Chief Pharmacist, for the Misuse of Drugs Advisory Group (“MDAG”) to improve the regulation and governance of medicinal cannabis to reduce its diversion. MDAG, comprised of subject matter experts across both committees, provides independent and impartial advice toward strengthening governance, oversight and policy implementation relating to the prescribing, supply, possession, import/export, and use of controlled drugs across the Bailiwick.

The four non-Requérant members of the CfHSC unanimously agree that they do not support the Requête. They are concerned that ‘if the Requête is supported by the Assembly it will distract from delivery of the Committee’s other priorities including the work that the Committee believes is essential to improve the governance and regulatory oversight of medicinal cannabis prescribing.’

Similarly, the non-Requérant members of the CfHA 'are concerned that the delivery of this workstream, which is critical to ensure appropriate safeguards are in place to support current prescribing practice, may be adversely affected should the Requête be successful, as it will inevitably call on the same pool of professional advisors.' They add that 'the Requête assumes that cannabis related offences are consuming police and court resources, however, having consulted with the police this is not necessarily the case. It is considered unlikely that changes in this area would free up policing resources to focus on other areas of harm within the community. Moreover, the view has been expressed that until the potential mental health impact (particularly on younger people) is assessed, it remains a possibility that legalisation/regulation could increase demand on resources.'

### **Resourcing implications overall**

The Requête directs that a multi-committee working group be established, comprising one member nominated by each of five Committees: Home Affairs; Health & Social Care; Economic Development; Education, Sport & Culture; and the Policy & Resources Committee.

It requires that the Working Group:

- engage with local stakeholders, including (but not limited to) The States of Alderney, the cannabis industry, medical professionals, public health experts, third-sector organisations, law enforcement, and individuals with lived experience;
- consult with local and external experts in cannabis regulation, harm reduction, public health, licensing, and compliance;
- examine comparative models from other jurisdictions where regulated cannabis access has been implemented or piloted, with regard to public health outcomes, youth protection, crime reduction, economic impacts, and regulatory costs;
- consider options for licensing, taxation, supply controls, quality assurance, advertising restrictions, age limits, and enforcement within a Guernsey context; and
- assess the potential economic, social, health, and criminal justice implications of moving from prohibition to a regulated legal market.

It instructs 'the working group to report back to the States no later than December 2027, with:

- clear policy options;
- a recommended model for a regulated cannabis regime, including whether and how a pilot programme should be implemented;
- an outline of the legislative and regulatory changes that would be required;

- an assessment of costs, risks, and mitigations; and
- a proposed implementation timetable, should the States resolve to proceed.'

The proposals constitute a major, multi-faceted workstream involving political members, External Relations, policy resource, subject matter experts, secretariat and legal resource. While MDAG would be an appropriate entity to take the work forward should the Requête be successful, the scope of the workstream would necessitate the involvement of additional subject matter experts across the named committees.

The CfHSC response says: 'From an operational perspective, resourcing a review of the scale and complexity envisaged by the Requête presents a significant concern. Officers across HSC, Public Health and partner Committees are currently operating at or beyond existing capacity, with substantial commitments across statutory services, transformation programmes and regulatory responsibilities. The Committee does not consider that this level of additional activity could reasonably be delivered safely, effectively, or to an acceptable standard within existing workloads, nor within the proposed timeframe, without materially impacting the delivery of current priorities. The Committee further wishes to emphasise that it does not have dedicated policy officer capacity available to accommodate an additional workstream of this scale.'

The CfHA response says 'the overriding concern expressed is the potential impact on resources and the fact that, inevitably, it will divert officers from already agreed political and operational priorities.'

The response from the CfESC says 'The Committee is cognisant that, should the Requête be successful, there likely will be some resource implications for the Committee and its officers which have not hitherto been factored into the Committee's planning. The Committee does not consider the resource implications to be significant.' It adds 'The Committee does have some concerns that the Requête, should it be successful, will have resource implications for officers working in service areas beyond the Committee's mandate, but whom the Committee, and the Assembly, is reliant upon to progress workstreams attached to the Government Work Plan's 'super priorities.'

While the Requête calls for the CfHA to act as the lead Committee, 'in recognition of its existing responsibilities in respect of licensing, and regulatory administration,' the Committee *for* Health & Social Care has key responsibilities in relation to drugs. Equally last term the Policy & Resources Committee led multi-Committee work on this topic as part of its remit to lead and coordinate the policy work of the States, and indeed because of its oversight of external relations.

The CfED response says 'As the Committee has useful existing sector experience, the Committee would be willing to participate within the proposed working group.

