

States of Jersey  
States Assembly



États de Jersey  
Assemblée des États

# States Assembly

## ANNUAL REPORT 2010



**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 delighted to have been invited by the Chairman of the Privileges and Procedures Committee to contribute a foreword to this 5th Annual Report of the States Assembly.

The Annual Report is an important document. It contains much useful information about the work of the Assembly and the matters upon which it spends its time. This information should help to inform discussion about any proposed reforms of the practices and procedures of the States.

The Report shows that 2010 was another busy year, albeit that the number of Sittings fell back from the record level of 2009 to that of 2008. However, this level is still above those of earlier years and the States remains extremely busy. It is of note, for example, that the number of oral questions on notice in 2011 remained at the same level as 2009 and the number of written questions actually increased.

The Report also shows that, unlike some legislatures where the time permitted for propositions brought by backbenchers is strictly limited, more time was spent on debating propositions lodged by non-executive bodies or private members than was spent on debating propositions lodged by Ministers. The Report also highlights the important work undertaken by Scrutiny Panels and by the Public Accounts Committee.

Writing this foreword also gives me an opportunity to thank members for the courtesy which they show towards the Chair. Presiding over the States is not as simple as it might seem and inevitably the Chair has on occasions to make decisions with which individual members will not agree. I would like once more to express particular thanks to the Greffier and his hardworking staff for the exemplary service which they give to the Assembly and for the assistance which they give me, which greatly eases my task.

## **Introduction by the Chairman of the Privileges and Procedures Committee**



**Connétable Juliette Gallichan of St. Mary**

I am very pleased to present the fifth Annual Report of the States Assembly, on behalf of the Privileges and Procedures Committee.

2009 was the second year of the 3 year electoral cycle and traditionally this has tended to be the busier than the first year in terms of time spent in the Chamber. However, 2009 came hard on the heels of an exceptionally busy year, and in fact at 293, the number of hours spent in the Assembly was 58 down on 2008's record total of 351. This was still a big increase over the same year in the previous electoral cycle (2007), when the States met for 240 hours. This change was partly due to the increase in the time allocated for answering Oral Questions in each Sitting, and there was an increase of 37 hours in the time spent on Public Business. However, the proportion of time spent on Public Business was virtually identical in both years.

Although the duty to produce an Annual Report falls to PPC, I would like to acknowledge the work done by all areas of the States Assembly in compiling the various sections. The variety of work undertaken by Scrutiny, the PAC and PPC and the opportunities for participation in inter-parliamentary bodies is well illustrated in the relevant areas of this Report.

As ever, I am grateful to the States Greffe for their assistance in this project and for their excellent support of States Members generally throughout the year.

# 1. THE STATES ASSEMBLY



## 1.1 Introduction

2010 was the second year of the current 3 year electoral cycle and, although it was noted in the 2009 Annual Report that the trend in previous electoral cycles had always been for the Assembly to sit more frequently in the second and third years of a 3 year States cycle than in the first year, this was not, in fact, the case in 2010. After meeting for a record 60 days in 2009, the Assembly met on 10 days less than that in 2010.

## 1.2 Membership

There was one change of membership on the senatorial benches during the year.

Senator S. Syvret was disqualified from office in April 2010 under the provisions of Article 8(2)(b) of the States of Jersey Law 2005, which provides that a Senator or Deputy is disqualified from office if he or she is resident outside Jersey for a period of at least 6 months. Senator Syvret was first elected as a Deputy for St. Helier No. 3 District in 1990, elected as a Senator in 1993 and then re-elected as a Senator in 1999 and 2005. He held a number of positions of responsibility during his time in the States and was President of the Health and Social Services Committee and then Minister for Health and Social Services for a total of nearly 8 years.

Senator Francis du Heume Le Gresley MBE was elected in the by-election held to fill the vacant senatorial seat, beating 8 other candidates. Senator Le Gresley, who was previously the Manager of the Citizens' Advice Bureau, was sworn in on 18th June 2010 and took up his seat in the Assembly for the first time on 22nd June 2011.

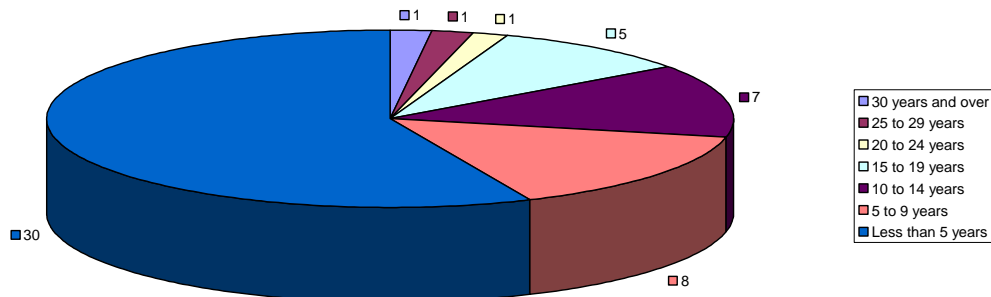
Mr. Howard Sharp Q.C. was sworn in as Her Majesty's Solicitor General on 8th March 2010 to replace Mr. Timothy Le Cocq Q.C., who had been sworn in as Her Majesty's Attorney General in November 2009.



### 1.3 Average length of service

The overall average length of service of the 53 elected members was 8 years on 31st December 2010. The longest-serving member, Senator T.J. Le Main, had served for just over 32 years, whereas the newest member, Senator F. du H. Le Gresley, had served for just over 6 months.

Over half of the elected members have a length of service of less than 5 years. The breakdown in the lengths of service for the 53 members are shown in the chart below –



Within the 3 categories of membership the average length of service was as follows –

	Average length of service
Senators	11 years
Connétables	8 years
Deputies	6 years





#### 1.4 Average age of elected members

With the one change in the elected membership of the States during 2010 and the normal passage of time, the average age of elected members of the Assembly increased to 56 years as at 31st December 2010. The breakdown in the age of members is given in the following table –

Age	Number of members			
	Senators	Connétables	Deputies	TOTAL
22 to 24	0	0	1	<b>1</b>
25 to 29	0	0	1	<b>1</b>
30 to 34	0	0	1	<b>1</b>
35 to 39	0	0	1	<b>1</b>
40 to 44	1	0	2	<b>3</b>
45 to 49	1	1	2	<b>4</b>
50 to 54	3	2	5	<b>10</b>
55 to 59	3	1	7	<b>11</b>
60 to 64	1	3	7	<b>11</b>
65 to 69	2	3	1	<b>6</b>
70 to 74	1	1	1	<b>3</b>
75 to 79	0	1	0	<b>1</b>

#### 1.5 Number of male and female members

The make-up of the elected membership during 2010 was as follows –

	Female	Male
12 Senators	1	11
12 Connétables	2	10
29 Deputies	9	20
<b>Total (53)</b>	<b>12</b>	<b>41</b>



## 1.6 Number of meetings

After the busiest year ever in 2009, the Assembly met for 10 fewer days in 2010. The Assembly convened on a total of 50 days during the year, with 49 of these meeting days being for ‘ordinary’ business and with one meeting being the traditional special meeting on Liberation Day, 9th May. The Deputy of St. Martin, who is one of 10 members who were alive at the time of the Liberation in 1945, addressed the Assembly during this special Sitting.

In last year’s Annual Report it was noted that the usual trend in previous years was for the Assembly to meet less during the first year after an election, with the number of Sittings then increasing in year 2 and increasing again in the third (election) year. For the first time for many years this trend was not repeated in 2009 and 2010, although it will be of interest to note the number of meetings in 2011, which is an election year. The number of States meetings since 2000 is as follows –

	<b>TOTAL</b>	<b>Ordinary business</b>	<b>Ceremonial, etc.</b>
2000	32	30	2
2001	37	34	3
2002	47	45	2
2003	37	36	1
2004	49	47	2
2005	49	48	1
2006	38	35	3
2007	45	44	1
2008	51	50	1
2009	60	59	1
2010	50	49	1
<b>Average</b>	<b>45</b>	<b>43.4</b>	<b>1.6</b>

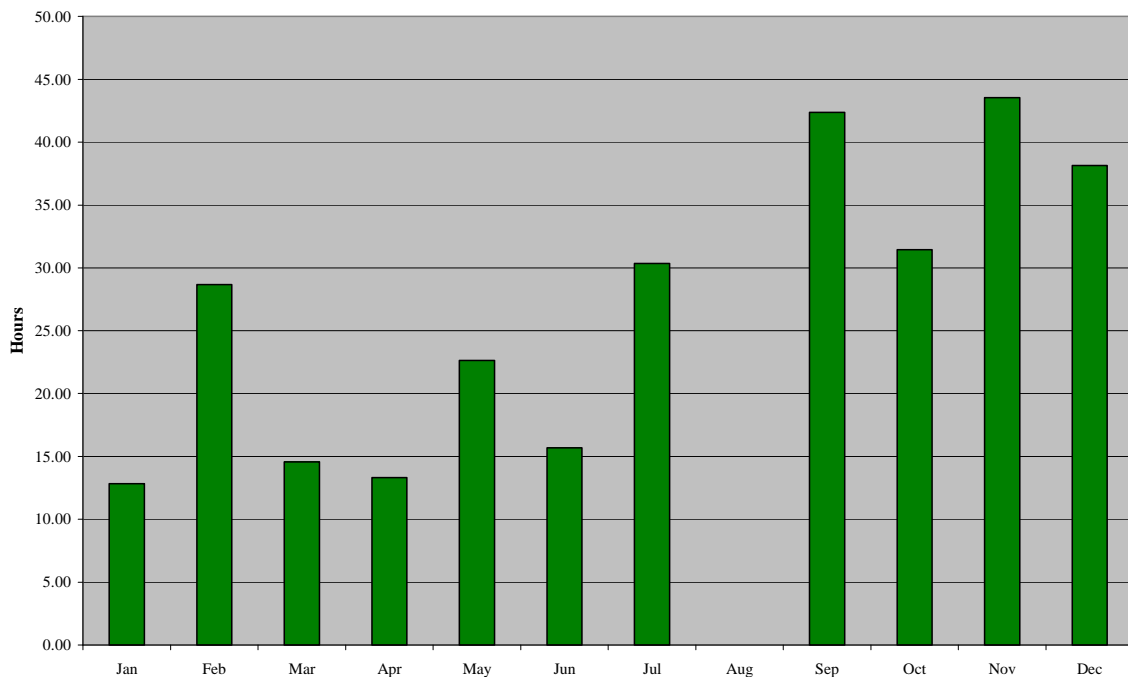
The Privileges and Procedures Committee had scheduled 20 meetings of the Assembly in 2010, each of which had scheduled continuation days. The 59 meeting days were made up of the 20 scheduled meeting days together with 25 out of the 43 proposed scheduled continuation days. The Assembly agreed to meet on 4 other days that were not initially scheduled days.



### 1.7 Length of meetings

After the record 351 hours and 2 minutes sitting hours in 2009, the Assembly sat for 293 hours and 46 minutes in 2010. The special meeting on Liberation Day lasted only 14 minutes, and the time spent during the other 49 meeting days for ‘ordinary’ business was therefore 293 hours and 32 minutes.

The 293 hours and 32 minutes spent on ‘ordinary’ business were spread over the 12 months of the year as shown in the following graph –



It is of interest to note that the Assembly sat for 155 hours and 30 minutes in the 4 months of the Second Session (September to December) which is longer than the 138 hours, 2 minutes in the 7 months of the First Session (January to July). This was, in part, due to the fact that the Annual Business Plan and the Budget debates both took place during the Second Session.

## 1.8 Allocation of time

The total of 293 hours and 32 minutes spent in the States on ‘ordinary’ business during the 59 meeting days was broken down as follows –

	<b>2010</b>	% of total	2009
Roll call/Communications from the Presiding Officer	<b>6h 5m</b>	2.1%	7h 24m
Notification of presentations and propositions lodged	<b>54m</b>	0.3%	1h 10m
Appointment of Ministers, Chairman, etc.	<b>2h 9m</b>	0.7%	3h 15m
Matters of Privilege	–	–	13m
Notification of written answers tabled	<b>1h 10m</b>	0.4%	1h 13m
Oral questions with notice (inc. urgent questions)	<b>40h 6m</b>	13.7%	38h 19m
Oral questions without notice	<b>10h 21m</b>	3.5%	11h 15m
Statements	<b>6h 39m</b>	2.3%	7h 7m
Public Business	<b>221h 6m</b>	75.3%	271h 27m
Arrangements of Public Business for future meetings	<b>5h 2m</b>	1.7%	9h 25m
<b>TOTAL</b>	<b>293h 32m</b>		350h 48m



## 1.9 Oral Questions with notice

Oral questions with notice can be answered at any scheduled meeting of the Assembly, but not during continuation days unless they are approved by the Bailiff as urgent questions. There were 4 urgent questions asked during 2010.

Members must submit oral questions with notice to the Greffier no later than noon on the Thursday preceding the Tuesday States meeting. Each member can only give notice of 2 such questions for each meeting and each question must be no more than 70 words long.

Oral questions with notice were asked at each of the 20 scheduled meetings of the States in 2010, and 334 such questions were answered during the year. In addition, as mentioned above, 4 urgent questions were also asked. The combined total of these 2 sorts of questions was therefore 338, which is almost identical to the 2009 total of 339.

The 334 oral questions with notice were answered during a 2 hour fixed period at each scheduled meeting. Any oral questions with notice that are listed on the Order Paper that are not reached by the end of the 2 hour period allocated simply fall away, and there were 47 unanswered questions in 2010.

The total time spend by the Assembly in dealing with the 334 oral questions with notice was 39 hours and 5 minutes, meaning that the average time taken for each question was almost exactly 7 minutes. The 4 urgent questions were dealt with in a total of 1 hour 3 minutes, giving an average per urgent question of 15¾ minutes.

The breakdown of Ministers/Committees and others with official responsibility answering the oral questions with notice (including the 4 urgent questions) was as follows –

	<i>2010</i>	<i>2009</i>
Treasury and Resources	<b>69</b>	44
Chief Minister	<b>58</b>	47
Economic Development	<b>41</b>	50
Home Affairs	<b>37</b>	40
Health and Social Services	<b>35</b>	36
Education, Sport and Culture	<b>23</b>	20
Planning and Environment	<b>20</b>	17
Transport and Technical Services	<b>15</b>	23
Privileges and Procedures	<b>12</b>	6
Housing	<b>10</b>	15
Social Security	<b>9</b>	17
H.M. Attorney General	<b>6</b>	13
Comité des Connétables	<b>2</b>	6
Corporate Services Scrutiny Panel	<b>1</b>	0
Chairmen's Committee	<b>0</b>	4
Education and Home Affairs Scrutiny Panel	<b>0</b>	1
<b>TOTAL</b>	<b>338</b>	339

### **1.10 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 10 hours, 21 minutes was spent on oral questions without notice during the 20 scheduled meetings in 2010.

