

States of Jersey
States Assembly



États de Jersey
Assemblée des États

States Assembly

ANNUAL REPORT 2016



PRESENTED TO THE STATES BY THE
PRIVILEGES AND PROCEDURES COMMITTEE

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Foreword by the Bailiff of Jersey, President of the States



I am pleased to write this Foreword to the Annual Report of the States Assembly for 2016.

The middle year of an Assembly is often one where there is a consolidation, and 2016 is no exception. New Members elected in 2014 and Members elected to new positions, whether as Ministers or to Scrutiny, have settled. The number of questions asked and the number of statements made has gone up, and slightly more time has been spent on Public Business.

As always, this Report shows the breadth of the work undertaken in and about the States Assembly for the benefit of the Public, and it repays study. I would like to take this opportunity of thanking the Greffier and his staff for all their work over the year in supporting me and the Deputy Bailiff in our Presiding Officer duties.

Outside the direct work of the Assembly, 2016 marked the retirement of the Lieutenant Governor, General Sir John McColl, K.C.B., C.B.E., D.S.O. He was assiduous in his attendance upon the States, and a regular attender in the coffee room too, emphasizing his availability to Members. The dinner we were able to give him at Highlands College in November of that year, produced by the students, to thank him for his service to the Island, was a highlight for him, as he has been pleased to tell me.

We were also pleased to welcome, in 2016, members of the British Islands and Mediterranean region of the Commonwealth Parliamentary Association here for their annual conference. The conference theme was “*Parliaments and Public Engagement*” which is an extraordinarily important theme and a topic which many parliaments are now considering. The conference went very well and Jersey was much appreciated by the delegates.

We had 4 ambassadorial visits during 2016, and also a visit from the UK Minister of State for Justice, the Right Honourable Oliver Heald, Q.C. The Island recognised those members of the Jersey Contingent who fell at the Battle of the Somme with the monument – a piece of Jersey granite with a core removed where the heart of a man would have been – erected at Guillemont in north-eastern France, in a ceremony at which I was joined by His Excellency the Lieutenant Governor, the Chief Minister, Senator P.F. Routier, M.B.E., and others. That core will come on display at the celebrations to mark the end of the First World War in November 2018, but as I said at the time, it carries a dual symbolism, reflecting as it does that the hearts of those who died will be in their beloved Island, and conversely that they will likewise remain in our hearts forever.

A busy year – and more again next year no doubt!

William James Bailhache, Esq.

Introduction by the Chairman of the Privileges and Procedures Committee



Connétable L. Norman of St. Clement

It is with pleasure that I introduce the States Assembly's Annual Report for 2016. The report is an important document of record, which sets out in one place information about the Assembly's activities in 2016, as well as the work undertaken by the staff of the States Greffe, who support the Assembly and its various Panels and Committees.

The number of Sittings of the Assembly remained at a historically low level. There were 33 Sittings in 2016, the same number as in 2015, which was the lowest number since 2000. However, the Assembly sat for 14 hours longer in 2016 than in 2015. The number of oral questions continues to increase: there were 257 during the year, 46 more than in 2015. The Assembly usually gets through all of the oral questions tabled during the 2 hours provided for questions with notice; but if numbers continue to increase, there may be more occasions where questions go unanswered. The number of written questions also increased, from 312 to 333.

Two-thirds of the Assembly's time was spent on Public Business, which was divided roughly equally between draft legislation, the Budget and the Medium Term Financial Plan, and propositions lodged by backbenchers. The Medium Term Financial Plan, which sets out the States' spending priorities for the rest of the decade, was undoubtedly the Assembly's main item of business during the year, and occasioned a Sitting which lasted for 4½ days. This debate was the first to be webcast live, and all of the Assembly's Sittings can now be watched live or using an online archive, which is a significant step forward in opening up the Assembly's work to the Public.

Scrutiny Panels and the Public Accounts Committee were at the heart of the Assembly's work throughout the year; and were influential in a number of areas, as the sections in this report on the work of each Panel and the foreword by Deputy Le Fondré make clear. For the first time, the Privileges and Procedures Committee was required to determine whether a summons for information issued by a Panel (in this case, Corporate Services, which summonsed material relating to the new finance centre from the States of Jersey Development Company ("SoJDC")) should be upheld. The Committee considered the matter carefully and agreed that the summons should be upheld, subject to certain conditions, and the SoJDC complied. This demonstrated that the legal rules designed to ensure that the Assembly has access to

the information it requires to scrutinise decisions which involve public spending, are effective.

Another important aspect of the Assembly's work is participation in international parliamentary networks, such as the Commonwealth Parliamentary Association ("CPA"), the Assemblée Parlementaire de la Francophonie and the British-Irish Parliamentary Assembly. In May 2016, Jersey hosted the British Islands and Mediterranean Regional Conference of the CPA, welcoming over 40 delegates and officials from as far afield as the Falkland Islands. A full account of all of these activities can be found in this report.

The Greffe organised a Senatorial by-election on 7th September 2016, following the resignation of former Senator Zoe Cameron in July 2016. This involved re-activating the vote.je website, providing all households with a booklet containing the manifestos of all 11 candidates, and ensuring that all of the hustings meetings were filmed and available to watch online. Senator Sarah Ferguson was the victor, returning to the Assembly after her narrow defeat in 2014, but the turnout was only a little over 20%, showing that much more work needs to be done to engage the Public in Jersey's politics.

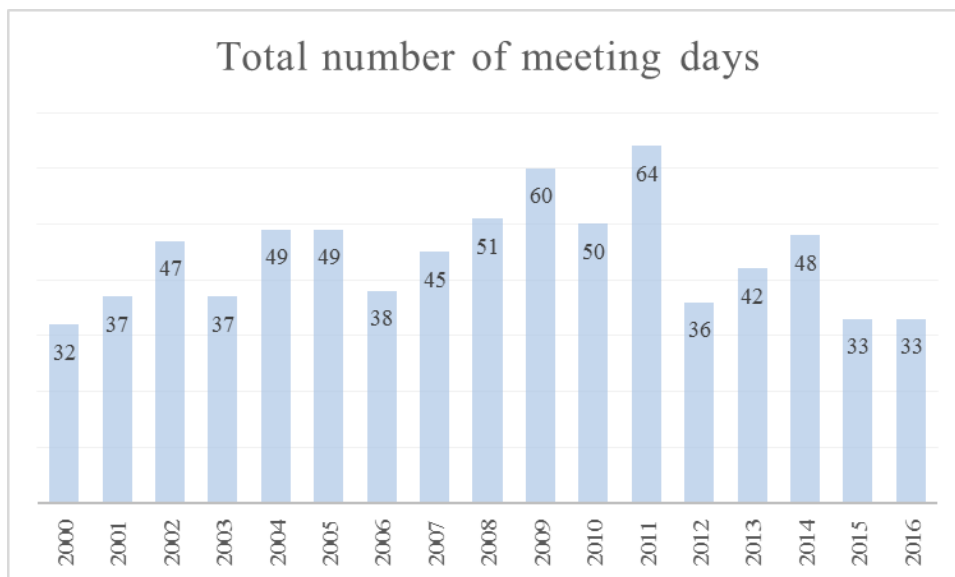
I wish to thank my fellow members of the Privileges and Procedures Committee for their work during the year, as well as the States Greffe for their hard work and commitment to the work of the Assembly.

1. THE STATES ASSEMBLY



1.1 Introduction

There were 33 Sittings in total in 2016 (including the ceremonial sitting for Liberation Day) – the same number as in 2015, which was the lowest number of meeting days since 2000.



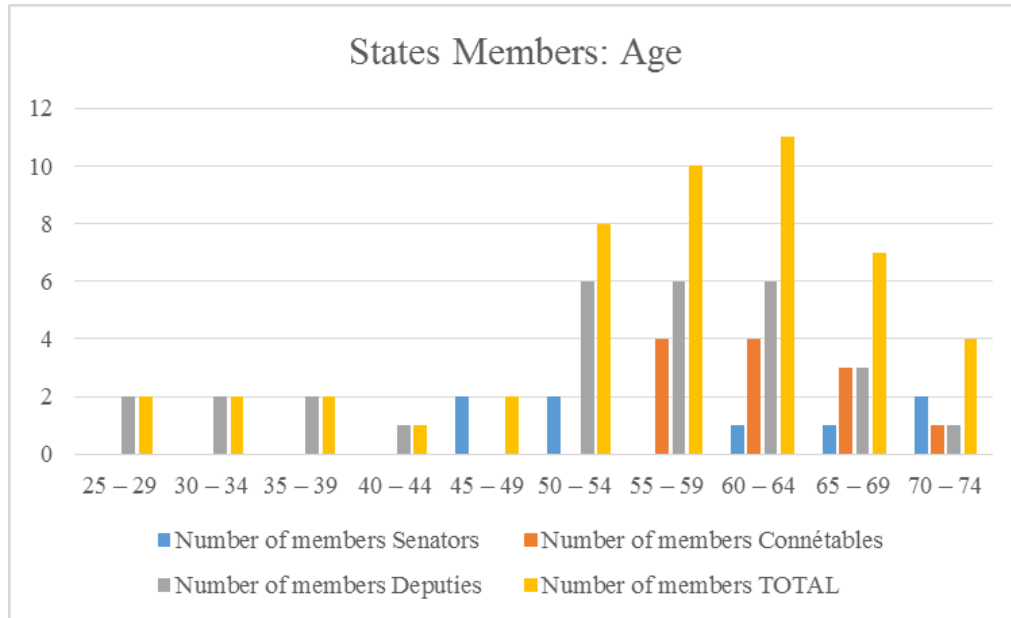
1.2 The make-up of the Assembly

1.2.1 Average length of service as an elected Member

The overall average length of elected service of the 49 elected Members as at 31st December 2016 was 8 years. The longest-serving Member of the Assembly remains Connétable L. Norman of St. Clement, who had served as an elected Member for 33½ years.

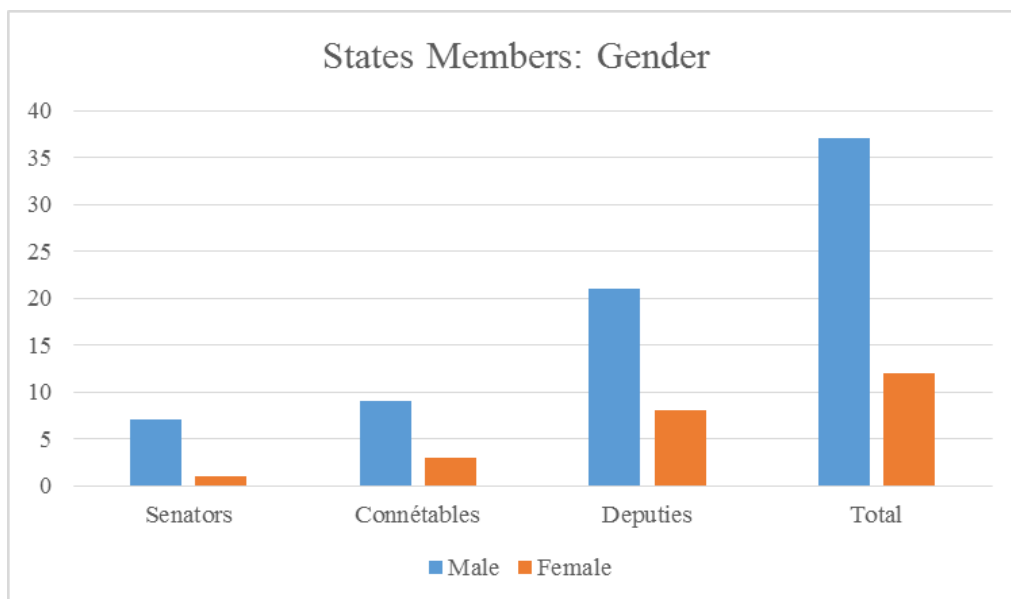
1.2.2 Average age of elected Members

In 2016 the average age of elected Members of the Assembly was 56 years. The breakdown in age of the 49 Members of the Assembly is given in the following chart –



1.2.3 Number of male and female Members

The make-up of the membership of the Assembly by gender in 2016 is set out below –



1.3 Tributes to former Members

Four former Members of the States, a former Deputy Bailiff of Jersey, and a former Lieutenant Governor passed away during 2016, and the Presiding Officer paid tribute to each one at the next Sitting of the Assembly. Extracts from those tributes are reproduced below in chronological order.

1.3.1 Tribute to the late Mr. Michael John Touzel

On 2nd February 2016, the Deputy Bailiff paid tribute to the late Mr. Michael John Touzel, former Connétable of St. John –



“Members may be aware that a former Member of the Assembly, the former Connétable Michael John Touzel of St. John passed away on 17th January at the age of 78 years. He was elected to this Assembly as Connétable of St. John in December of 2000. While his background was in agriculture, he worked for a number of years in the insurance industry before starting his own insurance business working from home. He was a stalwart servant of his Parish and in the late 1960s and 1970s he was Parish Secretary, a Roads Inspector and then later a Rates Assessor. In his professional life outside of the Assembly he will be remembered by the agriculture community because he wrote a farmers’ policy unique for Jersey farmers, and every year he took the trouble personally to contact each farmer to check that the policy was tailored to their specific needs. In 2000 he was elected Connétable and served for a single term, as he was not in the best of health. On retirement he continued to serve his Parish as Procureur for a

further 3 years. Although not a frequent contributor to debates in the Assembly, he served on the Employment and Social Security Committee and also, unsurprisingly in the light of his interests, on the Agriculture and Fisheries Committee. Our thoughts are, as ever, with his wife, Odette, his son, Ian, and his 3 grandchildren. I would ask Members to rise for a minute’s silence in his memory. May he rest in peace.”

1.3.2 Tribute to the late General Sir Peter Whiteley, G.C.B., O.B.E., D.L.

On 2nd February 2016, the Deputy Bailiff paid tribute to the late General Sir Peter Whiteley, G.C.B., O.B.E., D.L., former Lieutenant Governor of Jersey –



“It is with great sadness that Government House have heard of the death of General Sir Peter Whiteley, G.C.B., O.B.E. D.L., who died peacefully yesterday in hospital in England aged 95 years old. Sir Peter was Lieutenant Governor of Jersey from 1979 to 1984. Educated at Bembridge School, General Whiteley was commissioned as a Second Lieutenant in the Royal Marines in 1941. He was confirmed as a Lieutenant on 20th March 1942. General Whiteley was selected to become Commanding Officer of 42 Commando in 1965. He was then appointed Commander of 3 Commando Brigade in 1968. He became Commandant-General Royal Marines in 1975 and Commander-in-Chief Allied Forces Northern Europe in 1977. He served as Lieutenant Governor of Jersey from 1979 to 1984. He was welcomed to the States

in November of 1979 and the States paid tribute to him upon his retirement on 29th November 1984. He went on to become the Deputy Lieutenant of Devon and our thoughts today are with his wife, Nancy, and I would ask Members to rise for a minute’s silence in his memory.”

1.3.3 Tribute to the late Mr. Donald George Filleul, O.B.E.

On 22nd March 2016, the Deputy Bailiff paid tribute to the late Mr. Donald George Filleul, O.B.E., former Deputy of St. Helier No. 1 –



“As Members will be aware, Mr. Donald George Filleul, formerly a Member of this Assembly, died on Sunday, 20th March. Mr. Filleul was born in Jersey and was educated at Victoria College. He ran a family business, Filleul’s Business Equipment Limited, which sold stationery and office equipment. He served in the Honorary Police, and was first elected Deputy of St. Helier No. 1 on 20th December 1978. During his time in the States, Mr. Filleul served as President of the Public Works Committee, Vice-President of the Fort Regent Development Committee and of the Liberation Anniversary Committee and the Land Reclamation Committee. He served on the Policy Advisory Committee and was elected to the Executive Committee of the

Commonwealth Parliamentary Association, Jersey Branch, in 1983. He retired from this Assembly in 1987. While he was serving as President of Public Works the controversial decision was taken to flood Queen’s Valley and to create a new reservoir. Mr. Filleul served as Chairman of the Jersey Heritage Trust and the Waterfront Enterprise Board and was made an officer of the Order of the British Empire in 1999 for his services to the cultural and historical heritage of Jersey. Our thoughts today are with his wife, Veronica, and his son and daughter.”

1.3.4 Tribute to the late Mr. Francis Hamon, O.B.E.

On 22nd March 2016, the Deputy Bailiff paid tribute to the late Mr. Francis Hamon, O.B.E., former Deputy Bailiff and President of the States –



“As Members will also be aware, the former Deputy Bailiff and President of the Assembly, Francis Hamon, O.B.E. passed away over the weekend. Prior to taking up public office, Mr. Hamon was a leading member of the Jersey Bar, until he retired from practice as senior partner in Crill, Cubitt-Sowden and Tomes. He was appointed a Commissioner of the Royal Court by the then Bailiff, Sir Peter Crill, and served for some 20 years as a judge of the Royal Court. He also served as a Commissioner of the Jersey Financial Services Commission and was a chairman of the Jersey Arts Trust. It was, however, as Deputy Bailiff that he is remembered in this Assembly. He

was appointed to that office in 1995 to allow for an orderly succession because of the gap caused when Mr. Vernon Tomes left office. Mr. Hamon served in that office for some 6 years and the Island was fortunate that he was prepared to serve in that way at a time when he was contemplating retirement. In 2000 he was awarded an O.B.E. in the New Year’s Honours List. He will be remembered as a robust and efficient President and a man of great humour and courtesy, and our thoughts are with his widow, Sonia, and his family. May I accordingly ask Members to stand and observe a minute’s silence as a mark of respect and remembrance for both Mr. Filleul and Mr. Hamon? May he rest in peace.”

1.3.5 Tribute to the late Mrs. Jacqueline Jeannette Huet

On 11th October 2016, the Deputy Bailiff paid tribute to the late Mrs. Jacqueline Jeannette Huet, former Deputy of St. Helier No. 3/4 –



“As was announced from the Chair at the last Sitting, former States Deputy, Jacqui Huet, died the week before last. After a career in banking she was first elected as Deputy for St. Helier No. 3 District on 9th December 1993 and was subsequently re-elected in 1996, 1999 and 2002, ultimately leaving the Assembly following the election in 2008 having served for some 15 years. While in the Assembly she served on many committees,

including Planning, Harbours and Airport, Education and Housing, and she was the first ever Assistant Minister for Transport and Technical Services. She was a member of the Overseas Aid Committee from 1996, becoming President of that Committee in 2002 and then Chairman of the Overseas Aid Commission in 2005. Even when she left politics and was challenged by illness, she was active in the 2014 elections, organising seminars to encourage women to stand for the States. She is fondly remembered by those who served and worked with her for her straight-talking, her earthly sense of humour, infectious laugh and kind heart. As to her sense of humour, the Bailiff has no difficulty in remembering her turning round in the Chamber to offer him a toffee shortly after he had joined the Assembly as Attorney General, and then a minute later asking the Presiding Officer in her sweetest voice if the Attorney General might help on a point of law. She was a dedicated politician, dedicated to preserve the Island that she loved and committed to serving those whom she represented to the best of her ability. She was devoted to her husband and 2 children and our thoughts are with them. May I ask Members to rise for a minute in silence in memory of her? May she rest in peace.”

1.3.6 Tribute to the late Mr. Richard Winter Le Sauteur

On 12th December 2016, the Deputy Bailiff paid tribute to the late Mr. Richard Winter Le Sauteur, former Connétable of Grouville –

“Members may be aware that the former Connétable of Grouville, Mr. Richard Winter Le Sauteur, passed away last Tuesday on 6th December. Mr. Le Sauteur was elected as Connétable on 4th January 1989, following a career in the finance industry as managing director of Kleinwort Benson. A keen conservationist, at his first meeting of the Assembly on 24th January 1989 he was elected on to the Island Development Committee, as well as the Resources Recovery Board. Following the elections in 1990 he continued to serve on the I.D.C. and also joined the Gambling Control Committee. In 1991 he was chosen by Members to serve on the Sport, Leisure and Recreation Committee following the creation of that Committee. His last meeting of the Assembly was on 3rd March 1992. Our thoughts today are with Mr. Le Sauteur’s family. May I ask Members to rise for a minute in his memory? May he rest in peace.”

2. MEETINGS OF THE STATES



2.1 Length of meetings

The Assembly's 33 meetings in 2016 lasted for a total of 173 hours and 49 minutes: 14 hours more Sitting time than in 2015, but 70 hours less than in 2014.

The longest Sitting was on 30th September 2016, when the Assembly sat for 8 hours and 13 minutes, adjourning at 7.13 p.m. The shortest Sitting was, as usual, the ceremonial Liberation Day meeting, which lasted for 15 minutes.

2.2 Allocation of time

The Assembly's Sitting time was broken down as follows –

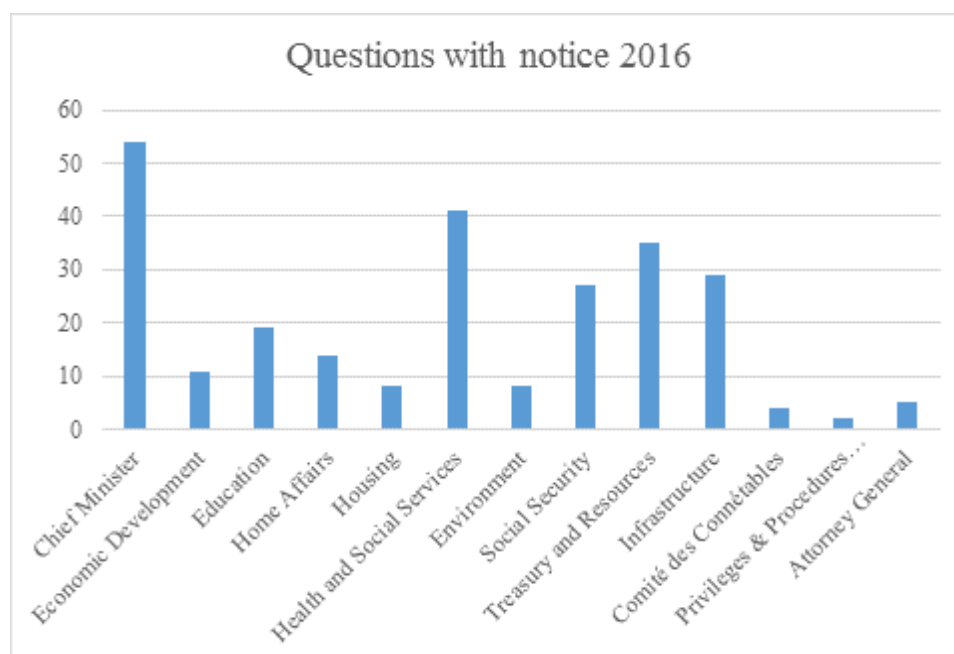
Roll call/Communications from the Presiding Officer	3h 54m
Notification of new reports, comments, propositions, amendments, petitions	40m
Appointments	10m
Notification of written questions	1h
Oral questions with notice	32h 59m
Urgent oral questions	1hr 7m
Oral questions without notice	9h 24m
Statements	7h 29m
Public Business (debate on draft legislation and non-legislation propositions)	114h 43m
Arrangement of business at future meetings	3h 23m
TOTAL SITTING TIME	173h 49m

2.3 Oral Questions with notice

Most oral questions with notice (in other words, where the question is published in advance) are asked on the first morning of scheduled meetings of the Assembly. Occasionally, urgent questions are allowed by the Bailiff, and these can be asked at other times. There were 5 urgent questions asked in 2016.