However, the Committee also notes that due to other existing and prioritised workstreams this would be in a supportive capacity. Therefore, the Committee welcomes the proposal within the Requête that the Committee *for* Home Affairs acts as the lead Committee on this item.'

## Constitutional implications

Given the Policy & Resources Committee's responsibility for relationships with the UK Government and other jurisdictions, it must highlight the implications for our constitutional relationship with the Crown and through that with the UK Government.

It is within Guernsey's domestic competence and autonomy to examine the possibility of regulation and use of cannabis within the Island.

However, the UK Government's clear position, based on legal advice, has been that a regulatory framework for cannabis would inevitably put the UK in breach of various international conventions related to drugs. The Single Convention on Narcotic Drugs (1961),<sup>1</sup> which has been ratified by the UK, has been extended to the Bailiwick. The UK has been unwilling to breach its convention obligations itself and similarly unwilling to do so for any Crown Dependency or Overseas Territory. If the States were to decide to regulate non-medical use of cannabis, it would put the Island in breach of international obligations which have been extended to the Bailiwick.

This excerpt from the UK Government's response to the Justice Select Committee's Report: Crown Dependencies (2010) sets out the UK's position: 'If an Island Law sought to do something fundamentally contrary to current UK principle, or which may be fundamentally damaging to UK interests, we would not consider it constitutionally illegitimate to refuse to recommend the Law for Royal Assent.'<sup>2</sup>

The consultation response from the CfHA notes this historical position and queries whether the UK Government's policy remains the same. The Committee can confirm that the UK Home Office corresponded with the Committee following the publication of the Requête, stating that the UK policy position remains the same. This has also been discussed with the UK Ministry of Justice.

The Policy & Resources Committee also notes that a recent bid to change the legal status of cannabis in Jersey has been withdrawn. Additionally, in regard to both Bermuda and the British Virgin Islands, the UK Government, acting through the Governors of those territories, has blocked cannabis legislation that would contravene convention obligations.

This means that the prospect of implementing any regulatory framework for non-medical use of cannabis that the States could design will be difficult to legislate for and implement because it would raise constitutional issues that would have to be resolved.

It is important to note, however, that cannabis decriminalisation rather than legalisation might not present the same level of conflict or concern with the UK Government, as this could likely be done without breaching international convention obligations.

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<sup>1</sup> [UNTC](#)

<sup>2</sup> [Government Response to the Justice Select Committee's report: Crown Dependencies CM 7965](#)

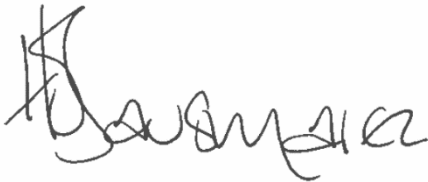
## Procedural and process notes

In terms of the Rules of Procedure, while the Requête's proposals direct the Working Group to report back to the States, only a committee may report to the States.

The Requête's Rule 4(1) declaration states that 'there was no consultation' (as in, with those committees that would be involved in resourcing the proposals). Also, based on consultation undertaken by the Policy & Resources Committee to inform this letter, it does not appear that the Requéants sought out advice in relation to legal or constitutional matters from HM Procureur, HM Comptroller or the States' External Relations team.

The CfHA reply notes that 'the proposed working group is being asked to provide 'clear policy options,' 'a recommended model' and 'proposed implementation timetable' for a regulated cannabis regime. The Policy & Resources Committee is likewise concerned that the drafting of the Requête pre-empts the findings of the work it directs and that, in light of the way that proposition 4 is worded, support for the Requête may therefore signal support for the introduction of a regulated cannabis regime before the feasibility work has been done.'

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lindsay de Sausmarez', written in a cursive style.

**Deputy Lindsay de Sausmarez**  
President

Attachments:

- Consultation response from the Committee *for* Health & Social Care
- Consultation response from the Committee *for* Home Affairs
- Consultation response from the Committee *for* Economic Development
- Consultation response from the Committee *for* Education, Sport & Culture

Deputy Lindsay de Saumarez  
President  
Policy & Resources Committee  
Sir Charles Frossard House  
St. Peter Port  
Guernsey  
GY1 1FH

+44 (1481) 220000  
[hsccommittee@gov.gg](mailto:hsccommittee@gov.gg)  
[www.gov.gg](http://www.gov.gg)

Sent by email: [policyandresources@gov.gg](mailto:policyandresources@gov.gg)

9<sup>th</sup> March 2026

Dear Lindsay

### **Cannabis Requête – Establishment of a Cross-Committee Working Group to Examine Regulatory Options**

Thank you for your correspondence dated 25 February 2026, seeking the Committee for Health & Social Care's views in relation to the Requête entitled *Cannabis: Establishment of a Cross Committee Working Group to Examine Regulatory Options*.