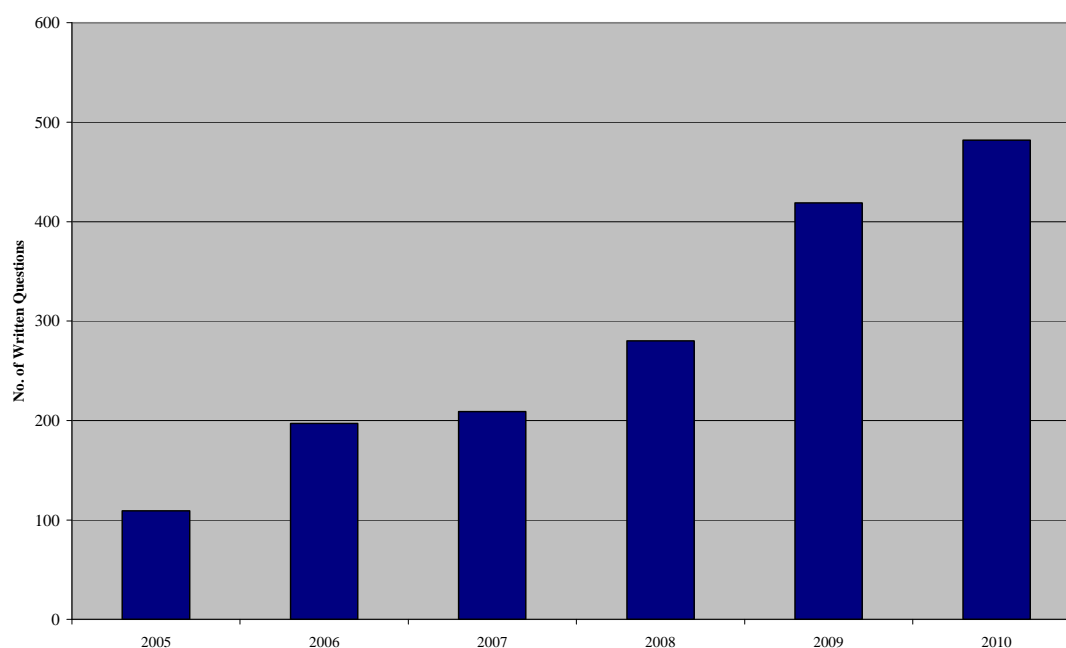
Ministers answered as follows –

	<i>2010</i>	<i>2009</i>
Chief Minister	<b>9</b>	11
Deputy Chief Minister for Chief Minister	<b>1</b>	–
Planning and Environment	<b>4</b>	3
Social Security	<b>4</b>	3
Transport and Technical Services	<b>4</b>	3
Economic Development	<b>3</b>	4
Education, Sport and Culture	<b>3</b>	4
Health and Social Services	<b>3</b>	4
Home Affairs	<b>3</b>	4
Housing	<b>3</b>	3
Treasury and Resources	<b>3</b>	3
Deputy Chief Minister for Chief Minister	<b>1</b>	
<b>Total</b>	<b>40</b>	42

### 1.11 Written Questions

In line with trends in recent years, there was a further increase in the number of written questions dealt with during 2010. Under Standing Orders, each member is able to submit up to 5 written questions for each meeting, with each question not exceeding 200 words in length; although it should be noted that many questions are in several parts and are, in practice, more than ‘one’ question within the 200 word maximum.

In 2010, 482 written questions were dealt with, an increase of some 15% over the 2009 total of 419. The increase in the number of written questions each year is illustrated on the following graph –



Written answers were tabled at every one of the 20 scheduled meetings of the Assembly, with the most being answered on 20th April 2010 when 37 written answers were tabled. The average number of questions per meeting was 24.1.

The breakdown of Ministers, Panels, Committees and others answering the written questions was as follows –

	<i>2010</i>	<i>2009</i>
Treasury and Resources	<b>84</b>	65
Chief Minister	<b>67</b>	61
Economic Development	<b>56</b>	38
Home Affairs	<b>47</b>	22
Health and Social Services	<b>44</b>	42
Planning and Environment	<b>43</b>	26
Social Security	<b>33</b>	43
Transport and Technical Services	<b>28</b>	50
Education, Sport and Culture	<b>27</b>	27
Housing	<b>21</b>	14
Privileges and Procedures	<b>17</b>	8
H.M. Attorney General	<b>9</b>	13
Comité des Connétables	<b>6</b>	7
Chairmen's Committee	<b>0</b>	2
Health and Social Services and Housing Scrutiny Panel	<b>0</b>	1
<b>Total</b>	<b>482</b>	<b>419</b>

### **1.12 Total number of Questions with notice**

The combined total of oral questions with notice, urgent oral questions and written questions during 2010 was 820, compared with the 2009 total of 758.

### **1.13 Statements**

There were 34 statements made in the Assembly during 2010, exactly the same number as in 2009. The 34 statements and the period of questioning that followed lasted a total of 6 hours, 48 minutes meaning that each statement took an average of exactly 12 minutes.

Thirty-one of the statements were made by Ministers and other office-holders on matters of official responsibility, and 3 were personal statements.

The breakdown of those making statements was as follows –

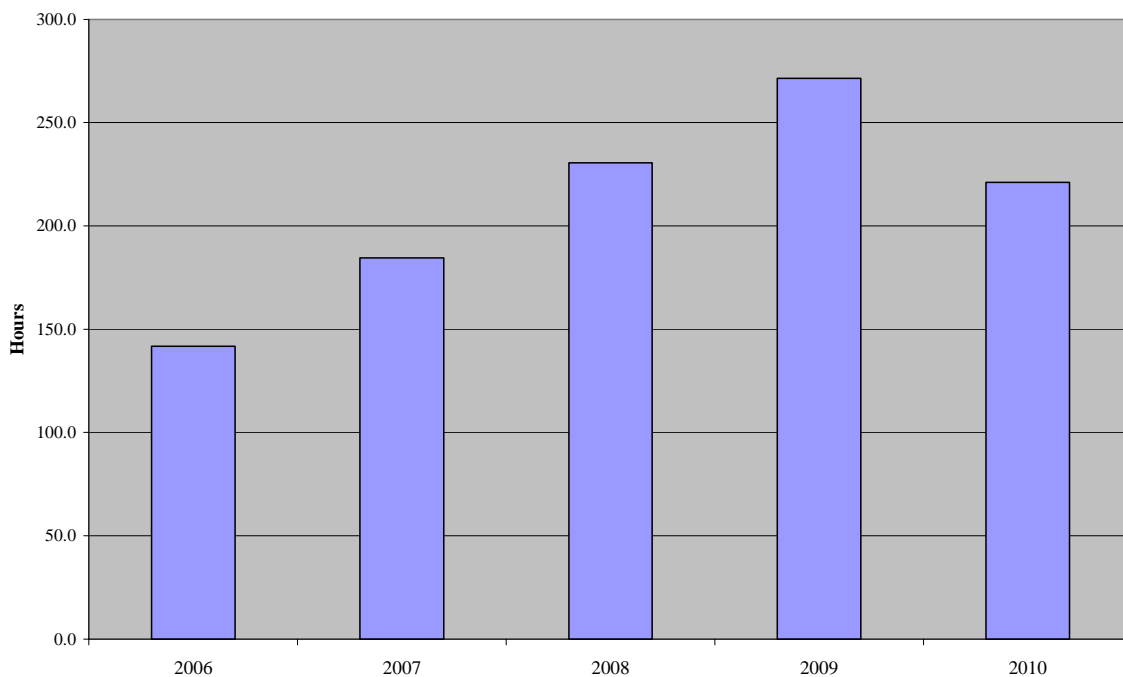
	<i>2010</i>	<i>2009</i>
Economic Development	<b>5</b>	4
Education, Sport and Culture	<b>4</b>	0
Housing	<b>3</b>	0
Treasury and Resources	<b>3</b>	5
Personal Statements	<b>3</b>	5
Health, Social Security and Housing Scrutiny Panel	<b>3</b>	2
Transport and Technical Services	<b>3</b>	1
Privileges and Procedures Committee	<b>3</b>	0
Health and Social Services	<b>1</b>	7
Planning and Environment	<b>1</b>	0
Chief Minister	<b>1</b>	4
Home Affairs	<b>1</b>	2
Comité des Connétables	<b>1</b>	2
Corporate Services Scrutiny Panel	<b>1</b>	0
Tidal Power Commission	<b>1</b>	0
H.M. Attorney General	<b>0</b>	2
<b>Total</b>	<b>34</b>	34





## 1.14 Public Business

Debates on draft legislation, policy matters and other propositions under Public Business occupied the Assembly for the majority of its sitting hours, as would be expected. During 2010, the Assembly spent a total of 221 hours, 6 minutes on Public Business which, as indicated in Section 1.8 above, represents 75.3% of the total sitting hours during the year. This was a decrease when compared to the 2009 total of 271 hours, 27 minutes, and it was this reduction that was almost entirely responsible for the reduction in the overall number of hours that the Assembly met for during the year. The total was marginally less than the 2008 total, but more than in 2006 and 2007, as shown in the following chart –



Unsurprisingly, given the reduction in time spent, there were less propositions debated during 2010 than during the previous year. The total number of propositions debated was 155, compared to 181 in 2009 and 174 in 2008. Although the time taken for each proposition varied widely, the overall average time per proposition, 85.6 minutes, was broadly in line with the 2 previous years (90 minutes in 2009 and 79.5 minutes in 2008).

The breakdown of the number of each type of proposition debated during the year was as follows –

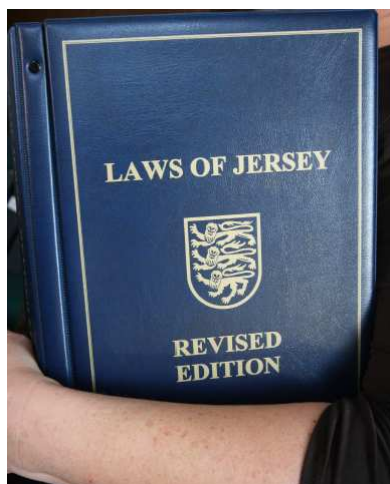
	<i>2010</i>	<i>2009</i>
Private members' policy matters	<b>45</b>	44
Regulations	<b>28</b>	39
Appointments	<b>20</b>	32
Ministers' policy matters	<b>13</b>	23
Laws	<b>21</b>	21
Legislative Acts (including Appointed Day Acts)	<b>13</b>	10
Standing Orders	<b>1</b>	3
Strategic Plan/Annual Business Plan/Budget	<b>2</b>	3
Scrutiny Panels/PAC policy matters	<b>4</b>	3
No confidence/dismissal/censure	<b>1</b>	1
PPC/Comité des Connétables policy matters	<b>2</b>	1
Petitions	<b>5</b>	1
<b>TOTAL</b>	<b>155</b>	181

The total time spent on the various categories of proposition and the percentage of the total time is shown in the following table –

	<b>Total time</b>	<b>% of total time</b>	<b>Average time per projet (Minutes)</b>
Private members' policy matters*	<b>92h 53m</b>	42%	124
Strategic Plan/Annual Business Plan/Budget	<b>50h 45m</b>	23%	1,522
Ministers' policy matters	<b>26h 1m</b>	11.8%	120
Regulations	<b>14h 3m</b>	6.4%	30
Laws	<b>11h 59m</b>	5.4%	34
Scrutiny Panels/PAC policy matters*	<b>7h 2 m</b>	3.2%	106
Petitions *	<b>4h 36m</b>	2.1%	55
PPC/Comité des Connétables policy matters*	<b>3h 56m</b>	1.8%	118
Appointments	<b>3h 12m</b>	1.4%	10
No confidence/dismissal/censure*	<b>2h 55m</b>	1.3%	175
Legislative Acts (including Appointed Day Acts)	<b>2h 7m</b>	1%	10
Standing Orders *	<b>1h 37m</b>	0.7%	97
<b>TOTAL</b>	<b>221h 6m</b>		

It is of interest to note the total time spent debating propositions lodged by Ministers, 108 hours and 7 minutes, was less than the 112 hours and 59 minutes spent debating propositions in the categories marked with an asterisk (\*) above, which were all lodged by non-executive bodies or by private members. This total is also, of course, without taking account of the many hours spent debating amendments brought by private members during the debates lodged by Ministers. For example, a large percentage of the 50 hours, 45 minutes spent debating the Annual Business Plan 2011

and the Budget 2011 was spent on the consideration of amendments brought by private members. It is again of interest to note that the Assembly, as Jersey's legislature, spent only 13.5% of its total debating hours considering draft legislation (Laws, Regulations, Standing Orders and legislative Acts).



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 as 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 2010, 199 new propositions were lodged, which is a slight decrease when compared to the 2009 total of 212. The breakdown into the different types of propositions lodged was as follows –

	<b>2010</b>	<b>2009</b>
Private members policy matters	<b>73</b>	64
Regulations	<b>31</b>	41
Appointments	<b>24</b>	32
Ministers' policy matters	<b>23</b>	27
Laws	<b>23</b>	21
Legislative Acts (including Appointed Day Acts)	<b>10</b>	9
Chairmen's Committee/Scrutiny Panel/PAC policy	<b>3</b>	5
Petitions	<b>3</b>	3
PPC/Comité des Connétables policy matters	<b>3</b>	2
No confidence/dismissal/censure	<b>2</b>	3
Annual Business Plan/Budget/Strategic Plan	<b>2</b>	3
Standing Orders	<b>2</b>	2
<b>TOTAL</b>	<b>199</b>	212

The following table shows those responsible for lodging the 199 propositions –

	<b>2010</b>	<b>2009</b>
Private members	<b>79</b>	71
Chief Minister	<b>36</b>	32
Minister for Economic Development	<b>22</b>	38
Minister for Treasury and Resources	<b>14</b>	22
Minister for Social Security	<b>10</b>	10
Minister for Home Affairs	<b>8</b>	11
Minister for Planning and Environment	<b>8</b>	2
Privileges and Procedures	<b>8</b>	7
Minister for Education, Sport and Culture	<b>3</b>	0
Minister for Transport and Technical Services	<b>3</b>	0
Minister for Health and Social Services	<b>2</b>	2
Comité des Connétables	<b>1</b>	4
Council of Ministers	<b>1</b>	5
Environment Scrutiny Panel	<b>1</b>	0
Health, Social Security and Housing Scrutiny Panel	<b>1</b>	1
Minister for Housing	<b>1</b>	3
Public Accounts Committee	<b>1</b>	1
Chairmen's Committee	<b>0</b>	2
Education and Home Affairs Scrutiny Panel	<b>0</b>	1
<b>TOTALS</b>	<b>199</b>	212

Any proposition lodged can be subject to amendment and, in turn, amendments may be subject to amendment to amendments. The total number of amendments and amendments to amendments lodged during 2010 was as follows –

	<b>2010</b>	<b>2009</b>
Amendments	<b>87</b>	91
Amendments to amendments	<b>12</b>	7
<b>TOTALS</b>	<b>99</b>	98

### **1.15 Significant debates during 2010**

As mentioned above, a significant proportion of the Assembly's time in 2010 was spent considering propositions brought forward by private members, and there were not a significant number of pieces of major legislation or Ministerial policy matters considered by the Assembly.