A total of 257 oral questions with notice were answered during the year, 46 more than in 2015. The largest number answered at one Sitting in 2016 was 19 oral questions on 2nd February. On 3 occasions, the time allowed for oral questions with notice was not sufficient for all of the questions which had been tabled, and 7 went unanswered at that time.

The breakdown of Ministers and other Members with official responsibility answering oral questions with notice was as follows –



2.4 Oral Questions without notice

Following the period of oral questions with notice at every scheduled States meeting there is a period of 30 minutes set aside for oral questions without notice to Ministers. Two Ministers answer for up to 15 minutes each on a rota basis, with the Chief Minister answering at every other States meeting. A total of 9 hours and 24 minutes was spent on oral questions without notice during the year.

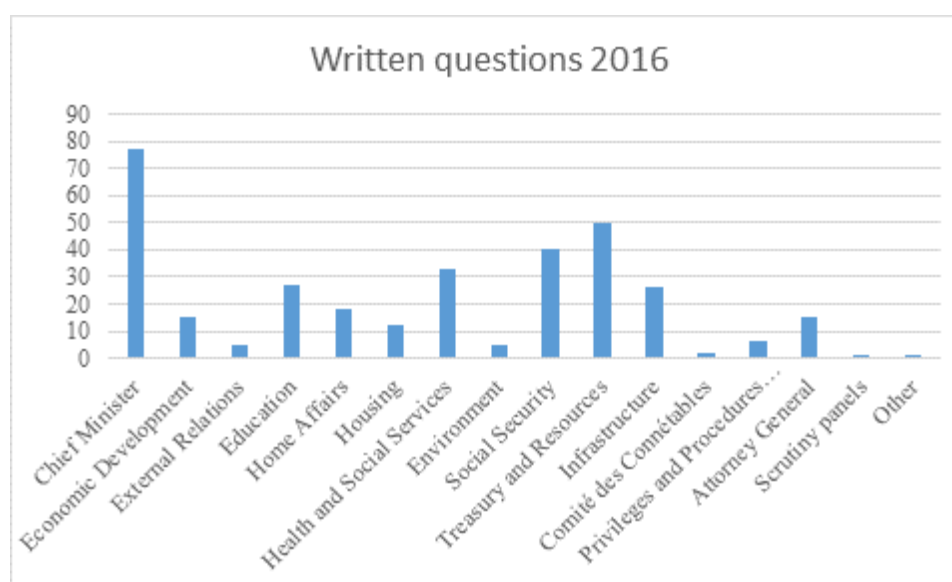
Ministers answered as follows –

Chief Minister	2h 27m
Economic Development, Tourism, Sport and Culture	43m
Education	28m
Environment	32m
External Relations	45m
Health and Social Services	39m
Home Affairs	44m
Housing	45m
Infrastructure	46m
Social Security	49m
Treasury and Resources	46m
Total	9h 24m

2.5 Written Questions

During 2016, 333 written answers were tabled, compared with 312 in 2015. The largest number tabled at one Sitting was 29, on 19th January.

The breakdown of Ministers and other Members answering written questions was as follows –



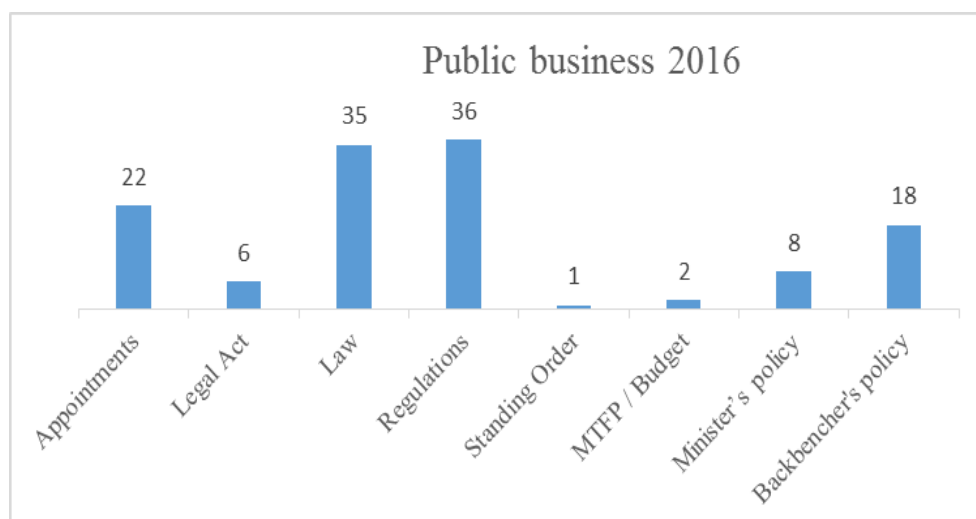
2.6 Statements

Twenty-seven statements were made in the Assembly during 2016, more than twice the number made in 2015. Eighteen were on matters of official responsibility, rather than personal or ceremonial statements, and 9 of these were made by the Chief Minister or an Assistant Chief Minister.

2.7 Public Business

During 2016, the Assembly spent a total of 114 hours and 43 minutes on Public Business – principally debating legislation and policy propositions. This was over 2 hours longer spent on this category than in 2015, and amounted to 66% of the Assembly’s total Sitting time.

The total number of propositions debated during 2016 was 128, compared to 151 in 2015. The breakdown of the number of each type of proposition debated during the year was as follows –



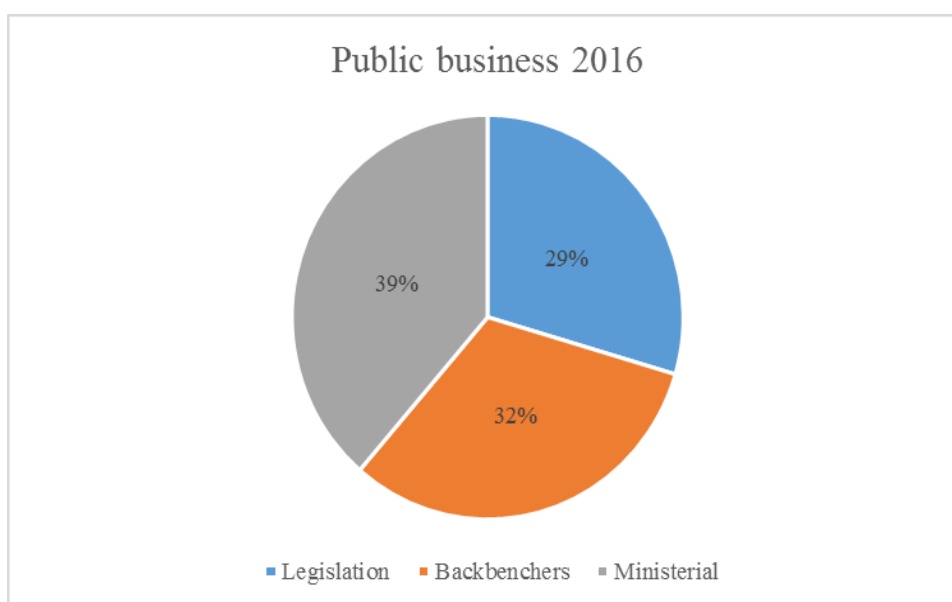
The total time spent on the various categories of proposition, and the average time spent per proposition in each category is shown in the following table –

	Total time	Average time per projet
Appointments	2h 22m	6m
Budget/Medium Term Financial Plan	36h 18m	18h 9m
Legislation:		
Acts (including Appointed Day Acts)	35m	6m
Laws	24h 30m	42m
Regulations	8h 45m	15m
Standing Orders	1m	1m
Ministers' policy matters	5h 48m	44m
Private Members' ("Backbenchers' ") policy matters	34h 40m	1hr 56m
SUB-TOTAL	112h 59m	
Debates held "In Committee" (no proposition)	1h 44m	
TOTAL	114h 43m	

If the time spent in debates is divided into 3 broad categories, namely –

- (i) draft legislation (Laws, Regulations, Acts and Standing Orders);
- (ii) ministerial policy and appointments; and
- (iii) private Members’ (“backbenchers’ ”) business,

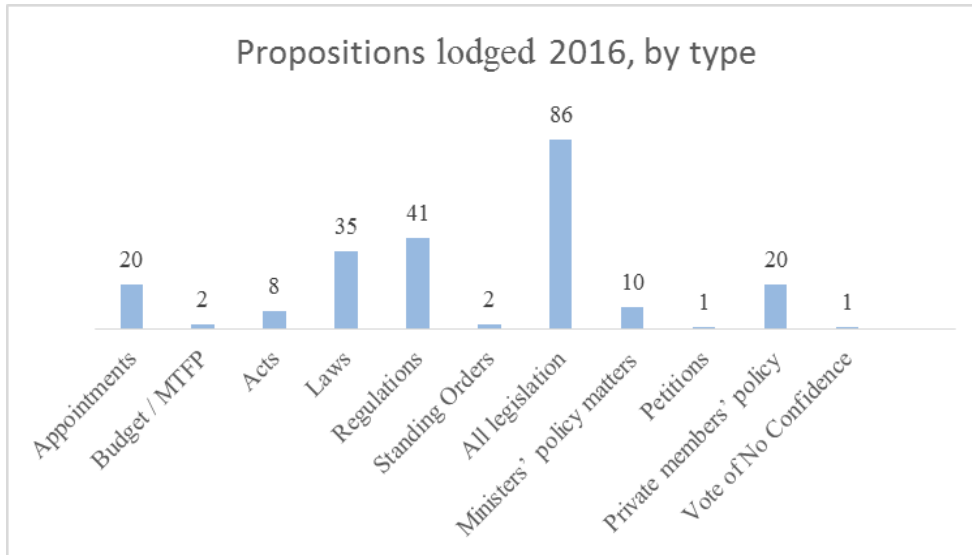
the percentage of time spent on each can be illustrated as follows –



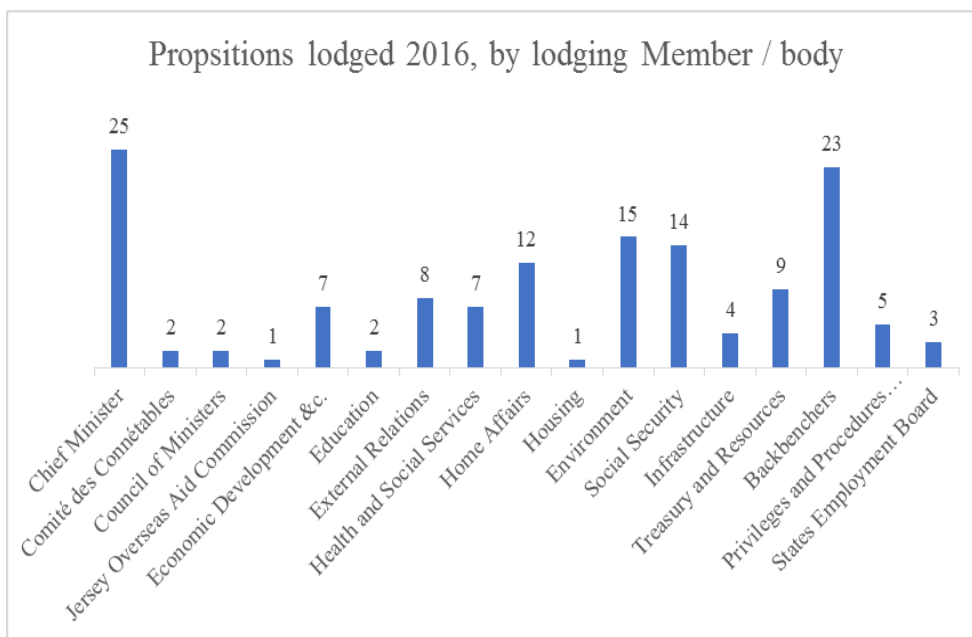
This demonstrates that the trend towards there being proportionately less time spent in the Assembly on backbenchers’ propositions, noted in the 2015 Annual Report, is continuing.

The number of propositions lodged ‘au Greffe’ during any year will always differ from the number of propositions debated, as some propositions that are debated during the year have been lodged in the last few months of the previous year and, similarly, some propositions lodged during a year will not be debated until the following year. In addition, there are a quite significant number of propositions lodged that are never debated, because they are withdrawn before coming to the Assembly. The number of propositions lodged during the year is nevertheless a useful indication of the level of activity, and can be compared from year to year.

During 2016, 140 new propositions were lodged, compared to 163 in the previous year (which was itself 18 fewer than in 2014).



The following chart shows who lodged propositions in 2016 –



Any proposition lodged can be subject to amendment and, in turn, amendments may themselves be subject to amendment. Forty-nine amendments were lodged in 2016 (compared to 55 in 2015 and 59 in 2014), and there were 12 amendments to amendments (compared to 10 in 2015 and 15 in 2014).

2.8 Significant debates during 2016

As stated in previous Annual Reports, it is clearly a subjective judgement for anyone to attempt to identify the most important or significant items debated by the Assembly during the year, as the relative importance of matters will depend largely on every person's individual and political opinions, but some of the items discussed by the Assembly that may be considered as the most significant were as follows.

Draft Dormant Bank Accounts (Jersey) Law 201- [P.25/2016](#) lodged by the Chief Minister , adopted by the States ([as amended](#)) on 28th June 2016)

The adoption of this draft Law enabled balances standing to the credit of “dormant” bank accounts (i.e. accounts where contact has been lost with the customer or where no instructions have been received from the customer for a period of at least 15 years) to be transferred from the banks to a central fund called the Jersey Reclaim Fund, from which monies can be paid out to support a number of charitable and other related purposes in the local community. This also enabled the setting-up of the post of Charities Commissioner for Jersey.

The purpose of the amendment to the draft Law, also lodged by the Chief Minister, was to require an Order to be made to set out statutory policies and procedures concerning the decision as to the amount of funds to be held back for dormant account holders who claim their money back, and the amount available to be distributed. Article 20 of the Law was substituted in its entirety by the amendment, which also allowed any part, or the whole of, Article 20 of the Law to be amended by Regulations in the future. The revised Article further ensures that a grant-awarding organisation independent of the Chief Minister must be appointed, by Order, to make decisions and distribute the monies from the Dormant Accounts Fund to worthy causes.

Draft Discrimination (Age) (Jersey) Regulations 201- [P.37/2016](#) lodged by the Minister for Social Security, adopted by the States on 24th May 2016)

These draft Regulations introduced the next protected characteristic (age) into the [Discrimination \(Jersey\) Law 2013](#), which already contained the protected characteristics of race, sex, sexual orientation, gender re-assignment, pregnancy and maternity. Having co-ordinated the work with other States' policies and strategies, such as changes to the Social Security pensionable age, the Minister proposed to introduce protection against age discrimination with effect from 1st September 2016, and protection against disability discrimination in 2018.

The States of Jersey Statistics Unit included questions about discrimination in the 2012 Jersey Annual Social Survey. A quarter of adults reported having been discriminated against in the previous 12 months, the 2 top grounds for discrimination being age (9%) and race or nationality.

The Minister issued a Consultation Paper in December 2015, inviting comments from stakeholders on the proposed scope of protection against age discrimination, and the exceptions that might be required to ensure that age can continue to be taken into

account when it is proportionate and reasonable to do so, and was pleased to receive a good response.

In jurisdictions worldwide, it is taken for granted that laws exist to protect people against discrimination. It is important that we have legislation in place to demonstrate internationally that Jersey is a jurisdiction that promotes modern standards of respect for individuals' rights and equality.

Draft Employment (Amendment No. 10) (Jersey) Law 201-
(P.38/2016 lodged by the Minister for Social Security,
adopted by the States (as amended) on 25th May 2016)

This draft Law amended the [Employment \(Jersey\) Law 2003](#) to introduce employment protection for Armed Forces Reservists; and made a number of other unrelated changes to that Law, including the introduction of additional employee compensation awards and the alignment of the unfair dismissal qualifying period for short, fixed-term contracts.

Jersey's Armed Forces Reservists consist of civilians from a wide range of industries, whose collective skills are used to reinforce Britain's Regular Armed Forces in the shape of the Jersey Field Squadron – Jersey's contribution to defence and part of an inter-governmental agreement.

It is understood that Squadron members generally have supportive employers, but the lack of specific employment protection is a potential barrier to the recruitment of reservists which can impact, not only on the number of reservists, but also on the breadth, professions and skill types of those who undertake reserve service. Reservists are expected to commit to up to 6 months' active service, plus pre-mobilisation training and de-mobilisation in any 5-year period. The period of active service is a maximum of 12 months in a 3-year period.

The following employment protections became available to Armed Forces Reservists on the commencement of this Law –

- a right to return to the same job or an equivalent job after a period of reserve service
- a requirement for the reservist to notify the employer of their intention to return to work
- protection of the reservist's period of continuous employment
- protection against unfair dismissal from Day 1 of employment, where dismissal is related to membership of a reserve force
- provision for an employer to fairly dismiss an employee who was contracted to temporarily replace a reservist.

The amendment to the draft Law, lodged by Deputy S.Y. Mézec of St. Helier, enabled the removal of all the clauses which would enable the States Assembly to set a lower minimum wage rate for people based on their age.

Draft Mental Health (Jersey) Law 201-
*([P.78/2016](#) lodged by the Minister for Health and Social Services,
adopted by the States on 13th September 2016)*

and

Draft Capacity and Self-Determination (Jersey) Law 201-
*([P.79/2016](#), lodged by the Minister for Health and Social Services,
adopted by the States on 14th September 2016)*

The draft Law replaces the [Mental Health \(Jersey\) Law 1969](#) with a modern Mental Health Law fit for purpose in the 21st Century. Although the 1969 Law has, from time to time, been updated in minor respects, it has not been updated comprehensively to reflect the many advances made in the care and treatment of people experiencing mental illness, or to afford the safeguards for their dignity and liberty that are available elsewhere.

The new Mental Health Law provides a modern and clear legal framework which safeguards the rights, dignity and wellbeing of people experiencing mental health problems, and also provides assurance of protection from harm to the Public.

A person's circumstances, or the availability of specialist services elsewhere in the British Isles, will sometimes mean that a person needs to be transferred to another place in the British Isles to receive care. The legislation in the UK and in Guernsey has already been extensively modernised, and it is important that Jersey's legislation keeps pace to ensure that people can access the care they need, when they need it, and with appropriate safeguards.

The absence of separate legal provision from the 1969 Law, to support the provision of care for people who lose capacity to make decisions for themselves, also failed to reflect the fact that people experiencing mental illness will usually engage with different services. Such people will typically be provided with different treatments compared with people who have a learning disability or physical injury or illness that causes mental disorder (e.g. dementia). For this and other reasons, the implementation of modern mental health legislation needed to be combined with an appropriate legal provision to support people who lose capacity to make decisions for themselves and whose needs will often be different.

In light of these challenges, it was agreed that a project should be undertaken, not only to replace the 1969 Law with a new Mental Health Law, but also to simultaneously develop a new draft Law to enable people to plan for a time when they may lose capacity to make their own decisions. This new Law would ensure that, in such a situation, a person no longer able to make their own decisions would be supported in continuing to determine their future to the fullest extent possible.

The consultation process for this project culminated in the development of the Draft Capacity and Self-Determination (Jersey) Law 201- alongside the Draft Mental Health (Jersey) Law 201-. The purpose of the Capacity and Self-Determination Law is to provide a legal framework for assessing whether a person has capacity to make a decision if they are supported to do so. In this respect, the Law promotes supported decision-making by the person affected, over decision-making by family members, carers and other professionals; but if a person does not have capacity to make a decision with support, then the Law provides a number of processes to ensure that any decision made for the person is made appropriately and in their best interests.

Draft Medium Term Financial Plan Addition for 2017 – 2019
([P.68/2016](#) lodged by the Minister for Treasury and Resources,
adopted by the States (as amended) on 30th September 2016)

The following amendments were adopted –

- [P.68/2016 Amd.\(4\)](#), Deputy J.A.N. Le Fondré of St. Lawrence
- [P.68/2016 Amd.\(5\)](#), part 1 only, Deputy J.A.N. Le Fondré of St. Lawrence
 - amended by [P.68/2016 Amd.\(5\)Amd.](#), Council of Ministers
- [P.68/2016 Amd.\(7\)](#), Deputy M. Tadier of St. Brelade

The Medium Term Financial Plan (“MTFP”) Addition for 2017 – 2019 contained a package of proposals designed to keep Jersey successful by planning prudently for the future. Its strategy was to focus the available funds on priority areas and to balance budgets by 2019, as advised by the Fiscal Policy Panel.

It followed the direction set for government by the States’ [Strategic Plan 2015 – 2018](#), which recommended that investment should be allocated to the agreed priority areas of health, education and St. Helier, whilst also upgrading the Island’s essential infrastructure, supporting the economy and keeping spending under control. The MTFP Addition concentrated on investing key public services and boosting economic growth and diversification.

The following parts of the proposition were approved by the States –

- The States’ expenditure, as set out in paragraph (a) of the proposition, for the financial years 2017 to 2019, with the provisos adopted that –
 - under the fourth amendment ([P.68/2016 Amd.\(4\)](#), lodged by Deputy J.A.N. Le Fondré of St. Lawrence), in relation to the Education Department, the introduction of Nursery Education Fund means-testing should apply in respect of all providers of nursery education; and
 - under the seventh amendment ([P.68/2016 Amd.\(7\)](#), lodged by Deputy M. Tadier of St. Brelade), the amount of £30,000 to fund the support of Jèrriais in 2017, 2018 and 2019 should be transferred from the Education Department to the Economic Development, Tourism, Sport and Culture Department.
- The States’ estimated income, expenditure, and minimum contribution to be made to the Consolidated Fund, in respect of the Jersey Car Parking and Jersey Fleet Management States trading operations for the financial years 2017 to 2019, as set out in paragraph (b) of the proposition.
- The withholding of consent to the application of resources for work on the development of ‘user pays’ charges in relation to domestic liquid and solid waste, other than work connected to the development and implementation of *commercial* liquid and solid waste charges, as set out in the new paragraph (c) of the proposition (*inserted by part 1 of [P.68/2016 Amd.\(5\)](#), lodged by Deputy J.A.N. Le Fondré of St. Lawrence, which in turn was amended by [P.68/2016 Amd.\(5\)Amd.](#), lodged by the Council of Ministers*).

- The endorsement of the total estimated non-cash net revenue expenditure for depreciation for States-funded bodies for the financial years 2017 to 2019, as set out in paragraph (d) of the proposition.

Under the **original paragraph (c)** of the proposition, the introduction of an income-based Health Charge to raise £7,500,000 in 2018 and £15,000,000 in 2019, with details of the charging mechanism and legislation to be proposed and debated as part of the Budget 2017, was **rejected** by the States. There was an equality of votes for this paragraph, being 23 pour and 23 contre, with one abstention, and the matter was therefore determined in the negative in accordance with Article 16(2) of the States of Jersey Law 2005.