#### **Committee for Health & Social Care's view**

The Committee for Health & Social Care's considered this of the matter at its meeting on 4 March 2026. Deputy Matthews, as a signatory to the Requête, recused himself from the Committee's consideration of this item in line with Rule 49 of the Rules of Procedure.

The other four members of the Committee *for* Health & Social Care unanimously agreed that they do **not** support the Requête. Members were concerned that if the Requête is supported by the Assembly it will distract from delivery of the Committee's other priorities including the work that the Committee believes is essential to improve the governance and regulatory oversight of medicinal cannabis prescribing. Current evidence suggests that cannabis reform is not a primary health improvement priority for the Bailiwick. The Committee is concerned that diverting time, capacity and investment towards this work risks detracting from areas of greater health, care and public health need as set out in more detail below.

#### ***Resourcing a Review***

From an operational perspective, resourcing a review of the scale and complexity envisaged by the Requête presents a significant concern. Officers across Health & Social Care, Public Health and partner Committees are currently operating at or beyond existing

capacity, with substantial commitments across statutory services, transformation programmes and regulatory responsibilities.

The Committee does not consider that this level of additional activity could reasonably be delivered safely, effectively, or to an acceptable standard within existing workloads, nor within the proposed timeframe, without materially impacting the delivery of current priorities.

The Committee further wishes to emphasise that it does not have dedicated policy officer capacity available to accommodate an additional workstream of this scale. The absence of available policy resource means that undertaking the work proposed by the Requête would have a significant and immediate impact on existing statutory, regulatory and transformation priorities, with associated risks to delivery, governance and quality.

To undertake such a review without compromising existing workstreams would require any States direction to be underpinned by realistic assumptions regarding officer capacity, in order to avoid unintended consequences and risks to the delivery of core services.

### ***Impact on Health, Care and Public Health Priorities***

The Committee is also mindful of the opportunity costs associated with undertaking a resource intensive review of this nature. Current evidence suggests that cannabis reform is not a primary health improvement priority for the Bailiwick.

The Committee is concerned that diverting time, capacity and investment towards this work risks detracting from areas of greater health, care and public health need, including alcohol related harm, tobacco use, obesity, mental health, and the scoping of service provision required to meet current and future health and care demands, where the burden of harm is demonstrably higher.

### ***Ongoing Work on Medicinal Cannabis Regulation***

The Committee is already progressing work to strengthen the existing medicinal cannabis regulatory framework, including:

- enhancing governance and regulatory oversight of medicinal cannabis prescribing
- providing additional assurance through the Misuse of Drugs Advisory Group (MDAG);
- reviewing private prescribing practices and associated patient safety risks; and
- engagement with Home Affairs, the Border Agency, Public Health and law enforcement partners.

This work is focused on improving safety, consistency and regulatory compliance within the current legal framework, rather than examining recreational or population level access models. The Committee notes that any broader policy or legislative change would not remove the need to address issues relating to the local availability and regulation of medicinal cannabis and if the Assembly agrees to this wide ranging Requete it is likely to

further delay the implementation of this important work and other critical HSC workstreams.

### **Observations should the Requête be Supported**

Without prejudice to the Committee's position above, should the Requête be supported by the States Assembly, the Committee would make the following observations.

#### ***A "Whole Island" Approach***

Any cross-Committee work must take a whole island perspective, considering the health, social, educational, economic, justice, cultural and constitutional implications of any proposed change, and be grounded in a robust, evidence based approach.

It should also recognise and address the wider determinants of health, including social inequality, trauma, and unmet mental and physical health needs, which may influence patterns of substance use and vulnerability.

#### ***Clarity of Purpose and Direction***

Any review should begin with a clear articulation of the specific problems it seeks to address (for example health harms, inequities in criminalisation, burdens on the justice system, or the scale of the illicit market) and the outcomes sought for the Bailiwick.

There should also be clarity as to whether the intention is to undertake a broad policy review, or whether a policy direction has already been determined, with the review focused specifically on the introduction of a regulated recreational cannabis market in Guernsey.

#### ***Independence***

The Committee considers it essential that any review is led by independent, neutral experts capable of objectively assessing local, national and international evidence, while understanding the Bailiwick's unique context.