Some of the more significant items discussed by the Assembly during the year were as follows –

## **Introduction of E-gaming**

The Minister for Economic Development brought forward for ‘in principle’ approval a proposal that the new gambling legislation should include provision for e-gaming to enable Jersey-based companies to host Internet gambling facilities. The proposal was adopted, enabling the Minister to prepare the necessary legislation for approval at a later date.

## **Single Election Day**

Following the decision of the States to introduce a single election day in each year in which elections are held, the States approved the States of Jersey (Period for Election) (Jersey) Regulations 2010, which moved the date of the election for Deputies to the same day as the elections for Senators and Connétables. This means that, from the elections being held in October 2011, all 3 elections will be held on the same day and candidates will therefore have to choose in advance which one of the 3 categories they are standing for.

## **Jersey Red Ensign – use on ships registered in Jersey**

The States approved a proposition brought forward by the Minister for Economic Development to authorise the use on ships registered in Jersey of a new red ensign displaying the Arms of Jersey that had been approved by Her Majesty The Queen.

## **Funding requests under Article 11(8) of the Public Finances (Jersey) Law 2005**

Under the provisions of the Public Finances (Jersey) Law 2005, expenditure can normally only be approved during the Annual Business Plan debate in September each year. If there is a requirement for additional expenditure during the year, the Minister for Treasury and Resources nevertheless has the ability to ask the States to approve additional funding under the provisions of Article 11(8) of the Public Finances (Jersey) Law 2005. One such request was made during the year, and the States agreed 3 separate funding matters, namely – £8,500,000 for court and case costs; £6,000,000 for a voluntary redundancy scheme; and £500,000 for the delivery of an improve procurement function across the States.

## **Annual Business Plan 2011**

The annual debate on spending limits for the following financial year held in September in the Annual Business Plan debate is always considered to be one of the most important debates each year. The debate took place over 4 days in mid-September and lasted for a total of exactly 27 hours.

## **States of Jersey Development Company Limited**

The States approved a proposition of the Council of Ministers to reform the role and remit of the Waterfront Enterprise Board Limited and create a new States of Jersey Development Company, which will work to deliver a proposed new property and infrastructure regeneration strategy.

## **Composition of the States Assembly**

The States agreed reforms to the composition and election of the States Assembly brought forward by the Privileges and Procedures Committee. The States agreed to reduce the membership of the Assembly over time by reducing the number of Senators from 12 to 10 from October 2011, and from 10 to 8 at the subsequent election. The States also agreed to move over time to a common 4 year term of office for all members and agreed that the general election should be moved in due course from October to May.

## **Intellectual Property Rights**

The lengthiest piece of legislation considered by the Assembly during the year was the Draft Intellectual Property (Unregistered Rights) (Jersey) Law 201- lodged by the Minister for Economic Development. The draft Law was designed to update Jersey's copyright law which previously dated from 1911, and it is hoped that the updating of the legislation will create new business opportunities for the Island.

## **Sustainable Transport Policy**

The States approved, with a number of amendments, the Sustainable Transport Policy brought forward by the Minister for Transport and Technical Services, which was designed to introduce measures to reduce the Island's reliance on the private car, and encourage alternative methods of transport and thereby reduce peak-hour traffic flows into St. Helier by 15% by 2015. The policy is also designed to introduce appropriate measures to re-establish a reducing trend in road injury rates and to encourage the use of low-emission vehicles.

## **Expenditure Proposals for 2012 and 2013 and Draft Budget Statement 2011**

The annual Budget debate in which the States make decisions about taxation was combined with a proposal to set overall expenditure limits for 2012 and 2013. The combined debate took place at the last Sitting of 2010 in early December and lasted for 23 hours and 45 minutes.

## **Propositions brought forward by private members**

As mentioned above, there were a large number of matters brought forward for debate by private members during the year, and this was reflected in the allocation of time spent on public business. It is not possible to list all of the individual matters brought forward, but some of the most significant and controversial debates included the following –

### **Climate Change – Copenhagen Conference**

The Deputy of St. Mary brought forward for debate a petition signed by 1,059 people, and the States agreed to request the Council of Ministers to report back to the States setting out how the Council intended to respond to the outcome of the Copenhagen Conference on Climate Change held in December 2009.

## **Committee of Inquiry – Suspension of Chief Officer of States of Jersey Police**

The issues relating to the suspension of the former Chief Officer of the States of Jersey Police remained controversial during the year, and the Deputy of St. Martin brought forward a proposition asking the States to agree that a Committee of Inquiry should be established to investigate the circumstances surrounding the suspension. The proposition was rejected following an indication from the Chief Minister that a separate Inquiry into this matter would be established.

## **Compulsory wearing of Cycle Helmets**

Deputy A.K.F. Green of St. Helier brought forward a proposition relating to the compulsory wearing of cycle helmets. The proposals were adopted in relation to persons aged under 18, but rejected for persons over 18. The Minister for Transport and Technical Services was charged with bringing forward the necessary legislation to give effect to the proposal.

## **Importation of Waste**

The States adopted a proposition of the Environment Scrutiny Panel and agreed that no importation of waste into Jersey for treatment in the Island's new Energy from Waste Plant should proceed until the principle had been discussed and approved by the Assembly. The proposition was made in the context of proposals that Jersey may be able to process waste from the neighbouring island of Guernsey.

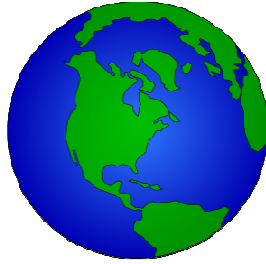
## **Millennium Town Park**

The States approved a proposition brought by the Connétable of St. Helier and agreed that work to create the Millennium Town Park in St. Helier should commence in 2010 following the voting of additional capital funding for the new park in 2009.

## **Establishment of Ministerial Boards**

The States rejected a proposition brought forward by Senator A. Breckon proposing that a new system of Ministerial Advisory Boards should be established. The proposition reflected the conclusions of a working party which included the Chief Minister and the Chairman of PPC, which had attempted to design proposals intended to create a more inclusive system of government.

## 2. INTER-PARLIAMENTARY BODIES



### 2.1 Introduction

The States of Jersey is a member of a number of international inter-parliamentary bodies and members of the States continued to play an active role in a number of different conferences and meetings of these bodies during 2010.

### 2.2 Commonwealth Parliamentary Association (CPA)

The States of Jersey has been an active member of the Commonwealth Parliamentary Association for many years and representatives from Jersey attended a number of different events during the year.

#### *59th Westminster Seminar on Parliamentary Practice and Procedures*

Deputy M. Tadier of St. Brelade attended this 2 week seminar that is organised annually in March by the CPA UK Branch and which is intended to provide a forum for Members, Clerks and Serjeants at Arms to explore parliamentary practice and procedures within a Westminster legislature framework. The seminar provides many opportunities for delegates to exchange ideas with members of the UK Parliament as well as with the other delegates who come from across the Commonwealth.

#### *Commonwealth Day 2010*

Two young people from Jersey, Emily Gledhill and Alexander Winchester, both of whom were studying at UK universities, attended the Commonwealth Day Observance in London on 8th March 2010 organised by the CPA Secretariat. In addition to participating in discussions with members of Parliament and others in the morning, the 2 Jersey representatives attended the Commonwealth Day Service in Westminster Abbey in the presence of Her Majesty The Queen during the afternoon. In the evening Alexander was able to attend the Commonwealth Secretary General's Evening Reception at Marlborough House, once again in the presence of Her Majesty The Queen.

#### *International Parliamentary Conference on Climate Change*

Deputy R.C. Duhamel of St. Saviour represented Jersey at the International Parliamentary Conference on Climate Change that was organised by the CPA UK Branch in July 2010 and which brought together parliamentarians from the Commonwealth and other countries to discuss the issue of climate change and assess the role that parliamentarians could play in holding governments to account for their actions to deal with climate change and to contribute to policy development.



### ***41st British Islands and Mediterranean Region Conference – Isle of Man***

The 41st Regional Conference of the British Islands and Mediterranean Region was held in the Isle of Man between 10th and 14th June 2010. The Jersey delegation was led by the Branch Vice-Chairman, Deputy J.B. Fox of St. Helier, who was accompanied by the Connétable of St. Peter, Deputy S. Power of St. Brelade and Deputy A.T. Dupré of St. Clement. The overall theme of the conference was ‘Technology and Democracy – successes and challenges’ and delegates were able to participate in a number of plenary and workshop sessions where some of the potential uses of technology and the pitfalls were discussed. A number of high-profile expert speakers were invited to the Isle of Man to address delegates and stimulate discussion and these included the UK Information Commissioner.



*The Jersey delegates at the Regional Conference, Isle of Man*

### ***30th Small Branches and 56th Commonwealth Parliamentary Conference – Kenya***

The Annual Small Branches and Plenary Commonwealth Parliamentary Conferences were held in Nairobi, Kenya, between 10th and 19th September 2010. The Jersey delegation was led by Deputy R.G. Le Hérisssier of St. Saviour, who was accompanied by Deputies K.C. Lewis of St. Saviour and I.J. Gorst of St. Clement. The Jersey delegates played a very active role in the Small Branches Conference, with Deputy Gorst chairing the Opening Ceremony and the first plenary, and Deputy Le Hérisssier being one of the Lead Presenters in the Third Plenary Session on the topic of the Challenges of Sovereignty in Small States. The delegates also attended a variety of workshops during the main conference to ensure that Jersey was well-represented.



*Small Branches Conference delegates in Nairobi*

### **2.3 Assemblée Parlementaire de la Francophonie (APF)**

The European Regional Conference of the APF was held in Armenia during the first week of May 2010. Although a Jersey delegation had planned to attend, it was unable to because of the air travel disruption due to volcanic ash from the Eyjafjallajökull volcano.

The Plenary Conference was held in Dakar, Senegal from 6th to 8th July 2010, and while this was not attended by Jersey delegates, an article outlining the aid given to Haiti by Jersey following the 2010 earthquake was prepared and included in the “Special Haiti” which was published in the ‘Parlements et Francophonie’ magazine at the time of the conference.

In August, Senator P.F.C. Ozouf was selected as an Election Observer for the Rwandan Presidential election in Kigali, Rwanda. He formed part of a group of senior politicians and former politicians acting as observers from 12 countries in all, assisted by officials from the DDHDP – the Human Rights and Peace organisation in France and regional representatives from the Francophonie in Africa. Senator Ozouf’s expenses were met by the *Organisation Internationale de La Francophonie (OIF)*.

In October, the Connétable of St. Ouen, the President, attended the Conférence des Présidents held in Poznan, Poland from 27th to 30th October 2010, and was able to further the friendship between the 2 countries, given that the Vice-President of the Polish Senate, Mr. Marek Ziółowski, had also attended the European Regional Conference held in Jersey in 2009. The President confirmed his belief that discussions held over the years with his counterparts in other French-speaking countries, but particularly in Europe, has improved their knowledge of what the Island is about, and reduced suspicion of the Island’s finance industry.

In November, Mrs. Miranda Kelleher, of Hautlieu School, was awarded the Ordre de la Pléiade at the level of Chevalier. La Pléiade, Ordre de la Francophonie et du Dialogue des Cultures” is an honour that is awarded at different levels to recognise the outstanding merits of those who have distinguished themselves serving the ideals of the Assemblée Parlementaire de la Francophonie and French-speaking communities. This can be presented to members of the community as well as to elected representatives. Sir Philip Bailhache, former Bailiff and Grand Officier of the Ordre de la Pléiade, presented the award.



Photo courtesy of the Jersey Evening Post

Mrs. Kelleher is a French teacher at Hautlieu School, and for many years has taken great pains to improve the standard of French amongst language students in Jersey. Her actions have benefited not only those students at Hautlieu, but also at other secondary schools in the Island, and also at schools in Normandy and Brittany.

She took advantage of advances in I.T. to engage the students. Links have been established between French and Jersey schools, and these links did not merely focus on the French language, but also included the promotion of the history and culture of France, exchange visits, and teacher training and development.

Mrs. Kelleher has been involved, not only with students directly, but also with organisations outside the teaching profession, in order to forge very strong links between Jersey and France. The Jersey Section was pleased to propose that Mrs. Miranda Kelleher receive the Ordre de la Pléiade at the level of Chevalier in recognition of her contribution to Jersey, and in particular to students of French in the Island.

#### **2.4 British-Irish Parliamentary Assembly**

On 4th April 2006 the States appointed then Deputy A. Breckon as Jersey’s representative on the then British-Irish Inter-Parliamentary Body, with the Connétable of Grouville being appointed as reserve delegate. The body is now known as the British-Irish Parliamentary Assembly and it 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.

Senator A. Breckon attended both Plenary Sessions in 2010. The 40th Plenary was held in Cavan, Ireland on 22nd and 23rd February 2010 and included discussions on the economy and the banking sector, an update on the Common Travel Area, a motion relating to the Reciprocal Health Agreement with the Isle of Man and an address by the Taoiseach, Mr. Brian Cowen.

Although one annual plenary is usually held in the Irish Republic and one in the United Kingdom the second 2010 plenary was, for the first time ever, held outside those jurisdictions as it was held in the Isle of Man on 22nd and 23rd November 2010. The Greffier of the States attended with Senator Breckon to assess the organisational requirements of the plenary session with a view to inviting the B-IPA to hold a session in Jersey at some time in the future. On the first day, delegates discussed the Saville Report on Bloody Sunday and also heard addresses from the Chief Minister of the Isle of Man, the President of the Nordic Council and the Secretary of State for Northern Ireland. The plenary was unfortunately cut short when delegates from the Irish Republic had to return to Ireland in view of the deepening political crisis in that country, but Senator Breckon was able to take advantage of his stay in the Isle of Man to visit the Office of Fair Trading.



*Delegates at the 41st BIPA Plenary in the Isle of Man*

## 2.5 Cricket match against the States of Guernsey

Members of the States competed against their States of Guernsey colleagues on 9th July 2010 and secured a third successive victory against them. The Jersey team restricted the Guernsey players to 136 – 5 off their 30 overs at the Port Soif ground before losing just 3 wickets to retain the trophy.

Jersey's Minister for Home Affairs, Senator B.I. Le Marquand, was the highest-scoring Jersey player and was named man of the match.



*The Bailiff of Guernsey, Sir Geoffrey Rowland and Senator B.I. Le Marquand, 'Man of the Match'*



*The victorious Jersey team at the Port Soif ground*

# 3. PRIVILEGES AND PROCEDURES COMMITTEE



## 3.1 Membership

The membership of the Privileges and Procedures Committee (PPC) at the start of 2010 was as follows –

Connétable J. Gallichan of St. Mary (*Chairman*)  
Deputy C.H. Egré of St. Peter (*Vice-Chairman*)  
Senator B.I. Le Marquand  
Deputy J.B. Fox of St. Helier  
Deputy J.A. Martin of St. Helier  
Deputy M. Tadier of St. Brelade  
Deputy M.R. Higgins of St. Helier.

The States, on 20th April 2010, received the resignation of Deputy M. Tadier of St. Brelade. The States, on 11th May 2010, appointed the Connétable of St. Saviour, Mr. P.F.M. Hanning, as a member of PPC.

