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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council resolution
1988 (LX) by States parties to the Covenant, concerning
rights covered by articles 10 to 12

Addendum

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND*

18 April 1981

* The present document contains the third part of the report of the United Kingdom of Great Britain and Northern Ireland, and concerns the implementation of the rights covered by articles 10 to 12 of the Covenant in the Channel Islands and the Isle of Man. The first two parts of the report of the United Kingdom are reproduced in documents E/1980/6/Add.16 and Add.25, respectively. The information contained in the reports is valid as at September 1979.

Copies of legislation referred to in the report and furnished by the Government of the United Kingdom are available for consultation in the original language in the files of the Secretariat.

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182

NOTE

Constitutionally the Channel Islands and the Isle of Man are not part of the United Kingdom but are dependencies of the Crown. They have their own legislatures, courts of law and administrative and fiscal systems. The Government of the United Kingdom is directly responsible for the Islands' defence and external relations and the Crown is ultimately responsible for their good government.

REPORT OF THE STATES OF GUERNSEY ON ARTICLES 10 TO 12 OF THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
(AS AT SEPTEMBER 1979)

Population: 56,025 (1976)

Area: 70 sq kms approx.

ARTICLE 10. PROTECTION OF THE FAMILY, MOTHERS AND CHILDREN

In the Bailiwick marriages can only be contracted with the free consent of the parties. Social Security assistance is available to mothers in need. Children and young persons are protected by legislation: Loi ayant rapport à la Protection des Enfants et Jeunes Personnes, 1917; Children and Young Persons (Guernsey) Law, 1967; Children and Young Persons (Amendment) (Guernsey) Law, 1971.

ARTICLE 11. RIGHT TO AN ADEQUATE STANDARD OF LIVING

The States of Guernsey encourage economic growth and improvement in living conditions. Strenuous and successful attempts have been made to broaden the base of the economy. The economies of Alderney and Sark are based largely on tourism and agriculture. These industries have proved to be stable and productive. The Bailiwick is too small to have any significance in world food resources.

ARTICLE 12. RIGHT TO PHYSICAL AND MENTAL HEALTH

The Bailiwick endeavours to achieve the objectives of this article (see the report of the Medical Officer of Health for 1978).

REPORT OF THE STATES OF JERSEY ON ARTICLES 10 TO 12 OF THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL
RIGHTS (AS AT SEPTEMBER 1979)

Population: 74,470 (1976)

Area: 116 sq kms approx.

ARTICLE 10. PROTECTION OF THE FAMILY, MOTHERS AND CHILDREN

1

Effect is given to the provisions of this article by virtue of the following legislation:

Children (Jersey) Law, 1969, as amended.

Loi (1930) sur l'emploi de Femmes, Jeunes Personnes et d'Enfants.

Children's Benefit Funds (Jersey) Law, 1969.

Age of Marriage Act 1929.

Marriage of Infants (Jersey) Law, 1961.

Marriage (Prohibited Degrees of Relationship) (Jersey) Law, 1949.

Details regarding family allowances/social security have been submitted in connexion with various ILO conventions dealing with that subject. See also the reply under article 9 of the Covenant (E/1978/8/Add.9).

2

In addition to providing low-cost house purchase for Jersey residents, a scheme of rental subsidy operates whereby States rentals are related to family income.

ARTICLE 11. RIGHT TO AN ADEQUATE STANDARD OF LIVING

Right to adequate food

2

The principal measures aimed at improving agrarian systems are marketing and the conservation of agricultural land. In marketing, subsidies are provided to individuals who export through approved channels. So far as conservation is concerned, all land deemed to be productive agricultural land may only be worked by a bona fide agriculturalist. Other aids to improve agricultural structures include a preferential Loans Scheme and subsidies which compensate growers for deficiencies in the soil:

Agricultural Land (Control of Sales and Leases) (Jersey) Law, 1974.
Protection of Agricultural Land (Jersey) Law, 1964.
Agricultural Marketing (Jersey) Law, 1953.
Agricultural Returns (Jersey) Law, 1947.
Agriculture (Guaranteed Prices and Financial Assistance) (Jersey) Law, 1965.
Agricultural (Loans and Guarantees) (Jersey) Law, 1974.

