

Education & Home Affairs Scrutiny Panel

PUBLIC MEETING

The records of the Panel meeting include Public and Private minutes in accordance with the Code of Practice on Public Access to Official Information

Record of Meeting

Date: 17th October 2008
Meeting 92

Present	Deputy D.W. Mezbourian, Chairman Deputy J. Gallichan, Vice-Chairman Connétable G.F. Butcher
Apologies	
Absent	Deputy S. Pitman
In attendance	Mr. W. Millow, Scrutiny Officer Mr. T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Meetings The Panel noted that its meeting on 22nd September 2008 had been held by electronic mail and therefore agreed to amend the relevant meeting record to show this fact. The Panel subsequently approved the records of meetings held on the following dates:</p> <ul style="list-style-type: none"> • 14th July 2008 • 16th July 2008 • 22nd July 2008 [Public and Private Session] • 23rd July 2008 [Public and Private Session] • 25th July 2008 • 8th August 2008 • 11th August 2008 • 18th August 2008 • 2nd September 2008 • 22nd September 2008 • 3rd October 2008 	
[23/07/08, Item 1]	<p>2. Annual Business Plan The Panel recalled that questions regarding the cost of students who failed to complete higher education courses in the United Kingdom had been despatched to Senator M.E. Vibert, Minister for Education, Sport and Culture. It was noted that a response to these questions had not been received and the Officers were therefore requested to pursue the matter.</p>	WM/TO
[14/07/08, Item 8]	<p>3. Rôle of the Centenier in the Magistrate's Court The Panel noted receipt of correspondence, dated 12th August 2008, from Centenier P. Le Sueur, Vice-Chairman of the Comité des Chefs de Police. It was further noted that the correspondence provided an update on actions taken in respect of recommendations the Panel had made in <i>The Rôle of the Centenier in the Magistrate's Court</i> (SR18/2007) and that the Panel had been invited to attend a meeting of the Comité to discuss these recommendations. The Panel agreed that it would respond to the Comité and accept the offer.</p>	WM/TO

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<p>[28/04/08, Item 2]</p>	<p>4. Policing of Events: User Pays a) Evaluation Form The Panel, noting the provisions of Paragraph 11.19 of the <i>Code of Practice for Scrutiny Panels and the Public Accounts Committee</i>, considered a draft evaluation of the Policing of Events: User Pays? Review.</p> <p>The Panel considered the question of whether the review had been too extended or too short. It was noted that the issue under review had generated wide public interest and that there had been significant implications of the proposed 'user pays' charge. It was further noted that, due to exceptional circumstances, little coverage had been provided by the media of the Panel's final report.</p> <p>The Panel noted that difficulties had been encountered in arranging Public Hearings due to the unavailability of Senator W. Kinnard, Minister for Home Affairs.</p> <p>The Panel considered the question of whether the media had been used effectively during the review. It was noted that the issue of media contact was significant to Scrutiny in general and not merely to the individual review under consideration. It was further noted that better coverage of Scrutiny reviews might be engendered if Panels established a rapport with specific journalists. It was further noted that the Panel's legacy report to the successor Education and Home Affairs Scrutiny Panel should reflect the Panel's thoughts on the significance of media contact.</p> <p>The Panel requested that the evaluation form be amended to reflect its comments and approved the evaluation, subject to these amendments.</p> <p>b) Other Matters The Panel was advised that correspondence was expected in due course from the Minister for Home Affairs in relation to a report on the 'user pays' proposals that had been considered by the Council of Ministers earlier in the year.</p>	<p>WM/TO</p> <p>WM/TO</p>
<p>[30/06/08, Item 6]</p>	<p>5. Prison Board of Visitors The Panel recalled that it had initially foreseen undertaking a review in relation to the Prison Board of Visitors during September 2008. It was noted that it would no longer be feasible to undertake the review in a way that would do the topic justice. The Panel expressed its disappointment and requested that correspondence signalling its regret at the situation be despatched to the individual who had initially proposed the topic. It was agreed that the Panel's legacy report should stress that work on the Prison Board of Visitors would potentially represent a good review with which the successor Education and Home Affairs Scrutiny Panel could begin its 2009 Work Programme.</p>	<p>WM/TO</p> <p>WM/TO</p>
	<p>6. Legacy Report Further to the comments it had made under other items of the meeting, the Panel considered a draft legacy report for the successor Education and Home Affairs Scrutiny Panel.</p> <p>Further to the amendments that had been identified elsewhere, it was agreed to include an offer for the current Panel to meet the successor Panel once that Panel was in place. The Panel agreed that this would potentially help the successor Panel to gauge the significance of issues and to address any questions it might have on work undertaken during</p>	<p>WM/TO</p>