## 3.2 Meetings

The Committee held 24 formal meetings during the year and recorded another 15 meetings as telephone/e-mail meetings. Meetings were normally held on a fortnightly basis in the meeting rooms in the States Building.

### 3.3 Significant items dealt with by the Committee

The Committee dealt with a large number of different matters during the year and some of the most significant of these items were as follows –

- **Freedom of Information (Jersey) Law.** The Draft Freedom of Information (Jersey) Law 201- (P.101/2010) was lodged *au Greffe* by PPC on 19th July 2010 and withdrawn on 16th December 2010 in order to enable certain amendments to be made to the draft. The Committee sought to revise the draft legislation so as to clarify the definition of a ‘public authority’ and revise the Regulation-making powers within the draft, with the intention of lodging an updated draft of the Law *au Greffe* for debate by the States in 2011.
- **Composition and Election of the States.** The States agreed on 10th September 2009 to introduce a single election day in each election year (P.109/2009 refers). In May 2010 the States adopted the Draft States of Jersey (Period for Election) (Jersey) Regulations 201- (P.56/2010 refers) to give effect to this decision. During the debate there were several calls to move to a spring election, and this was considered by PPC, along with other possible reforms, during 2010. These discussions culminated in the lodging by the Committee of the proposition ‘Composition of the States: spring election and move to 4 year term of office’ (P.118/2010), which was adopted by an absolute majority of the States on 13th October 2010. It was accordingly agreed that, over time, the term of office of all members of the States should be 4 years; the single election day for all members should be moved to the spring and the number of Senators should be reduced from 12 to 8. The Draft States of Jersey (Miscellaneous Provisions) Law 201- was lodged *au Greffe* on 24th November 2010 to give effect to these decisions, and was scheduled for debate in January 2011.
- **Public Elections (Jersey) Law 2002.** In June 2009, PPC established a working party chaired by the Vice-Chairman to consult with the Connétables, Jurats and other stakeholders with regard to the function of the Public Elections (Jersey) Law 2002 and the electoral process. The Working Party presented its report to the States on 2nd July 2010. Since then, the Committee has undertaken further work on the recommendations of the working party, with a view to proposing amendments to the Public Elections Law early in 2011.
- **Efficiency.** Following approaches from the Council of Ministers and the Chairmen’s Committee regarding the amount of time spent by members in the States Chamber, PPC established the States Business Organisation Sub-Group chaired by the Vice-Chairman in November 2009 to consider whether States’ business could be dealt with more effectively. PPC presented the report of the Sub-Group to the States on 24th May 2010 and invited comments (R.59/2010 refers). In August 2010 Senator A. Breckon proposed the introduction of Ministerial Boards and a revised system of scrutiny (P.120/2010 refers), but this was rejected by the States. The Chairman of the Committee continues to carry out work regarding possible efficiencies for future consideration by PPC. Furthermore, PPC lodged *au Greffe* the Draft Amendment (No. 14) of the

Standing Orders of the States of Jersey (P.169/2010 refers) on 10th November 2010. This proposition included a number of efficiencies, including amendments to Standing Orders to enable the States Employment Board to lodge propositions and present comments and reports in its own name; to revise the roll-call procedure; and to enable propositions lodged by the Chief Minister under Article 31 of the States of Jersey Law 2005 to be proposed by any other Minister. The proposition was scheduled for debate in January 2011.

- **States Members' Remuneration.** The recommendations of the States Members' Remuneration Review Body for 2011 were presented to the States by PPC on 2nd July 2010 and were implemented by default one month later. PPC would like to thank the members of the States Members' Remuneration Review Body for the work that they continue to undertake in this regard on an honorary basis.
- **Code of Conduct for Elected Members.** The Committee considered 11 complaints during the year and published 2 Reports in relation to the outcome of investigations. In October 2009, PPC presented a report to the States detailing proposed amendments to Standing Orders in respect of the Code of Conduct and disciplinary sanctions. One consultation response was received, and, in December 2009, the Committee instructed the Law Draftsman to prepare amendments to Standing Orders in accordance with its report. On 1st April 2010 PPC lodged *au Greffe* the Draft Amendment (No. 13) of the Standing Orders of the States of Jersey to amend the disciplinary sanctions available to the Assembly (P.40/2010) and this proposition was adopted by the States on 25th May 2010.
- **States of Jersey Complaints Panel.** The members of this independent Board, under the Chairmanship of Mrs. C.E. Canavan, continued to review the actions of ministerial departments referred to them by complainants. PPC presented the Panel's Annual Report to the States on 20th April 2010, and 3 Reports to the States throughout the year detailing the Board's findings in relation to complaints. Two reports related to complaints against decisions made by the Minister for Planning and Environment, while the other concerned a decision of the States Employment Board. PPC would like to record its thanks to the Chairman, Deputy Chairmen and members of the Panel for their work in an honorary capacity dealing with complaints during the year.
- **Code of Practice on Public Access to Official Information.** PPC presented the Annual Report detailing the number of requests made for official information to the States on 15th April 2010. A number of Departments commented that they often received requests for information, but that these were unlikely to mention the Code. Information is provided to members of the public on a day-to-day basis without reference to the Code, and it is therefore difficult for the Committee to provide an accurate measure of the number of requests for official information received each year.



- **Religious representation in parliaments in other jurisdictions.** Following the decision of the States in 2009 to undertake a review of the roles of certain un-elected members of the States, PPC agreed to carry out research into religious representation in parliaments in other Commonwealth jurisdictions and presented its findings to the States on 5th January 2010 (R.1/2010 refers).
- **Reports accompanying propositions.** On 29th April 2010, PPC presented guidelines to the States on the format of reports accompanying propositions (R.48/2010 refers). The decision to issue guidelines was made following an approach from the Data Protection Commissioner regarding the inclusion of personal information in reports.
- **Hansard.** On 10th November 2010 PPC lodged *au Greffe* a proposition to enable the retrospective removal of names from the official report 'Hansard' where the presiding officer had determined that the use of the name had been in breach of Standing Orders (P.168/2010 refers). This proposition was due to be debated in January 2011.

### 3.4 Ongoing items

The Committee began the following work in 2010, which will be ongoing in 2011 –

- **2011 elections.** Work was carried out to establish the format of the single election day in 2011, and will be carried out throughout 2011 to raise awareness of the elections and the voting process.
- **Members' facilities.** A questionnaire was circulated to all States members in July 2009 seeking their views on the facilities provided for their use, and inviting their views on possible improvements. A number of improvements were made to facilities during 2010 and the Committee will continue to consider any matters arising in respect of facilities during 2011.
- **Media.** The Media Working Party was established in 2009 as a joint venture between PPC, the Chairmen's Committee and the Council of Ministers to consider matters arising, including access to meetings by members of the public and the audio and visual recording of meetings. The Committee lodged *au Greffe* the proposition 'Media relations: Code of conduct' on 15th July 2010; this was later withdrawn following meetings with members of the States regarding its content. The possible introduction of a code of conduct remains under consideration in 2011.

# 4. SCRUTINY PANELS AND PUBLIC ACCOUNTS COMMITTEE



## SECTION SUBMITTED BY THE CHAIRMEN'S COMMITTEE

### FOREWORD

Official 'Scrutiny' is a relatively new concept, and the manner in which it undertakes its work continues to evolve. There is no doubt that examination of the policies of the executive is an important function, and Scrutiny produced some highly professional and insightful analysis during 2010. In addition to the documents that Scrutiny produced for publication there was much work undertaken behind the scenes in order to ensure that the requisite checks and balances necessary for good government were in place.

I would like to thank all those that participated in the Scrutiny process during 2010. I continue to be impressed at the speed in which officers are able to pick up and familiarise themselves with even the most esoteric and complicated subjects. Similarly, 2010 proved a challenging year in respect of the management of resources due to budgetary cuts. The management responded well to the logistical problems that this created and deserve credit.

The evolutionary nature of Scrutiny shall continue, and there is still much to be done in terms of engaging the public and ensuring recommendations are properly considered and, if necessary, implemented in a timely manner. Scrutiny has travelled far and achieved much. However, there is much work to do, and the importance of its role in ensuring good government should never be under-estimated.



Senator B.E. Shenton

President, Chairmen's Committee

## Statement by the Chairmen's Committee

The Committee has been concerned throughout 2010 at the difficulties experienced by a number of Scrutiny Panels in acquiring information from the Executive Departments in a full, timely and open manner. This has, at times, seriously impeded the work of the Panels and/or Sub-Panels in progressing Reviews expediently.

The Committee has also been frustrated that it has been exceedingly difficult for some Panels to identify topics for review due to the large number of internal departmental reviews being undertaken. The Committee would be very concerned should this prove to be a deliberate ploy on the part of the Executive to prevent Scrutiny Reviews in these areas.

### 4.1 Introduction

4.1.1 Scrutiny Membership in 2010 started with 21 States Members, elected by the States, serving on the 5 Scrutiny Panels and 5 States Members and 4 non-States Members serving on the Public Accounts Committee. At year end 2010, there were 18 States Members serving on the 5 Panels, 3 States Members and 3 non States Members serving on the Public Accounts Committee.

The membership changes during 2010 were as follows –

Corporate Services Scrutiny Panel	Resignation of the Connétable of Grouville, D.J. Murphy	12th October 2010
Economic Affairs Scrutiny Panel		
Education and Home Affairs Scrutiny Panel	Resignation of the Connétable of St. John, G.F. Butcher Appointment of Deputy J.M. Maçon of St. Saviour	23rd February 2010 25th May 2010
Environment Scrutiny Panel	Resignation of Deputy P.V.F. Le Claire of St. Helier	25th May 2010
Health, Social Security and Housing Scrutiny Panel	Resignation of Senator A. Breckon as Chairman and Member Appointment of Deputy G.P. Southern of St. Helier Re-appointment of the Connétable of St. Lawrence, D.W. Mezbourian and Deputy D.J. De Sousa of St. Helier on the newly formed Panel Re-appointment of the Connétable of St. Martin, S.A. Yates	22nd June 2010 6th July 2010 6th July 2010 28th September 2010

Public Accounts Committee	Resignation of the Connétable of St. Helier, A.S. Crowcroft	19th January 2010
	Resignation of Mr. P. Ryan from the Public Accounts Committee	23rd February 2010

#### 4.1.2 Scrutiny Officer and administration changes

Mr. William Millow took up his secondment within the Chief Minister's Department in the role as Project Manager for the Review of the rôles of the Crown Officers, chaired by Lord Carswell. The Scrutiny Team welcomed Mr. Darren Scott on a contracted post in the absence of Mr. William Millow.

Darren was successful in acquiring a full-time post with the Economic Development Department and left the Scrutiny Office on 5th November. This departure was followed shortly thereafter, when Mr. Sam Le Quesne left the Scrutiny section, having been successful in gaining employment with the Communications Unit. On 31st December, Mrs. Carol Le Quesne and Miss Sam Power left the Scrutiny section to take up alternative employment.

#### 4.1.3 Work of Panels: Reviews

Note: the work of the Public Accounts Committee is considered separately under Section 4.2.6.

For the purposes of this Report, a Scrutiny Review is considered as such once the topic has been scoped, the Terms of Reference approved, sent to the Chairmen's Committee and to the relevant Minister.

As can be seen from the table below, some Scrutiny Review work was carried over from 2009 into 2010.

##### *Panels, Sub-Panels and Co-opted Members*

During 2010, there were 14 Reviews resulting in Scrutiny Reports, 7 undertaken by main Scrutiny Panels, 6 by Sub-Panels and one with a co-opted Member.

### Ministerial Response time to Scrutiny Reports

S.R. No.	Review Title	Panel	Start of Review	End of Review Report date	Date of Ministerial Response
1	Energy from Waste Plant and Ramsar: Review of Planning Process	Env	31.03.09	26.01.10	02.02.10 (T&TS) 29.03.10 (P&E)
2	Economic Stimulus Plan 2 (P.55/2009)	CSP	16.09.09	05.02.10	18.03.10
3	Review of Jersey's Overseas Aid: Report on Progress	CSP	28.10.09	01.03.10	21.05.10
4	Sea Fisheries Bag Limits	Ec/Aff	18.05.09	16.04.10	07.06.10
5	Forecasting of Expenditure	CSP	03.04.09	16.04.10	–
6	Review into the Proposed Amendments to the Data Protection (Jersey) Law 2005	CSP	14.01.10	19.04.10	08.06.10
7	School Suspensions	Ed/HA	28.07.09	25.05.10	28.07.10
8	Tourism Public Private Partnership	EcAff	05.03.09	25.06.10	18.08.10
9	Scrutiny of the Comprehensive Spending Review	CSP		31.08.10	Informed ABP debate
10	States of Jersey Development Company: Interim Report	CSP		11.10.10	12.10.10
11	Rural Economy Strategy 2011 – 2015	EcAff		14.10.10	25.11.10
12	Dental Health Services Review	HSSH		08.11.10	24.12.10
13	Sustainable Transport Policy: Review	Env		12.11.10	29.11.10
14	Political Education	Ed/HA		26.11.10	01.02.11

#### 4.1.4 Other Scrutiny work linked to Reviews

Corporate Services Scrutiny Panel made the following comments to the States –

- **Fiscal Strategy Review** –  
Expenditure Proposals for 2012 and 2013 and Draft Budget Statement 2011 (P.157/2010): comments. Presented: 6th December 2010. P.157/2010. Com.

Economic Affairs Scrutiny Panel made the following comments to the States –

- Draft Intellectual Property (Unregistered Rights) (Jersey) Law 201- (P.141/2010): comments. Presented: 24th November 2010. P.141/2010. Com.

Health, Social Security and Housing Scrutiny Panel:

- *Statement relating to:* P.125/2010 [Draft Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 201-].
- Two *Amendments* to the Annual Business Plan 2010

#### 4.1.5 Scrutiny work: other than Reviews

During 2010, work has been undertaken by some Scrutiny Panels which has not been scoped and there have been no Terms of Reference. Such work is listed below.

Education and Home Affairs Scrutiny Panel:

Comments on the following were made to the States –

- Independent Jersey Police Authority: establishment (P.23/2010) – comments. Presented: 19th March 2010. P.23/2010. Com.
- Chief Officer of the States of Jersey Police Force: appointment (P.30/2010) – comments. Presented: 8th April 2010. P.30/2010. Com.
- Draft Annual Business Plan 2011 (P.99/2010): comments. Presented: 23rd July 2010. P.99/2010. Com.

Environment Scrutiny Panel:

The following was lodged by the Panel for debate by the States and was adopted on 20th April 2010, as amended –

- *Importation of Waste:* approval by the States Assembly. P.17/2010. Lodged: 17th February 2010.

and the following general, non-Review work undertaken –

- *Energy from Waste Plant:* Comments submitted to the Regulator on Energy from Waste Plant Discharge Consent and Waste Management Licence applications;
- *Town Park Remediation Plan:* Questions raised on the environmental assessment undertaken for this project;
- *Provision of Bottled Water:* Costs of bottled water and water coolers in States Building and Greffe investigated, leading to decision not to renew existing contracts;
- *Draft Island Plan – Independent Examination in Public (IEP):* IEP process monitored and some programme changes recommended;
- *Annual Business Plan – Comprehensive Spending Review:* Briefed on departmental work to identify savings;
- *Draft legislation:* Briefed on Building Bye-Laws – proposed energy efficiency standards, and Co-ordination of street works – update of Highways Authority legislation.