Draft Social Security (Christmas Bonus) (Jersey) Regulations 201-
*([P.85/2016](#) lodged by the Minister for Social Security,
 adopted by the States on 11th October 2016)*

These draft Regulations provided for an extension to the [Social Security \(Bonus\) \(Jersey\) Law 2014](#) to deliver a Christmas bonus to claimants over pension age with limited financial means. A Christmas bonus will be payable to people who –

- are above pension age (currently 65, and set to increase in 2020);
- are in receipt of a Jersey old-age pension or hold an entitled status under the [Control of Housing and Work \(Jersey\) Law 2012](#);
- are ordinarily resident in Jersey – the bonus will only be paid to people living in Jersey and it cannot be exported;
- are not eligible to pay income tax;
- have household savings of under £30,000 (as well as income, the means test looks at the level of household assets, however, the value of the family home and normal household possessions are excluded from this test).

From 2017, individuals will need to apply for this bonus. Having made one successful application, the bonus will be payable in future years without the need for further paperwork from the individual.

On the commencement of the Regulations, transitional arrangements in 2016 provided a Christmas bonus to claimants who were included in the 65+ health scheme. A pensioner receiving income support would automatically receive a Christmas bonus with their regular income support payment.

Future Hospital: preferred site
*([P.110/2016](#) lodged by the Council of Ministers,
 adopted by the States on 1st December 2016)*

On adoption of this proposition, the States approved in principle as the site location for the new General Hospital, the current Jersey General Hospital site, with an extension along the east side of Kensington Place and other nearby sites, including Westaway Court, as set out in the Map in Appendix 1 to P.110/2016.

The Future Hospital will be the largest single capital investment in a generation. It will be a building that re-purposes the old Hospital site to provide a foundation for the

regeneration of part of St. Helier, both through the development of a health campus and through restoring to the public realm the setting of the original Hospital building. The preferred site location consists of the footprint currently occupied by Peter Crill House and Gwyneth Huelin out-patient buildings in the existing Hospital estate, together with certain properties adjoining the current Hospital and Patriotic Street Car Park on the east side of Kensington Place, together with the use of Westaway Court.

This area has been identified as the most viable option to maintain the safe continuing operation of the current Hospital while the Future Hospital is built, because it avoids the need to relocate high-risk services such as the Emergency Department and in-patient departments, and the need to refit or refurbish these high-risk services by disruptive and risky replacement of expensive building services. It also provides the ability to isolate the building work from the operational Hospital, thereby reducing risks of disruption to patient care associated with the construction.

Draft Budget Statement 2017

([P.109/2016](#) lodged by the Minister for Treasury and Resources, adopted by the States (as amended) on 14th December 2016)

The following amendments were adopted –

- [P.109/2016 Amd.](#), paragraph (i) only, *Deputy R. Labey of St. Helier*
- [P.109/2016 Amd.\(3\)](#), *Deputy S.Y. Mézec of St. Helier*
 - amended by [P.109/2016 Amd.\(3\)Amd.](#), *Minister for Treasury and Resources*
- [P.109/2016 Amd.\(4\)](#), *Senator S.C. Ferguson*
 - amended by [P.109/2016 Amd.\(4\)Amd.](#), *Minister for Treasury and Resources*
- [P.109/2016 Amd.\(5\)](#), *Deputy T.A. Vallois of St. John*
 - amended by [P.109/2016 Amd.\(5\)Amd.](#), *Minister for Treasury and Resources*

The adoption by the States of the Budget Statement 2017 set the estimate of income from taxation to be raised during 2017 through existing taxation measures and agreed changes to income tax, impôts duty, stamp duty, land transactions tax and vehicle emissions duty. An amendment of Deputy R. Labey of St. Helier to reduce the percentage increase on duty on all categories of alcohol was also adopted by the States.

The Budget Statement 2017 set heads of expenditure for capital projects commencing or continuing in 2017 for States trading operations, as well as for States-funded bodies; and also authorised net transfers from the Strategic Reserve Fund to the Consolidated Fund.

The amendment of Deputy T.A. Vallois of St. John inserted a new paragraph (e) in the proposition, to remove the *additional* personal tax allowance previously awarded to co-habiting couples with one child or more. The aim of this amendment was to remedy the situation of married couples having to pay more tax than co-habiting, unmarried couples living in equivalent circumstances. A minor amendment from the Minister for Treasury and Resources to this amendment, making the change to the tax allowance a gradual, rather than a sudden one, was also adopted.

Deputy S.Y. Mézec of St. Helier's amendment inserted a new paragraph (f) in the proposition, to ensure that landlords would no longer be entitled to claim the payment of their owner's parish rates on their rental properties as a business expense which they could use to reduce their taxable income and mitigate their income tax liability.

An amendment from the Minister for Treasury and Resources to this amendment was also adopted, which removed the restriction to residential properties and ensured that landlords of commercial properties would also be prevented from deducting the owner's rate when calculating their property income subject to income tax.

The amendment of Senator S.C. Ferguson was adopted, which inserted a new paragraph (g) in the proposition, to agree in principle that from 2018 a 20% tax on profit should be applied to all large retail businesses operating in Jersey, whether owned by Jersey resident companies or by non-resident companies, where taxable profits are above GBP 500,000 per annum. The Minister for Treasury and Resources' amendment to this amendment was also adopted, which removed the specifications of 'a 20% tax' and 'GBP 500,000', and replaced them with the non-specific terms: 'a higher rate of tax' and 'a certain threshold'.

Draft Finance (2017 Budget) (Jersey) Law 201-
([P.113/2016](#) lodged by the Minister for Treasury and Resources,
adopted by the States (as amended) on 14th December 2016)

The Draft Finance (2017 Budget) (Jersey) Law 201- gave effect to the proposals within the Draft Budget Statement 2017 ([P.109/2016](#)). Most Articles were adopted.

Article 17 of the draft Law **was rejected** by the States during debate. Article 17 would have amended Articles 17 to 19 of the [Rates \(Jersey\) Law 2005](#), with the effect of removing the exemption from liability of a public authority (including the States) to pay foncier and occupier's rates in respect of land which it owns and uses for public purposes. The proposed amendments to the Rates Law would have required parochial authorities (but not public authorities) to pay the Island-wide rates on land owned by them and used exclusively for parochial purposes. *Note:* all subsequent Articles in the Law were then renumbered as a result of Article 17's rejection.

The substitution of Article 22 (which increased duty on, separately: spirits, wines, beer and cider, including beer and cider produced by small independent brewers and cider-makers, and all other alcoholic beverages) with an amended Article (now numbered 21) was necessitated by the adoption by the States of paragraph (i) of Deputy R. Labey of St. Helier's amendment to the Draft Budget Statement 2017 ([P.109/2016 Amd.](#)). The substitution of the Article on '**Excise duty: alcohol**' was achieved by an amendment to the draft Law proposed by the Minister for Treasury and Resources during debate on the Articles.

International Agreements

The States again ratified a number of international agreements negotiated by the Government of Jersey, such as Tax Information Exchange Agreements and Double Taxation Agreements. Agreements ratified included those with –

- the Government of the Republic of Chile (*see* [P.90/2016](#))
- the Government of the Republic of Cyprus (*see* [P.91/2016](#))
- the Government of the United Arab Emirates (*see* [P.67/2016](#));

and the States also ratified the Multilateral Competent Authority Agreement on the Exchange of Country-By-Country Reports (*see* [P.119/2016](#)).

Private Members' propositions

Of the 24 new propositions lodged *au Greffe* by private Members in their own right during 2016 (as distinct from private Members' Amendments to lodged propositions), only 5 were adopted during 2016 by the States (4 adopted in full and one partially adopted). (Some of those lodged during 2016 were not due for debate until 2017, and are not therefore listed in this Report.) In addition, 3 private Members' propositions lodged during 2015 were debated and adopted in the first 2 months of 2016 (2 adopted in full and one partially adopted). All private Members' propositions adopted during 2016 are listed in the table below, along with a brief description of the outcome of their adoption by the States –

Details of Proposition	Outcome of adopted Proposition
<p><u>P.140/2015:</u> Concessionary bus fares for the disabled: discussions with LibertyBus. Lodged: 10th November 2015. <i>Deputy M. Tadier of St. Brelade.</i> Adopted (as amended by Deputy Tadier) 23rd February 2016.</p>	<p>The States agreed that individuals below pensionable age with a disability which prevents them from being able to drive should be entitled to a concessionary bus pass. The Minister for Transport and Technical Services (now Infrastructure) was requested by the States to enter into formal discussions with LibertyBus for the provision of concessionary bus passes for those with a prescribed disability which prevents them from being able to drive; and to bring proposals to the States detailing both the cost implications and the criteria to be met by applicants in order to access the new service.</p>
<p><u>P.150/2015:</u> Minimum Wage: revised hourly rate from 1st April 2016. Lodged: 26th November 2015. <i>Deputy S.Y. Mézec of St. Helier.</i> Paragraph (b) adopted 20th January 2016. <i>(Paragraph (a) was rejected.)</i></p>	<p>The Minister for Social Security was requested by the States to investigate the impact on the tax and benefits system of a significant rise in the minimum wage, sufficient to lift recipients out of relative low income, and to assess the impact that any changes arising from the introduction of the U.K.'s "National Living Wage" could have on the structure and level of Jersey's minimum wage, and to report to the States by December 2016.</p>
<p><u>P.155/2015:</u> Transcripts of 'in camera' debates: release to the Jersey Independent Care Inquiry. Lodged: 15th December 2015. <i>Deputy M.R. Higgins of St. Helier.</i> Adopted (as amended by Deputy Higgins and by PPC) 19th January 2016.</p>	<p>The States agreed, under S.O.160(4), that the following transcripts should be made available to the Independent Jersey Care Inquiry ("IJCI") to be used in accordance with the Inquiry's protocols and made public by the States Assembly at the same time –</p> <ol style="list-style-type: none"> (1) the Statement of the Minister for Home Affairs relating to the suspension of the Chief Officer of the States of Jersey Police ("SoJP") made "in camera" on 2nd December 2008 (including questions and answers relating to the Statement); (2) the Statement of the Minister for Home Affairs relating to the suspension of the Chief Officer of the SoJP made "in camera" on 10th March 2009

Details of Proposition	Outcome of adopted Proposition
	<p>(including questions and answers relating to the Statement);</p> <p>(3) the debate on P.9/2010 “Committee of Inquiry: suspension of the Chief Officer of the States of Jersey Police”, held “<i>in camera</i>” on 24th February 2010;</p> <p>(4) the debate on P.48/2012 “Statement made ‘in camera’ on 2nd December 2008: release of transcript”, held “<i>in camera</i>” on 26th June 2012;</p> <p>(5) the debate on P.182/2008 “Chief Officer of the States of Jersey Police: review of procedure regarding suspension”, held <i>in camera</i> on 21st January 2009.</p> <p>The States also agreed to grant leave to –</p> <p>(1) States Members to give evidence in respect of the proceedings of the States to the IJCI if called to do so; and</p> <p>(2) States Members, officers of the States and persons employed to take minutes before the States or any committee or panel established under Standing Orders, to give evidence in respect of the proceedings of the States to the IJCI if called to do so.</p>
<p>P.10/2016: Public Elections: electronic voting. Lodged: 18th February 2016. <i>Deputy G.P. Southern of St. Helier.</i> Adopted (as amended by Deputy Southern and by PPC) 22nd March 2016.</p>	<p>PPC, in conjunction with the Comité des Connétables, and other government bodies as appropriate, was requested by the States to research and trial electronic voting systems in order to introduce methods for electronic voter registration; and safe and secure mechanisms to enable eligible voters, who wish to do so, to vote electronically, as soon as practicable; and to report their progress to the States annually.</p>
<p>P.40/2016: Collective Responsibility Statements: propositions lodged by a Minister. Lodged: 12th April 2016. <i>Deputy S.M. Wickenden of St. Helier.</i> Adopted (as amended by Deputy Wickenden) 14th June 2016.</p>	<p>The States agreed that the Standing Orders of the States of Jersey should be amended to require that any proposition lodged by a Minister should include a statement detailing which Ministers and Assistant Ministers are bound to vote in accordance with collective responsibility in respect of the proposition.</p> <p>PPC was requested to bring forward for approval the necessary amendments to the Standing Orders of the States of Jersey to give effect to the proposal.</p> <p>This ultimately resulted in PPC lodging the Draft Amendment (No. 30) of the Standing Orders of the States of Jersey (P.126/2016) which was adopted by the States (and came into force) on 18th January 2017.</p>

Details of Proposition	Outcome of adopted Proposition
<p><u>P.53/2016:</u> States' approval of Assistant Ministers' appointments. Lodged: 24th May 2016. <i>Deputy J.A. Martin of St. Helier.</i> Adopted (as amended by the Chief Minister) 12th July 2016.</p>	<p>The States agreed that the Chief Minister should consider further improvements to the machinery of government, including proposals that –</p> <ol style="list-style-type: none"> (1) the Chief Minister must obtain the States' approval of the appointment of his or her Assistant Minister(s); (2) the States' approval should be obtained for the appointment of Assistant Ministers at the same time as the relevant Minister; (3) before dismissing an Assistant Minister, a Minister must obtain the Chief Minister's consent; (4) the roles of Assistant Ministers and the work of those Members undertaking these roles be further enhanced; (5) the process for allocating portfolios to Ministers and delegated responsibilities to Assistant Ministers be improved. <p>The States also requested the Chief Minister to bring forward for approval within the next 6 months the necessary amendments to the States of Jersey Law 2005 to give effect to the proposals, consulting with PPC as necessary.</p>
<p><u>P.63/2016:</u> Outsourcing policy: safeguards. Lodged: 14th June 2016. <i>Deputy G.P. Southern of St. Helier.</i> Adopted 12th July 2016.</p>	<p>The Chief Minister was requested to ensure that the safeguards listed in paragraphs 17 and 20 of the report dated 4th May 1999 of the then Policy and Resources Committee, adopted by the States on 22nd June 1999 within P.59/1999, Outsourcing Policy, will apply to current and future outsourcing activity; and he was charged with establishing a common framework within which all departments should determine their outsourcing arrangements, based on agreed principles.</p>
<p><u>P.92/2016:</u> Zero-hours contracts. Lodged: 1st September 2016. <i>Deputy S.Y. Mézec of St. Helier.</i> Paragraph (a) adopted 16th November 2016. <i>(Paragraph (b) was withdrawn.)</i></p>	<p>The States agreed that 'exclusivity clauses' (clauses in an employment contract which prohibit the employee from taking up work with another employer, regardless of whether that employee has guaranteed hours as part of their employment contract) in zero-hours contracts should be prohibited. Such clauses in zero-hours contracts have been unenforceable in the U.K. since 26th May 2015.</p>

3. PRIVILEGES AND PROCEDURES COMMITTEE



3.1 Membership

The membership of the Privileges and Procedures Committee (PPC) during 2016 was as follows –

Connétable L. Norman of St. Clement (*Chairman*)
Senator P.F.C. Ozouf
Connétable D.W. Mezbourian of St. Lawrence (*Vice-Chairman*)
Connétable C.H. Taylor of St. John
Deputy J.A. Martin of St. Helier
Deputy S.Y. Mézec of St. Helier
Deputy S.M. Brée of St. Clement

3.2 Meetings

The Committee held 17 formal meetings during the year and recorded another 13 meetings as telephone/electronic-mail meetings. Meetings were normally held on a monthly basis in the meeting rooms in the States Building.

3.3 Significant items dealt with by the Committee

The Committee dealt with a number of different matters during the year. Some of the most significant of these were as follows –

- **Composition and Election of the States:** PPC had established a sub-Committee in 2015 which comprised the Chairman of PPC, Connétable L. Norman, the Vice-Chairman, Connétable D.W. Mezbourian, Senator P.F.C. Ozouf and Deputy S.Y. Mézec of St. Helier, and was supported by an officer group including the Deputy Greffier of the States, the Chief Officer of the Community and Constitutional (Home) Affairs Department, and the Director of Constitutional Affairs and Justice Policy. Draft proposals were presented to the main Committee during 2016, but it proved impossible for a consensus to be reached as to which options should be put before the Assembly.
- **Standing Orders reform:** PPC's other Sub-Committee (Senator P.F.C. Ozouf and Deputy J.A. Martin of St. Helier, supported by the Assistant Greffier of the States) put forward a number of amendments to improve Standing Orders and internal procedures which were anticipated would be lodged in early 2017.
- **Web-Streaming/filming the Assembly and the introduction of clocks:** Following the States' approval of [P.39/2015](#) ('States Assembly: filming proceedings and the installation of clocks') on 2nd June 2015, a tender process was undertaken, and webcasting of the meetings of the States commenced on 13th September 2016. The installation of a display clock proved more complicated, and throughout 2016 efforts were made to find a supplier able to provide the desired functionality.
- **Complaints in relation to States Members under the Code of Conduct:** The Committee dealt with several complaints made against States Members regarding alleged breaches of the Code of Conduct for States Members. In most instances, the complaints were determined to be unfounded and were not progressed beyond initial discussions amongst the Committee.
- **Commissioner for Standards:** A revised version of the Draft Commissioner for Standards (Jersey) Law 201- ([P.87/2016](#)) was lodged by the Committee during 2016 and was due to be debated in early 2017.
- **Electronic Registration:** In March 2016 the States approved a proposition of Deputy G.P. Southern of St. Helier entitled 'Public Elections: electronic voting' ([P.10/2016](#)) which had requested the Committee to work with the Comité des Connétables and other bodies to research and trial electronic voting systems. It was proposed that Jersey should aim for automatic elector registration based on the People Directory, a database under development as part of the e-Gov programme. The Committee presented a report in relation to this matter at the end of 2016 – 'Public Elections: electronic voting – electoral registration review' ([R.127/2016](#)). It was not possible to guarantee that the new system would be working appropriately in time for the 2018 elections, and it was envisaged that there would be a period when the current and new systems would operate in tandem.
- **Complaints Board:** The members of the independent Complaints Panel continued to review the actions of ministerial departments referred to them by complainants throughout 2016. The Committee extends its thanks to the members of the Panel, who carry out their work in an honorary capacity.

- **Challenge to Summons:** In September 2015 there was a challenge to a Summons served by the Corporate Services Scrutiny Panel on the States of Jersey Development Company. Regulation 6 of the [States of Jersey \(Powers, Privileges and Immunities\) \(Scrutiny panels, PAC and PPC\) \(Jersey\) Regulations 2006](#) established that any challenge had to be considered by the Committee and they did so during 2016, determining in May 2016 to uphold the Summons ('States of Jersey Development Company: challenge to a Summons dated 12 August 2015 issued by the Corporate Services Scrutiny Panel – decision of the PPC', [R.54/2016](#) refers).
- **Parliamentary Privilege:** Following concerns expressed by the Chairmen's Committee regarding the lack of action afforded to third parties mentioned in Scrutiny proceedings, it was agreed that a review of parliamentary privilege should be undertaken, and Sir Malcolm Jack, former Clerk to the House of Commons, was appointed to undertake the necessary work.
- **Senatorial by-election:** the Committee oversaw the www.vote.je registration and voter campaign associated with the 2016 autumn by-election which was called when Senator Zoe Cameron resigned.
- **Draft Referendum (Jersey) Law 201-:** Arising from its review of public election law, the Committee considered changes to the [Referendum \(Jersey\) Law 2002](#) in order to provide for the designation of campaign groups in referenda, the regulation of spending, and the provision of advice on the questions asked in referenda, in line with international best practice. A proposition was due to be lodged in early 2017 in which it would be recommending the establishment of a standing referendum commission which would assess the suitability of the wording proposed for the referendum question and also designate the lead campaign groups for each side in a referendum.
- **Voting Rights for Prisoners:** The Legislation Advisory Panel raised this matter with PPC in May 2016, and it was decided to bring forward a draft Law to enfranchise some convicted prisoners. The Draft Public Elections (Amendment No. 7) (Jersey) Law 201- ([P.124/2016](#)) was subsequently lodged *au Greffe* on 23rd November 2016 and sought to enfranchise convicted prisoners who were registered to vote if they were serving sentences of 4 years or less. Prisoners sentenced for more than 4 years would remain disenfranchised, as would prisoners on the run.

4. SCRUTINY PANELS AND PUBLIC ACCOUNTS COMMITTEE

4.1 Chairmen's Committee President's Foreword

It has been very satisfying to see the valuable work undertaken across the Scrutiny function by my colleagues in 2016, and to continue to make my own contribution as Chairman of the Corporate Services Panel and President of the Chairmen's Committee. Scrutiny has now become an influential and increasingly respected feature of the machinery of government in Jersey, performing a vital role on behalf of the States Assembly (and therefore the Public) in providing a check and balance to the decisions and policies of the Council of Ministers.



We have continued to work on ways to further improve the standing and effectiveness of Scrutiny, notably through ongoing work to improve the codified framework within which the Panels and Committees operate, but also through initiatives such as holding all-States Member briefings on publication of Scrutiny Reports, as routinely undertaken for example by the Corporate Services Panel. We envisage proposing a package of improvements to the Scrutiny Code of Practice, Standing Orders and relevant legislation in due course. This includes recommendations made by the Chairmen's Committee to PPC to improve the process of legislative scrutiny, and to ensure that Panels are afforded adequate time and authority to scrutinise all Propositions that they identify the need to examine.

In addition, the Chairmen's Committee has been mindful of trying to ensure that Scrutiny Members have appropriate recognition and resources to effectively carry out their role, beyond just overarching budget and staff resource matters. Areas addressed have included improvements to the facilities in the designated Scrutiny rooms, and minor, but nonetheless helpful, initiatives such as the provision of business cards and assistance with scrutiny-related communications expenses for Scrutiny Chairmen (on a comparable level to Ministers).

Panels and Committee have remained very conscious of facilitating community access to and involvement with our work. Many initiatives were undertaken over the course of the year, including holding evening public meetings at various locations across the Island, an enhanced social media presence, high-profile Island-wide surveys, inviting the Public to submit questions that Panels ask Ministers at Public Hearings, and the trial filming of a Public Hearing which was made available to view on our website. The Chairmen's Committee has subsequently supported proposals to deliver webcasting of all Scrutiny Public Hearings, a project that will be further developed in 2017. This will coincide with the ongoing project to significantly enhance the Scrutiny/States Assembly website.

Despite the positive public standing of Scrutiny and the undoubted influence that Panels and Committees have had on improving policy and legislation, certain challenges remain that serve to unduly frustrate this important work. Most significant amongst these remains access to information, especially from States Departments or States-owned bodies, which should be provided without resistance in line with approved procedures and rules established by Standing Orders and the Code of Practice for Scrutiny Panels, or associated legislative powers. Whilst it is often the case that information is provided as required, on too many occasions this is not so. It is in nobody's interest for compliance with such requests for information to be unduly protracted, given the expectation, and requirement, for full and timely provision of information.

By way of example, it was regrettable that the Corporate Services Scrutiny Panel was left with no option but to issue a Summons to the States of Jersey Development Company ("SoJDC") to provide information required for its review of the Jersey International Finance Centre, the first such use of those powers by a Scrutiny Panel. SoJDC challenged the Summons, and a Hearing was heard by PPC in January. PPC published its decision in May, upholding the Panel's right of access to the requested information, to which SoJDC was obliged to comply, and duly provided the information. It is my sincere hope that Ministers and States-owned entities take note of such obligations, and that in future there is less contention and more pro-active co-operation with information requests.