	<p>the 2005 to 2008 session.</p> <p>The Panel requested that the Criminal Injuries Compensation Scheme be placed on the list of prospective topics for the successor Panel to consider as potential work topics.</p> <p>The Panel approved the legacy report, subject to the amendments it had requested.</p>	<p>WM/TO</p> <p>WM/TO</p>
[02/09/08, Item 3]	<p>7. Higher Education Funding</p> <p>The Panel considered matters relating to Higher Education Funding. This part of the meeting was held in private session under Article 3.2.1(b) of <i>Code of Practice on Public Access to Official Information</i>.</p>	
	<p>8. Annual Report</p> <p>The Panel considered its draft contribution to the 2008 annual report of the States Assembly. It requested that the section relating to the review of the rôle of the Centenier in the Magistrate's Court be updated to state which recommendations from the Panel's report had been accepted; and also to indicate that the Panel would meet the Comité des Chefs de Police.</p>	WM/TO
[22/09/08, Item 1]	<p>9. Draft Police Force Law</p> <p>The Panel was advised of the current status of work in relation to <i>Draft Police Force (States) (Jersey) Law 200-</i>. This part of the meeting was held in private session under Articles 3.2.1(a)(xiv) and 3.2.1(b) of <i>Code of Practice on Public Access to Official Information</i>.</p>	
[03/10/08, Item 1]	<p>10. Social Inclusion – Mont-à-l'Abbé</p> <p>The Panel noted that BBC Radio Jersey had run a story on the Panel's report, <i>Social Inclusion – Mont-à-l'Abbé</i> (SR11/2008) during the evening of 15th October 2008.</p>	
	<p>11. Forthcoming Propositions</p> <p>The Panel noted that the following propositions had been lodged for debate by the Minister for Home Affairs:</p> <ol style="list-style-type: none"> <i>Draft Prison (Amendment No. 6) (Jersey) Law 2007 (Appointed Day) Act 200-</i> (P.146/2008) Date of Debate: 21st October 2008 <i>Jersey Community Relations Trust: appointment of Chairman</i> (P.154/2008) Date of Debate: 21st October 2008 <p>The Panel noted that the following proposition had been lodged for debate by the Minister for Education, Sport and Culture:</p> <ol style="list-style-type: none"> <i>Jersey Heritage Trust: appointment of Chairman</i> (P.156/2008) Date of Debate: 21st October 2008 	
	<p>12. Ministerial Decisions</p> <p>The Panel noted that the following Ministerial Decisions had been made by the Minister for Education, Sport and Culture between 8th July and 10th October 2008:</p> <ol style="list-style-type: none"> Jersey Childcare Trust Report and Financial Statement (MD-ESC-2008-0015) Early Years - Response of the Minister for Education, Sport and Culture to the report of the Education and Home Affairs Scrutiny Panel (MD-ESC-2008-0017) Support for Students following Courses of Distance Learning and Grants Orders for 2008 (MD-ESC-2008-0016) 	