#### Health, Social Security and Housing Scrutiny Panel

The following was lodged by the Panel for debate by the States and was adopted on 20th July 2010, as amended –

- *Income Support:* eligibility for educational or training courses. P.66/2010. Lodged: 27th May 2010.
- *Long Term Care of the Elderly:* In January 2010, the Panel submitted a response to the Health Minister’s green paper on the Long Term Care of the Elderly.
- *Social Security Advisory Council:* Hearings were held in March. The Panel is keeping a watching brief on developments by the Minister.
- *Supplementation:* The Panel held a briefing on the subject and was satisfied with the suggested changes.
- *Annual Business Plan:* The first round of CSR proposals was the subject of Hearings held in the first quarter of 2010 and in July, the Panel submitted two amendments to the Annual Business Plan.

- *P.125/2010: Draft Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 201-*: In November, the Panel submitted a Statement relating to the use of Health Insurance Fund money to finance other Health needs.
- *Overseas Patient Policy*: In November, the Panel made comments directly to the Assistant Minister, in relation to the policy proposals. The points raised were later noted to be contained within the final draft of the Departments' policy.

More detailed information on the work of the individual Panels and the Public Accounts Committee are included in the Panel/Committee pages.



## 4.2 WORK OF PANELS

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### 4.2.1 Corporate Services Scrutiny Panel

#### Introduction

The Corporate Services Scrutiny Panel investigates matters relating to the Chief Minister's Department and the Treasury and Resources Department. It reviewed a number of topics in 2010 and the 2 departments within its remit have always been very receptive to the Panel's input in the Reviews it has undertaken.

The start of 2010 saw structural changes within the Treasury and Resources Department, but fortunately, this did not impact on the Panel's intended work programme for 2010.

The membership of the Panel throughout 2010 was –

Senator S.C. Ferguson, Chairman  
Deputy of St. Peter, Vice-Chairman  
Connétable of Grouville\*  
Deputy T.A. Vallois of St. Saviour.

\*D.J. Murphy, the Connétable of Grouville, was a Member of the Panel until October 2010. He contributed to a number of Reviews during 2010 and the Chairman, Senator Ferguson, said on his departure "*the Constable has always made a most valuable and balanced contribution to the Panel's deliberations, sometimes very Grouvillian, but always very useful. I regret very much that he has resigned but I would very much hope that we will work together again in the future*".

#### Scrutiny Reports in 2010

##### Forecasting of Expenditure

*The Review:*

The Panel agreed to undertake a forecasting of expenditure Review and created a Sub-Panel, chaired by Senator S.C. Ferguson, which included Deputy R.G. Le Hérisier of St. Saviour and the Connétable of Grouville. Deputy S. Pitman of St. Helier had originally sat on the Sub-Panel during the early part of the Review, but was unable to participate further due to pressure of work in other areas.

During the Review, the Sub-Panel was concerned about the overall spending patterns of the States, as the figures outlined in the Report clearly showed that spending had been steadily outstripping the Retail Prices Index almost year on year. In the autumn of 2009, the Sub-Panel became aware of the re-organisation within the Treasury Department, and the intention of the Executive to launch the Comprehensive Spending Review (CSR) and Fiscal Strategy Review (FSR). Many of the points that the Sub-Panel had started to raise during its forecasting of expenditure Review were due to be addressed in the CSR and FSR Reviews; therefore the Sub-Panel's Review

was put on hold. Following further work at the beginning of 2010, the Sub-Panel presented its Report (S.R.5/2010) on 16th April 2010.

### **Amendments to the Data Protection (Jersey) Law 2005**

#### *The Review:*

On 16th September 2009, the Minister for Treasury and Resources lodged an amendment to the Data Protection (Jersey) Law 2005 (P.147/2009). The Panel formed a Sub-Panel and identified that further amendments were to be lodged, resulting in the withdrawal of P.147/2009. This allowed sufficient time for the Sub-Panel to carry out its Review. The Sub-Panel identified that 2 amendments in particular could be the most controversial. One amended the provision for information notices, which would be an increase in power for the Data Protection Commissioner to serve an information notice on a person other than a relevant data controller or data processor. The other amended the maximum penalty applicable to an offence under Article 55 of the Law.

#### *Recommendations:*

After further investigation, the Sub-Panel made a number of recommendations which included making sure the public and businesses were fully aware of the intended changes so that they can comply with the Law. The Sub-Panel also recommended that penalties for all breaches are clarified before the amendment to increase the maximum penalty for offences under Article 55 is lodged.

#### *Minister's Response:*

The Sub-Panel was pleased that the majority of its recommendations were accepted by the Minister for Treasury and Resources; in particular, the acceptance that penalties for all breaches should be clarified. In his response, the Minister identified that a Review of penalties would be undertaken prior to the amendment being lodged.

### **Economic Stimulus Plan 2**

#### *The Review:*

The Panel considered it appropriate that a second Review of the Economic Stimulus Plan should investigate the shape and status of the recession. It would also ensure the application of the Stimulus Bids was commensurate with the shape and status of the recession and to confirm the '3T's' (timely, temporary and targeted) were being adhered to within the selection process. Although some minor problems with communication and timing were noted, the Review evidenced that the process was still timely and appropriate.

#### *Ministerial Response:*

The Minister for Treasury and Resources responded to the final Report by saying that the Panel's key findings and recommendations had been very helpful in making refinements and improvements to the process as the final fiscal stimulus programme develops.

## **Review of Jersey's Overseas Aid Commission: Report on Progress**

### *The Review:*

The purpose of this Review was to investigate the progress of the Jersey Overseas Aid Commission since it was last reviewed in 2007 by the previous Corporate Services Scrutiny Panel. There was a consensus amongst Panel Members that following up recommendations made in previous Reports is important.

## **Jersey Development Company**

### *The Review:*

A Sub-Panel was formed which reviewed a proposition of the Council of Ministers ("Property and Infrastructure Regeneration: the States of Jersey Development Company Limited", P.73/2010) which was lodged on 7th June 2010. The Sub-Panel presented an interim Report, as it was unable to complete its final Report as the information required to continue with the Review had not been provided to the Sub-Panel in time for the debate on 12th October 2010. The proposition was adopted by the Assembly as amended; however, the Sub-Panel is in the final stages of completing its final Report as the required information has since been made available. The Sub-Panel will present its Report in January 2011.

## **Migration**

### *The Review:*

A Sub-Panel was formed to review the migration legislation. It originally commenced work on the legislation in 2009, and has been keeping up-to-speed on the development of the legislation throughout 2010.

On 29th September 2010, Deputy P.V.F. Le Claire of St. Helier was welcomed by the Sub-Panel as a Member. Deputy Le Claire had brought a proposition to the States Assembly: "Work and Residence Permits: establishment of working group" (P.109/2010). It was during the debate on P.109/2010 that Deputy Le Claire was invited to sit as a Member of the Sub-Panel which agreed to investigate the use of work and residence permits on the Review. At its first meeting with Deputy Le Claire as a Member, the Sub-Panel agreed that new Terms of Reference would be drafted once the Migration Law had been received in its final format.

The legislation is hoped to be completed in 2011 and the Sub-Panel look forward to reviewing the final version of the Law.

## **Further work in 2011**

The Panel has approved its work programme for 2011. It intends to review the following topics –

- Fiscal Strategy and Business Tax
- Comprehensive Spending Review: Part 2
- Resources.
  
- The Migration Review will also be continued throughout 2011.

## **Fiscal Strategy and Business Tax Review**

In 2010, the Treasury and Resources Department completed 2 public consultations on its Fiscal Strategy Review (closed 30th August 2010) and on its Business Tax Review (closed 13th September 2010). In his 2010 Budget speech, the Minister for Treasury and Resources committed to review Jersey's business tax regime in conjunction with the Fiscal Strategy Review. The Panel undertook a Review into the Fiscal Strategy Review which commenced at the end of September 2010. Due to time constraints, it was unable to complete a final Report to its satisfaction. Therefore, the Panel decided that it would issue comments based on the preliminary findings of its Review. The Panel was of the opinion that a Report into the Fiscal Strategy Review would be more useful if it were able to take into account the findings of the Business Tax Review, which has not yet reached its conclusion. The findings are expected to be presented in 2011.

## **Comprehensive Spending Review: Part 2**

The Council of Ministers is proposing an overall saving target of £65 million by 2013. The Panel has already reviewed the first part of the savings target and reviewing the second phase is a natural progression to investigate the whole Comprehensive Spending Review process.

States Members were briefed in October 2010 on the major Reviews into:

- Staff Terms and Conditions
- Health and Social Services Department
- Education and Home Affairs Department.

These Reviews aimed to identify possible ways for departments to cut costs. Ministers are considering which options will form part of their proposals for 2012 and 2013. It is expected that options will not be finalised until July 2011 when the Business Plan is published. The Panel will also be working towards this deadline in order for an informed debate.

## **Resources Review**

The Panel has discussed Resources which comes under the Treasury and Resources Department. The 4 strands are as follows –

- Information Services
- Procurement
- Human Resources
- Property Holdings.

The Panel intends to review Resources in 2011.

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## **4.2.2 Economic Affairs Scrutiny Panel**

### **Panel Membership**

The membership of the Panel throughout 2010 was –

Deputy M.R. Higgins of St. Helier, Chairman  
Deputy of Grouville, Vice-Chairman  
Deputy S. Pitman of St. Helier  
Deputy of St. Mary  
Deputy J.M. Maçon of St. Saviour.

The Economic Affairs Scrutiny Panel's remit covers matters relating to the Economic Development Department. The Panel has completed 3 Reviews and commenced 2 others, both conducted as Sub-Panels, in 2010.

### **Tourism Public-Private Partnership**

The Panel continued the work that it had begun in February 2009 to review the Minister for Economic Development's proposals to establish a Tourism Public-Private Partnership (PPP). Delays were incurred at times as the Panel awaited a final version of the proposals, but the Review was completed with the presentation of the Panel's Report S.R.8/2010 on 25th June 2010. The Panel's main message in its Report was that for a number of reasons it was not the right time to introduce the PPP, although in principle the idea was one that should be re-considered in a stronger economic climate. This, along with the rest of the Panel's Recommendations, was accepted by the Minister. Indeed, the Minister said in his Official Response to the Review that –

*'I would like to thank the Chairman and the Panel for tackling this complex issue and in doing so solicit the views of all stakeholders in arriving at their conclusions. This is a well researched and well written report...'*

### **Sea Fisheries Bag Limits**

The Panel initially began its work on the Draft Sea Fisheries (Bag Limits) (Jersey) Regulations 200- the previous year, in March 2009. During the Review it received significant input from stakeholders, holding several Public Hearings and receiving written submissions from over 20 leisure anglers and additional written submissions from the Jersey Recreational Fishing Association. The Panel presented its Report on 16th April 2010.

### **Rural Economy Strategy**

The Panel agreed in January 2010 to form a Sub-Panel to examine the performance of the Rural Economy Strategy 2005 – 2010 and to assess the proposals for the Rural Economy Strategy 2010 – 2015. Deputy R.G. Le Hérisier of St. Saviour agreed to join the Sub-Panel, along with the Deputies of Grouville and St. Mary.

The Sub-Panel commenced its Review in March 2010, and set about gathering the views of stakeholders and the public. The Sub-Panel wrote directly to stakeholders of the rural economy and Public Hearings were held with over 10 stakeholders. The Sub-Panel also undertook 7 site visits. The Panel was very ably assisted by its expert

adviser, Dr. J. Jones of the Royal Agricultural College in the UK. The Report was presented in October 2010 and was welcomed by the Minister for Economic Development, who said –

*‘The Rural Economy Strategy Sub-Panel report is a fair and well-balanced document. The fact that the report is supportive of many of the policy proposals as set out in the Rural Economy Strategy 2011 – 2015 is welcomed. In addition, the role that the Sub-Panel has played as a ‘critical friend’ has led to a list of sensible recommendations, which with the exception of one, can be agreed and which will undoubtedly add positively to the strategy.’*

### **Intellectual Property – Unregistered Rights**

The Panel received a copy of the Draft Intellectual Property (Unregistered Rights) (Jersey) Law 201- in April 2010. After careful analysis and consideration the Panel decided that, given the special nature, complexity, and size of the draft legislation, it would engage an expert adviser to effectively undertake a ‘peer’ Review. The Panel appointed the very highly regarded Mr. N. Garnett, Partner, HRO Grant Dawe LLP, who provided a detailed Report in June 2010, including an Article by Article comparison against the UK law on which the Jersey Law is so heavily based. He concluded that the draft legislation effectively translated key provisions of the UK law into an efficient legislative proposal for Jersey, although a number of clarification points he raised were put to the Minister for Economic Development, who responded accordingly.

On 24th November 2010, the Panel presented the Report received from its adviser, the response from the Economic Development Department to the questions raised by that Report, and lastly its adviser’s comments on the Department’s response, in order to best provide States Members with informed analysis ahead of the debate that took place on 1st December, a course of action welcomed by the Minister.

### **Airport and Harbours Sub-Panel**

The Panel initially agreed to establish the Airport and Harbours Sub-Panel in February 2010, although its work was delayed due to the priority given to work on Jersey Post and Intellectual Property, and associated resource implications. The membership of the Sub-Panel has undergone several changes and is currently comprised of Deputy M.R. Higgins of St. Helier and Deputy M. Tadier of St. Brelade. Whilst it did not meet in 2010, drafting of its Terms of Reference was begun and is due to be finalised early in 2011.

### **Jersey Post and Competition Sub-Panel**

The Panel agreed in June to the establishment of a Sub-Panel to examine the issues of competition on Jersey Post ahead of the determination by the JCRA on 2 new postal licence applications in October 2010. The Sub-Panel met on 5 separate occasions, which included the undertaking of 5 Public Hearings. The Sub-Panel was unable to complete its work ahead of the October determination of the licence applications, but it will consider this Review further in 2011.

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### **4.2.3 Education and Home Affairs Scrutiny Panel**

#### **Chairman's Introduction:**

This has been a busy year for the Panel but also an unsettled year.

First, I want to thank all members, including our newest, Deputy J.M. Maçon of St. Saviour, for their commitment. Thank you also to our officers, Sam Power and Liz Liddiard. Sam has left Scrutiny to follow her dreams and perform voluntary work in Africa. We wish her the very best.

The Panel has been keen to get its teeth into major policy areas. These remain elusive. Most of the areas in ESC remain under review and, in the case of secondary education, this will probably extend to the end of the political session. The Home Affairs Department has not only been preoccupied with the matters surrounding Haut de la Garenne and the departure of the Police Chief, but it has brought few legislative initiatives forward other than those where work was well advanced, e.g. the Sex Offenders' Register. Hopefully, it can get up to speed.

Both Ministers are very committed to Scrutiny, but there are clearly issues that have to be addressed if we are to scrutinize the major areas.

