

Education & Home Affairs Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: 8th October 2007

Meeting 43

Present	Deputy D.W. Mezbourian, Chairman Deputy J. Gallichan, Vice-Chairman Deputy S. Pitman
Apologies	
Absent	
In attendance	Mrs. A. Harris, Deputy Greffier of the States [Item 1, for a time] Mr. W. Millow, Scrutiny Officer Mr. T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
[25/09/07, Item 1]	<p>1. Rôle of the Centenier in the Magistrate's Court</p> <p>The Panel noted that, on 1st October 2007, Deputy F.J. Hill BEM of St. Martin had released to the media the Panel's draft report of 4th June 2007. It further noted that a <i>Jersey Evening Post</i> article of 5th October 2007 included quotes that appeared to have been taken from a confidential letter received by the Panel from H.M. Attorney General in May 2007. It was further noted that, consequent to the appearance of this article, H.M. Solicitor General had issued a press release on behalf of the Attorney General.</p> <p>The Panel was advised that the Chairmen's Committee had considered the issue of the release of confidential documents at its meeting on 5th October 2007. It was noted that the Committee had agreed that a statement on this matter would be made in the States Assembly by the Committee President. The Panel considered the draft statement and suggested amendments be made for the Committee's consideration.</p> <p>The Panel noted that Deputy Hill had tabled written questions to the Attorney General on the content of Mr. J. Cooper's legal advice to the Panel. The Panel was informed that Mr. Cooper had contacted the Scrutiny Office in connection to <i>The Rôle of the Centenier in the Magistrate's Court</i> (SR18/2007) and had commented that the report had handled the issues with thoughtful sensitivity.</p> <p>The Panel considered correspondence it had received from Senator B.E. Shenton in which the Senator asked whether consideration had been given during the review to the procedures in place when both the Attorney-General and the Bailiff are conflicted in a case. The Panel agreed to advise Senator Shenton that this matter had not fallen within the Panel's Terms of Reference. It further agreed to refer Senator Shenton to the Panel's key finding and recommendation relating to the rôle of H.M. Attorney General as 'titular head' of the Honorary Police.</p> <p>It was noted that the Ministerial Response to SR18/2007 would be due before December 2007.</p>	<p>WM /TO</p>

	<p>The Panel noted the provision of Item 11.19 of the draft <i>Code of Practice for Scrutiny Panels and the Public Accounts Committee</i>:</p> <p style="text-align: center;"><i>11.19 At the end of each review each Panel will evaluate the effectiveness of the process and report any problems which have occurred to the Chairmen's Committee.</i></p> <p>The Panel further noted that a form had been produced for Scrutiny Panels to use when evaluating reviews. The Panel identified comments it would wish to make on the Centeniers review and requested the Officers to begin completing the form.</p> <p>The Panel recalled that it had approved the Centeniers report on 25th September 2007. It noted that Deputy J. Gallichan had given apologies for this meeting but that prior to the meeting, she had indicated her approval of the report as it had stood on 20th September 2007. The Panel was advised that subsequent to the meeting on 25th September 2007, Deputy Gallichan had indicated by e-mail to the Scrutiny Office her approval of the final report.</p>	WM/ TO
	<p>2. Records of Meetings The Panel approved the records of its meetings of 10th September, 14th September (private session), 17th September and 25th September 2007.</p>	
[17/09/07, Item 4]	<p>3. Assessment for Learning and Critical Skills The Panel recalled that it had received documentation on Assessment for Learning and Critical Skills from Mr. C. Chipperfield at its meeting on 17th September 2007. It requested the Officers to clarify whether these documents could be forwarded to the Health, Social Security and Housing Panel and Economic Affairs Panel, due to their potential relevance to the work of these Panels.</p> <p>The Panel recalled Mr. Chipperfield's suggestion that the Panel attend one of two Critical Skills training sessions to be delivered in January 2008). The Panel agreed it would seek to attend a session on 14th January 2008. Consideration was subsequently given to potential dates on which the Panel could view delivery of the Critical Skills programme. The Panel noted the potential benefits of attending the training session prior to undertaking any visits and agreed to advise Mr. Chipperfield accordingly.</p> <p>The Panel recalled that advice it had received from Mr. Chipperfield on the effect that implementing the Critical Skills programme may have had on bullying. It noted that the Chief Minister had made certain undertakings in relation to bullying at a recent briefing on the subject given to States Members. It was agreed to write to the Chief Minister to remind him of this undertaking.</p>	WM /TO WM /TO WM /TO
[17/09/07, Item 3]	<p>4. Early Years Education and Care The Panel was advised that correspondence to Mr. I. Harrison had been despatched.</p> <p>The Panel noted the arrangements for Public Hearings. The Officer was requested to circulate the timetable to Panel Members. It was noted that a date for a Public Hearing with the Jersey Child Care Trust would need to be arranged; the Panel subsequently identified 19th October 2007 as a suitable date.</p> <p>It was noted that the Corporate Services Scrutiny Panel had made</p>	TO