3, 4

The Department of Agriculture has a demonstration unit and a team of experts who are specialists in virtually all spheres of agriculture and horticulture. Experiments are continually being carried out, and results have contributed to increased yield of production, coupled with economic saving.

The Department publishes a monthly guide for growers, advising them of new developments, and offering guidance. The education section of the Department is designed to attract young people, and to develop the skills of those already working in agriculture.

In the sphere of animal husbandry, subsidies are paid to producers whose cattle are milk recorded, and additional supplements are paid in respect of fields in excess of specified minimum standards.

ARTICLE 12. RIGHT TO PHYSICAL AND MENTAL HEALTH

In addition to the information provided in connexion with other conventions governing the same subject, the report of the Medical Officer of Health for 1979 sets out the position in the Island regarding the matters covered in this article.

ISLE OF MAN REPORT ON ARTICLES 10 TO 12 OF THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS (AS AT SEPTEMBER 1979)

Population: 60,496 (1976)

Area: 572 sq kms approx.

The Isle of Man Government strives continuously to provide for the people of the Isle of Man, so far as economic, social and cultural well-being is concerned, conditions which are no less favourable than those to be found in the United Kingdom and elsewhere in Western Europe.

In order to provide for the maintenance of what is sometimes called the "Welfare State", Tynwald (the Manx Parliament and Court of Administration) enacts legislation which, although locally sustained, is often based on, or identical to, legislation in force in the United Kingdom but, where necessary or desirable, modified to suit insular administrative and legal circumstances.

The small size of the Isle of Man, its limited population size, and its lack of huge industrial concerns or work forces has meant that economic and social pressures on the people of the Island are not always of the same kind or scale as those which are to be found in the United Kingdom or elsewhere in Western Europe, with the consequence that the Isle of Man Government is often constrained to respond legislatively to such pressures as there are in more pragmatic a mode than may be usual in the more industrial and populous regions of Western Europe.

ARTICLE 10. PROTECTION OF THE FAMILY, MOTHERS AND CHILDREN

Isle of Man laws in support and protection of the family as the natural and fundamental group unit of society follow those of England and Wales, covering marriage, family benefits, social security benefits, children and young persons, income tax, maintenance orders, married women's property and matrimonial causes. New legislation is being prepared concerning legitimacy and adoption of children.

A. Protection of the family

4

Tynwald has applied by order to the Island the provisions of the United Kingdom Child Benefit Act 1975 and the regulations made under the Act. The benefit is a taxable weekly benefit at the rate of £4 for each child in the family regardless of the family's income. One-parent families receive an additional £2.50 a week in respect of the first child in the family.

At 31 December 1979, 7,225 two-parent families and 556 one-parent families were in receipt of the benefit for 14,442 children.

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Isle of Man tax payers receive, where appropriate, tax allowances for children under 16 years of age or who are receiving full-time education, but Child Benefits are taxed in the Isle of Man.

B. Maternity protection

3

Tynwald has applied by order to the Island the Social Security Acts 1973 to 1979 of the United Kingdom. Maternity Benefit comprises a grant of £25 for each birth and for a working mother an allowance of £18.50 a week for a period of 18 weeks. The allowance is payable for 11 weeks before, and six weeks after, the week of confinement. Beneficiaries can receive in addition an earnings-related supplement based on their earnings in a previous income tax year. The amount varies between 20p and £17.67 a week.

5

The Social Security Acts provide for the payment on widowhood of a widow's allowance with additions for dependent children. The addition (now £7.10 a week) is payable until the child attains the upper limit of compulsory school age or until age 19 if the child continues to attend school.

For one-parent families additional provisions are included in both Supplementary Benefit and Family Income Supplements. The lone parent on supplementary benefit may earn up to £6 a week (£4 a week for others) before benefit is reduced and, if working and earning low wages, is regarded as being in full-time employment for the purposes of claiming Family Income Supplement when working for 24 hours or more (32 hours for other claimants).

ARTICLE 11. RIGHT TO AN ADEQUATE STANDARD OF LIVING

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The Isle of Man by applying to the Island by order the enactments of the United Kingdom relating to social security has provided welfare benefits and a guaranteed income for those who are unemployed, sick, retired or in receipt of low earnings.