I would like to thank all Members who have served so effectively in Scrutiny and with the PAC throughout the year, doing so in accordance with the important principles of objectivity and transparency, without fear or favour. I also thank the staff of the States Greffe's Scrutiny Office for their continued efforts working on our behalf.

Deputy J.A.N. Le Fondré of St. Lawrence
PRESIDENT, CHAIRMEN'S COMMITTEE
(Chairman, Corporate Services Scrutiny Panel)



4.2 Annual Reports of the Scrutiny Panels and the PAC



4.2.1 CHAIRMEN'S COMMITTEE

Introduction

The Chairmen's Committee has responsibility for maintaining oversight of the work of the Scrutiny Panels/Sub-Panels/Review Panels and the PAC, and monitoring Scrutiny expenditure. The membership of the Committee comprises the Chairmen of the 5 Scrutiny Panels and the Chairman of the PAC.

2016 Priorities

In addition to its general oversight responsibilities, the primary focus of the Committee throughout the year has been leading progression of the replacement documents for the existing Code of Practice for Scrutiny Panels and the Public Accounts Committee. This is a considerable piece of work that will see the creation of separate Codes of Practice: one for Scrutiny Panels/PAC engagement with the Executive, and the other to cover Scrutiny/PAC's own internal procedural matters. The work and necessary liaison with the Chief Minister is ongoing, and the Engagement Protocol and Proceedings Code should be presented to the States during 2017.

As part of its work to revise the Code of Practice for Scrutiny Panels and the PAC, the Chairmen's Committee also identified possible associated amendments to the [States of Jersey \(Powers, Privileges and Immunities\) \(Scrutiny Panels, PAC and PPC\) \(Jersey\) Regulations 2006](#). The underlying aim of any amendments is to bring Jersey's Scrutiny function in line with practice seen in other jurisdictions, notably for instance within the U.K. Select Committee system. This has included ongoing work regarding the ability for Scrutiny Panels and the PAC to place witnesses on oath, and an evolving piece of work around Assembly privilege as extended to Panels and the PAC.

The matter of privilege has since been referred to the Greffier of the States and PPC, as it became clear that the wider framework of privilege covering all States Assembly business would benefit from further attention.

Review Panels

Residential Property Transactions Review Panel:

2016 has seen the Chairmen's Committee establish the first example of a 'Review Panel'. These are Panels that the Chairmen's Committee can establish outside the framework of the 5 permanent Panels and PAC, comprising any non-Executive Members to consider specific topics within a certain timeframe.

The Residential Property Transactions Review Panel has been established to examine issues raised with the system of buying and selling residential properties in Jersey.

They were regarded as having scope to cause significant and avoidable cost, stress and frustration for buyers, sellers and third parties. They were also perceived as having scope to depress property market activity and to discourage prospective purchasers from entering the market.

The Panel is being led by Deputy R.D. Johnson of St. Mary, accompanied by Panel members Deputy A.D. Lewis of St. Helier, Deputy R.J. Renouf of St. Ouen and Connétable M.P.S. Le Troquer of St. Martin. The Panel has been gathering evidence from a range of stakeholders and is expected to report in 2017.

4.2.2 CORPORATE SERVICES SCRUTINY PANEL

INTRODUCTION

The Corporate Services Scrutiny Panel’s remit is to look into matters relating to policies and actions brought forward predominantly by either the Chief Minister, the Minister for Treasury and Resources, or the Minister for External Relations. The Panel also looks at other areas that are matters of public interest.



PANEL REVIEWS IN 2016

Jersey International Finance Centre (“JIFC”)

Following publication of an interim report in October 2015, the Panel continued to work throughout the year on its final report on the JIFC.



The Panel encountered a number of challenges in obtaining access to confidential documentation relevant to the review. This had culminated in the Panel serving a Summons on the States of Jersey Development Company (“SoJDC”) in 2015. The SoJDC lodged a challenge to the Summons, and the Hearing before PPC took place in

January 2016. PPC published its decision in May 2016, which gave the Panel right of access to the confidential documentation, subject to certain conditions.

This was the first time that a Scrutiny Panel had been compelled to issue a Summons in order to obtain information. The outcome of the Summons appeal upheld the right of access for Scrutiny to information relevant to its work.

The process was extremely time-consuming and caused a significant amount of additional work. The Panel has recommended that changes are made to the rules governing information held by arm's-length States-owned entities to ensure that in future, appropriate access is afforded to parliamentarians scrutinising the activities of these publicly-owned assets.

Having reviewed the confidential documentation, the Panel commenced the drafting of its final report, which was subsequently published in July 2017.

Medium Term Financial Plan (“MTFP”) Impact Assessments

The Panel conducted a short desktop review of the Council of Ministers’ proposals for assessing the distributional impact of measures contained within the MTFP Addition. The Panel engaged the Chartered Institute of Public Finance and Accountancy (“CIPFA”) to undertake a review, and CIPFA’s work was published alongside the Panel’s own report in May 2016.

Medium Term Financial Plan Addition 2017 – 2019 ([P.68/2016](#))

The MTFP Addition is a key part of the States’ financial planning, and sets the expenditure levels for States Departments for a 4-year period. The MTFP Addition set out the detailed expenditure plans for States Departments for the period 2017 – 2019, within the framework set out by the MTFP 2016 – 2019 which was agreed in 2015. Building on its work in 2015, the Panel reviewed the proposals contained within the



MTFP Addition, and presented its report to the States in September 2016. The Panel engaged the services of the same 2 advisers used in 2015: CIPFA and MJO Consultancy Limited.

The Corporate Services Scrutiny Panel took the lead in reviewing the MTFP Addition, by looking at the overarching themes as well as the detailed expenditure plans of the Treasury, External Relations and Chief Minister’s Departments. Each of the other Scrutiny Panels reviewed the expenditure plans of departments within their own remits. The overarching themes reviewed by the Panel included economic forecasts and income forecasts, growth expenditure and the impact of proposed charges. The Panel held Public Hearings with the Chief Minister and Minister for Treasury and Resources as part of the review.

During the course of the review, the Panel’s advisers raised concerns about the high rates of funded vacant posts across the States. The Panel lodged an amendment to the MTFP Addition to reduce the vacancy rate, which was rejected by the States Assembly.

Draft Budget 2017



The Draft Budget Statement was lodged *au Greffe* on 18th October 2016 and debated on 13th December 2016. It contained proposals from the Minister for Treasury and Resources in respect of taxation, capital expenditure and, more generally, the fiscal framework. The Panel received a number of submissions from key stakeholders, particularly in relation to rises in duty on alcohol and tobacco. The Panel also held hearings with the Minister for Treasury and Resources and engaged the services of CIPFA and MJO Consulting as expert advisers. The Panel's report was presented to the States on 9th December 2016.

Future Hospital Sub-Panel

Two members of the Panel (Deputy J.A.N. Le Fondré of St. Lawrence and the Connétable of St. John) sat on the Future Hospital Sub-Panel, which reviewed the progress of the Future Hospital project and the decision to rebuild the hospital on the existing site.



Future Hospital Funding Strategy

The Future Hospital Funding Strategy was lodged in November 2016. The Panel started the work to procure suitable advisers during December 2016. The majority of the Panel's work was subsequently undertaken in 2017, following a decision by the States Assembly to formally refer the matter for scrutiny.

ADDITIONAL WORK

The Panel met 73 times during the year. In addition to its review work, the Panel received private briefings and information on a number of other topics, including JT Group, e-Gov, 2015 out-turns, Income Forecasts, College Gardens and JIFC Building 5.

The Panel also held regular quarterly Public Hearings with the Chief Minister and the Ministers for Treasury and Resources and External Relations. These Hearings were focused on the relevant Minister's overall workload, and gave an insight into the areas currently being worked on in each Department. The Panel also gave one briefing to States Members during the year (in relation to its report on the MTFP Addition).

In June 2016, the Panel invited members of the Public to send in questions to be put to the Chief Minister at a quarterly Hearing. This received a good response, with the majority of questions relating to student loans. The initiative was repeated in 2017 and was also taken up by other Scrutiny Panels. During the year, the Panel increased its engagement with social media, including live-tweeting updates from quarterly Public Hearings.

4.2.3 ECONOMIC AFFAIRS SCRUTINY PANEL

INTRODUCTION

The Panel's remit covers all matters relating to the policies and actions of the Minister for Economic Development, Tourism, Sport and Culture (following the transfer of functions which came into effect at the beginning of January 2016). In addition, the Panel retains responsibility for the scrutiny of Financial Services, Digital, Competition and Innovation, previously administered by the Economic Development Department, but since transferred to the Chief Minister's Department.

REVIEWS

The Panel undertook the following reviews during 2016:

Dormant Bank Accounts



The Draft Dormant Bank Accounts (Jersey) Law 201- ([P.25/2016](#)) was lodged by the Chief Minister on 15th March 2016. The Panel received a briefing on the draft law from the Assistant Chief Minister with responsibility for Financial Services (Senator P.F.C. Ozouf) and departmental officers on 5th April 2016, when the Panel indicated that it intended to review the matter. As the Assistant Chief Minister was reluctant to delay the debate, it was decided that the Panel would call it in to allow

sufficient time to scrutinise its provisions. The principles were subsequently approved by the States on 26th April 2016, at which point the draft Law was called in for scrutiny.

The reasoning behind the Law was a concern that dormant bank accounts in Jersey might be swept up into the U.K. Reclaim Fund. While the relevant U.K. law did not include Jersey or other Crown Dependencies, it was thought that Jersey could potentially be drawn into the U.K. scheme by default, if it could not demonstrate that it planned to bring in its own legislation. Local branches of major banks based in the U.K. could have been required to identify dormant accounts according to U.K. rules and transfer funds back to the U.K. for eventual distribution. This could have meant that local charitable causes would not have been able to benefit from locally-based dormant accounts.

The Panel's review considered a range of issues, including –

- the appropriateness of the legislation in respect of different classes of unclaimed private assets
- the definition of dormancy
- action to be taken by banks to identify owners of dormant accounts

- the balance to be struck between the distribution of capital and income accruing to the Fund
- how to determine what causes should benefit from the Fund.

The Panel met with witnesses from the Jersey Bankers’ Association (“JBA”), the Jersey Financial Services Commission (“JFSC”), and officers from the Department of Economic Development, Tourism, Sport and Culture (“EDTSC”) and the Chief Minister’s Department in May 2016. Subsequently, another detailed discussion took place with the Assistant Chief Minister and officers on 9th June 2016. Following that meeting, in response to comments made by the Panel, the Chief Minister lodged an amendment to the draft Law ([P.25/2016 Amd.](#)) on 14th June. The Panel presented Comments on the draft Law on 24th June ([P.25/2016 Com.](#)), indicating Members’ support for the proposition as amended. The draft Law was adopted by the States on 28th June 2016.

Harmful Telecommunications

The Panel called in [P.19/2016](#) (Draft Telecommunications (Amendment No. 3) and Crime (Miscellaneous Provisions) (Jersey) Law 201-) for scrutiny on 12th April 2016 following a debate on the principles, which were approved by the States.

The Panel received a briefing from departmental officers and the Assistant Chief Minister with responsibility for Digital (Senator P.F.C. Ozouf) on 5th April. Members subsequently met with representatives of the States of Jersey Police, and officers from the Chief Minister’s Department, Community and Constitutional Affairs and the Law Officers’ Department to discuss the issues in detail. A Public Hearing with the Chief Minister and the Minister for Home Affairs followed on 26th May.



The Panel’s review considered the reasons for the proposed legislative changes, their fitness for purpose and likely outcomes. It did not focus on the nature of the crimes they were designed to address, or the incidence of such crimes in Jersey, although members were aware of concerns about the increasing incidence of online crimes elsewhere.

The Panel heard that, in many cases, existing legislation allowed for the prosecution of crimes committed online. However, Jersey’s previous Attorney General had expressed concern that there might be a gap in legislation in the Island. The types of offences being committed online were evolving, and means of communication were also changing with the uptake of new technology and ever-increasing use of social media. There was some doubt as to whether existing legislation would continue to be fit for purpose in the changing circumstances.

This led to consideration of how legislation could be ‘future-proofed’ against technological and behavioural changes. It was felt that the opportunity should be taken to improve provisions, so that they would not be overtaken by future developments. The Panel presented Comments on the Proposition to the States on 10th June ([P.19/2016 Com.](#)), which concluded that the amendments proposed in P.19/2016 were proportionate and fit for purpose, and highly unlikely to have any

negative impact on freedom of speech, a potential concern raised by other States Members. The legislative changes were subsequently approved when the debate resumed on 14th June 2016.

Draft Medium Term Financial Plan Addition 2017 – 2019

The Draft Medium Term Financial Plan Addition for 2017 – 2019 ([P.68/2016](#)) was lodged by the Council of Ministers on 30th June 2016. The implications of the MTFP Addition for Economic Development, Tourism, Sport and Culture were discussed in detail with the Minister at a Quarterly Public Hearing with the Panel on 6th July. Members subsequently received a private briefing from the Assistant Chief Minister (Senator P.F.C. Ozouf) and his officers on 27th July concerning the areas of Financial Services, Digital, Competition and Innovation.

The Panel received advice and assistance with its review from Mr. Stuart Fair of CIPFA, who also assisted other Panels with their work on the MTFP Addition. Mr. Fair provided a written report to the Panel which was included with Panel Comments on the Proposition presented to the States on 23rd September ([P.68/2016 Com.\(2\)](#)), prior to the debate which commenced on 27th September.

OTHER WORK

Financial Services

Other matters relating to Financial Services given close consideration by the Panel during the year included draft legislation for the Regulation of Virtual Currency, Bank Recovery and Resolution and the Limited Liability Partnerships Law. The Panel was provided with detailed briefing papers and met with officers of Financial Services and the Assistant Chief Minister concerning these matters, which in some instances resulted in changes to the draft legislation, although formal reviews were not carried out.



Fast Ferry Service

The Panel also maintained a close watch on developments with the Fast Ferry Service, particularly in respect of the northern route, following concerns raised in 2015. At the beginning of the year, the Minister for Economic Development, Tourism, Sport and Culture announced that a Comprehensive Service Review would be brought forward to start in February 2016, while a separate benchmarking review by the Harbourmaster was already under way. In the circumstances, it was considered inappropriate for the Panel to continue with plans for a review of its own, but members continued to monitor progress in quarterly Public Hearings with the Minister.



Draft Liquor Licensing (Jersey) Law 201-



Early in 2016 the Panel agreed that this would be the subject of its first review for the year, having been advised by EDTSC that the draft Law was well-advanced.

Unfortunately, the process of drafting extended as the year went on, and ultimately it was realised

that the draft Law would not be lodged before the end of the year, so the planned review did not take place.

Rural Economy Strategy (“RES”)



The Panel was also expecting to review a new RES in 2016, following the extension of existing arrangements from the end of 2015 for an extra year by the Minister for EDTSC. It was naturally anticipated that the new strategy would be ready for review some time before the end of 2016, to enable its implementation from the beginning of 2017. However, during the year it became clear that, despite expectations, the new RES would not be ready for review before the end of 2016. This was partly explained by the Department as being a result of the need to await the approval of the MTFP Addition, to ensure that appropriate funding would be available for the new strategy. The Panel agreed to defer its review until 2017.

4.2.4 EDUCATION AND HOME AFFAIRS SCRUTINY PANEL

CONSTITUTION

On 1st January 2016, the constitution of the Education and Home Affairs Scrutiny Panel comprised 3 Members –

Deputy L.M.C. Doublet of St. Saviour, *Chairman*

Deputy J.M. Maçon of St. Saviour, *Vice-Chairman* to 14th October 2016

Deputy S.Y. Mézec of St. Helier.

On 15th February 2016, Deputy T.A. Vallois of St. John joined the Panel and became *Vice-Chairman* from 15th October.

In a decision taken on 15th September, the Panel had noted that the Vice-Chairman, Deputy Maçon, had duties with the Planning Applications Panel which would compromise his attendance to represent the Panel at the Chairmen's Committee meetings, and agreed that the Deputy of St. John would take over as Vice-Chairman during the Chairman's absence. On 14th October, the Panel accepted the commencement of a period of maternity leave being undertaken by the Chairman. That arrangement ran through the end of 2016.

REVIEWS

Prison Board of Visitors

Throughout 2016, the Panel maintained constant communication with the Minister for Home Affairs in relation to its report on the Prison Board of Visitors (S.R.9/2015), which was published in November 2015. The only recommendation within the report was –

“That the Chief Minister, within his work preparing the Island to meet the conditions required for OPCAT, takes a proposition to the States that removes Jurats from the Prison Board of Visitors and replaces them with independent members.”



Both the Chief Minister and the Minister for Home Affairs accepted the recommendation. As a result, during 2016, amendments to the [Prison \(Jersey\) Law 1957](#), including [P.89/2016](#), and the subsequent implementation of the Draft Prison (Independent Prison Monitoring Board) (Jersey) Regulations 201- ([P.132/2016](#)), were drafted. The Panel was involved in examining the proposed new legislation, resulting in the Minister agreeing to remove

part of the draft which referred to the Monitoring Board being required to co-operate with the Minister and Governor in promoting the efficiency of the Prison. The Panel noted that the primary purpose of this amendment was to facilitate the establishment of an independent Prison Monitoring Board to replace the current Prison Board of Visitors. Work was ongoing within the Home Affairs Department at the end of 2016.

School Starting Age



The Panel was busy with the School Starting Age review into the first quarter of 2016. It held a public meeting on Monday 25th January 2016 at St. Paul's Centre, where a workshop took place with those who attended. The Panel also made visits to reception and foundation classes in 3 primary schools in Jersey. The Panel discussed provision and practice with the head-teachers and followed that up by talking to the classroom

teachers during a tour of the relevant sections of the schools. On 21st March 2016, a Public Hearing took place to discuss the matter with the Minister for Education. The Panel received 22 written submissions, some of which were confidential due to the nature of the content.

An early draft of the report was prepared; however, due to the Panel being unavoidably distracted by more urgent issues, followed by the Chairman taking maternity leave, there was no opportunity to complete the report for this review during 2016. The report will now be concluded in 2017.

Nursery Education Fund

Over the Easter break of 2016, the Minister for Education announced that he was introducing charges for parents of some children who were currently entitled to free nursery education. The proposal was to charge for those children who attended private nurseries where parents were earning over £75,000. There was significant public outcry at this proposal, which was to form part of the Medium Term Financial Plan Addition for 2016 – 2019. The Panel recognised that the introduction of this policy needed to be examined immediately.

On 25th March 2016, the Panel held a Public Hearing with the Minister for Education



to establish exactly what the proposal was. The Hearing was held in the Le Capelain Room of the States Building, where every available seat was taken, with a number of people standing. A further group of people (estimated to number about 50) who could not gain access were gathered in the Royal Square.

On 13th April, the Panel held a public meeting at the Pomme d'Or Hotel which was attended by about 200 people and the media.

The Panel's report, 'Nursery Education Fund' ([S.R.2/2016](#)), was presented to the States on 14th June 2016, and contained a single recommendation –

“The Minister for Education should withdraw this proposal completely until there has been consultation, full impact assessments and evidence of connectivity with other financial policies, such as tax thresholds, within the States.”

Having been provided with a draft copy of the Panel's Report, the Minister for Education accepted the recommendation by publishing a different proposal the day before the Scrutiny Panel Report was published.

Draft Education (Amendment No. 3) (Jersey) Law 201- (P.15/2016)



The Minister for Education brought an amendment to the Education (Jersey) Law 1999 to replace the Regulation-making power contained within Article 3(4) with a power for the Minister to amend Schedule 1 (i.e. the full list of provided schools) by Order. The Panel published Comments which supported the

Minister in principle, and recognised that there may be some work for the Panel later, to examine implementation of the changes.

Medium Term Financial Plan Addition 2016 – 2019 (“MTFP”)

Education

The Panel published Comments to the MTFP in which it challenged the argument, put forward by the Minister for Education, that Education had been provided with growth. The figures showed that, taking into account demographics, there was actually a deficit in the Education budget of £2.8 million.

Arising from that argument, the Panel made numerous observations based on evidence obtained about several of the savings that were proposed to the States within Education. For example, a reduction in pay for newly-qualified teachers had produced serious concerns from Union representatives in relation to the future of standards of teaching within the classroom. The Panel will be maintaining a close watching brief on this and other areas contained within the Education section of the MTFP.



Home Affairs

The Panel had found no serious concerns with the proposals of the Minister for Home Affairs. It was helpful to the Panel that the Minister had maintained good communication with the Panel as things progressed, by providing regular briefings on matters being brought forward.

Tertiary Education: Student Finance



The Panel recognised that the area of tertiary education needed in-depth scrutiny. The subject as a whole would be a huge piece of work if taken in one review, with any recommendations being lost in the volume of information that would be considered and presented. To deal with that, the Panel split the subject into manageable areas, the first being Student Finance. The review was launched in November, with a Public Hearing with the Minister for Treasury and Resources being held on 19th December 2016. The review was planned to continue into the following spring, with a report to be published mid-March 2017.

Conclusion

Several large events have kept the Panel at the forefront of public engagement through 2016, each very relevant to the work being undertaken, with the largest being the public meeting at the Pomme d'Or Hotel which attracted about 200 people. On 19th May 2016, the Panel piloted the filming of an entire quarterly Public Hearing that was held in the evening at St. Paul's Centre. This was with the Minister for Education, and was published in full on the States Greffe and Scrutiny websites as part of work being undertaken to place the work of the States more firmly in the public domain.

The Panel had set itself a challenging work programme for 2016 which, due to the unannounced publication of the changes to nursery education fund policy by the Minister for Education, came under significant pressure. The Panel has had a very busy and successful 2016.



4.2.5 ENVIRONMENT, HOUSING AND INFRASTRUCTURE SCRUTINY PANEL

INTRODUCTION

The Environment, Housing and Infrastructure Scrutiny Panel completed 3 major reviews during 2016, details of which are set out below.

REVIEWS

Removal of Vehicles: draft Regulations

In May 2016, the Panel was briefed by the Minister for Housing and her officers on the Draft Removal of Vehicles (Private Land) (Jersey) Regulations 201- ([P.36/2016](#)). Furthermore, prior to the briefing, the Panel had received written answers to specific questions it had posed to the Minister on the draft Regulations. The Panel concluded that the draft Regulations were of public importance, but agreed not to pursue the topic further as it was content that the concerns it had previously held had been sufficiently dealt with by the Strategic Housing Unit. Nevertheless, the briefing provided an opportunity to put questions and elicit information on the draft Regulations which we believed would be of use to Members during the debate. Thus, on 10th June 2016 the Panel presented its [Comments](#) to the States Assembly.

The Panel concluded that it was imperative that the Minister for Home Affairs ensured that the draft legislation for all private landowners was brought to the States as soon as possible. In response to the Panel's request for clarity on this issue, the Minister confirmed that it was her aim to seek to lodge the draft legislation for approval by the States Assembly within 12 months if possible and, if not, during the current term of the Assembly.

Draft Sea Fisheries Regulations

On 2nd December 2015, the Panel (which was then the Environment, Housing and Technical Services Scrutiny Panel, chaired by the Connétable of St. Helier) received a briefing from the Department of the Environment on the management of bass stocks. The outcome of the briefing was that the Panel was generally happy with the intended proposals to protect bass stocks going forward, and agreed not to pursue the matter any further.