Deputy R.G. Le Hérisier of St. Saviour

#### **Scrutiny Reviews:**

##### **2009 Review Follow-Up:**

##### **Prison Board of Visitors**

The Panel made several recommendations regarding changes that it believed should be made to the current working practices of the Board, as well as ultimately recommending that the Minister for Home Affairs should implement a new system, enabling independent members of the public to sit on the Board of Visitors. However, the Panel concluded that, as with the UK system, where there is nothing preventing a magistrate from sitting on an Independent Monitoring Board, there should be nothing preventing a Jurat from sitting on the Board of Visitors.

The Panel monitored the Minister for Home Affairs' progress during 2010, in relation to the findings and recommendations made in the Report, and will continue to follow up on recommendations made in 2011.

##### **2010 Reviews**

##### **School Suspensions**

The Panel formed a Sub-Panel in 2009, chaired by Deputy T.M. Pitman of St. Helier, to review the School Suspension Policy. The Sub-Panel's Review continued into 2010, with the final Report presented on 25th May 2010. The Minister for Education,

Sport and Culture's response to the Report was presented to the States on 28th July 2010.

The Sub-Panel was pleased to note that 18 out of the 25 recommendations made were accepted. It welcomed the implementation of aspects of the new suspension policy and further modifications of it as a result of the Scrutiny process. The Sub-Panel continues to follow up on those outstanding recommendations that it believes the Minister should take further action on and will carry this forward into 2011.

### **Higher Education Fees**

Deputy M. Tadier of St. Brelade chaired a Sub-Panel to review the grants for higher education provision. A call for evidence attracted numerous submissions. However, due to a departmental review called for by the Minister for Education, Sport and Culture in early 2010, the Panel's own Review was put on hold until the Department's findings were released. The Panel is hopeful that information from the Department's review will be available for Scrutiny in early 2011.

### **Political Education**

A Sub-Panel was formed, chaired by Deputy R.G. Le Hérissier of St. Saviour, to review the political education received by both primary and secondary students as part of their Political, Social and Health Education (PSHE), both within and outside of school hours. After the lowering of the voting age to 16 in 2007, the Sub-Panel was mindful of what politicians had seen as a low turnout of young voters at the 2008 elections and were hopeful that this Review might find information that could prove helpful to get young people more involved in Jersey politics.

The Report was presented to the States on 26th November 2010 and recommendations will be followed up by the Panel in early 2011.

### **Cultural Strategy**

The Panel commenced a Review in September 2010 of the Cultural Strategy, as approved by the States in 2005. This Review encompassed consideration of the Department for Education, Sport and Culture's internal review of the Cultural Strategy and how the Department would be taking forward the Cultural Strategy, including any future funding. The Panel held Public Hearings in October 2010, with analysis of information and report drafting carried out in November and December 2010. Final drafting and presentation of the Report is expected in the first quarter of 2011.

### **Succession Planning in the Police**

A Sub-Panel was formed, chaired by Deputy R.G. Le Hérissier of St. Saviour, in September 2010 to review the succession planning within the States of Jersey Police. The aim of the Review was to look at the appointment of local and non-local staff; the training and development policies and the succession planning policies in place. Public Hearings were held during October 2010 with information analysis and report drafting carried out in November and December 2010. The Sub-Panel are scheduled to present their final Report in early 2011.



## **Policing of Beaches and Parks**

A Sub-Panel was formed, chaired by Deputy J.M. Maçon of St. Saviour, in early November 2010 in response to feedback from members of the public requesting the Panel look at littering and anti-social behaviour in public parks and on beaches. The Sub-Panel collected a large number of submissions from the public in response to its call for evidence, and held Public Hearings in November and December. This Review will continue into 2011 with the aim to present the Report by the end of the first quarter 2011.

## **Surveillance**

The Panel scoped for a Review into public and private surveillance used in Jersey, in response to a submission from a member of the public. The Panel used the Scrutiny presence at the Home and Life Show at Fort Regent in November to inform the public about this Review and collect public submissions. The Panel planned to start further evidence collection and hold hearings for this Review on completion of outstanding Reviews in 2011, but has decided not to go ahead due to other work priorities.

## **Other Work**

### **P.23/2010:**

The Panel presented a comment on 19th March 2010 in support of the following proposition:

*THE STATES are asked to decide whether they are of opinion –*  
*to refer to their Act dated 19th May 1998 approving the establishment by law of a Police Authority, and –*  
*to request the Minister for Home Affairs to present to the States for approval no later than December 2010 detailed proposals for the establishment of an Independent Jersey Police Authority to oversee the work of the States of Jersey Police.*

### **P.30/2010:**

*THE STATES are asked to decide whether they are of opinion –*  
*in accordance with the provisions of Article 9(1) of the Police Force (Jersey) Law 1974, to appoint Mr. David Charles Nelson Warcup as Chief Officer of the States of Jersey Police from 21st July 2010 until 31st December 2015*

The Panel presented a comment on 8th April 2010 seeking to delay to the debate for this proposition to provide an opportunity for the suspension issues to be resolved.

## **Annual Business Plan:**

Following the publication of the Draft Annual Business Plan 2011 (P.99/2010), the Panel held Public Hearings with the Ministers for Home Affairs and Education, Sport and Culture. As a result of this work, the Panel lodged several amendments to the Business Plan, including –

- a Review of the Island's secondary school system,
- the demolition of the old Fort Regent swimming pool,
- for a fully costed plan to support the Cultural Strategy to be presented to the States,
- to conduct a Review of the management structure of the Department for Education, Sport and Culture, and
- to introduce a timescale for the Minister for Home Affairs to introduce the long-awaited anti-discrimination legislation.

**Successful Amendments:**

*ESC Management Review:*

After a successful amendment by the Panel to the 2010 Annual Business Plan, the Minister for Education, Sport and Culture was requested to conduct a Review of the Department's Management Structure. Results of this Review were discussed privately between the Minister and the Panel in June 2010.

*Review of Secondary Education:*

The Minister for Education, Sport and Culture has conducted a Review of the secondary school system, outcomes from which are planned to be channelled into a public consultation document in spring 2011.

**Fire and Rescue Legislation**

The Panel held a Public Hearing with the Minister for Home Affairs and Chief Fire Officer to discuss proposed changes to the Draft Fire and Rescue (Jersey) Law 201-. The Panel will support this when it is presented to the States.

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#### 4.2.4 Environment Scrutiny Panel

##### **Energy from Waste Plant and Ramsar: Review of Planning Process**

The Environment Panel began 2010 with the presentation of its Report S.R.1/2010 on the 'Energy from Waste Plant and Ramsar: Review of Planning Process' on 26th January. This was the culmination of a long Review which started early in 2009 and experienced many of the potential difficulties which can affect Scrutiny work: delays, difficulties at times obtaining information, issues with confidentiality, problems accessing potential witnesses, and a degree of reluctance from departments to accept the findings of the Panel's final Report.

Happily it had much more positive outcomes. Despite having difficulties accepting many of the Report's findings, both the Planning and Environment and Transport and Technical Services Departments accepted the majority of its recommendations, which has subsequently resulted in considerable benefits for the environment. Despite some stakeholder concerns still being unresolved, the Panel's focus on environmental protection has been reflected in significantly greater emphasis being placed on this aspect for both future planning and operational phases of ongoing projects, with accountability and transparency also benefiting substantially. The Panel therefore considers this Review as a very positive result for Scrutiny, albeit a hard-fought one at times.



*Environment Scrutiny Panel visits the new Energy from Waste Plant*

##### **Energy from Waste Plant**

As a natural progression and in response to some of the remaining concerns mentioned above, the Panel took advice and submitted comments on specific aspects of the Energy from Waste Plant Discharge Consent and Waste Management Licence applications. The Environment Department subsequently published a detailed decision spreadsheet outlining reasons for permitting some aspects of these applications while

others were subjected to further consideration. The Panel was pleased to see that conditions applied to some aspects of the consents imposed requirements for additional environmental monitoring in line with recommendations in S.R.1/2010.

### **Protecting our Marine Environment**

Following up stakeholder concerns about environmental protection raised during its Ramsar Review, the Panel launched a further Review in July 2010 entitled 'Protecting Our Marine Environment'. This was planned in consultation with the Environment Department, who welcomed the Panel's involvement in reviewing the activities of the department and the effectiveness of its marine water quality monitoring and regulation. The Review has received a large amount of evidence and a number of submissions from stakeholders and interested parties and is ongoing.

### **Town Park Remediation Plan**

The Panel requested details of the environmental assessment undertaken for this project and raised a number of questions.

### **Carbon content of imported electricity**

The Panel was asked by the Minister for Planning and Environment whether it would review the terms of reference for a study to facilitate agreement between the different energy suppliers (electricity, gas, oil, other fuels) on appropriate values for the carbon intensity of imported fuels. Unfortunately, despite continued efforts by the department, the various suppliers were unable to reach agreement on the draft terms of reference. The Panel subsequently endorsed the Minister's approach to follow advice from the Carbon Trust, which produced a calculation based essentially on the French Grid Average.

### **Provision of Bottled Water**

The Eco-Active Campaign Time for Tap was launched in summer 2010 to encourage Islanders to consume less bottled water. The Panel proposed to study the impact of this campaign in States Departments in due course, in the meantime taking steps to investigate the costs of providing bottled water and the provision of water coolers in the States Building and States Greffe. Following its investigations the Panel wrote urging the Privileges and Procedures Committee to consider reducing spending in this area. Subsequently it has been decided not to renew the purchase of bottled water for use in the States Building once current stocks have been used, and the contract for water coolers has been terminated, which will result in worthwhile savings to the States Greffe on an annual basis going forward.

### **Radon**

Following a topic suggestion received from a member of the public, the Panel has received background information on radon levels in the Island and strategies for radon prevention and mitigation. A Review has been proposed for 2011.

### **Sustainable Transport Policy (STP)**

Having monitored and commented upon the developing policy over an extended period, the Panel agreed to undertake a full Review of the draft policy of the Minister for Transport and Technical Services once it was formally lodged in July 2010. The Panel's Report (S.R.13/2010) was presented to the States on 12th November 2010 in time for the debate, which eventually took place on 1st December. The Minister fully or partially accepted all but 4 of the Panel's 38 recommendations, which was considered by Panel members to be a very positive outcome.

### **Draft Liquid Waste Strategy**

Draft documentation was received from the Transport and Technical Services Department. The Panel was briefed on latest developments with the Sewage Treatment Works. Public consultation on the Strategy has been delayed pending further consideration of funding proposals and organisational delivery structure.

### **Draft Energy Policy**

The Panel was provided with an advance copy of the Planning and Environment Department's policy White Paper in 2010 and the timetable for public consultation was discussed at officer level. A scoping document and terms of reference were prepared and the Chairmen's Committee was notified of a forthcoming Review shortly before Christmas, while a search for suitable advisers was initiated. The Review is expected to launch in the first quarter of 2011, subject to departmental decisions on final consultation.

### **Draft Island Plan – Independent Examination in Public (IEP)**

The Panel was asked by the Minister for Planning and Environment if it would monitor and report on the process for the IEP. Panel members met the Inspectors early in the year during their first visit to prepare for the Examination. Having studied documentation prepared for public information, the Panel identified some concerns regarding dates and the nature of public meetings which was duly communicated to the Inspectors; as a result the process was amended and dates for the Examination in Public were revised to September 2010. Members attended a number of public sessions and the Panel awaits the Minister's response to the Inspectors' Report before commenting on the completed process.

### **Annual Business Plan – Comprehensive Spending Review**

The Panel examined the implications of the first tranche of savings proposals for the 2 departments within its remit and was briefed on departmental work to identify further savings up to 10%.

### **Draft legislation**

The Panel received briefings on the following pieces of draft legislation –

- Building Bye Laws – proposed energy efficiency standards
- Co-ordination of street works – update of Highways Authority legislation.

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## **4.2.5 Health, Social Security and Housing Scrutiny Panel**

### **Introduction**

The Health, Social Security and Housing Panel has a remit to examine topics relating to matters of public importance, existing or proposed policy, draft Laws, international agreements and the Annual Business Plans of each department named in its title.

From 1st January to June 2010, the Panel was comprised of the following Members –

Senator A. Breckon, Chairman (resigned 21st June 2010)  
Connétable of St. Martin  
Deputy G.P. Southern of St. Helier (Vice-Chairman)  
Deputy D.J. De Sousa of St. Helier  
Connétable of St. Lawrence.

Following the resignation of Senator Breckon on 21st June 2010, the Panel was reconstituted on 6th June 2010 as follows –

Deputy G.P. Southern of St. Helier (Chairman)  
Connétable of St. Lawrence (Vice-Chairman)  
Deputy D.J. De Sousa of St. Helier.

The Connétable of St. Martin was also appointed on 29th September 2010.

### **Scrutiny Reports**

**Dental Health Services Review** S.R.12/2010 was presented to the States on 8th November 2010 and contained 18 Recommendations relating to the provision of a dental scheme in the Island.

### **Panel work: Reviews**

#### **Benefit Levels Review**

Throughout 2010, the Panel oversaw a Sub-Panel, which involved all Members of the main Panel, along with Deputy T.A. Vallois of St. Saviour and Mr. E. Le Quesne. The Sub-Panel worked on a Review into Income Support Benefit Levels. Work went on uninterrupted throughout the change of main Panel membership. The Review involved a large public survey, meeting the public in St. Helier streets with a large red tent and operating surgeries at ‘The Bridge’. Having completed the evidence-gathering and collated information from the Sub-Panel advisors, the Panel recognised that the Report should reflect the work contained within the Jersey Annual Social Survey 2010 and the Jersey Income Distribution Survey 2009/10. Therefore, extreme redrafting took place in the last quarter of 2010. It was expected the Report would be published during the final quarter of 2010.



*Health, Social Security and Housing Scrutiny Panel's public survey*

## **Other work**

### **Health and Social Service: Long Term Care of the Elderly**

In January 2010, and with the assistance of Professor Julian Forder from the University of Kent, the Panel submitted a response to the Green Paper of the Minister for Health and Social Services on the Long Term Care of the Elderly. This matter was still ongoing at the end of 2010.

### **Social Security Advisory Council**

Hearings were held in March into the role and activities of the Social Security Advisory Panel. The Panel is keeping a watching brief on developments by the Minister.

### **Social Security: supplementation**

The Minister for Social Security considered that the lower threshold level for supplementation would apply equally to those aged below 18 as it did to those aged 18 or above with effect from 1st January 2010. In May 2010, the Panel held a briefing on the subject and were satisfied with the suggested changes.

### **Annual Business Plan**

The first round of CSR proposals was the subject of Hearings held in the first quarter of 2010. The Panel noted that this was the first time that Scrutiny had been accorded a decent amount of time to investigate any part of the Annual Business Plan, of which the CSR formed a part. The Panel fully exploited that opportunity and, in July 2010, submitted 2 amendments to the Annual Business Plan.

**Health and Social Services: P.125/2010 – Draft Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 201-**

In November, the Panel submitted a Statement relating to the use of Health Insurance Fund money to finance other Health needs.