The following benefits are payable in the Isle of Man:

- Unemployment benefit
- Sickness and invalidity benefits
- Maternity benefits
- Widow's benefit
- Guardian's Allowance and Child's Special Allowance
- Retirement Pension
- Death Grant

Industrial Injuries: Injury Benefit
Disablement Benefit
Death Benefit

Attendance Allowance
Personal Injuries Civilians Scheme
Non-contributory invalidity pension
Invalid Care Allowance
Mobility Allowance
Old Person's Pension
Age Addition to Retirement and Old Person's Pension
Family Income Supplements
Supplementary Benefits
Child Benefit

The basic benefits are supplemented under the Supplementary Benefits Act to provide what is considered by Tynwald to be an adequate standard of living for each and everyone. Assistance in kind is provided also under the Act. Homes for the elderly provide residential accommodation for 3.3 per cent of the pensioner population of the Island who require care and attention and the standard of such accommodation is high. The National Assistance Act enables the Board to establish homes for those who are in need of care and attention and for promoting the welfare of those who are blind, deaf or dumb, and others who are substantially and permanently handicapped by illness, injury or congenital deformity.

In order to protect the Island's population and social resources from undue migrations, from other territories, of persons who are unable or unwilling to provide an adequate basic standard of living for themselves, supplementary benefits are normally only payable to persons who have prescribed connexions with the Isle of Man.

Right to adequate food

1

The Isle of Man Board of Agriculture and Fisheries is responsible for the promotion, development, organization and fostering of co-operation within the agricultural, horticultural and fishing industries, and the provision and maintenance of an Experimental Farm on the Island. The general policy in these matters is perhaps the best described by reference to a resolution of Tynwald dated 21 February 1979, which, inter alia, provides that:

"It is the policy of the Isle of Man Government to maintain prosperous agricultural and fishing industries in the Isle of Man and to ensure this and to reassure those participating in such industries Tynwald affirms that subject to the complete acceptance and implementation by the Board of Agriculture and Fisheries of such European Economic Community policies as are compatible with the Isle of Man's relationship with the Community, it be the policy of the Board of Agriculture and Fisheries to maintain

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Government assistance to agriculture and fisheries on a basis similar to that from time to time afforded to those industries in the United Kingdom irrespective of whether such assistance emanates from United Kingdom or European Economic Community sources."

Within the scope of such general policy the Board attempts to concentrate on maximizing the use of indigenous resources to ensure, as far as is possible, that the Island is self-sufficient in the principal food-stuffs. Such a policy has an additional strategic advantage in that, in a world of industrial strikes, an island community cannot be wholly indifferent to what happens if supplies of basic foods are cut off.

2.3

The Island's farming industry is basically small-scale mixed farming traditionally structured to supply the Island's own food requirements, and it is not export orientated.

Government makes capital support available to both farmers and growers by way of both grant and loan assistance in order to encourage the improvement of holdings and an increase in the agricultural efficiency thereof. Assistance is available in respect of buildings, equipment and drainage with enhanced levels of assistance available to those farmers operating under conditions which are not advantageous (i.e. upland farms).

In addition to capital support measures in respect of improvements there are in operation a number of production support measures which are intended to encourage the farming of less favoured areas, to encourage the production of quality livestock and also the better use of fertilizers to encourage higher plant production. The Board has also, vis-à-vis the Treasury, financed the construction of a modern EEC registered abattoir, and of a dairy, and continues to finance improvements thereto to ensure the hygienic production of meat and dairy products.

The Board operates licensing systems in respect of bulls, rams and boars, and through an Artificial Semination service provides a wide range of bulls of quality dairy and beef breeds. At its own Experimental Farm the Board breeds cattle, sheep and pigs for sale to local farmers for further breeding. Milk recording, milk machine testing, beef recording and beef bull performance testing are also government services aimed at providing improvement of livestock.

By providing free technical advice, the advisory service aims to help farmers and growers improve their efficiency and productivity in all aspects of agronomy, livestock husbandry, farm management, horticulture and mechanization. Services for the analysis of soils and silage etc., also operate.

At the Board's Experimental Farm development work is carried out alongside livestock breeding and commercial farming, and training in agriculture can be provided for young persons. Additionally, lectures on subjects of topical interest

are arranged by the Board for farmers and growers; these lectures are usually held in conjunction with Young Farmers Clubs and the meetings are open to the general public. Whilst full-time agricultural education is not available, in conjunction with the College of Further Education a part-time course is run by the Advisory Staff leading to a City and Guilds Certificate in Agriculture.