However, following a circulation of a number of e-mails and letters from stakeholders who raised concerns about the draft Sea Fisheries Regulations, the Panel agreed to meet again with the Department of the Environment. At the meeting, the Panel raised a number of points which had been addressed within the correspondence received. In order to help inform the debate on the Regulations, the Panel presented [Comments](#) to the States on 28th June 2016 which summarised the meeting's conclusions. The Comments related to 4 sets of Regulations ([P.45/2016](#), [P.46/2016](#), [P.47/2016](#) and [P.48/2016](#)).

The Panel recognised that the package of measures that the Minister for the Environment was seeking to introduce in order to protect bass stocks was extremely important as well as necessary. Nevertheless, the Panel agreed to keep abreast of any matters that might arise in the future in relation to the Regulations, and decided that it would examine any future Orders proposed by the Minister in relation to Sea Fisheries.

Medium Term Financial Plan Addition for 2017 – 2019

On 30th June 2016, the Draft Medium Term Financial Plan Addition for 2017 – 2019 ([P.68/2016](#)) (“the MTFP Addition”) was lodged by the Council of Ministers. The Panel undertook a focused review of the MTFP Addition, with particular consideration given to the Departments of the Environment and Infrastructure. Whilst the Strategic Housing Unit also falls under the remit of the Panel, the Panel accepted advice from the Minister for Housing that the MTFP Addition would have no material impact on her Department.

In relation to evidence gathering, the Panel received a briefing from the Department of the Environment on 8th July, and held a Public Hearing with the Minister for the Environment on 21st July. The Panel also received the Minister for Infrastructure for a Public Hearing on 11th July. Following this, the Panel submitted written questions to both Ministers in order to follow up on some of the issues that had been raised during the Hearings.

The Panel presented [Comments](#) on 21st September which highlighted the Panel’s key observations. The Comments also included issues raised by the Chartered Institute of Public Finance and Accountancy (“CIPFA”), who had been appointed as the Panel’s expert adviser for this review. The adviser submitted a report to the Panel which was appended to the Comments.

The Panel’s adviser raised concerns about a number of areas, including – the Infrastructure Department’s efficiency savings; the lack of detail provided in relation to the waste charge proposals; the lack of updated data on the accuracy of the overall project costs for the sewage treatment plant; and the capability of the Department of the Environment to deliver the proposed reduction of staff posts.

The Panel recommended that the current practice for introducing ‘user pays’ charges should be assessed, and that a new system should be put in place that was clear and understood by all, for more informed decision-making.

Ongoing Review and additional Panel work

The Panel started the following Review in 2016 which will be completed in 2017: Review of Nitrate Levels in Jersey’s Water.

In addition to its review work, the Panel held a number of Quarterly Public Hearings with the Minister for Infrastructure, the Minister for the Environment, and the Minister for Housing. These Hearings were focused on the relevant Minister’s remit and overall work programme, and gave us an insight into the areas of priority for each Department. The Panel also received a number of private briefings designed to assist us in deciding whether or not to undertake additional work on specific subject areas.

4.2.6 HEALTH AND SOCIAL SECURITY SCRUTINY PANEL

INTRODUCTION

The Health and Social Security Scrutiny Panel completed 6 reviews during 2016, details of which are set out below.

REVIEWS

Age Discrimination Regulations

The [Discrimination \(Jersey\) Law 2013](#) was adopted by the States in 2013 and brought into force in September 2014. Article 5 of the Law allows the States to introduce further protected characteristics in the following order –

1. Race
2. Sex
3. Age
4. Disability.



Both race and sex discrimination Regulations have been brought into force, therefore the Minister for Social Security issued a Consultation Paper inviting the Public to submit their views on the proposed age discrimination Regulations. The consultation ended in February 2016 and, following receipt of the consultation report, the Panel received 2 briefings from the Social Security Department. After considering the information it received during the briefings, the Panel presented Comments to the States Assembly (*see* [P.37/2016 Com.](#)) in support of the draft Regulations ([P.37/2016](#)) ahead of the States' debate. The Discrimination (Age) (Jersey) Regulations 2016 were adopted by the States on 24th May and became [R&O.58/2016](#).

Staff recruitment and retention

The Panel's review explored recruitment and retention of clinical staff at the General Hospital. As a result of the redesign of Health and Social Services ([P.82/2012](#) "Health and Social Services: A New Way Forward") greater emphasis has been given to providing care in the community in order to relieve pressure on the Hospital. In that regard, the Panel was keen to understand what works in helping to reduce levels of turnover, and what measures can be taken to influence retention.



The Panel found that there is a real challenge to plan and sustain the supply and demand of future health workers, particularly the nursing workforce, at a time of financial constraint. Progress has been made in recent years in the delivery of training packages so that nurses and midwives are trained locally.

The Panel also found that there are a number of factors which may deter staff considering working at the Hospital. These included the current state of the Hospital, the high cost of living, pay-scales and terms and conditions.

The Panel concluded (*see* [S.R.1/2016](#)) that investing in improved work environments would be a positive step in improving retention levels of all healthcare professions and that the future hospital should help in this respect.

The Minister accepted the majority of the Panel's recommendations and agreed that being able to attract and retain frontline professional staff to deliver Health and Social Services was important.

Zero-hours contracts

The Panel undertook a review of zero-hours contracts following on from a report presented to the States by the Minister for Social Security on 6th May 2015 ([R.52/2015](#)). The Minister's report was in response to parts (a) and (b) of [P.100/2013](#) "Zero-hours contracts: regulation" (as amended by [P.100/2013 Amd.](#) lodged by the Minister) which requested the Minister to –

- (a) investigate the extent to which zero-hours contracts are used across the various sectors of the economy;
- (b) examine the impact of these contracts on employers and employees.



It was the Panel's view that the report failed to examine the impact that the use of zero-hours contracts had on employees and whether any misuse was apparent.

To assist the Panel in better understanding the use of zero-hours contracts in Jersey, it compiled a survey covering both employers and employees, which was made available online via

'Survey Monkey'. The Panel received 59 employer responses and 264 employee responses.

The Panel concluded (in [S.R.3/2016](#)) that some zero-hours contracts are entirely appropriate and benefit both employers and employees. However, the Panel's review found that there are instances where zero-hour contracts are misused. The Panel made 17 key findings and 21 recommendations.

- **Zero-hours contracts (P.92/2016): comments**

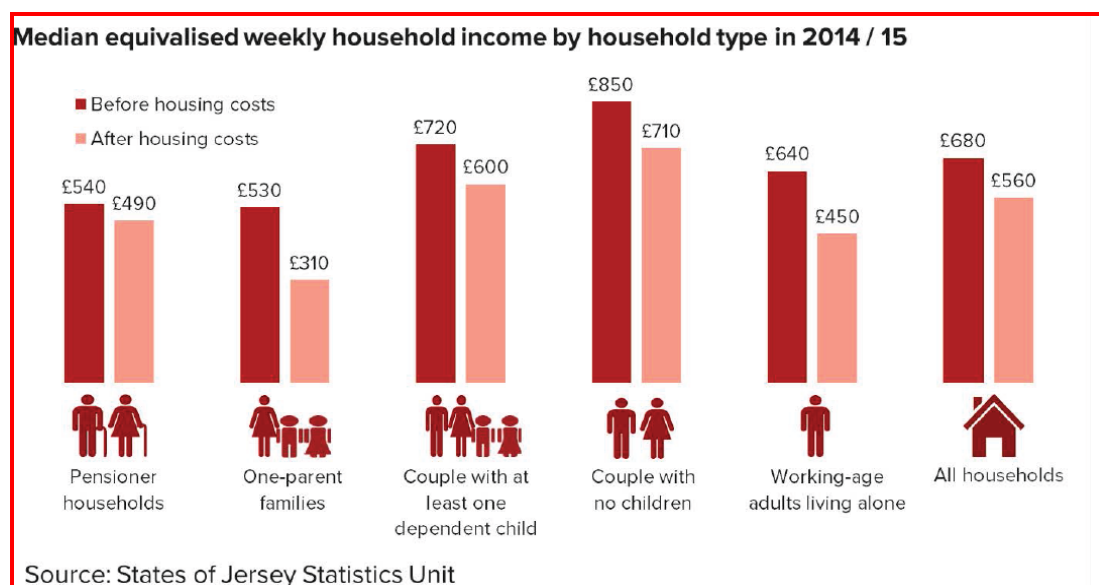
The Panel presented [Comments](#) to the States on 3rd November in relation to [P.92/2016](#) "Zero-hours contracts". The Proposition quoted the Panel's recommendation 11 – "The Minister should consult with a view to bringing forward proposals to amend the Employment (Jersey) Law 2003"; asked the States to prohibit exclusivity clauses; and requested the Minister for Social Security to bring forward the necessary draft legislation. The Panel's Comments supported P.92/2016 and it was pleased that P.92/2016 was adopted by the States.

Medium Term Financial Plan Addition for 2017 – 2019

On 30th June 2016, the Draft Medium Term Financial Plan Addition for 2017 – 2019 ([P.68/2016](#)) (“the MTFP Addition”) was lodged by the Council of Ministers. This followed on from the Medium Term Financial Plan 2016 – 2019, which was lodged on 14th July 2015 and adopted as amended on 8th October 2015 ([P.72/2015](#)). For the MTFP Addition, each Scrutiny Panel was responsible for undertaking its own review on the areas falling within its remit. Therefore, the Panel presented Comments ([P.68/2016 Com.\(3\)](#)) to the States on 23rd September which highlighted a number of issues. The Panel also appointed the Chartered Institute of Public Finance and Accountancy as its expert adviser. The adviser submitted a report to the Panel which was appended to the Comments.

The Panel’s adviser had some concerns about the lack of granularity of the efficiency proposals across the 2 Departments. The adviser also found that the rationale behind setting the level of the proposed Health Charge and the application as a tax on income was difficult to understand, other than to provide phased additional income. The Health Charge was not adopted by the States Assembly during the debate.

Living on low income



The Panel agreed to undertake a review on living on a low income following a report published by the Statistics Unit. The report – [Jersey Household Income Distribution Survey 2014/15](#) – presents representative information on the incomes of Jersey households, from a large survey carried out over a 13-month period (April 2014 – May 2015). The survey revealed that the average household income (after housing costs) of those in the lowest quintile decreased by a sixth (17%) in nominal terms since the last survey was carried out in 2009/10. It also showed that income inequality has increased since 2009/10 and that income inequality was worse in Jersey in 2014/15 than in the U.K.

The Panel examined what measures were in place to help people on a low income and assessed how the situation was being monitored. The Panel also asked members of the Public to submit their views and experiences of living on a low income in Jersey, and held several public meetings at the St. Helier Town Hall so that the Public could air their views.

The Panel reported (*see* [S.R.4/2016](#)) that the voluntary sector in Jersey is playing an increasingly important role in providing essential assistance to people living on a low income. The growing use of food banks in Jersey is a consequence of the increasing pressures on people living in relative low income, and the widening income inequality gap.

The Panel also found evidence of increasing pressures on a range of people living on a low income who depend on the Income Support system to have an adequate standard of living. It concluded that the Council of Ministers should exempt Social Security from any further savings cuts in the next MTFP and identify new funding-streams to appropriately uprate current Income Support components.

Future Hospital Project

The Panel formed a Sub-Panel in 2015 in order to review the Future Hospital Project. The Sub-Panel followed the Project's developments throughout 2015 and 2016 and appointed Concerto Partners LLP as its adviser. The Council of Ministers' final



Proposition and report ([P.110/2016](#)) was lodged on 19th October and asked the States to agree the preferred site for the new Hospital.

As a preliminary piece of work, the Sub-Panel commissioned its adviser to undertake a desktop study of the project. The adviser recognised that many of the individual components necessary for the success of the Future Hospital Project were coming into

place, but raised a number of concerns regarding the long-term integrated health strategy, project governance and the risk of disruption to existing hospital services. The Sub-Panel presented the adviser's report as a Scrutiny Report (*see* [S.R.6/2016](#)) on 3rd November. The adviser's work was based on evidence available at that time, and the Sub-Panel took forward the concerns during its main review of the project.

The Sub-Panel presented its main report of the Future Hospital Project ([S.R.7/2016](#)) on 24th November. The Sub-Panel found that the process to reach a decision about which site was best for the Future Hospital was long and drawn-out, and indecision by Ministers created delays in delivering the project in a timely fashion. Nevertheless, the Sub-Panel concluded that the preferred site would deliver for the Island a safe, efficient, modern hospital. Subsequently, during the debate on P.110/2016, the Assembly approved the current site for the new Hospital.

Ongoing Reviews

The Panel started a review of Service Users of Home Care in 2016 which will be completed in 2017.

4.2.7 PUBLIC ACCOUNTS COMMITTEE

The Public Accounts Committee completed 3 major Scrutiny Reviews during 2016, details of which are set out below.

FINANCIAL MANAGEMENT



In her Review of Financial Management ([R.38/2015](#)), the Comptroller and Auditor General (“C&AG”) made 37 recommendations, all of which were accepted in full or in principle by the Treasury, to improve the effectiveness of –

- the current framework for allocation of resources by the legislature to the executive, including through the MTFP and annual budgetary processes;
- the current framework of accountability by the executive to the legislature for the use of resources allocated;
- financial governance and leadership within the States;
- financial planning within the States, including the processes for preparation of the MTFP and annual budget.

The PAC questioned all States Departments on what services they are providing and whether those services or activities should be maintained, stopped, reduced, outsourced or provided more efficiently. It challenged the departments, by way of Public Hearings and written follow-up questions, on how closely they work together to achieve savings, an efficient, modernised and streamlined workforce, and value for money for the Public.

In its report, [P.A.C.1/2016](#), the PAC concluded there is a ‘cultural inertia’ throughout many departments, which manifests in their working in ‘silos’ rather than corporately. Clear evidence emerges that Chief Officers are divided on their view on centralising some key functions such as Human Resources and Information Technology.

The Chief Executive and the Treasurer of the States welcomed the PAC’s report, albeit they commented that the Committee is critical of how savings have been identified in the MTFP Addition, saying they are “salami-sliced”. In their opinion, this doesn’t recognise the real progress that has been made in 2 key areas which have resulted in the savings put forward in the MTFP Addition –

“Firstly, all savings identified have been considered and agreed by cross-departmental groups of Chief Officers and Ministers. Secondly, the Public Sector Reform programme, including Lean and eGov, are making major strides in looking at cross-departmental efficiency, with funding dedicated to that work through the Restructuring Provision.

The report also criticises the level of investment in the Treasury and the finance function in the States. The Comptroller and Auditor General has already recommended a far-reaching review of financial management. Funding has been secured for that review, which is likely to take six months with a twelve-month improvement plan to follow.”

The PAC agreed it would require an update in mid-2017 as to progress made on the implementation of recommendations made in the PAC’s review, together with those made by the C&AG, in both her Financial Management Reviews I and II. This would probably take the form of further Public Hearings with the Chief Executive and the Treasurer of the States.

Travel and accommodation expenditure



Following a news report that £13,000 had been spent by 2 States officers on flights to attend a South African mining conference, the Panel undertook a review of –

- Whether the travel and accommodation policy (Financial Direction 5.7) had been adhered to in terms of the process being followed when signed off by the relevant Accounting Officer.
- How value for money had been established before embarking on the trip and/or expenses of over £500 had been incurred.
- How waste and extravagance were avoided and prudence was imposed, when spending relatively large sums of public money.
- Whether the monies spent were considered to be justified in the spirit of the guidelines and code of practice/conduct when spent.
- How follow-up value-for-money/cost-benefit analyses are undertaken to ensure stringent probative processes are carried out before committing to further expenditure.

The Chief Minister’s Department (“CMD”) conducted its own review into travel and accommodation expenditure and presented its findings to the PAC in June 2016. Within that report it was stated that the –

“... investigation had uncovered no widespread misuse of procedures but had identified a number of areas where improvements can and should be made”.

The PAC conducted Public Hearings with the Chief Officers of large departments,



and with the Chief Executive and the Treasurer of the States. In its report, [P.A.C.2/2016](#), the PAC concluded that there is significant variation in the way departments apply governance procedures, from the very stringent and prudent processes adopted by departments such as the States of Jersey Police and Health and Social Services, to others such as the CMD itself, which by the Chief Executive’s

own admission had not complied with Financial Directions, “to the absolute letter”.

The PAC firmly believed the CMD investigation did not go far enough to identify or highlight the instances of blatant disregard for the spirit of the code of conduct. The culture of some Departments pushes the boundaries of what the Public would consider acceptable conduct. The PAC was particularly concerned that in one department, a high-cost itinerary was undertaken on 3 consecutive years with little or no exploration of real savings. Furthermore, it was shocked to discover that there was no robust policy and procedure in place to redeem individual airline loyalty points accumulated on States business, for the benefit of the Public. The most worrying consequence is that this leaves officers vulnerable to accusations of impropriety.

In its Executive Response to the PAC's report, the Chief Executive accepted all but recommendation 5, namely that the Chief Executive should introduce a contractual obligation upon officers to disclose if they hold loyalty cards and the number of points accrued on States business. The Chief Executive responded thus –

“The description of loyalty cards is far too broad. There are clear policy provisions which allow for officers to declare Avios points earned on States business in certain circumstances.”

The PAC is keen to follow up on the implementation of its recommendations during 2017, and will be calling the Chief Executive to a Public Hearing to update the PAC on progress made. It will also seek further clarification as to the reasons why recommendation 5 was rejected.

Fuel Farm lease renewal



The Committee agreed to undertake a review of the renewal of the Fuel Farm lease at La Collette ([P.A.C.3/2016](#)), following receipt of an e-mail on Friday 4th March 2016 from the Minister for Infrastructure. The purpose of the e-mail was to inform all States Members that he had signed a Ministerial Decision on the previous day, the effect of which was to renew, for a further 10 years, the lease on the Fuel Farm at La Collette, St. Helier, to the current operator, La Collette Fuel Terminal Ltd. (**Rubis**).

The PAC agreed to examine whether or not good value for money has been achieved and appropriate internal controls and governance arrangements were followed, including –

- (a) whether the procedure for renewing the lease was followed correctly;
- (b) whether opportunities to tender the fuel farm to other operators had been fully explored;
- (c) whether adequate notice of upcoming leases is in place;
- (d) whether Rubis offers the best value-for-money option for the States of Jersey.

The Panel undertook a series of Public Hearings and heard evidence from the Chief Executive, the Chief Executive Officer of the recently incorporated Ports of Jersey (Doug Bannister), the Director of Estates for Jersey Property Holdings (“JPH”) (Ray Foster), and Chief Officers: Mike King of the Economic Development, Tourism, Sport and Culture Department, and John Rogers of the Department for Infrastructure.



During its review the PAC was shocked to discover that no single department had overall responsibility for the management of such a key strategic asset as the fuel farm.

The PAC was very concerned that despite the significant value of land and buildings owned by the States (exceeding that of the Strategic Reserve), it appears that insufficient skills and resources are dedicated to managing this vast estate. The Committee concluded that the failure of government to address deficiencies contributed to a lack of forward planning in respect of the fuel farm. This resulted in missed opportunities to attain the best outcome for the Public in respect of the supply of fuel.

The PAC commended the Chief Executive for accepting the main lesson learned, namely that strategic planning is essential for the protection of Jersey’s strategic assets. The PAC has been assured that robust structures and procedures have now been put in place, and is pleased to note that one department, namely the Department for Infrastructure, has ultimate responsibility for the management of assets.

The PAC will continue to monitor progress over the ensuing years, and is likely to undertake a wider review of States’ asset management in 2017.

Ongoing (and planned) reviews

The Committee began their review of eGov in 2016 which will be completed in 2017.

The Committee also agreed to undertake the following reviews in 2017, together with a number of smaller reviews, each assigned to a specific member to lead –

- Jersey Innovation Fund
- Estates Management.

Additional work







In addition to its review work, the PAC Chairman and newly appointed Vice-Chairman (who replaced the previous Vice-Chairman in September 2016), attended the International Centre for Parliamentary Studies (“ICPS”) PAC Symposium in October 2016. It has also reviewed all the reports of the C&AG, and noted the appointment of 2 independent members of the Board of Governance for the Jersey Audit Office (“JAO”).

Where the PAC is satisfied there are no significant issues for it to follow up, or where the work is squarely within the remit of another Scrutiny Panel, the PAC has not launched a review of its own.

4.3 Membership of Panels and Committees in 2016

(a) The Chairmen’s Committee

The Chairmen’s Committee comprises the Chairmen of the 5 Scrutiny Panels and the Chairman of the PAC. It has responsibility for maintaining oversight of the work of the Panels and the PAC and monitoring Scrutiny expenditure. The membership of the Committee during 2016 was as follows –

<p>President:</p>  <p>Deputy J.A.N. Le Fondré of St. Lawrence <i>Chairman, Corporate Services Scrutiny Panel</i></p>	<p>Vice-President:</p>  <p>Deputy L.M.C. Doublet of St. Saviour <i>Chairman, Education and Home Affairs Scrutiny Panel</i></p>
<p>Members:</p>	
 <p>Deputy S.M. Brée of St. Clement <i>Chairman, Economic Affairs Scrutiny Panel</i></p>	 <p>Deputy R.D. Johnson of St. Mary <i>Chairman, Environment, Housing and Infrastructure Scrutiny Panel (from 19th January 2016)¹</i></p>
 <p>Deputy R.J. Renouf of St. Ouen <i>Chairman, Health and Social Security Scrutiny Panel</i></p>	 <p>Deputy A.D. Lewis of St. Helier <i>Chairman, Public Accounts Committee</i></p>

¹ At the States Sitting of 19th January 2016, Connétable A.S. Crowcroft of St. Helier resigned as Chairman of the Environment, Housing and Infrastructure Scrutiny Panel, and Deputy R.D. Johnson of St. Mary was appointed in his place.

(b) Scrutiny Panels and PAC Membership

<p>Corporate Services Scrutiny Panel</p>	<p>Deputy J.A.N. Le Fondré of St. Lawrence (<i>Chairman</i>) Deputy S.M. Brée of St. Clement (<i>Vice-Chairman</i>) Connétable C.H. Taylor of St. John Deputy K.C. Lewis of St. Saviour Senator S.C. Ferguson (<i>from October</i>)</p>
<p>Economic Affairs Scrutiny Panel</p>	<p>Deputy S.M. Brée of St. Clement (<i>Chairman</i>) Deputy R.D. Johnson of St. Mary (<i>Vice-Chairman</i>) Connétable J.E. Le Maistre of Grouville Connétable M.J. Paddock of St. Ouen</p>
<p>Education and Home Affairs Scrutiny Panel</p>	<p>Deputy L.M.C. Doublet of St. Saviour (<i>Chairman</i>) Deputy J.M. Maçon of St. Saviour (<i>Vice-Chairman</i>) Deputy T.A. Vallois of St. John (<i>joined February, Vice-Chairman from October</i>) Deputy S.Y. Mézec of St. Helier</p>
<p>Environment, Housing and Infrastructure Scrutiny Panel</p>	<p>Deputy R.D. Johnson of St. Mary (<i>Chairman from January</i>) Deputy T.A. Vallois of St. John (<i>Vice-Chairman from February</i>) Connétable S.A. Le-Sueur-Rennard of St. Saviour (<i>from February</i>)</p>
<p>Health and Social Security Scrutiny Panel</p>	<p>Deputy R.J. Renouf of St. Ouen (<i>Chairman</i>) Deputy G.P. Southern of St. Helier (<i>Vice-Chairman</i>) Deputy T.A. McDonald of St. Saviour Deputy J.A. Hilton of St. Helier (<i>from April</i>) Senator S.C. Ferguson (<i>from October</i>)</p>
<p>Public Accounts Committee</p>	<p><u>States Members</u> Deputy A.D. Lewis of St. Helier (<i>Chairman</i>) Deputy S.M. Wickenden of St. Helier (<i>Vice-Chairman, resigned from Committee in June</i>) Connétable A.S. Crowcroft of St. Helier (<i>joined and became Vice-Chairman in September</i>) Connétable C.H. Taylor of St. John Deputy J.A. Martin of St. Helier</p> <p><u>Non-States Members</u> Mr. Robert Parker Mr. Gary Drinkwater Mr. Mike Robinson</p>

Other Members' involvement in Scrutiny during 2016:

- Connétable M.P.S. Le Troquer of St. Martin served on the Domestic Property Transactions Review Panel.