**Health and Social Services: Overseas Patient Policy**

In November, the Assistant Minister for Health and Social Services briefed the Panel on the Overseas Patient Policy proposals. The Panel made some comments in relation to the policy proposals that the Assistant Minister accepted. The points raised were later noted to be contained within the final draft of the Department's policy.



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## 4.2.6 Public Accounts Committee

### Introduction

The primary functions of the Public Accounts Committee are defined under the Standing Orders of the States of Jersey. It is the role of the Committee to receive Reports from the Comptroller and Auditor General and to report to the States upon any significant issues arising regarding –

- the audit of the Annual Accounts of the States of Jersey;
- investigations into the economy, efficiency and effectiveness achieved in the use of resources by the States, States-funded bodies, independently audited States bodies (apart from those that are companies owned and controlled by the States), and States-aided independent bodies; and
- the adequacy of corporate governance arrangements within the States, States-funded bodies, independently audited States bodies, and States-aided independent bodies.

The Committee is also required to assess whether public funds have been applied for the purpose intended, and whether extravagance and waste are being eradicated and sound financial practices applied throughout the administration of the States. This enables the Committee to examine issues other than those arising from the Reports of the Comptroller and Auditor General (C&AG).

### Relationship with the Comptroller and Auditor General

The Public Accounts Committee and the C&AG are both independent, answerable only to the States Assembly. The C&AG has a statutory duty to liaise with the Public Accounts Committee and will attend all meetings.

### Procedures and Powers of the Public Accounts Committee

All Reports presented to the States by the C&AG will be discussed by the Public Accounts Committee. The Committee will then decide whether the matters raised by the C&AG should be subject to further investigation or are of such public interest that they should be the subject of a Public Hearing. The Committee presents its Reports on these hearings to the States Assembly.

The Public Accounts Committee has the power to issue summons in accordance with the States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 2006.

## **The relationship between Scrutiny and the Public Accounts Committee**

The Public Accounts Committee represents a specialised area of Scrutiny. Scrutiny examines policy, whereas the Public Accounts Committee examines the use of States' resources in the furtherance of those policies. Consequently, initial enquiries are made of Chief Officers rather than Ministers, with enquiries being made of Ministers should the Reports and recommendations of the Public Accounts Committee be ignored.

- The Public Accounts Committee operates under the Scrutiny code of practice. However there are differences between the Public Accounts Committee and the Scrutiny Panels:
- Scrutiny Panels examine policy, while the PAC examines the implementation of policy with regard to the efficient spending of public funds. Scrutiny Panels look at policy going forward, while the PAC look retrospectively at how funds have been spent. The PAC is effectively the States' 'spending watchdog' and therefore has a broad remit across all States' Departments.
- Unlike the other Scrutiny Panels, the PAC contains non-States Members, who add valuable expertise from the private sector.
- The other main difference between Scrutiny and the PAC is that the PAC works very closely with the Comptroller and Auditor General.

The Public Accounts Committee co-operates with the Scrutiny Panels, and indeed some members sat on Scrutiny Panels during 2010; this assists Members' understanding of the resource implications of policies adopted. The Chairman of the Public Accounts Committee, Senator B.E. Shenton, also chairs the Chairmen's Committee, the body which co-ordinates the work of Scrutiny as a whole.

### **Structure**

The required structure of the Public Accounts Committee is set out in Standing Order 47. This provides for a Chairman and an even number of members, 50% of whom are elected States Members and 50% of whom are independent members.

### **Membership**

The membership of the Public Accounts Committee during 2010 was as follows –

#### States Members:

Senator B.E. Shenton (Chairman) elected 16th December 2008  
Connétable of St. Peter (Vice-Chairman)  
Senator A. Breckon  
Senator J.L. Perchard  
Connétable of St. Helier\*

#### Independent Members:

Mr. Alex Fearn  
Mr. Kevin Keen  
Mr. Martin Magee  
Mr. Patrick Ryan\*

- \* The States noted the resignation of the Connétable of St. Helier on 13th January and of Mr. P. Ryan from the Public Accounts Committee on 23rd February 2010.

## **Meetings**

The Public Accounts Committee held regular meetings at which it was given briefings by the Comptroller and Auditor General on his work programme.

In addition, the Committee also undertook the following Public Hearings –

### **In relation to the States Spending Review:**

15th January Director, Education, Sport and Culture  
Finance Director, Education, Sport and Culture  
Deputy Chief Executive  
Director of Finance and Information for Health and Social Services  
Acting Chief Executive Officer for Health and Social Services

### **In relation to Jersey Heritage Trust – Financial Review:**

18th May Director of Education, Sport and Culture  
Cultural Development Officer, Education Sport and Culture  
Financial Director, Jersey Heritage Trust  
Director, Jersey Heritage Trust  
Chairman of Trustees, Jersey Heritage Trust

### **In relation to Procurement:**

23rd August Deputy Chief Executive, Chief Officer for Resources

### **In relation to the Financial Report and Accounts 2009:**

20th Interim Treasurer  
September  
27th Chief Law Clerk  
September

## **Reports**

During 2010, the Committee presented 4 Reports to the States –

**P.A.C.1/2010 Report on the Accounts of the States for the Year Ended 31st December 2008** (presented on 1st March 2010)

**P.A.C.2/2010 States Spending Review** (presented on 23rd April 2010)

**P.A.C.3/2010 Financial Review of the Jersey Heritage Trust** (presented on 6th July 2010)

**P.A.C.4/2010 Report on the accounts of the States of Jersey for the year ended December 2009** (presented on 15th December 2010)

## Notable Successes

### **Progress regarding co-operation between Guernsey and Jersey**

On 18th June 2010, the Jersey Public Accounts Committee visited their counterparts in Guernsey in order to discuss areas of potential inter-Island co-operation. The following areas of potential co-operation were discussed –

- A shared Medical Health Officer
- Shared health specialists between the Islands
- A shared Competition Regulatory Authority
- Comparative Statistical Data between the Islands
- A shared Comptroller & Auditor General.



*Chairman of the P.A.C., Senator B.E. Shenton, with Deputy L.R. Gallienne,  
Chairman of the Guernsey Public Accounts Committee*

On 22nd November the Guernsey Public Accounts Committee reciprocated this visit. During the meeting, the Comptroller and Auditor General presented work regarding comparative statistical data between the Islands. The Committees were in accord that such comparisons were of significant value and that it should be continued. This work will shortly be published.

The respective Committees look forward to further progress in co-operation in 2011, and have also agreed to hold joint meetings on a bi-annual basis.

### **Home Affairs – Western Fire Station**

Further to recommendation 7.11 in our Report P.A.C.2/2010, States Spending Review, which raised concerns over the efficiency of having a second fire station, the Minister for Home Affairs commissioned a Report to evaluate the operating costs of the Western Fire Station.

### **Home Affairs – Establishment of a Police Authority**

Our Committee recommended the establishment of a Police Authority in order to avoid the repeat of the overspend in 2009, resulting from the unsatisfactory structure of accounting officers in Home Affairs in relation to the Historic Child Abuse Enquiry, whereby there are 2 accounting officers in Home Affairs. We are pleased to note that P.192/2010 (Jersey Police Authority: establishment) lodged by the Minister for Home Affairs, which proposes such a move, is imminently due for debate in the States and is likely to be accepted. P.192/2010 is likely to result in changes to the existing accounting officer arrangements in order to clarify lines of accountability. Part (a)(8) of P.192/2010 states that: *‘the Chief Officer shall have the command, direction, control of the States of Jersey Police Force and each of its police officers and shall be the Accounting Officer in relation thereto.’*

### **Jersey Heritage Trust – Service Level Agreement**

During its examination of the financial management of the Jersey Heritage Trust, we concluded that the Education, Sport and Culture Department viewed the Jersey Heritage Trust as independent, while the Trust worked on the assumption that the States would bail it out. As a result, the Jersey Heritage Trust did not budget realistically within its grant, purchasing amphibious vehicles (transport to Elizabeth Castle) out of annual revenue budget, without consulting the Minister and while knowing this put them in the red. Ultimately, the States paid the shortfall. We recommended that a Service Level Agreement be implemented forthwith. The Committee is pleased to note that the Jersey Heritage Trust now has a Service Level Agreement with the Minister for Education, Sport and Culture in place, which should safeguard against such costly mistakes in the future.

### **Financial Management in the States of Jersey**

As a direct result of our Committee’s findings in P.A.C.4/2010, which identified several weaknesses in the Public Finances Law (many of which had already been identified by the Comptroller and Auditor General), we are pleased to note that the Treasury intend to revise the Public Finances Law in 2011 in order to strengthen financial management and control under Ministerial Government.

### 4.3 Chairmen's Committee: 2010 issues and developments

The Committee continued to maintain oversight of the work of the Scrutiny Panels and the Public Accounts Committee throughout 2010. It has aimed at ensuring that there has been no overlap in the work of the Panels, and where there have been overlapping areas, that a Sub-Panel has been established. It has also considered potential overlap of work areas between the Panels and the Public Accounts Committee.

At its monthly scheduled meetings it has considered all information regarding ongoing Reviews, planned fact-finding visits which would incur expenditure, all matters which have been considered for review and rejected with reasons, all planned Reviews, any conflicts of interest and Ministerial Responses to Scrutiny Reports.

The Committee has also continued to monitor all resource allocation and understood the rationale in reducing the number of Scrutiny Officers from 10 to 7.

#### Away morning

At the start of 2010, the Chairmen's Committee organised an away-morning for all Members of Scrutiny. The following Members attended, together with the Greffier of the States (one session), the Deputy Greffier of the States, 9 Scrutiny Officers and the Officer to the Public Accounts Committee. (The Scrutiny Manager was off-Island due to personal circumstances.)

Senator B.E. Shenton	Deputy S. Pitman of St. Helier
Senator A. Breckon	Deputy of St. John
Senator S.C. Ferguson	Deputy of St. Mary
Connétable of St. Peter	Deputy T.M. Pitman of St. Helier
Connétable of St. Lawrence	Deputy T.A. Vallois of St. Saviour
Deputy R.G. Le Hérisser of St. Saviour	Deputy M.R. Higgins of St. Helier
Deputy of Grouville	Deputy D.J. De Sousa of St. Helier
Deputy of St. Peter	Deputy J.M. Maçon of St. Saviour

Apologies were received from the Connétable of St. John, Deputy G.P. Southern of St. Helier and Deputy M. Tadier of St. Brelade.

Matters for discussion were: the effectiveness of Scrutiny: what is working, what isn't working, identification of the strengths and weaknesses of the system. This led to the identification of the top 5 strengths and top 5 weaknesses assisting the meeting to reach the following conclusions –

1. To review the Code of Practice;
2. To re-circulate hard copies of the Code of Practice for Scrutiny Panels and the Public Accounts Committee to all States members;
3. A Members-only meeting was required to discuss political matters. (This was held on 11th June 2010.)

## **Review of the Code of Practice for Scrutiny Panels and the Public Accounts Committee**

On 28th January 2010, the Chairmen's Committee formed a Group to undertake a Review into the Code of Practice for Scrutiny Panels and the Public Accounts Committee. Membership of the Group comprised Deputy T.A. Vallois of St. Saviour as Chairman, the Deputy of St. Peter and Deputy D.A. De Sousa of St. Helier. The Group started its work in earnest and invited all States Members, Scrutiny Officers and Executive Officers to forward any views on the Code of Practice to the Group. Individual Members of the Group attended on each of the Scrutiny Panels and the Public Accounts Committee to seek their views and also attended a Council of Ministers meeting.

Shortly into the Review, the Group realised that there were many diverse views about the rôle of Scrutiny and what it had been established to do. The Group felt that until this was overcome and all Members were fully signed up to one definition of the Scrutiny function and were prepared to work within the frameworks set, reviewing the Code of Practice was premature.

The Group finalised its findings and recommendations which were presented to the Chairmen's Committee on 17th June 2010. However, at that time Senator A. Breckon lodged "*au Greffe*" P.70/2010 – Machinery of Government: amended structure – which superseded any work on the Review of the Code of Practice.

Work on the above proposition continued throughout the summer recess, culminating in P.70/2010 being withdrawn and replaced by P.120/2010 – Machinery of Government: establishment of Ministerial Boards and revised system of Scrutiny – which was debated on 20th October 2010. In light of the major changes proposed in this proposition, the Chairmen's Committee decided it was inappropriate to consider the matter further until the outcome of the debate on P.120/2010 was known.

With P.120/2010 having been defeated, it is planned for work to continue on this Review in 2011.

### **Public Engagement**

This has remained a priority for Scrutiny in terms of holding its Hearings in public, informing the public of the work of the Panels through the media, website, Facebook and at the Home and Life Show 2010. The taking of visual footage of Scrutiny meetings and hearings has been considered at a number of meetings and resulted in the formation of a working group to consider the matter in depth.

### ***Scrutiny Matters Newsletter***

Editions 6 and 7 of the Scrutiny Matters Newsletter were circulated to every household in both May and October last year. The Chairmen's Committee, being mindful of the cost-cutting initiatives which need to be taken within the States of Jersey, considered whether Edition 7 should be the last one in this format which is distributed to every household. That edition requested the public to complete a questionnaire and/or send in their views about the content, benefits or disadvantages

of this circular. It gave a number of options with the intention of receiving a general overview of the public's feelings about the newsletter. The Committee was pleased that over 100 responses were received, and whilst there were some negative comments, by far the majority expressed support for the newsletter.



*Scrutiny's display at the Home and Life Show 2010*

### ***Home and Life Exhibition 2010***

Scrutiny also had a stand at the Home Life Show in November 2010, which built on its experiences of having previously had a stand in the 2008 show. This year, the Panels were able to take the opportunity of being at the show to seek the public's views about specific Reviews the Panels were undertaking, and the Public Accounts Committee was able to advise the public on work it had been undertaking.

Attendance at the Show was as follows –

Senator S.C. Ferguson	Deputy of St. John
Connétable of St. Peter	Deputy M. Tadier of St. Brelade
Connétable of St. Lawrence	Deputy T.A. Vallois of St. Saviour
Deputy R.G. Le Hérisier of St. Saviour	Deputy M.R. Higgins of St. Helier
Deputy G.P. Southern of St. Helier	Deputy D.J. De Sousa of St. Helier
Deputy J.M. Maçon of St. Saviour	

### ***The "big red tent"***

Health, Social Security and Housing Benefit Levels Sub-Panel undertook a major public engagement exercise which proved very successful. The details of this are under that Panel's Report, however, in summary, the Sub-Panel went to town with a big red tent and encouraged the public to come forward and discuss their views on the matter and to fill in a questionnaire.



### *Citizenship Programme*

This event has in the past been held in the Summer Term. Unfortunately, in 2010 only Le Rocquier School was able to arrange for this project to go ahead in the Summer Term, the feedback from which was very positive.

Unfortunately, due to school timetabling and curriculum issues, this programme was operated across 2 different academic years, with Les Quennevais School, Hautlieu and Jersey College for Girls taking place in October. With this in mind, and in light of 2011 being an election year, the Chairmen's Committee agreed to suspend the programme during 2011 with a recommendation that it be resumed in 2012 with Y10 pupils.