B3

The Isle of Man Government's jurisdiction in the waters around the Isle of Man is confined within the three-mile territorial limit, whilst the waters extending from the 3-mile to the 12-mile limit are subject to the jurisdiction of the United Kingdom Government in consultation with the Isle of Man Government.

The Island is surrounded by good fishing grounds stocked by numerous kinds of demersal and pelagic fish and shellfish to be caught throughout the year. It is ideally situated in the Irish Sea to act as both a base for fishing operations for inshore vessels and as a processing depot for the catch of vessels operating from Manx and other Irish Sea ports. The Board's general fishery policy is to encourage the long-term development of the Island in this manner by both developing the local fleet and attracting non-Manx landings.

At the same time as encouraging landings it is also government policy to ensure the long-term future of the industry by pursuing conservation measures. Such policies include restrictions on the landing of immature fish, the imposition of quota restrictions and the providing of closed seasons for spawning purposes.

Government makes available financial assistance to commercial fishermen by way of both loans and grants in order to encourage the purchase of new and second-hand vessels and the provision of equipment connected with the improvement of efficiency or a diversification of fishing effort.

4

Whilst the day-to-day work of treating animal disease is the responsibility of practising veterinary surgeons, the control of disease is the responsibility of the Animal Health Department of the Board. Full advantage has been taken of the relatively isolated position of the Island and, by strict controls of livestock and meat importation, the Island has been freed of tuberculosis, brucellosis and warble fly. Other major notifiable diseases have not occurred.

A certification scheme for seed potatoes ensures a high standard of health in the seed used locally and exported. Legislation is to be introduced to improve plant health legislation and align it with that obtaining in the United Kingdom.

5

The safeguarding of the employment and standard of living of producers of fatstock and milk, the main sectors of the insular agricultural industry, is to a considerable extent provided by the Island's Marketing Schemes and its internal

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marketing arrangements. Agricultural products are marketed through private trade channels or through official producer organizations. The Agricultural Marketing Society, which is constituted by statute, is a democratically controlled producer's organization with wide powers to control and organize the marketing of milk, fatstock and potatoes. The three commodity associations working under the Society buy and sell most of the milk and fatstock and regulate the sales of ware potatoes. Producer price structures for milk and fatstock are similar to those obtained in the United Kingdom, but potatoes are subject to statutory price control fixed in such a manner as to ensure that the producer, wholesaler and retailer receive a fair margin, whilst bearing in mind the needs of the consumer. Similar control is exercised over the price of eggs and during the Christmas period prices of poultry are also controlled.

Right to adequate housing

Public sector housing, at subsidized rentals, is provided for those who are financially unable to own their own homes. This includes the able-bodied elderly who are accommodated in sheltered housing units under local authority control in different parts of the Island. The Local Government Board supervises all housing authorities and itself is the functioning authority for housing in 18 local government districts. For persons who are residentially qualified and wish to own their own houses but lack adequate finance, Government Aid Schemes for house ownership, house building and improvements are available on subsidized terms.

In order to provide for adequate standards of housing, amenity and environment, the Local Government Board administers town and country planning and shares with local authorities the enforcement of building by-laws.

The Government's general economic policies are designed to promote further growth in the economy, improvements in living standards and the development of wealth-creating activities while at the same time taking into account the effects upon the environment and the "quality of life".

ARTICLE 12. RIGHT TO PHYSICAL AND MENTAL HEALTH

A

The Isle of Man Health Services Board operates a full medical care service as part of the "Welfare State" under the National Health Service Acts of Tynwald. The objects of the Acts are to promote the establishment and maintenance in the Isle of Man of a comprehensive health service, designed to secure improvement of the physical and mental health of the people of the Isle of Man and the prevention, diagnosis and treatment of illness.

The Board has followed and continues to follow a policy of improvement in the Island's Health Service and no effort is spared in the process of keeping abreast of advances in medical knowledge, often involving, as they do, elaborate and costly methods of treatment.