4.4 Full list of Scrutiny Panel and Public Accounts Committee Reports and additional output during 2016

Below is a list of all full PAC and Scrutiny Panel Reports presented during 2016.

Report number	Scrutiny Panel/PAC	Report title and presentation date
P.A.C.1/2016	Public Accounts Committee	Financial Management. Presented: 10th August 2016.
P.A.C.2/2016	Public Accounts Committee	Travel and Accommodation Expenses Review. Presented: 10th November 2016.
P.A.C.3/2016	Public Accounts Committee	Fuel Farm Lease Renewal. Presented: 14th December 2016.
S.R.1/2016	Health and Social Security	Staff Recruitment and Retention at the Hospital. Presented: 21st March 2016.
S.R.2/2016	Education and Home Affairs	Nursery Education Fund. Presented: 14th June 2016.
S.R.3/2016	Health and Social Security	Zero-Hour Contracts. Presented: 11th July 2016.
S.R.4/2016	Health and Social Security	Living on Low Income. Presented: 7th September 2016.
S.R.5/2016	Corporate Services	MTFP Addition for 2017–19. Presented: 23rd September 2016.
S.R.6/2016	Health and Social Security	Future Hospital Project: Interim Report of the Sub-Panel. Presented: 3rd November 2016.
S.R.7/2016	Health and Social Security	Future Hospital Project: Report of the Sub-Panel. Presented: 24th November 2016.
S.R.8/2016	Corporate Services	Draft Budget 2017. Presented: 9th December 2016.

Overall Scrutiny Panel/PAC output in 2016 was as follows –

<i>Scrutiny Panel</i>	Reviews (S.R. or P.A.C. series)	Comments (P. series)/ Reports (R. series)	Propositions/ Amendments (P. series)	Statements	Review Hearings	Quarterly Hearings	Panel Total (excluding all Hearings and Statements)
<i>CS</i>	2	1	1	0	4	10	4
<i>EA</i>	0	3	0	0	1	3	3
<i>E&HA</i>	1	1	0	1	3	1	2
<i>E,H&I</i>	0	3	0	0	1	6	3
<i>H&SS</i>	5	4	0	2	6	6	9
<i>PAC</i>	3	0	0	1	8	N/A	3
Total	11	12	1	4	23	26	<u>24</u>

The titles and reference numbers of all Comments presented by Scrutiny Panels in relation to lodged Projets during 2016, along with the Amendment lodged by the CSSP in September 2016 and the Report presented to the States by the CSSP in May 2016 in the ‘R.’ series of publications, are listed below in chronological order of publication –

<i>Publication details</i>	<i>Ref. No.</i>
Draft Discrimination (Age) (Jersey) Regulations 201- (P.37/2016): comments. Presented: 25th April 2016. <i>Health and Social Security Scrutiny Panel.</i>	P.37/2016 Com.
Medium Term Financial Plan 2016 – 2019: Review of Council of Ministers’ Impact Assessments. Presented: 27th May 2016. <i>Corporate Services Scrutiny Panel.</i>	R.58/2016
Draft Education (Amendment No. 3) (Jersey) Law 201- (P.15/2016): comments. Presented: 31st May 2016. <i>Education and Home Affairs Scrutiny Panel.</i>	P.15/2016 Com.
Draft Telecommunications (Amendment No. 3) and Crime (Miscellaneous Provisions) (Jersey) Law 201- (P.19/2016): comments. Presented: 10th June 2016. <i>Economic Affairs Scrutiny Panel.</i>	P.19/2016 Com.
Draft Removal of Vehicles (Private Land) (Jersey) Regulations 201- (P.36/2016): comments. Presented: 10th June 2016. <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.36/2016 Com.

Publication details	Ref. No.
Draft Dormant Bank Accounts (Jersey) Law 201- (P.25/2016): comments. Presented: 24th June 2016. <i>Economic Affairs Scrutiny Panel.</i>	P.25/2016 Com.
Draft Sea Fisheries Regulations (P.45/2016, P.46/2016, P.47/2016 and P.48/2016): comments. Presented: 28th June 2016. <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.45, 46, 47 and 48 Com.
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): eighth amendment. Lodged: 13th September 2016. <i>Corporate Services Scrutiny Panel.</i> <u>Decision:</u> Part 1 was rejected by the States 29th September 2016 [votes – p:17; c:29; a:1]. Parts 2–5 of the amendment fell away on the rejection of Part 1.	P.68/2016 Amd.(8)
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): comments. Presented: 21st September 2016. <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.68/2016 Com.
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): comments. Presented: 23rd September 2016. <i>Economic Affairs Scrutiny Panel.</i>	P.68/2016 Com.(2)
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): comments. Presented: 23rd September 2016. <i>Health and Social Security Scrutiny Panel.</i>	P.68/2016 Com.(3)
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): comments. Presented: 27th September 2016. <i>Education and Home Affairs Scrutiny Panel.</i>	P.68/2016 Com.(4)
Zero-hours contracts (P.92/2016): comments. Presented: 3rd November 2016. <i>Health and Social Security Scrutiny Panel.</i>	P.92/2016 Com.

4.5 Scrutiny Expenditure as at 31st December 2016

Panel	Reviews	Actual review expenditure	Actual Panel Expenditure	Total expenditure
Chairmen's Review panel	Domestic Property Transactions	£ 1,106.00		
		£ 1,106.00		£ 1,106.00
Corporate				
	MTFP- Addition	£ 16,833.00		
	MTFP Phase 2	£ 21,538.00		
	Jersey International Finance Centre -	£ 5,000.00		
	Budget 2017	£ 3,550.00		
Panel			£ 1,411.00	
Total Corporate spend		£ 46,921.00	£ 916.50	£ 47,837.50
Economic				
	Dormant Bank Accounts			
	Harmful Telecommunications	£ 123.50		
	Licensing Law			
	MTFP Addition	£ -		
Panel			£ 612.00	
Total Economic spend		£ 123.50	£ 612.00	£ 735.50
Ed/HA				
	Nursery Education fund	£ 1,034.87		
	School Starting Age	£ 3,941.73		
	MTFP Addition	£ 2,616.00		
	Student Finance	£ -		
Panel			£ 1,370.00	
Total ED&HA spend		£ 7,592.60	£ 848.00	£ 8,440.60
Environment				
	Draft Removal of Vehicles			
	MTFP- Addition	£ 2,264.00		
Panel			£ 875.00	
Total EHI spend		£ 2,264.00	£ 732.50	£ 2,996.50
HSSH				
	Living on Low Income	£ 17,893.00		
	Future Hospital - preliminary report	£ 15,376.00		
	Future Hospital	£ 27,340.00		
	MTFP - Addition	£ 2,140.00		
	Staff Recruitment at the Hospital	£ 60.00		
	Service Users of Home care	£ 253.00		
Panel			£ 1,173.50	
Total HSS spend		£ 63,062.00	£ 886.50	£ 63,948.50
PAC				
	Fuel farm - renewal of lease	£ 289.00		
	Travel and Accommodation expenses	£ 663.00		
	Financial Management	£ 405.00		
Panel			£ 695.00	
Total PAC spend		£ 1,357.00	£ 695.00	£ 2,052.00
Other				£ 4,026.00
Totals				£ 131,142.60

5. INTER-PARLIAMENTARY BODIES



5.1 Introduction

Members of the States continued to play an active role in a number of different inter-parliamentary bodies in 2016, and these parliamentary exchanges complemented the executive contacts made by the Chief Minister, the Minister for External Relations and other Ministers and Assistant Ministers.

5.2 Commonwealth Parliamentary Association (CPA)



The 62nd Commonwealth Parliamentary Conference (“CPC”) was due to convene in Bangladesh in September, but was cancelled at short notice because of security concerns. Instead the conference took place in London from 13th to 16th December 2016, under the auspices of CPA headquarters. Jersey was represented by Senator

P.F. Routier, M.B.E., Deputy C.F. Labey of Grouville, and Deputy S.M. Wickenden of St. Helier, who were accompanied by the Greffier of the States.



CPC combines the overall plenary event with a Small Branches Conference (which is of special interest to the Island as it was originally a Jersey initiative), the Conference of the Commonwealth Women Parliamentarians, and a conference for senior clerks.

The Small Branches Conference took place on 13th December 2016. The main debates centred on 3 topics which resonated around the world: climate change, safeguarding children, and women in politics.

There were some fascinating presentations on the effects of climate change in the Cook Islands, Saint Helena and the Falkland Islands, and discussions surrounding the steps small jurisdictions can take to reduce carbon emissions. The emerging theme was the potential for closer working between smaller jurisdictions, to achieve economies of scale where substantial investment was necessary.



Debate on the protection and safeguarding of children began with a powerful presentation by R.J. Simpson from the Northwest Territories, Canada, on the need for candour about the past. Senator Routier talked about the situation in Jersey, drawing attention to the forthcoming report by the Independent Jersey Care Inquiry. He also emphasized the need for safeguarding processes to consider the situation of the whole family and for a multi-agency approach to be taken to safeguarding cases. Deputy Wickenden also spoke, referring to the difficulties of funding inquiries and compensation in small jurisdictions.



The third topic was women’s leadership in politics, which also featured some forthright remarks about the sexism, overt or otherwise, in political systems worldwide. There was considerable interest in the increase in the number of women Deputies in Guernsey following their recent election, due, in part, to the ‘Women to Win’ campaign which received some funding from the States. The Deputy of Grouville spoke about the scrutiny of women’s appearance by the media, and argued that everyone had a role to play in encouraging women to enter politics. Making women’s under-representation in political life everyone’s problem, rather than solely a “women’s issue” was the overall conclusion of the debate.

5.2.1 Commonwealth Women Parliamentarians Regional Conference, Guernsey

Deputy C.F. Labey of Grouville, Deputy J.A. Martin of St. Helier, and Deputy L.M.C. Doublet of St. Saviour attended the 3rd Commonwealth Parliamentary Association, British Islands and Mediterranean Region, Commonwealth Women Parliamentarians Conference in Guernsey on 12th and 13th February 2016. The delegation was supported by Assistant Greffier of the States, Mrs. A.C. Goodyear.



The conference brought together women parliamentarians from Westminster, the devolved legislatures of the UK, the Crown Dependencies, Malta, Australia and Canada to discuss the theme “Influencing policies and legislation for the empowerment of women”.

The conference was officially opened by the Deputy Bailiff of Guernsey, Richard McMahon, and the discussions and workshops were led by a number of eminent expert speakers. Topics covered included gender budgeting, women and health, and social care and education policies. The session, ‘Women in the Economy – Employment Policies’, was chaired by the Deputy of Grouville, Jersey’s representative on the Commonwealth Women’s Parliamentarians Regional Steering Committee.

The conference provided an excellent opportunity for women parliamentarians from across the region to gain a better understanding of how policy and legislation can better empower women in society.

5.2.2 Commonwealth Day Observance

Two Jersey students studying in London, Harry Begg and Taye Le Monnier, represented Jersey at the annual Commonwealth Day Observance in London on 14th March 2016, the theme being ‘An inclusive Commonwealth’. In addition to a number of presentations about Parliament and the Commonwealth in the morning, the participants were given a tour of Parliament and attended the Commonwealth Day Observance in Westminster Abbey in the presence of Her Majesty The Queen and other members of the Royal Family.



“Overall, the day was an amazing experience for us both, and we were honoured to have the opportunity to represent Jersey, as well as meet representatives from the other Commonwealth countries. One representative had come from Saint Helena, the tropical island in the South Atlantic Ocean, which had involved a mammoth six day journey! The news from Saint Helena is that mobile phones have just been introduced. The day gave us the chance to discuss the future of the Commonwealth and what being part of the Commonwealth meant to us. Jersey is and should continue to be a part of this association of countries, and recognise our own history within the history of the Commonwealth. That history at times involved tension and conflict: we hope that its future is one of inclusivity and cohesion. We were very grateful for this opportunity; it is without a doubt a day we will remember most fondly.”

Harry Begg and Taye Le Monnier

5.2.3 46th Conference of the British Islands and Mediterranean Regional – Jersey

Senator P.F. Routier, M.B.E., Deputies S.Y Mézec of St. Helier, L.M.C. Doublet of St. Saviour and R.D. Johnson of St. Mary attended the annual British Islands and Mediterranean Regional Conference hosted by the Jersey Branch between 15th and 18th May 2016, based at the Pomme d’Or Hotel. The delegation was supported by the Honorary Secretary, Dr. M. Egan. A welcome event hosted by the Bailiff of Jersey was held at the Conference Hotel on the evening of Sunday 15th May 2016. The Conference theme was Parliaments and public engagement.



Jersey last hosted the British Islands and Mediterranean Region CPA Conference in 2005. A lot had changed in the Island since then. In 2005 the States Assembly had just implemented major reforms to the system of government, moving from a Committee to Ministerial structure, and had appointed the first ever Chief Minister and Council of Ministers. In the intervening 11 years, 3 elections have been held and seen the Assembly move to a single election day; and the number of States Members has been reduced from 53 to 49. Despite these changes, the electoral turnout remains very low, with some districts seeing only 27% of registered voters casting their votes, and Jersey is constantly looking at ways to encourage Islanders to become more engaged with the electoral process.



The Jersey branch was delighted and honoured that Mr. Akbar Khan, newly appointed CPA Secretary General, was attending part of the conference. He visited one of our Island schools on Tuesday 17th May for a special CPA Roadshow which provided students with a fantastic overview of the CPA and its activities across the world. Jersey had recognised the importance of engaging with young people, especially since it reduced the voting age to 16 in 2008.



Plenary 1

Plenary Session 1 on 16th May 2016: 'E-government' was chaired by the Chairman of the Jersey CPA Branch, Connétable L. Norman of St. Clement, and the guest speaker was Mr. Jonathan Williams, Programme Director, e-Gov.

Mr. Williams outlined the various initiatives which formed the e-government initiative in Jersey, the aim of which was to create a one-stop-shop for the Public for all government services. One element was the 'tell us once' initiative which provided a co-ordinated central hub for information which was used by a variety of stakeholders. Mr. Williams advised that Jersey had been advised by colleagues from Estonia regarding efforts to develop a digital network which could support a range of government services from health records to voter registration.

Malta advised that the digital divide was the modern-day form of illiteracy. Malta had been working on e-Gov initiatives since 2000, including applications for work, death certificates, income tax declarations and the payment of bills online. In 2010 they established an e-procurement service to buy and supply key services. One initiative had concentrated on e-health, and G.P.s now had full access to medical records and digital X-rays and it was anticipated that residents would eventually carry a card containing full details of their medical history.

Wales emphasized that the network capability of a jurisdiction was very important. Wales had invested heavily in high-speed broadband. It was noted that security of such systems was a major concern. It was therefore ironic how much data people uploaded willingly on social media without considering its worth as a valuable resource to others. Just as important as security was ensuring that systems had the capacity to deal with sudden surges of use or overload. This was essential if the Public were to trust the systems.

UK spoke about the resistance of systems to hacking and the need, if there was a cyber-attack, to be honest about it to mitigate the impact. An honest and transparent approach and the publication of mistakes and errors actually created a greater sense of trust and respect with customers.

Scotland maintained that it was important to ensure that the expectations of customers were realistic in relation to access to information. Customers generally expected information to be uploaded instantly, but conversely were cautious about disclosing their own data. Also, governments must not assume that everyone has the same level of access and it is important to maintain a dual system, as poor Internet access was a big barrier to cultural change.

UK advised that age could also be a barrier, and the older generation could be resistant to using online services, especially in relation to health and financial data. Mr. Williams advised that an anonymised data set could be used to drive health policies. There was a general acceptance that some information would be made generally available, but a consents-based sharing model would be required to ensure that individuals were content that their data would be shared with other departments. It was recognised that if companies only used online services they could lose trade, and therefore any government scheme had to be customer-centred, providing options

to maximise public engagement. This ‘Assisted digital’ model aimed to ensure that everyone had the ability to access information, and it was proposed that the Parish Halls in Jersey would serve as hubs where staff could give guidance and support (this would also extend to libraries). The focus would be to move as many customers as possible onto digital services, but there would still be phone/face-to-face options for those uncomfortable with IT.

Malta reminded the conference that under the Marrakech Treaty, the needs of those who were disabled or visually impaired had to be considered when providing digital services, and Mr. Williams advised that Jersey was working with a number of local charities, including those for the visually impaired, the deaf, and Age Concern, to ensure that best practice was followed.

The Workshops available for discussion in smaller groups were ‘Voter engagement’ led by Mrs. Jo-Anne Dobson of Northern Ireland; and ‘Parliaments and Social Media’ led by Mr. Bill Malarkey of the Isle of Man.

Key aspects of the discussions from these workshops were relayed back to the Plenary by Rapporteurs, Hon. Tim Crookall of the Isle of Man, and Hon. Justyne Caruana of Malta, respectively.

Plenary 2

Plenary Session 2 on 18th May 2016 dealt with ‘Parliaments engaging with young people’ and was chaired by Jersey’s Senator P.F. Routier, M.B.E., with Mr. R. McLoughlin, Cultural Development Officer, Mrs. L.-M. Hart, Deputy Greffier of the States, Mrs. A.C. Goodyear, Assistant Greffier of the States, Toni Cooper, Senior Youth Worker, and Jenna Bisson, Youth Worker, as the main Speakers.

Jersey had developed a number of initiatives to reach out to young people, particularly since the reduction in the voting age to 16 in 2008. These included a primary school visits programme, the Youth Assembly, targeted youth voter registration schemes, and a youth service workshop designed to inform young people about politics in the Island.

Malta advised that one initiative which had proven successful was a grandparent and grandchild forum, which helped to bridge the generational gap and help both sides see things from a different perspective.

There were 2 workshops for discussion in smaller groups: ‘Improving the public impact of Committee reports’, chaired by Jersey’s Deputy L.M.C. Doublet of St. Saviour; and ‘Exploring different electoral voting systems’, which was chaired by Hon. S. Sacramento of Gibraltar. Jersey’s Deputy R.D. Johnson of St. Mary and Dr. R. Blackman-Woods served as Rapporteurs for these two workshops and provided feedback to the Plenary.

The closing session heard from Connétable L. Norman of St. Clement, Chairman of the CPA Jersey Branch. We then attended a farewell dinner hosted by the Bailiff, W.J. Bailhache, at which Hon. S. Sacramento accepted the challenge of hosting the event in 2017 and thanked the hosts for their generous hospitality.

The Jersey branch invited delegates to sample the Island's culture via an informal barbeque evening at Hamptonne Country Life Museum, where entertainment was provided by local Jërriais band, 'Badlabecques'; and at a more formal dinner at the Somerville Bay Hotel overlooking the beautiful bay of St. Aubin. Delegates were taken on a tour of the Island on the final day, including a visit to La Hougue Bie Neolithic tomb, where they were shown some of the Celtic treasures recently unearthed by metal detectorists; a trip to Mont Orgeuil Castle; and a visit to the Jersey War Tunnels, a stark reminder of the years of occupation by the Nazis during World War II.

5.2.4 13th CPA Canadian Parliamentary Seminar, Ottawa

Deputy R. Labey of St. Helier was selected to attend the 13th Annual Seminar organised in Ottawa by the Canada Branch from 29th May to 4th June 2016, and the theme was 'Influencing policies and legislation for the empowerment of women'.

The seminar brought together some 22 visiting delegates from across the Commonwealth for a week of presentations and discussions on a wide range of subjects relating to parliamentary practice and procedure, including the Parliamentary Presence of Political Parties and The Role of Party Caucuses, and Influencing Government and Regulating Influence: Parliament and Lobbyists.

"What I must convey is how exciting it was to be in the Canadian seat of Government at this time. We toured the Parliament buildings; watched Question Time in the Commons from the public gallery, were name checked by the Speaker and applauded from the floor of the House (proud moment) and every day on Capitol Hill outside the parliament buildings something interesting was occurring. On one day it was Justin Trudeau being the first Prime Minister to raise the LGBT rainbow flag over the hallowed turf. Trudeau is a rock star; said 'Hi, good to see you' as he pressed the flesh in shirtsleeves with minimal security to rapture. He shook my hand and greeted me warmly.

On Day 5 the reason for my late return to the conference was a protest on Capitol Hill I wanted to experience. Canadian dairy farmers upset about the prospect of the importation from the USA of cheap powdered milk, blockaded the highways with rows of mighty tractors and horned beasts. All carefully co-ordinated and controlled by unobtrusive authorities and a polite Police presence.

'Sorry I'm late but I wanted to see the dairy farmers protest. As you know I am from Jersey where, famously, the cow was invented'. Laughter is the shortest distance between two people as Victor Borge so brilliantly put it. It's also the shortest distance between nations, we laughed a lot and became all the closer for it.

We found so much common ground throughout the week. This is the genius and value of these conferences. I was struck by how much we had in common, how much relevance to us all were the experiences of others democracies big or small."

Deputy R. Labey of St. Helier

5.2.5 27th Seminar, Brisbane, Queensland

Deputy S.G. Luce of St. Martin represented Jersey at the 27th CPA seminar held in Brisbane, Australia in June 2016. Present at the Seminar were delegations from Cameroon, Fiji, India, Jamaica, Namibia, New Zealand, Nigeria, Pakistan, Quebec, Singapore and South Africa, not to mention England and, of course, a number of members from all across Australia.



The Queensland Parliament Building

After registration on the Monday morning, the seminar was officially opened by the Governor of Queensland, the Hon. Paul de Jersey.



Queensland Parliament First Chamber

Mr. Akbar Khan, newly appointed CPA Secretary General, made the first presentation and was very keen to show how he intended to move the CPA forward, especially through increased interaction with young people. Further sessions on the first day included the evolution of Parliamentary democracy and the role of the speaker and the clerk of parliament. The day concluded with a visit to Government House for a reception hosted by His Excellency.