Lessons should be drawn from tobacco and alcohol policy-making to ensure that policy development remains free from commercial pressures and industry influence where these may conflict with public health objectives. In this regard, it is vital that any experts consulted under the Requête have no commercial ties to the cannabis industry, medicinal or otherwise.

#### ***Harm Reduction and Prevention***

Preventing or delaying the onset of cannabis use, particularly among children, young people and vulnerable adults, must be a core policy priority.

Policy development should anticipate and address the full range of potential harms, including those associated with early or frequent use, exposure to high-potency products, combined use with tobacco, impacts on mental and physical health, and impaired driving.

Depending on the model pursued, a comprehensive and adequately resourced suite of prevention and harm-reduction measures would need to be embedded from the outset.

### ***Provision of Services***

Any change to the legal or regulatory status of cannabis is likely to have implications for health services, mental health provision and the Third Sector, and may also impact children through cannabis use within the home.

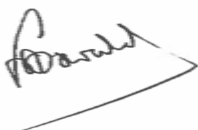
Planning would need to consider local service capacity, early intervention pathways, the availability of evidence-based treatment for problematic cannabis use, and the training and support requirements for professionals across sectors. Service provision should be appropriately resourced and integrated within wider substance use and mental health strategies.

### ***Substance-Specific Policy Considerations***

The Committee also recognises that, in respect of substance use policy more broadly, there is no single or uniform approach that will be effective across all substances or population groups. Different substances present distinct patterns of use, risk and harm, and therefore require differentiated policy, regulatory and service responses. In particular, approaches to alcohol related harm necessitate a different set of levers and interventions to those applicable to cannabis, reinforcing the importance of proportionate, evidence-based prioritisation.

The Committee trusts that these comments assist in informing the Policy & Resources Committee's consideration of the Requête and set out the reasons why it is not supported by the Committee, particularly in light of capacity, prioritisation and public health considerations.

Yours sincerely



**Deputy George Oswald**  
President  
Committee *for* Health & Social Care



Committee for  
Home Affairs

The President  
Policy & Resources Committee  
Sir Charles Frossard House  
La Charroterie  
St Peter Port  
GU1 1FH

(via email)

Sir Charles Frossard House  
La Charroterie  
St Peter Port  
Guernsey  
GY1 1FH  
+44 (0) 1481 227353  
homeaffairs@gov.gg  
www.gov.gg

11<sup>th</sup> March 2026

Dear Lindsey

## **REQUÊTE: CANNABIS: ESTABLISHMENT OF A CROSS-COMMITTEE WORKING GROUP TO EXAMINE REGULATORY OPTIONS**

Thank you for your letter of 25<sup>th</sup> February 2026. The Committee *for* Home Affairs (the Committee) has sought the views of its operational services on the detail of the Requête and impact should it be successful. The overriding concern expressed is the potential impact on resources and the fact that, inevitably, it will divert officers from already agreed political and operational priorities.

The Committee shares this concern, noting that this is not a subject that it had engaged with this term, the view was expressed that the matter may have been more appropriately considered as part of the Government Work Plan debate. The Committee has, however, prioritised a review of sentencing policy this term which will consider the perceived disparity in sentences for certain types of offences, this speaks in part to the Requête as it has referenced drug related offences in that regard.

At the end of January, shortly before the Requête was lodged, the Committee received a briefing from the Chief Pharmacist in her capacity as the Chair of the Misuse of Drugs Advisory Group (MDAG). The Committee unanimously endorsed the plans presented to improve the regulation of medicinal cannabis prescribing clinics and controlled drugs. Members are concerned that the delivery of this workstream, which is critical to ensure appropriate safeguards are in place to support current prescribing practice, may be adversely affected should the Requête be successful as it will inevitably call on the same pool of professional advisors.

The Requete assumes that cannabis related offences are consuming police and court resources, however, having consulted with the police this is not necessarily the case. It is considered unlikely that changes in this area would free up policing resources to focus on other areas of harm within the community. Moreover, the view has been expressed that until the potential mental health impact (particularly on younger people) is assessed, it remains a possibility that legalisation/regulation could increase demand on BLE resources.

The Committee is conscious of the Bailiwick's international obligations relating to the legal status of certain drugs and that a move away from this risks being constitutionally damaging. This concern was shared last term by the Policy & Resources Committee in its letter of 20.10.22. Whilst it is accepted that this would be a matter which would be explored through the work directed in the Requête, the Committee considers that there may be benefit in establishing whether there has been any change in this position so that this might appropriately inform debate.

Further, in this vein, consideration needs to be given to the impact that any potential divergence from common policies may have on relationships and travel arrangements between this jurisdiction and our nearest neighbours, including the UK and Jersey where cannabis remains a controlled drug.