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B1

The Island has a comprehensive maternity care programme. All of the general medical practitioners in the Isle of Man are qualified in obstetrics and in addition, the consultant obstetric/gynaecologist establishment at the General Hospital was recently increased. Virtually all births take place in the modern and well-equipped Maternity Wing of the main hospital where the deliveries are supervised by either a qualified midwife or general practitioner, cases requiring specialist attention being dealt with by a consultant.

The care of the newborn is catered for by the operation of a neonatal paediatric service and the attention of a consultant paediatrician who visits the Island from the United Kingdom.

2

The health visitors who are based with the Community Nursing Service provide a range of services to mothers and children, which include relaxation classes, infant welfare clinics and home visiting. A recent extension to the health care for the very young has been the setting-up of a Pre-School Development Screening Programme, supervised by the Medical Officer of Health and operated by the general practitioners and health visitors. This ensures the monitoring of all children from birth to entering school, when they become the responsibility of the School Medical Service.

Further safeguards to the health and well-being of the Island's children are the Immunization and Vaccination Scheme, a free milk scheme to assist needy families and the support and advice of the Community Nursing staff to problem families.

3

The Board administers comprehensive legislation relating to the safety of workers engaged in the agricultural industry and can by regulation prohibit and control dangerous practices. There is also provision for agricultural employers to provide insurance for employees against injury or disease arising from their employment. The Board also administers legislation to ensure the safety of veterinary drugs, fertilizers and animal feeding stuffs.

Minimum wages and other benefits for agricultural workers are fixed by the Agricultural Wages Board, a statutory body.

5.6

The Health Services Board's policy of continual reassessment of the Island's health requirements has resulted in a gradual but continual increase in the specialities and number of consultants at Noble's Hospital in Douglas, an acute hospital of 274 beds. All types of acute work are undertaken by the 18 consultants with support from visiting consultants in certain specialities from the United Kingdom. In addition, close liaison is maintained with the Liverpool Centres for

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Radiotherapy, Thoracic Surgery and Neurosurgery, where the Isle of Man patients can be treated if necessary.

A major £1.75 million reconstruction of the 274 bed acute General Hospital was started in 1970 and took five years to complete. The project involved the construction of new buildings, and the alteration and adaptation of existing buildings. Six new wards, together with new Outpatient and Casualty Departments were built, and major improvements were made to the Radiology, Physiotherapy, Nurse Training School, Intensive Therapy Unit and Haemodialysis Unit. The latest addition to the hospital has been a new Geriatric Wing for both resident and day patients. The opening of the Day Hospital, designed to rehabilitate elderly patients to an independent life, has been a major step forward in the care of the elderly.

Improvements have also taken place at the Ramsey Cottage Hospital at the North of the Island. An upgrading of the operating theatre has allowed for an increase in the range of operations. This enables more patients to receive attention in their own district.

The services for the mentally sick are based at Ballemona Hospital, with day clinics at various parts of the Island. The range of services at this hospital is constantly on the increase. The most recent major developments have been the creation of an Adult Training Centre and an increase in the amount of Sheltered Hostel Accommodation. The staffing establishment includes two consultants and four medical assistants in psychiatry.

The Board's policy of continual reassessment is reflected in the General Medical Services, where the number of medical practitioners has steadily increased over the past few years to 31 as at 1 April 1980. The improvement of surgery premises is being actively encouraged by the Board's involvement in the building of Health Centres. A recent innovation has been the attachment of Community Nursing staff to group practices and individual medical practitioners, which, it is expected, will improve the already high standard of patient care.

The Island's dental and ophthalmic needs are catered for by 12 dentists and nine opticians. These specialities are also covered by consultants at the General Hospital. The Board in co-operation with the respective associations regularly monitors the need for an increase in the number of practitioners in view of the increasing population.

Over the past 10 years, the staffing of the Community Nursing Service has almost doubled and the services to the community are under constant review and expanded as required. A Medical Officer of Health and a Nursing Superintendent oversee a range of services as diverse as after-care, home helps, care of mothers and children, midwifery, health visiting, prevention of illness and a recently introduced service of domiciliary chiropody for the elderly.

The services provided by the Board are fully financed by the Isle of Man Government and are free to all Manx residents, with the exception of some minor charges for dental and ophthalmic treatment, and a small charge, 30p an item, for drugs and medicines.