	<p>recommendations relating to early years education and care during its Scrutiny Review of the introduction of a goods and services tax (GST). The Officer was requested to research this matter.</p> <p>The Panel noted it would meet its expert advisor, Dr. C. Hamer, on 12th October 2007. It was further noted that a break in this meeting would be required in order that the Panel could attend a second meeting on that day between H.M. Attorney General and all Scrutiny Members.</p> <p>The Panel was advised that Deputy J. Gallichan had recently met the Isle of Man's Minister for Education. The Panel noted the potential benefits of garnering information on the Isle of Man's policy on early years education and care.</p>	TO
[17/09/07, Item 5]	<p>5. Policing of Events – User Pays</p> <p>The Panel considered progress on the review to date. The Panel was advised that the Chairman had spoken to an individual employed by the Parish of St. Helier about the review. The Officer was requested to contact the individual in question to invite him to make a written submission. It was also agreed to invite written submissions from event planners.</p> <p>The Panel noted the potential benefits of garnering information on the organisation of events in the Isle of Man.</p>	
[17/09/07, Item 10]	<p>7. Correspondence to Mr. A. Williamson</p> <p>The Panel was advised that Mr. Williamson had acknowledged the Panel's correspondence of 13th September 2007.</p>	
[10/09/07, Item 5]	<p>8. Matters Arising and Action Updates</p> <p>The Panel noted the actions undertaken in response to requests made at its previous meetings with particular reference to the following:</p> <p>AU4: The Panel recalled its previous decision that clarification should be sought on the distribution procedure to Panels of Chairmen's Committee agendas, meeting briefing notes and records of meetings. The Panel agreed it would be beneficial for all Scrutiny Members to see the front-sheet of Chairmen's Committee agendas prior to meetings taking place. The Officers were requested to speak to the Scrutiny Manager about this matter.</p>	WM /TO
[10/09/07, Item 3]	<p>9. Annual Business Plan</p> <p>The Panel was advised that a response was awaited to its request for clarification from the Department of Education, Sport and Culture on its section of Annual Business Plan 2008. The Officers were requested to follow up this matter.</p> <p>The Panel noted that the Chairman had withdrawn during the States debate on <i>Annual Business Plan 2008 (P.93/2007): Amendment (P.93Amd/2007)</i>.</p> <p>The Panel recalled the request of the Chairmen's Committee that all Panels submit by mid-October a report on the opportunities for Scrutiny involvement in the Business Planning process. The Panel considered a draft report and identified amendments that it would wish to make. The Officers were requested to amend the report accordingly.</p>	WM/ TO WM /TO
[14/05/07, Item 12]	<p>10. Customs and Immigration</p> <p>The Panel noted that the <i>Jersey Evening Post</i> had recently reported that an investigation of Customs and Immigration officers was due to be undertaken by the States of Jersey Police. It was</p>	

	noted that the Panel would consider matters relating to Customs and Immigration when it came to choose its next Scrutiny Review.	
	<p>11. Strategic Plan</p> <p>The Panel noted that <i>Strategic Plan - progress against initiatives as at 30th June 2007</i> (R.89/2007) had been lodged. It was agreed that the Panel would seek meetings on the Strategic Plan with the Ministers within its remit at the time of the next update.</p>	
[04/09/07, Item 8]	<p>12. Scrutiny Newsletter</p> <p>The Panel considered its draft contribution to the second issue of the Scrutiny Matters newsletter. It was agreed that Panel Members would consider the draft in order that any consequent amendments could be agreed by, or on, 12th October 2007.</p>	
[23/07/07, Item 9]	<p>13. Forthcoming Propositions</p> <p>The Panel agreed that it would not seek to review the following propositions:</p> <ul style="list-style-type: none"> • <i>Draft Marriage and Civil Status (Amendment)(Jersey) Law 200-</i> (P.120/2007) • <i>Draft Corruption (Amendment of Definitions)(Jersey) Regulations 200-</i> (P.130/2007) • <i>Draft Terrorism (Amendment No.2)(Jersey) Law 200-</i> (P.131/2007) • <i>Draft Crime (Transnational Organized Crime)(Jersey) Law 200-</i> (P.132/2007) • <i>Draft Proceeds of Crime (Cash Seizure)(Jersey) Law 200-</i> (P.133/2007) • <i>Draft Civil Asset Recovery (International Co-operation) (Jersey) Law 200-</i> (P.135/2007) <p>It was noted that these propositions formed part of the work that had been undertaken in anticipation of the IMF visit in 2008, as referenced in correspondence to the Panel (dated 24th May 2007) from the Minister for Home Affairs.</p>	
	<p>14. Ministerial Decisions</p> <p>The Panel noted that the following decision had been made by the Minister for Home Affairs:</p> <ul style="list-style-type: none"> • Passport Fees Increase (MD-HA-2007-0064) – 12th September 2007 • Award of HM Fire Brigade Long Service and Good Conduct (HA-2007-0063) – 12th September 2007 <p>The Panel noted that passport fees had been increased from £66.00 to £72.00 for adults and from £45.00 to £46.00 for children.</p>	
	<p>15. Questions to Ministers</p> <p>The Panel noted that the Minister for Housing and Chief Minister would answer questions without notice at the States sitting of 9th October 2007.</p> <p>The Panel noted that the Minister for Economic Development and Minister for Transport and Technical Services would answer questions without notice at the States sitting of 23rd October 2007.</p>	
	<p>16. Future Meetings</p> <p>The Panel noted that it would next meet at 9:30am on 12th October 2007 in relation to the Early Years review. It was also noted that the Panel would meet on 18th October 2007 in relation to the Policing of Events – User Pays review.</p>	

Signed

Date:

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Chairman,
Education & Home Affairs Panel