	<ol style="list-style-type: none"> 4. Briefing Report on the Purchase of amphibious vessels for use on the West Park to Elizabeth Castle route (MD-ESC-2008-0018) 5. Student Grants Orders 2008 (MD-ESC-2008-0022) 6. Central Management Information System (MD-ESC-2008-0023) 7. Appointment of Mr. Clive S. Jones as Chairman of the Jersey Heritage Trust (MD-ESC-2008-0024) <p>The Panel noted that the following Ministerial Decisions had been made by the Minister for Home Affairs between 8th July and 10th October 2008:</p> <ol style="list-style-type: none"> 1. DS 2008 06 09 Amendment to P54/2008 (MD-HA-2008-0034) 2. M & CS amendment Minister's comment (MD-HA-2008-0044) 3. Criminal Injuries Compensation Board - Report and Accounts for 2007 (MD-HA-2008-0032) 4. Building a Safer Society Strategy - Annual Report 2007 (MD-HA-2008-0046) 5. Updated Submission to States Annual Business Plan 2009 (MD-HA-2008-0047) 6. Draft Terrorism (Amendment No 3) (Jersey) Law 200- (MD-HA-2008-0051) 7. Consultation Green Paper on Wheel Clamping (MD-HA-2008-0048) 8. Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 2008 (MD-HA-2008-0053) 9. Police Procedures and Criminal Evidence (Jersey) Regulations – Amendment (MD-HA-2008-0055) 10. Fire and Rescue Service - internal promotions (MD-HA-2008-0054) 11. Criminal Injuries Compensation Board - Appointment of Members (MD-HA-2008-0056) 12. Management Restructure in the Customs and Immigration Service (MD-HA-2008-0057) 13. Terrorism (Proscribed Organisations) (Amendment No 4) (Jersey) Order 200- (MD-HA-2008-0058) 14. Prison (Amendment No. 6) (Jersey) Law - Appointed Day Act (MD-HA-2008-0063) 15. Prison! Me! No Way!!! - Annual Report 2007/08 (MD-HA-2008-0059) 16. Prison - Delegated Authority (MD-HA-2008-0040) 17. Establishment of interim controls on the importation and exportation of Benzylpiperazine (BZP) (19.09.08) (MD-HA-2008-0064) 18. Fire and Rescue Service - Internal Promotions (MD-HA-2008-0065) 19. HM Prison La Moye - Annual Report 2007 (MD-HA-2008-0068) 20. Chairperson to the Community Relations Trust (MD-HA-2008-0067) 21. Jersey Police Complaints Authority - Annual Report 2007 (MD-HA-2008-0062) 	
<p>[02/09/08, Item 2]</p>	<p>13. Customs and Immigration</p> <p>The Panel noted that Ministerial Decision MD-HA-2008-0058, <i>Management Restructure in the Customs and Immigration Service</i>, had potential implications for its report. The Officer was requested to verify whether the draft report would need to be amended.</p> <p>The Panel considered its draft report and amended it accordingly. During its deliberations, the Panel requested that an update on matters</p>	<p>TO</p>

	<p>relating to Jersey Harbours be sought from Deputy A.J.H. Maclean, Assistant Minister for Economic Development. The Panel also requested the clarification be sought from the Customs and Immigration Service of any impact on its service it may have felt since the withdrawal of HD Ferries.</p>	<p>TO</p> <p>TO</p>
	<p>14. Bull Report</p> <p>The Panel noted that the following written question had been tabled by Deputy I.J. Gorst to be answered by the Chairman at the States sitting on 21st October 2008:</p> <p><i>“R.89/2008 regarding the implementation of Dr. K. Bull's Report into Children with Social Emotional and Behavioural Difficulties (SEBD) states, with regard to recommendation 17.1.8, that 'a recommendation for an External Independent Review Group was effectively superseded by the introduction (under Ministerial Government) of the Social Affairs Scrutiny Panel' (Scrutiny panel now split into two).</i></p> <p><i>Can the Chairman outline whether his panel have implemented the 'Bull' recommendations 17.1.8 and 17.2.1 (relating to the management of the revamped facility) and, if so, can he explain why they have not produced any report to show that this work has been undertaken?”</i></p> <p>The Panel considered what response to give to the question. It recalled that it had previously considered the Bull Report (without suggestion from the Executive) in connection to the possibility of undertaking a review that would touch upon the work of both Ministers within the Panel's remit. It was noted, however, that the Panel had no recollection, and that no record had been found, of it ever being told by the Executive of its apparent responsibilities with regard to the two recommendations in question. The Panel requested that the Officers approach Deputy F.J. Hill BEM, formerly Chairman of the Social Affairs and Education and Home Affairs Scrutiny Panels, to ask whether he had any recollection of either Panel being told of its supposed responsibilities.</p> <p>The Panel noted that the work described in recommendations 17.1.8 and 17.2.1 did not fit within the remit of Scrutiny. It further noted that an error would therefore appear to have been made by the Corporate Parent of the Children's Executive in believing that Scrutiny was responsible for the implementation of the two recommendations.</p> <p>The Panel noted that Deputy Gorst had tabled questions on the same matter to Senator B.E. Shenton, Minister for Health and Social Services, and Deputy A. Breckon, Chairman of the Health, Social Security and Housing (HSSH) Scrutiny Panel. The Officers were requested to liaise with the Officers of the HSSH Panel with regard to the response that Deputy Breckon would provide.</p> <p>The Panel requested that drafting begin on its response. It further requested that recommendations 17.1.8 and 17.2.1 of the Bull Report be appended to its response for ease of reference. It was noted that a draft response would be circulated before the end of the day and that the final draft would need to have reached the States Greffe by 12:00pm on 20th October 2008.</p> <p>It was noted that the Chairman would contact Deputy Gorst to discuss his question.</p>	<p>WM/TO</p> <p>DM</p>

	15. Future Meetings	
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	The Panel agreed it would meet at 11:30am on 1st December 2008.	
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