Finally, it is noted that the proposed working group is being asked to provide 'clear policy options', 'a recommended model' and 'proposed implementation timetable' for a regulated cannabis regime. The Committee is concerned that the drafting of the Requête pre-empts the findings of the working group and that, in light of the way that proposition 4 is worded, support for the Requête may therefore signal support for the introduction of a regulated cannabis regime before the feasibility work has been done.

As you will be aware, two of the Committee's Members are signatories to the Requête, as such they have not been party to its deliberations on this subject. This letter has been shared with them to ensure that they are sighted on the Committee's observations and Service's concerns.

Yours sincerely

A handwritten signature in black ink that reads "John AB Gollop". The signature is written in a cursive, slightly slanted style.

**Deputy John Gollop**  
Vice-President  
Committee *for* Home Affairs

cc. Deputy Marc Leadbeater  
Alderney Representative Snowdon



Committee for  
Economic Development

Deputy de Sausmarez  
President  
Policy & Resources Committee  
Sir Charles Frossard House  
St Peter Port Guernsey  
GY1 1FH

PO Box 451  
Level 4  
Market Building  
Fountain Street  
St Peter Port  
Guernsey  
GY1 3GX

+ 44 (0) 1481 222801

By email to [policyandresources@gov.gg](mailto:policyandresources@gov.gg)

Email: [economicdevelopment@gov.gg](mailto:economicdevelopment@gov.gg)  
[www.gov.gg](http://www.gov.gg)

12 March 2026

Dear Lindsay

**RE: REQUÊTE: CANNABIS: ESTABLISHMENT OF A CROSS-COMMITTEE WORKING GROUP TO EXAMINE REGULATORY OPTIONS**

Thank you for your letter of 25 February 2026 concerning the above item and for seeking the Committee *for* Economic Development's views on the proposals.

The Committee has been working closely with the Island's cannabis sector for a number of years, both in establishing the revised cannabis cultivation licensing in partnership with the Committee *for* Health & Social Care and in its role as a member of the Bailiwick of Guernsey Cannabis Agency.

The Committee notes that there is continued limited interest in the production of Medicinal Cannabis products by Guernsey businesses and has previously supported policy routes with this objective. In practice, it has found that it is both a complex and costly process to realise the opportunity, which requires sustained investment over a number of years in order to meet regulatory requirements.

The development of new businesses like these and assessing potential business impact continues to be part of the Committee's mandate. As the Committee has useful existing sector experience, the Committee would be willing to participate within the proposed working group.

However, the Committee also notes that due to other existing and prioritised workstreams that this would be in a supportive capacity. Therefore, the Committee welcomes the proposal within the Requête that the Committee *for* Home Affairs acts as the lead Committee on this item.

Yours sincerely

**Deputy Kazantseva-Miller**  
President,  
Committee *for* Economic Development



Committee *for*  
Education, Sport & Culture

Foote's Lane House  
Footes Lane  
St Andrews  
Guernsey  
GY6 8TB  
+44 (0) 1481 224000  
[esc-office@gov.gg](mailto:esc-office@gov.gg)  
[www.gov.gg](http://www.gov.gg)

Deputy L de Sausmarez  
President  
Policy & Resources Committee  
Sir Charles Frossard House  
La Charroterie  
St Peter Port  
GY1 1FH

**By email**

13<sup>th</sup> March 2026

Dear Deputy de Sausmarez

**Requête – Cannabis - Establishment of a Cross-Committee Working Group to examine Regulatory Options**

I refer to your letter dated 25<sup>th</sup> February 2026 regarding the Requête entitled 'Cannabis - Establishment of a Cross-Committee Working Group to examine Regulatory Options'.

The Committee considered this matter at its recent meeting and is grateful for the opportunity to provide feedback.

The Committee is cognisant that, should the Requête be successful, there likely will be some resource implications for the Committee and its officers which have not hitherto been factored into the Committee's planning. The Committee does not consider the resource implications to be significant.

The Committee does have some concerns that the Requête, should it be successful, will have resource implications for officers working in service areas beyond the Committee's mandate, but whom the Committee, and the Assembly, is reliant upon to progress workstreams attached to the Government Work Plan's 'super priorities'.

For the avoidance of doubt, please note that Deputies Cameron and Matthews, both of whom are signatories to the Requête, did not participate in discussions related to this letter of comment.

Yours sincerely

**Deputy Paul Montague**  
**President**  
Committee *for* Education, Sport & Culture