Outside Government House, Brisbane

Further sessions included parliamentary ethics, transparency and accountability – the truth agenda; parliamentary committees and the importance of scrutiny and parliament and the economy. During sessions on ‘parliament, gender and human rights’ and ‘parliamentarians’ role in tackling domestic abuse’, Deputy Luce spoke at length about Jersey’s discrimination laws and how we treat that subject. A later session on implementing sustainable development goals was tailor-made for Deputy Luce, who was able to run off our targets within the Jersey Energy Policy 2050, and then spoke at length about Future Jersey, both of which were well-received.

“I was honoured to be representing my Island at this seminar ... I went out to Australia with questions in my mind as to how good our own system was, and how well we are coping with current issues. I came back very much knowing that we punch well above our weight, we are looked at as a system that works ... one to copy where possible ... one with new ideas that others envy. I came back proud to have represented everyone in our Assembly ... a really worthwhile trip that I would do again at a moment’s notice.”

The CPA Secretary General and Mr. Peter Wellington, (the current speaker of the Queensland Parliament) closed the event to much applause from all concerned and reminded those present that the seminar was to be the last of its type, and that a new course of seminars focusing on ‘Commonwealth Parliamentary Fundamentals’ would start in 2017.

5.2.6 8th Commonwealth Youth Parliament

Robert Winspear was selected by the Jersey Branch to attend the 8th Commonwealth Youth Parliament hosted by Victoria, British Columbia, Canada between 6th and 10th November 2016. The CYP brought together young people under the age of 30 from across the Commonwealth, together with a number of parliamentarians who acted as mentors for the young people.

“Whilst travelling to Canada I thought about what I was going to take away from the week. I was hoping I would learn more about parliamentary process; speaking politically; and the perspective of other politically interested young people. After having returned, I can thankfully say that, not only did I learn a lot more in those areas, but I also about other things I did not consider: particularly some of the unique cultural issues Canada faces and details of the role of an MP.”

Robert Winspear

5.3 Assemblée Parlementaire de la Francophonie (“APF”)

5.3.1 Conférence des Présidents, Cap Breton

The 2016 Conférence des Présidents of the APF European Region was held in the Cap Breton in the South of France from 2nd to 4th May 2016.

The President, Connétable Juliette Gallichan of St. Mary, attended on behalf of the Jersey Section. The conference was chaired by Mr. Jean-Paul Wahl, the Chargé de Mission Europe. After a formal opening, delegates were given an overview of “*La mise en œuvre des objectifs de la COP 21 sur un territoire*”, concentrating on the Department of Landes by way of example.

The arrangements for the next AER in Aosta formed the main item of business for the Conference. The theme identified was “*La francophonie économique*”, and there were also discussions regarding preparations for the APF General Assembly.

Delegates heard from Mr. Hugo Verlomme, a journalist and author of some 30 books on the ocean and the environment, initiator of the *Gouf de Cap Breton* day in September 2015, and Mrs. Stéphanie Geyer-Barneix, a decorated athlete currently in charge of beach surveillance in the municipality of Cap Breton.

5.3.2 Réseau des Femmes

The Réseau des Femmes, which brought together women parliamentarians from across the French-speaking world, was held between 23rd and 27th February in Tangiers, Morocco. Deputy Kristina L. Moore of St. Peter was scheduled to attend, but unfortunately her visit was cancelled due to ill-health.

5.3.3 29ème Assemblée Régionale Europe, Vallée d’Aoste, Italy

The 29ème Assemblée Régionale Europe was hosted between 26th and 30th September 2016 in the Aosta Valley, a region of north-west Italy bordered by France and Switzerland. This unfortunately clashed with the consideration by the Assembly of the Draft Medium Term Financial Plan Addition for 2017 – 2019’ (P.68/2016), and therefore Jersey was unable to send a delegation to this important event.

5.4 British-Irish Parliamentary Assembly (“BIPA”)

The British-Irish Parliamentary Assembly brings together parliamentarians from the parliaments at Westminster and Dublin, from the devolved Parliament and Assemblies in Scotland, Wales and Northern Ireland and from the 3 Crown Dependencies.

After the 2014 election, the States re-elected Deputy J.A.N. Le Fondré of St. Lawrence as Jersey’s Member on BIPA, and elected Deputy K.C. Lewis of St. Saviour as Associate Member to replace former Senator Alan Breckon, who had retired from the States.

Between 3rd and 5th July 2016, Deputy Le Fondré and Deputy Lewis represented Jersey at the Plenary meeting of the British-Irish Parliamentary Assembly in Malahide, Dublin.

This was the first meeting of the Assembly since the UK had voted to leave the European Union.

Alongside matters such as tourism and the economy, therefore, members discussed at length the potential impact of the Brexit vote on their respective jurisdictions.

Deputy Le Fondré, who is also a member of the BIPA Committee on Economic Affairs, spoke during the discussion to highlight the potential impact on Jersey and the need for the Crown Dependencies to be closely involved in the forthcoming negotiation process.

5.5 UK, Irish and Islands Clerks’ Seminar

Jersey hosted the UK, Irish and Islands Clerks’ Seminar on 20th and 21st October 2016.



Seminar delegates gathered in the States Chamber in Jersey

The Clerks' Seminar brings together clerking staff of parliaments and assemblies in the UK, the Crown Dependencies and the Republic of Ireland. This annual event, hosted in rotation by participating bodies, provides an opportunity to discuss matters of mutual interest, to share best practice and to develop professional networks. Amongst the subjects discussed at the 2016 Seminar were Internal Governance changes, the impact of Brexit and the importance of balancing government and opposition. Our colleagues from the Irish Oireachtas will be hosting the event in 2017.

6. THE STATES GREFFE



6.1 Clerks' section

In brief, the functions of the Clerks' section are –

- ◆ to provide professional clerking support to the Council of Ministers, certain committees and other bodies appointed by the States, and also to provide support in other areas;
- ◆ to act as liaison officers to departments, providing procedural advice in relation to the work of the States Assembly as required;
- ◆ to provide quality assurance of Ministerial Decisions, in conjunction with the Deputy Greffier of the States; and
- ◆ to edit the transcript of the proceedings of the States and to produce the States' Official Report ('Hansard').

6.1.1 The clerking role



*States Greffe Committee Clerks in post at the end of 2016:
(standing: Kate Larbalestier and Karen Slack; seated: Michelle Clark and Peter Monamy)*

The number of meetings for which a Clerk was provided in 2016, along with the comparative figures for the 4 previous years, is shown in the following table –

	2012	2013	2014	2015	2016
Council of Ministers	35	25	25	30	23
Criminal Injuries Compensation Board	8	3	4	4	7
Legislation Advisory Panel	9	8	6	7	6
Manual Workers' Joint Council, <i>includes 3 Disputes Committees</i>	3	3	0	0	0
Jersey Overseas Aid Commission	52	55	52	57	56
Planning Applications Panel (<i>now Planning Committee</i>)	11	12	10	10	12
Planning and Environment Ministerial meetings	8	15	10	2	1
Privileges and Procedures Committee	21	30	27	20	23
– PPC Reform Sub-Committee	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	4	4
Probation Board	6	5	6	6	5
States Employment Board	26	28	20	24	24
– Organisational Change Sub-Committee	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	2
Tourism Development Fund Advisory Panel	10	12	14	6	7
Civil Service Forum	2	0	2	0	0
Administrative Reviews (Complaints Boards)	1	4	1	1	2
TOTAL	229	206	179	171	172

In addition to acting as departmental liaison officers, members of the Clerks' section also carried out research on request, primarily on behalf of the Chief Minister's Department and the States Employment Board.

6.1.2 Ministerial Decisions

The Clerks provide the first-line quality assurance of Ministerial Decisions. 1,009 Ministerial Decisions were made during 2016:

Department	Number of Ministerial Decisions				
	2012	2013	2014	2015	2016
Chief Minister	134	162	196	148	136
*Economic Development, Tourism, Sport and Culture	169	123	131	114	71
*Education	30	26	32	27	33
*Environment	135	138	118	83	165
External Relations	n/a	n/a	49	67	45
Health and Social Services	47	60	66	47	78
Home Affairs	93	75	75	82	82
Housing	112	99	43	3	9
*Infrastructure	102	109	133	106	112
Property Holdings	132	221	220	137	76
Social Security	116	138	154	109	84
Treasury and Resources	121	120	153	144	118
TOTAL	1,191	1,271	1,321	1,067	1,009

**These new Ministerial titles came into being with effect from 1st January 2016, under [R&O.158/2015](#), adopted by the States on 16th December 2015.*

The Ministerial Decisions process, using Livelink, allows departmental staff to prepare decisions in draft in advance of the time that a decision needs to be made, the quality assurance process to take place, and then to place the decision before the Minister or Assistant Minister. All decisions are checked by the States Greffe within 24 hours, and usually within half a day.

6.1.3 Access to information

On 8th June 2004, prior to the introduction of the ministerial form of government and the provision in the States of Jersey Law 2005 to delegate decisions, the States decided to revise the Code of Practice on Public Access to Official Information to include the following paragraph –

“3.1.1(a) an authority shall grant access to all information in its possession, and Committees of the States, and their sub-committees, shall make available before each meeting their agendas, and supplementary agendas, and grant access to all supporting papers, ensuring as far as possible that agenda support papers are prepared in a form which excludes exempt information, and shall make available the minutes of their meetings,”.

In addition, the Greffier of the States was requested to ensure that all matters recorded in Part B minutes were properly exempt from disclosure. When providing the first-line quality assurance of Ministerial Decisions, the Clerks’ section routinely checks

the application of exemptions under the Code of Practice. A further check is then carried out by the States Greffe at the subsequent level of quality assurance.

The [Freedom of Information \(Jersey\) Law 2011](#) (“the 2011 Law”) came into force on 1st January 2015, replacing the provisions of the Code of Practice on Public Access to Official Information.

The terms of reference of the Privileges and Procedures Committee, in developing the 2011 Law, included the charge to keep under review the procedures and enactments relating to public access to official information. With the possible exception of the matter of the Composition and Election of the States, no other topic had been the subject of such comprehensive deliberation, consultation and review; and the lodging *au Greffe* of the 2011 Law in its draft form ([P.39/2011](#)) represented the culmination of some 11 years’ work after the States had adopted the Code of Practice. During that debate, the States agreed that the provisions of the Code, amended as appropriate in the light of practical experience, should be incorporated into legislation which would establish a general right of access to official information for members of the Public.

The States re-affirmed that decision on 6th July 2005, when they agreed, by 32 votes to 12, that the existing Code of Practice on Public Access to Official Information should be replaced by a Law, to be known as the Freedom of Information (Jersey) Law, thus indicating a strong desire to proceed, notwithstanding the note of caution on costs voiced by the Finance and Economics Committee at that time (*now the Minister for Treasury and Resources*).

The 2011 Law was adopted in its 25th incarnation, and it was felt by the majority of the then PPC that, in that form, it represented a Law tailored to suit the needs and aspirations of a small community, whilst living up to international expectations. The Committee believed that as Jersey continued to develop and enhance its international personality, the Public’s ability to access official information would become increasingly important, not only in a practical sense to local residents and others seeking information, but also in the way in which the Island would be perceived as a well-regulated and forward-looking jurisdiction.

All decisions, whether taken by the Minister or delegated by a Minister to an Assistant Minister or to an officer, remain a decision of the Minister in law. The level of recording of decisions at officer level is a matter for departments, and it is not possible for matters that have not been recorded within the Ministerial Decisions process to be reviewed by the Greffe.

6.1.4 Official Report (‘Hansard’)

Since the change to ministerial government, the number of States’ meetings days had reduced from 64 in 2011 to 36 in 2012; then climbed again steadily over the next 2 years, with 43 meeting days in 2013, and 50 in 2014. It reduced again to 33 in 2015 and remained static in 2016. Variations in the number of meetings days impact on the Clerks, led by the Senior Clerk, who read the transcripts on their return from the transcribers and check the drafts, carrying out any necessary light editing to remove hesitations and repetitions, etc., and to verify local names and/or place names. Prior to the availability of the edited version, Clerks can provide individual States Members, on request, with an unedited version of extracts of the transcript if required. This now usually arrives 2 working days after the meeting. A copy of the audio recording can be prepared if required.

Official Report	2011	2012	2013	2014	2015	2016
No. of States' meeting days	64	36	43	50	33	33

6.2 Publications Editor

It is the Publications Editor's job to format, proof-read and prepare the following States publications for printing –

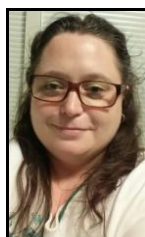
<i>Publication series</i>	<i>Types of document published within each series</i>
"P." series	<ul style="list-style-type: none"> ❖ Propositions with supporting reports, also known as Projets ❖ Addenda to lodged Projets ❖ Amendments to lodged Projets, with supporting reports ❖ Comments from Ministers, Committees or Panels relating to lodged Projets
"R." series	<ul style="list-style-type: none"> ❖ Reports ❖ Comments or Responses relating to presented Reports
"S.R. Res."	<ul style="list-style-type: none"> ❖ Ministerial Responses to Scrutiny Reports
"P.A.C. Res."	<ul style="list-style-type: none"> ❖ Ministerial or Departmental Responses to Public Accounts Committee Reports
"L." series	<ul style="list-style-type: none"> ❖ Laws registered in the Royal Court ❖ U.K. legislation (Orders in Council) extended to Jersey by registration in the Royal Court*
"R&O." series	<ul style="list-style-type: none"> ❖ Orders made by Ministers ❖ Regulations debated and adopted by the States ❖ Legislative Acts debated and adopted by the States ❖ Amendments to Standing Orders debated and adopted by the States ❖ U.K. legislation (Orders in Council) extended to Jersey by registration in the Royal Court* ❖ Rules made by the Island's Courts
States Minutes	<ul style="list-style-type: none"> ❖ These are drafted by the Assistant Greffier of the States, and after they have been checked by the Greffier and Deputy Greffier, they are passed on to the Publications Editor to do the final formatting before printing.

* These can be published either as Laws or as R&Os, depending on precedents previously published.

The Clerks of the States Greffe are responsible for monitoring notifications of signed Ministerial Decisions (“MDs”) generated by the Livelink software, which records the progress and detail of each MD. When an MD is signed by a Minister to authorise the lodging *au Greffe* of a proposition, draft legislation, or amendment to a lodged *projet*; or the presentation to the States of a report or set of comments, the Clerks inform the Publications Editor, who is responsible for formatting the publication for printing.

Officers from other departments are also required to play a proactive role in this process, and notification of MD signature can come directly from another States Department to the Publications Editor, preceding departmental updating of the Livelink software. This happens in the case of urgent matters for lodging, which can be signed off by a Minister as late as the day before a States Sitting, but which are nevertheless required to be referred to the Bailiff for formal approval to lodge, and on receipt of that approval must then be formatted, printed and distributed in hard copy on Members’ desks in the States Chamber ready for the start of the States Sitting at 09:30 the following day. The Publications Editor is often called upon to give advice to new departmental officers on the States Greffe’s procedural requirements, in order to facilitate lodging or presentation of matters by Ministers.

The Bailiff undertakes formal approval of all matters for lodging, i.e. propositions, draft legislation, and amendments to lodged *projets*, whether lodged by individual States Members, Ministers, the Council of Ministers, the Privileges and Procedures Committee, the States Employment Board, a Scrutiny Panel or the Public Accounts Committee. This means that when the Publications Editor is notified that a matter has been signed off for lodging (however urgently it is required) by a Minister or other official States body, that matter must be referred by the Publications Editor to the Bailiff for approval, before it can be prepared for printing.



*Publications Editor,
Angela Rayson*

The Publications Editor also deals with legislative Orders signed by Ministers. These need to be delivered to her promptly after signature: particularly important in the days leading up to a States Sitting, so that any Orders made by Ministers are processed in time for the details to be included on the States Order Paper for the next Sitting after the Orders have been made. Extra work does ensue at times as a result of States departments not delivering signed Orders, or providing notification of the making of Court Rules, in a timely manner.

As the Regulations and Orders (“R&Os”) must be published in strict chronological sequence of their making, any omission or delay in notification of the making of an Order by a Minister, or a set of Rules by the Courts, will result in the need to renumber and reprint R&Os made at an earlier date, that have already been published.

The Publications Editor also processes each Law adopted by the States, reformatting the *Projet* version to be the ‘Law as adopted’, incorporating any lodged amendments to the draft Law that have also been adopted during the States’ debate. Each adopted Law is then forwarded by the Publications Editor to officers of the Law Officers’ Department, who prepare a Royal Assent Memorandum (“R.A.M.”) for the Privy Council, which explains the content and purpose of the Law.

On completion of the R.A.M., it is signed by H.M. Attorney General and Solicitor General. The Law Officers then forward it to the Publications Editor, who is responsible for sending it, along with the adopted Law, to the Office of the Lieutenant Governor for onward transmission to the Privy Council. This is an important task,

which ensures that the Privy Council receive all the documentation necessary to put before Her Majesty in Council, for Royal Sanction, any Laws that have been adopted by the States Assembly.

The following table shows the quantity of each different type of publication which the Publications Editor was responsible for formatting and preparing for printing during 2016, alongside the 2015 figures –

PUBLICATION TYPE		Quantity	
		2015	2016
“P.” series	Projets	163	140
	Addenda to Projets	6	10
	Amendments to Projets (<i>inc. Amendments to Amendments</i>)	65	61
	Comments on Projets	59	54
“R.” series	Reports (<i>formatted wholly or partly by the Publications Editor</i>)*	115	101
	Comments on / Responses to Reports**	1	1
“S.R. Res.”	Ministerial Responses to Scrutiny Reports***	6	8
“P.A.C. Res.”	Ministerial or Departmental Responses to Public Accounts Committee Reports	3	0
“L.” series	Laws adopted by the States and converted from <i>Projet</i> format for submission to the Privy Council	21	29
	Laws registered in the Royal Court following adoption by the States Assembly and sanction by H.M. Privy Council	16	30
	U.K. Orders in Council extended to Jersey by registration in the Royal Court	1	2
“R&O.” series	Orders made by Ministers	111	94
	Bye-Laws made by Ministers	0	1
	Regulations adopted by the States	46	38
	Legislative Acts adopted by the States	10	7
	Amendments to Standing Orders adopted by the States	2	1
	Rules made by the Courts	2	1
	U.K. Orders in Council extended to Jersey by registration in the Royal Court	0	0
States Minutes	Final formatting for printing, plus the uploading of each set of Minutes to the States Assembly website	33	33
TOTAL:		662	611

**Some Reports are received by the States Greffe as formatted PDF files prepared by the presenting department. These only require the allocation and addition of an ‘R. number’ and are not otherwise edited by the Publications Editor. Such Reports numbered 25 in 2015 and 34 in 2016; some being printed by the Reprographics Section of the Greffe, while others were delivered in hard copy to the States Assembly Information Centre for distribution to Members.*

*** Comments or Response documents are rarely published in relation to Reports. There were no Comments on Reports published during 2016 but there was, however, a Response document published (R.75/2016 Res.). During 2015 there was one set of Comments (R.8/2015 Com.) but no Response documents.*

**** Each figure refers to Ministerial Responses published within the relevant year. The 2016 figure includes 3 Responses to 2015 S.R.s which were published during 2016; similarly there will be some Responses to 2016 S.R.s that are not published until 2017.*

6.3 Reprographics

The Reprographics section is responsible for providing a high-quality printing and binding service to the States Assembly and all States departments.



Sally Hansford, Reprographics Supervisor

The Reprographics section of the States Greffe predominantly deals with States matters, printing propositions and amendments for lodging, as well as comments in relation to propositions, and Reports, for presentation to the States. With the States Assembly sitting on 33 days during 2016, there was a constant flow of documents being printed by Reprographics before each States Sitting.

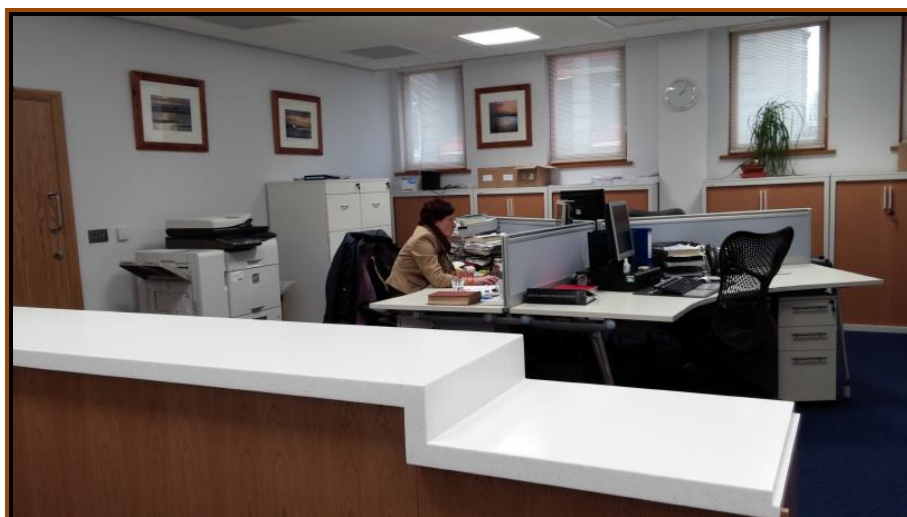
There were 135 Ministerial/Committee Reports presented to the States during 2016, with the majority being printed in house, and a small number being delivered to the States Greffe by the presenting departments, having been printed elsewhere. (*See section 6.3 for quantities of all publications produced by the States Greffe.*)

After each States Sitting, there are usually Regulations and/or legislative Acts which are sent to the Reprographics Section by the Publications Editor for printing following the adoption of draft legislation by the States Assembly. Laws (that have been previously adopted by the States and sanctioned by Privy Council) that are registered in the Royal Court on a Friday are sent to Reprographics by the Publications Editor for printing on the Monday or Tuesday following registration.

The Order Paper for each States Sitting, compiled by the Assistant Greffier of the States, is printed on the preceding Thursday and outlines what is to be discussed, as well as listing all of the items that have been presented or lodged since the last States Sitting. The Consolidated Order Paper, which incorporates any new items presented or lodged since the principal Order Paper was published, is printed by Reprographics on the Monday before the Sitting takes place.

Reprographics are also responsible for the printing and binding of various agendas, business plans, annual reports, and sensitive and confidential documents for the Law Officers' Department. The section also prints business cards for States employees and States Members, as well as printing and compiling training binders for departments. The Reprographics Assistant is responsible for the compilation of log-notes of each States meeting, and during 2016 produced a number of CD copies of meetings for States Members, departments and the Public on request, along with CD copies of the primary school visits to the States Chamber.

6.4 States Assembly Information Centre



The States Assembly Information Centre (formerly the ‘States Greffe Bookshop’) provides designated display areas for the work of the States Assembly, Scrutiny, the Public Accounts Committee, the Comptroller and Auditor General, as well as information about the Commonwealth Parliamentary Association, the Assemblée Parlementaire de la Francophonie, and various initiatives such as the Jersey Youth Assembly and Primary School visits to the States Chamber.

During 2016, staff members were heavily involved in the Primary School visits to the States Chamber, helping to record each meeting and assisting the children performing the role of Usher for the Assembly in delivering notes around the Chamber. They also prepared the paperwork for each visit, ensuring that the children had information about the States Member whose seat they occupied, as well as a special Order Paper for their meeting and copy of the Proposition they were debating.

Staff in this area also took over responsibility for formatting and circulating the oral and written questions received by States Members for each States meeting.

A range of quality States Assembly souvenirs is on sale in the Information Centre so that visitors are now able to purchase a memento of their visit to the States Chamber. The range includes the following items – 2 silk ties featuring the States’ crest design, tea-towels, i-Pad cloths, pens, pencils, mousemats, mugs and bookmarks. A silk scarf and set of coasters have also been produced using the parochial crest design contained within the beautiful stained-glass window just outside the entrance to the States Chamber, usually only seen by States Members and staff.



6.5 Registry

The Registry section provides a comprehensive archive of information relating to the work of the States Assembly, its Committees and Panels, as well as Ministerial Departments and Scrutiny. The Registry section also has responsibility for the retention and archiving of the signed copies of all Ministerial Decisions (MDs) and

relevant attachments, and their uploading to the gov.je website. During 2016, 856 MDs were uploaded by Registry to the gov.je website, and they were also responsible for the classification and distribution of 235 sets of Minutes of meetings of States-appointed bodies.



During 2016, staff in the Registry were involved in the implementation and testing of a new bespoke classification system which indexes all the information that the section holds. This system updated an older system which was no longer viable, and the new system now provides a much greater range of functionality which allows staff to track and search information more efficiently. New features, such as location tracking of physical files, and the ability to link to electronic documents, have been added, as well as enhanced security and audit functions.

The Registry section was involved in a joint project with the Social Security Foundations Scanning Team during 2016. The Foundations Team, which provides training placements for jobseekers, scanned a large volume of older *Projets* and Reports that are not currently available on the States Assembly website.

This included *Projets* from 1973 to 1997, and Reports from 1985 to 1998. The scanned documents have now been transferred to the Jersey Archive and will be made available online on their catalogue during 2017. Jobseekers who were involved with the project were given a tour of the States Greffe Department and the States Chamber, and Registry are currently looking at other projects where the Foundations Team can be utilised to provide online access to other older Assembly documents.



The Registry section is also responsible for processing all requests for information received by the States Greffe under the [Freedom of Information \(Jersey\) Law 2011](#), as well as any requests received from other Departments for information held by the Greffe. During the year, the States Greffe received 21 requests under

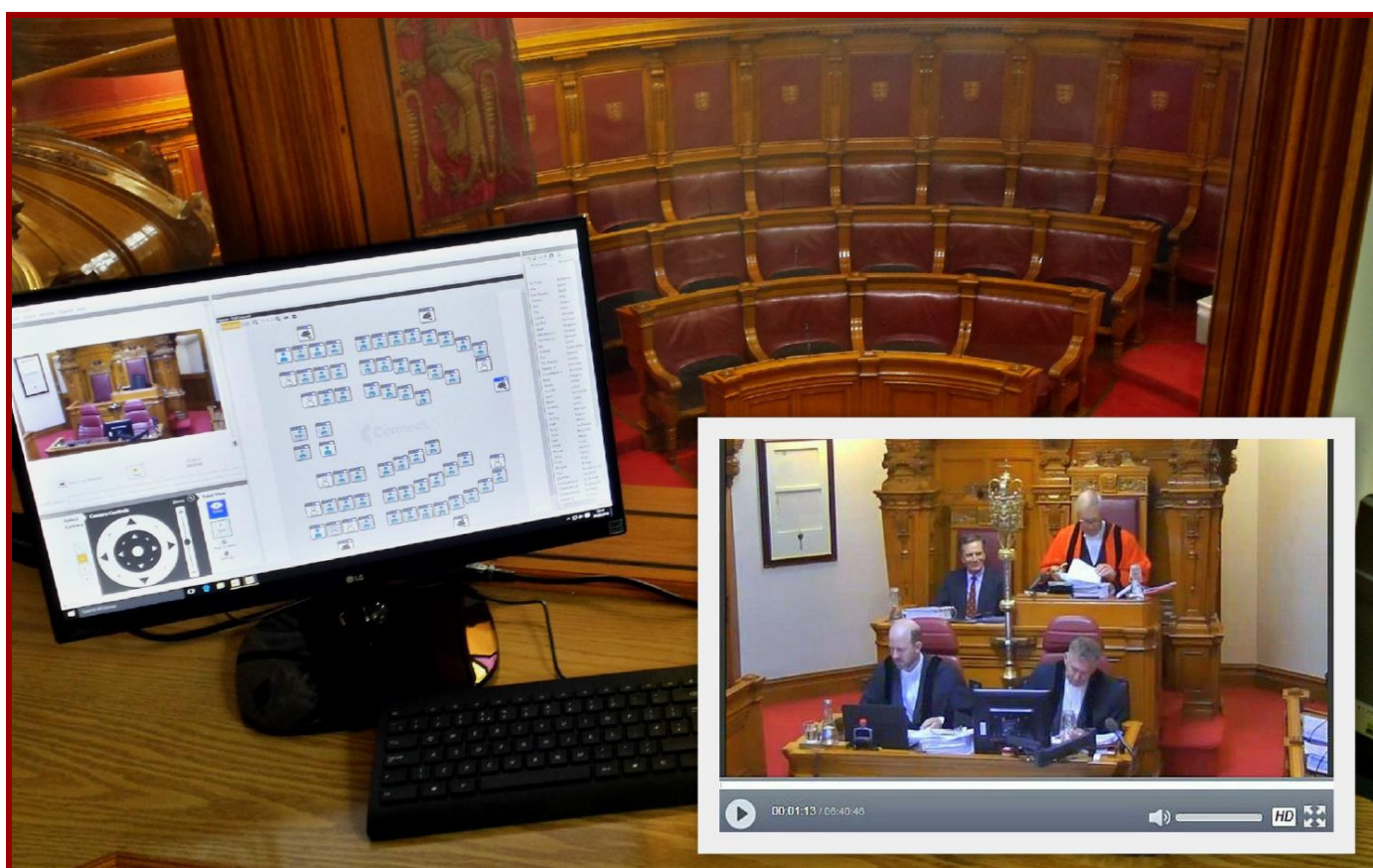
the Law and provided information to other departments in respect of 23 further requests. Registry also dealt with over 100 'business as usual' requests from States Members, States Departments and members of the Public, which related to decisions of the States, lodged propositions, and the Minutes of various States-appointed bodies.

In October 2016, the Island Council Clerk from Tristan da Cunha was seconded to the Registry section for a period of 4 months. The Clerk was keen to gain experience of working in a larger government Department and to learn about processes and procedures that would help them streamline their work when they returned to Tristan da Cunha. It was also a fascinating experience for the Registry section, who were able to learn a lot about the history and culture of this small Island in the middle of the Atlantic Ocean.

6.6 Webcasting

In September 2016, webcasting of the States Assembly's meetings was introduced. This measure was taken to implement the Assembly's approval in July 2015 of the proposition 'States Assembly: filming proceedings and the installation of clocks' ([P.39/2015](#)); whereby the Assembly had agreed that its proceedings should be filmed and broadcast live via the Internet, with the resultant broadcast being made available for a set length of time after the meeting.

Work on implementing the Assembly's decision was undertaken by the States Greffe in 2015 and during the first half of 2016. This included appointing 'Public-i'² to provide the software and hardware which would make the webcasting facility feasible. The necessary infrastructure, including 3 cameras, was installed in the States Chamber during the summer recess, and staff from the States Greffe were trained in the operation of the system.



Following a trial run at the first States Sitting of the Autumn Session, the initial meeting of the Assembly to be webcast live was during the week of 26th September 2016. It was the meeting at which the Assembly debated and approved the Medium Term Financial Plan Addition for 2017 – 2019 ([P.68/2016 as amended](#)). Over 600 people tuned in to watch the meeting, either live or via the archive.

² In 2000, [Public-i](#) pioneered live streaming for the public sector, to provide a one-stop-shop for all requisite hardware and software and avoid the need for multiple suppliers for audio-visual facilities.

All meetings of the Assembly are now webcast live and are made available for a period of 6 months after the meeting. During the meetings themselves, staff from the States Greffe operate the cameras. Each States Member has their own assigned, pre-set camera position, and staff from the Greffe ensure that the correct camera angle has been chosen for the particular Member speaking. Once the meeting has finished and the live webcast has ended, the webcast is archived and published on a standalone [website](#). Captions are created for each archived webcast of the Members who have spoken, and of the matters which have been debated. It is therefore easy to search archived webcasts for when a particular Member has spoken, or to find when a particular matter was covered and discussed.

6.7 Youth Assembly

The 19th Jersey Youth Assembly was held in the States Chamber on 15th March 2016. The Assembly was held under the presidency of the Branch President, the Bailiff of Jersey, and continued during question time under the presidency of the Branch Chairman, the Connétable of St. Clement. Forty-six young people participated from 6 schools and colleges.

The event began with Question time, at which several Ministers and Assistant Ministers answered questions from the students on a range of topics, including whether young people should get free bus travel; increased support for young people with mental health issues; and the impact of the EU referendum on Jersey. The Chief Minister answered questions without notice for 15 minutes.

The topics covered during the debates were that –

<ul style="list-style-type: none"> all Class A to C drugs should be legalised in Jersey 	(Rejected: 20 Pour/ 22 Contre/ 4 Abstentions)
<ul style="list-style-type: none"> sex education should be compulsory and extend beyond mere facts and biology 	(Adopted: 30 Pour/ 10 Contre/ 6 Abstentions)
<ul style="list-style-type: none"> public funding for private schools in Jersey should be cut 	(Rejected: 6 Pour/ 35 Contre/ 5 Abstentions)
<ul style="list-style-type: none"> new parents should undergo a child care course before they are able to have children 	(Rejected: 12 Pour/ 31 Contre/ 3 Abstentions)
<ul style="list-style-type: none"> a sugar tax should be imposed on unhealthy and sugary foods in Jersey 	(Adopted: 22 Pour/ 13 Contre/ 11 Abstentions)



*Members of the Jersey Youth Assembly held on 15th March 2016 in the States Chamber
(Photographs courtesy of the Jersey Evening Post)*

6.8 Primary School visits to the States Chamber/Citizenship Programme

The school visit scheme, which involved all Year 5 primary school children (aged 9 and 10), from both the States-funded and private sectors, ran throughout the school year and enabled each school to visit the States Chamber on a Monday morning. The children sat in the seats usually occupied by States Members, and used the voting system during a mini-debate on a topic of their choice. On each occasion, 3 of the children took the rôles of the Greffier, the Dean and the Usher.

During 2016 the scheme continued to be run by the Deputy Greffier of the States, Mrs. Lisa Hart, and the Cultural Development Officer, Mr. Rod McLoughlin, along with the Assistant Greffiers, Mrs. Anna Goodyear and Mr. William Millow. They were ably assisted by staff from the States Assembly Information Centre. Children received a leaflet before their visit (prepared by the Deputy Greffier and the Publications Editor, Angela Rayson, incorporating photographs taken by Registry Assistant, Mr. Martin Huelin, and cartoon character *Pierre the Pigeon*, an artistic creation of the Deputy Greffier) which gave an overview of the work of the States. A DVD/Powerpoint presentation was also available for viewing by the schools prior to their visit, in order to prepare the children for their special meeting. The DVD provided some historical information regarding the Chamber and the evolution of the States. In addition, it highlighted the procedural aspects of a States meeting, which the children's visits mirrored as closely as possible.

During 2016, 973 Year 5 children visited the States Chamber. Each child was presented with: a copy of their proposition, an Order Paper, an information sheet concerning the States Member whose seat they had taken, and a certificate to commemorate their involvement in the visit. The scheme aims to encourage local children to take more of an interest in how their Island is governed, and dovetails with the citizenship curriculum to promote participation in elections, especially since the reduction in the voting age to 16.

Debate topics during 2016 included: whether hot lunches should be provided by school canteens, the extension of the school day to 5 p.m., that school buses should be free, and that all primary school children should do an hour's P.E. every day. Children cited seeing the Royal Mace and pressing the voting buttons as the highlights of their visit to the Chamber.

In addition to parents and well-wishers in the Public Gallery, we welcomed a number of distinguished guests to the Chamber during school visits, many of whom sat in the seat usually occupied by H.E. the Lieutenant Governor. These included: the Connétables of St. Clement, St. John, Trinity, St. Martin, St. Brelade, St. Ouen and St. Peter; the Deputies of Trinity, St. John and St. Ouen, Deputy L.M.C. Doublet of St. Saviour; and Senator A.J.H. Maclean, as well as our very own Dene Cassin, Royal Court Usher, who sat in H.E.'s chair during St. Saviour's School's debate on 21st March 2016, whilst his daughter occupied the Connétable of St. Ouen's seat! We also received a visit from the Dean of Jersey and his counterpart the Dean of Guernsey during the visit by First Tower School, and they assisted one of the students with the reading of the prayers in French.



Nathan Crake-Jones from Grouville School, pictured with Mr. Rod McLoughlin of the Education Department



Rebekah Le Cocq from Trinity School, seated in the Presiding Officer's chair

6.9 Public engagement

Visits

During 2016 we welcomed a wide range of visitors to the Chamber for tours, including trainee Blue Badge Guides, Lord David Howell, Carol George from the Government of St. Helena, staff from the Jersey Financial Services Commission, journalists from Bailiwick Express, a large group of ladies from various U.K. Women's Institute branches, who were entertained by a double-act of the Deputy Greffier and Deputy R. Labey of St. Helier and Lord Bazalgette from ITV (which, despite her best efforts, did not result in the Deputy Greffier being offered her own chat-show). The Deputy Greffier also conducted 2 tours in French – one for students visiting from Brittany, and the other for a large group of visitors from Le Teilleul, St. John's twin town in Normandy.

Youth Service Politics Workshops

After the elections in 2014, the Deputy Greffier was approached by the Youth Service to work with them on an initiative to create a series of modular workshops which would address some of the main issues which young people had identified they wished to know more about. One of the most popular topics identified had been politics. Together with Toni Cooper (Senior Youth Worker), and Jenna Bisson (Youth Worker) and a number of young people, we worked to produce a capsule programme which could be rolled out into schools or youth-clubs to try and engage young people with the political process. We trialled the workshops at the Youth Service Away Day in April 2016, and the feedback was incredibly positive. In autumn 2016, the Deputy Greffier and Senior Youth Worker held a number of workshops for Hautlieu Year 10 pupils as part of the Personal, Social, Health and Economic ("PSHE") curriculum.



Youth Worker, Jenna Bisson and Mrs. Lisa Hart, Deputy Greffier of the States, at the Youth Service Away Day

By-election 2016

The States Greffe organised and ran an awareness campaign in the lead-up to the September 2016 by-election. The aim was to provide up-to-date resources for Islanders, detailing everything they needed to know about registering and voting in the by-election.

The website www.vote.je was re-launched and updated to include more information about the candidates, as well as details on how to register to vote, how to pre-poll vote, and how to vote on Election Day on 7th September 2016. As in 2014 for the General Election, hustings meetings were filmed and uploaded to the website so that Islanders who had not been able to attend the meetings could watch them at their leisure. All the candidates also took advantage of an opportunity to make a short film of their manifesto, which was then uploaded to their profile page on vote.je.

A booklet containing the manifestos of all the Senatorial candidates, as well as information about how to vote in the Election, was collated, printed and distributed to all Island households. Radio and printed media advertising boosted the campaign, and Facebook and Twitter were used with the aim of ensuring that the message about the forthcoming Election would reach as broad an audience as possible.

The results of the election were announced live on www.vote.je. On election night, the Deputy Greffier of the States, Mrs. Lisa Hart, and the Clerk to the Privileges and Procedures Committee, Karen Slack, set up election headquarters in Lisa's kitchen to update the web-pages as the results were announced.



6.10 Changes to the elected membership of the States

In July 2016, Senator Z.A. Cameron resigned from the States Assembly; and as a result, a by-election was subsequently held on 7th September 2016. Senator S.C. Ferguson was elected and sworn in on 9th September 2016, and took up her seat in the Assembly on 13th September 2016. Senator Ferguson had formerly been both a Senator and Deputy for St. Brelade No. 1 District from 2002 until 2014.



Senator S.C. Ferguson, successful candidate in the 2016 by-election

6.11 Changes to the non-elected membership of the States

2016 saw the official swearing-in of the new Greffier of the States, Dr. Mark Egan, on 19th January.



Dr. Mark Egan, Greffier of the States

6.12 Staff matters and Charity fundraising

There were a number of staff changes at the States Greffe during 2016 –

- Mrs. Anna Goodyear, the Assistant Greffier of the States, went on maternity leave and welcomed baby Rowan into the world on 9th September 2016.

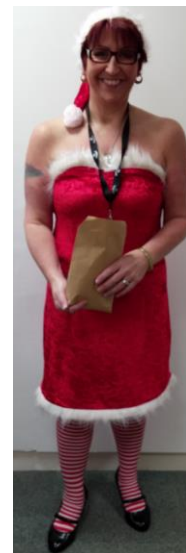


Baby Rowan, taking an early interest in the States Assembly!

- Mr. William Millow stepped up as Assistant Greffier during Anna's absence, and his role as a Scrutiny Officer was filled by Mr. Andy Harris.
- Ms. Angie Feltham left her role as Committee Clerk in 2016, and her replacement, Mrs. Michelle Clark, joined us in October 2016.
- In October 2016, Ms. Geraldine Repetto, the Island Council Clerk from Tristan da Cunha, was seconded to the States Greffe for a period of 4 months, mostly working in our Registry section.
- In November, Ms. Janice Hales left her role as Scrutiny Officer to travel the world, and was replaced by Mr. Tim Nicolle.
- Ms. Leah Stoodley, Scrutiny Administrator, was on maternity leave from December 2016.
- Reprographics Assistant, Mrs. Belinda Pugh, who also was the principal log-noter in the States Assembly, left the States Greffe in July 2016. As well as her familiar laugh, we all miss seeing the outfits she would wear in order to raise money for charity during our dress-down days.



Above, Mrs. Belinda Pugh, Reprographics Assistant; and below, a selection from the many dress-down day charity collection outfits that Belinda has delighted her colleagues with over the years



During 2016, States Greffe staff participated in a number of ‘dress-down days’ and raised £1,250 in total for charity. Each event was held in aid of a different charity, and the collection of donations was organised in the first half of the year by Reprographics Assistant, Mrs. Belinda Pugh, and in the latter half of 2016 by Reprographics Supervisor, Mrs. Sally Hansford.

In December 2016, staff also held special dress-down days which are now held annually to raise funds for the Jersey Society for the Prevention of Cruelty to Animals, in memory of their late colleague Kris Kelly, who died in December 2007. A total of £170 was raised during the month.



Kris Kelly, at a social function in 2006

APPENDIX

MEMBERSHIP OF THE STATES ASSEMBLY ON 1st JANUARY 2016

(Article 2 of the States of Jersey Law 2005)

William James Bailhache, Bailiff, President (Appointed 29th January 2015)

General Sir John McColl K.C.B., C.B.E., D.S.O.,
His Excellency the Lieutenant Governor (Appointed 26th September 2011)

First sworn in as a States Member

Senator Paul Francis Routier, M.B.E.	09.12.1993
Senator Philip Francis Cyril Ozouf	09.12.1999
Senator Alan John Henry Maclean	05.12.2005
Senator Ian Joseph Gorst	05.12.2005
Senator Lyndon John Farnham	09.12.1999
Senator Sir Philip Martin Bailhache	20.12.1972
Senator Andrew Kenneth Francis Green, M.B.E.	08.12.2008
Senator Zoe Ann Cameron	03.11.2014
Connétable Alan Simon Crowcroft of St. Helier	12.12.1996
Connétable Leonard Norman of St. Clement	17.06.1983
Connétable John Martin Refault of St. Peter	08.12.2008
Connétable Deidre Wendy Mezbourian of St. Lawrence	05.12.2005
Connétable Juliette Gallichan of St. Mary	05.12.2005
Connétable Michael John Paddock of St. Ouen	14.11.2011
Connétable Stephen William Pallett of St. Brelade	14.11.2011
Connétable Michel Philip Sydney Le Troquer of St. Martin	14.11.2011
Connétable Sadie Anthea Le Sueur-Rennard of St. Saviour	14.11.2011
Connétable John Edward Le Maistre of Grouville	04.10.2013
Connétable Christopher Hugh Taylor of St. John	03.11.2014
Connétable Philip Bond Le Sueur of Trinity	03.11.2014
Deputy Judith Ann Martin of St. Helier No. 1	05.05.2000
Deputy Geoffrey Peter Southern of St. Helier No. 2	15.02.2002
Deputy Carolyn Fiona Labey of Grouville	12.12.2002
Deputy Jacqueline Ann Hilton of St. Helier No. 3	12.12.2002
Deputy John Alexander Nicholas Le Fondré of St. Lawrence	05.12.2005
Deputy Anne Enid Pryke of Trinity	05.12.2005
Deputy Kevin Charles Lewis of St. Saviour No. 2	05.12.2005
Deputy Montfort Tadier of St. Brelade No. 2	08.12.2008
Deputy Edward James Noel of St. Lawrence	08.12.2008
Deputy Tracey Anne Vallois of St. John	08.12.2008
Deputy Michael Roderick Higgins of St. Helier No. 3	08.12.2008
Deputy Jeremy Martin Maçon of St. Saviour No. 1	08.12.2008
Deputy Susan Jane Pinel of St. Clement	14.11.2011

First sworn in as a States Member

Deputy Stephen George Luce of St. Martin	14.11.2011
Deputy Roderick Gordon Bryans of St. Helier No. 2	14.11.2011
Deputy Kristina Louise Moore of St. Peter	14.11.2011
Deputy Richard John Rondel of St. Helier No. 3/4	14.11.2011
Deputy Samuel Yves Mézec of St. Helier No. 2	07.03.2014
Deputy Andrew David Lewis of St. Helier No. 3/4	05.12.2005
Deputy Richard John Renouf of St. Ouen	03.11.2014
Deputy Louise Mary Catherine Doublet of St. Saviour No. 2	03.11.2014
Deputy Russell Labey of St. Helier No. 1	03.11.2014
Deputy Scott Michael Wickenden of St. Helier No. 1	03.11.2014
Deputy Simon Muir Brée of St. Clement	03.11.2014
Deputy Murray Julian Norton of St. Brelade No. 1	03.11.2014
Deputy Terence Alexander McDonald of St. Saviour No. 3	03.11.2014
Deputy Robert David Johnson of St. Mary	03.11.2014
Deputy Graham John Truscott of St. Brelade No. 2	03.11.2014
Deputy Peter Derek McLinton of St. Saviour No. 1	03.11.2014

Timothy John Le Cocq, Deputy Bailiff (Appointed 2nd April 2015)

The Very Reverend Robert Frederick Key, B.A., Dean of Jersey
(Appointed 6th October 2005)

Robert James MacRae, Q.C., H.M. Attorney General
(Appointed 5th May 2015)

Mark Howard Temple, Q.C., H.M. Solicitor General
(Appointed 17th August 2015)

Officers of the States

Michael Nelson de la Haye, O.B.E., Greffier of the States
(Appointed 5th November 2002)

Mrs. Lisa-Marie Hart, Deputy Greffier of the States
(Appointed 13th May 2014)

Advocate Elaine Miller, Viscount (Appointed 10th July 2015)

Advocate Mark Harris, Deputy Viscount (Appointed 28th January 2013)

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