### *Scrutiny Facebook*

When the Health, Social Security and Housing Benefits Levels Sub-Panel was undertaking its public consultation in St. Helier, it was agreed that it would be useful to use Facebook to reach out to a different audience. By way of an experiment, a site was established and a video uploaded to it through YouTube. It was agreed that there may be some merit in using social networking as another option for communication between Scrutiny and the public. Consequently, following training an official site was set up – it can be found on [www.facebook.com/jerseyscrutiny](http://www.facebook.com/jerseyscrutiny) .

## **4.4 Scrutiny across Ministerial Departments**

The Code of Practice for Scrutiny Panels and the Public Accounts Committee states that each Panel has the responsibility of ensuring that a fair measure of Scrutiny is undertaken across the full range of Ministerial Departments within its remit during the course of the lifetime of the Panel.

The table on the next page shows the Scrutiny Reviews for which Reports have been presented to the States per Ministerial Department since the start of the current term of office in December 2008.

**Scrutiny Reports presented to the States per Ministerial Department  
December 2008 to 2010 year end**

<b>Department</b>	<b>Subject of Scrutiny Report</b>	<b>Year</b>
Chief Minister's	WEB	2009
	Draft Annual Business Plan 2010 (P.117/2009)	2009
	Population Policy	2009
	Jersey Development Company	2009
	Review of Jersey's Overseas Aid: Report on Progress	2010
	Forecasting of Expenditure (& T&R)	2010
	Jersey Development Company Review	2010
	Comprehensive Spending Review (& T&R)	2010
Economic Development	Depositor Compensation Scheme	2009
	Sea Fisheries Bag Limits	2010
	Tourism PPP	2010
	Rural Economy Strategy	2010
Education, Sport and Culture	Fort Regent	2009
	School Suspensions	2010
	Political Education	2010
Health and Social Services	Co-ordination of Services for Vulnerable Children	2009
	Dental Health Services	2010
Home Affairs	Prison Board of Visitors	2009
Housing		
Planning and Environment	Energy from Waste Plant and RAMSAR: planning process	2010
Social Security	Review of Income Support	2009
Transport and Technical Services	Funding Waste Recycling	2009
	Energy from Waste Plant and RAMSAR: planning process	2010
	Sustainable Transport Policy	2010
Treasury and Resources	Deemed Rent	2009
	Economic Stimulus Plan	2009
	Economic Stimulus Plan (2)	2010
	Forecasting of Expenditure (& CoM)	2010
	Amendments to the Data Protection (Jersey) Law 2005	2010
	Comprehensive Spending Review (& CMD)	2010

## **SCRUTINY APPENDICES**

- A: Members' involvement in Scrutiny Reviews during 2010
- B: Scrutiny Expenditure as at 31st December 2010
- C: Scrutiny Section Travel and Entertainment Costs for 2010

## APPENDIX A

### Members' involvement in Scrutiny Reviews during 2010 – (ongoing) if no Report has been completed

Name	Review
Senator B.E. Shenton	All PAC Reviews as listed in PAC section
Senator A. Breckon <sup>1</sup>	All PAC Reviews
Senator S.C. Ferguson	<ol style="list-style-type: none"> <li>1. Economic Stimulus Plan 2</li> <li>2. Overseas Aid Commission: Report on progress</li> <li>3. Forecasting of Expenditure</li> <li>4. Proposed Amendments to Data Protection (Jersey) Law 2005</li> <li>5. Comprehensive Spending Review</li> <li>6. States of Jersey Development Company (ongoing)</li> </ol>
Connétable of Trinity <sup>2</sup>	<ol style="list-style-type: none"> <li>1. Jersey Development Company (pre-Report work only, as resigned on 20th August 2010)</li> </ol>
Connétable of Grouville <sup>3</sup>	<ol style="list-style-type: none"> <li>1. Economic Stimulus Plan 2</li> <li>2. Overseas Aid Commission: Report on progress</li> <li>3. Forecasting of Expenditure</li> <li>4. Comprehensive Spending Review</li> </ol>
Connétable of St. Martin	<ol style="list-style-type: none"> <li>1. Dental Services</li> <li>2. Benefit Levels (ongoing)</li> </ol>
Connétable of St. John <sup>4</sup>	<ol style="list-style-type: none"> <li>1. School Suspensions</li> </ol>
Connétable of St. Saviour (co-opted Member)	<ol style="list-style-type: none"> <li>1. EfW Plant and RAMSAR: Review of Planning Process</li> <li>2. Marine Environment (ongoing)</li> </ol>
Connétable of St. Peter	<ol style="list-style-type: none"> <li>1. EfW Plant and RAMSAR : Review of Planning Process</li> <li>2. Sustainable Transport Strategy</li> <li>3. PAC Reviews</li> </ol>
Connétable of St. Lawrence	<ol style="list-style-type: none"> <li>1. Dental Services</li> <li>2. Benefit levels (ongoing)</li> </ol>

<sup>1</sup> Senator A. Breckon resigned from Scrutiny on 22nd June 2010 prior to any 2010 Panel Reports being produced.

<sup>2</sup> The Connétable of Trinity resigned from this Sub-Panel on 20th August 2010 due to other work pressures.

<sup>3</sup> The Connétable of Grouville stood down from the Panel during the SoJDC Review due to a conflict of interest.

<sup>4</sup> The Connétable of St. John resigned from the Panel prior to production of the Report as a result of significant short-term time constraints with other work, then appointment as Assistant Minister.

Deputy R.G. Le Hérisier of St. Saviour	<ol style="list-style-type: none"> <li>1. Forecasting of Expenditure</li> <li>2. Rural Economy</li> <li>3. Political Education</li> <li>4. Cultural Strategy (ongoing)</li> <li>5. Succession Planning in the Police (ongoing)</li> </ol>
Deputy G.P. Southern of St. Helier	<ol style="list-style-type: none"> <li>1. Benefit Levels (ongoing)</li> <li>2. Dental Services</li> </ol>
Deputy of Grouville	<ol style="list-style-type: none"> <li>1. Sea Fisheries Bag Limits</li> <li>2. Tourism PPP</li> <li>3. Rural Economy</li> <li>4. Political Education</li> <li>5. Intellectual Property (IPURL)</li> </ol>
Deputy of St. Peter	<ol style="list-style-type: none"> <li>1. Economic Stimulus Plan 2</li> <li>2. Overseas Aid Commission: Report on progress</li> <li>3. Comprehensive Spending Review</li> <li>4. States of Jersey Development Company</li> </ol>
Deputy P.V.F. Le Claire of St. Helier <sup>5</sup>	<ol style="list-style-type: none"> <li>1. EfW Plant and RAMSAR : Review of Planning Process</li> </ol>
Deputy S. Pitman of St. Helier	<ol style="list-style-type: none"> <li>1. Sea Fisheries Bag Limits</li> <li>2. Tourism PPP</li> <li>3. Intellectual Property (IPURL)</li> <li>4. Political Education</li> <li>5. Jersey Post (ongoing)</li> </ol>
Deputy of St. John	<ol style="list-style-type: none"> <li>1. EfW Plant and RAMSAR: Review of Planning Process</li> <li>2. Sustainable Transport Strategy</li> <li>3. Marine Environment (ongoing)</li> <li>4. Draft Energy Policy (ongoing)</li> </ol>
Deputy M. Tadier of St. Brelade	<ol style="list-style-type: none"> <li>1. School Suspensions</li> <li>2. Political Education</li> <li>3. Cultural Strategy (ongoing)</li> <li>4. Policing of Beaches and Parks (ongoing)</li> <li>5. Jersey Post (ongoing)</li> </ol>
Deputy of St. Mary	<ol style="list-style-type: none"> <li>1. EfW Plant and RAMSAR: Review of Planning Process</li> <li>2. Sea Fisheries Bag Limits</li> <li>3. Tourism PPP</li> <li>4. Rural Economy Strategy</li> <li>5. Sustainable Transport Policy</li> <li>6. Intellectual Property (IPURL)</li> <li>7. Marine Environment (ongoing)</li> <li>8. Draft Energy Policy (ongoing)</li> <li>9. Jersey Post (ongoing)</li> </ol>

<sup>5</sup> Deputy P.V.F. Le Claire of St. Helier resigned from the Environment Scrutiny Panel on 11th May 2010.

Deputy T.M. Pitman of St. Helier	<ol style="list-style-type: none"> <li>1. School Suspensions</li> <li>2. Cultural Strategy (ongoing)</li> <li>3. Succession Planning in the Police (ongoing)</li> </ol>
Deputy T.A. Vallois of St. Saviour	<ol style="list-style-type: none"> <li>1. Economic Stimulus Plan 2</li> <li>2. Overseas Aid Commission: Report on progress</li> <li>3. Forecasting of Expenditure</li> <li>4. Proposed Amendments to Data Protection (Jersey) Law 2005</li> <li>5. Comprehensive Spending Review</li> </ol>
Deputy M.R. Higgins of St. Helier	<ol style="list-style-type: none"> <li>1. Sea Fisheries Bag Limits</li> <li>2. Proposed Amendments to Data Protection (Jersey) Law 2005</li> <li>3. Tourism PPP</li> <li>4. Intellectual Property (IPURL)</li> </ol>
Deputy D.J. De Sousa of St. Helier	<ol style="list-style-type: none"> <li>1. Proposed Amendments to Data Protection (Jersey) Law 2005</li> <li>2. States of Jersey Development Company (ongoing)</li> <li>3. Dental Services</li> <li>4. Benefit Levels (ongoing)</li> <li>5. Policing of Beaches and Parks (ongoing)</li> </ol>
Deputy J.M. Maçon of St. Saviour <sup>6</sup>	<ol style="list-style-type: none"> <li>1. Sea Fisheries Bag Limits</li> <li>2. School Suspensions</li> <li>3. Tourism PPP</li> <li>4. Intellectual Property (IPURL)</li> <li>5. Policing of Beaches and Parks (ongoing)</li> <li>6. Cultural Strategy (ongoing)</li> <li>7. Succession Planning in the Police (ongoing)</li> </ol>

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<sup>6</sup> Deputy J.M. Maçon of St. Saviour joined the Education and Home Affairs Scrutiny Panel on 25th May 2010 whilst remaining on the Economic Affairs Scrutiny Panel.

## APPENDIX B

Scrutiny expenditure as at 31st December 2010				
Panel	Reviews	Actual review expenditure	Actual Panel Expenditure	Total expenditure
Corporate Services Scrutiny Panel	ESP2	£ 200.00		
	Financial Forecasting	£ 1,600.00		
	Migration	£ 99.00		
	Data Protection	£ 12,088.00		
	JDC	£ 7,333.42		
	CSR	£ 28,748.80		
	Fiscal Strategy	£ 3,860.00		
			£ 1,277.00	
<b>Total Corporate spend</b>		£ 53,929.22		£ 55,206.22
Economic Affairs Scrutiny Panel	Tourism PPP	£ 486.00		
	Sea Fisheries Bag Limits	£ 257.00		
	Rural Economy	£ 13,559.49		
	IPURL	£ 5,000.00		
	Jersey Post and Competition	£ 1,129.36		
			£ 504.00	
<b>Total Economic spend</b>		£ 20,431.85		£ 20,935.85
Education and Home Affairs Scrutiny Panel	Schools Suspension	£ 10,928.04		
	Higher Education	£ -		
	Political Education	£ 1,015.92		
	Cultural Strategy	£ 603.00		
	Succession Planning in the Police	£ 1,270.80		
	Policing of Beaches and Parks	£ 1,736.80		
			£ 1,051.50	
<b>Total ED&amp;HA spend</b>		£ 15,554.56		£ 16,606.06
Environment Scrutiny Panel	Ramsar/EfW	£ 9,362.23		
	Protecting the Marine Environment	£ 15,982.91		
	Sustainable Transport	£ 266.00		
			£ 756.00	
<b>Total Environmental spend</b>		25,611.14		£ 26,367.14
Health, Social Security and Housing Scrutiny Panel	Dental Health	2,333.02		
	Review of Benefits	18,009.83		
	CSR 2	509.00		
			£ 1,016.50	
<b>Total HSSH spend</b>		20,851.85		£ 21,868.35
<b>Total PAC spend</b>		n/a	£ -	£ 1,896.00
<b>Other</b>		n/a		£ 28,227.18
<b>Totals</b>				<b>£ 171,106.80</b>
<b>Total budget</b>			<b>£ 420,200.00</b>	
<b>Total actual spend</b>			<b>£ 171,106.80</b>	
<b>Balance</b>			<b>£ 249,093.20</b>	

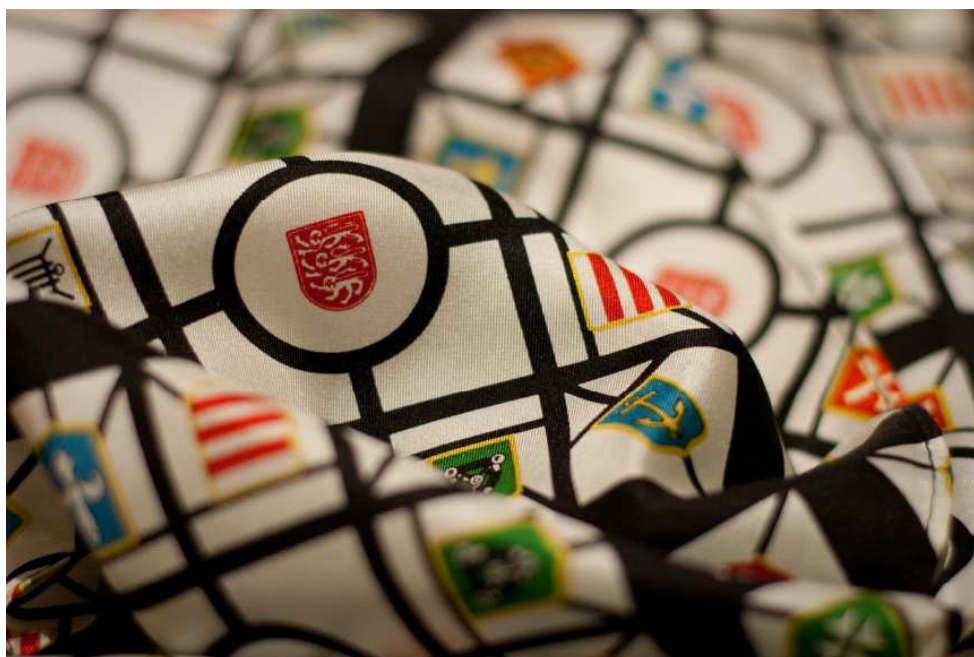
**APPENDIX C**

**Scrutiny Section Travel and Entertainment Costs for 2010**

	<b>Travel (inc. Accommodation)</b>	<b>Entertainment</b>	<b>Total</b>
<b>Corporate Services Scrutiny Panel</b>			
Panel	£0.00	£440.00	£440.00
Advisers	£443.92	£0.00	£443.92
<b>Economic Affairs Scrutiny Panel</b>			
Panel	£1,938.77	219.56	2,158.33
Advisers	£1,269.50	£6.95	£1,276.45
<b>Education and Home Affairs Scrutiny Panel</b>			
Panel	£0.00	£71.40	£71.40
Advisers	£1,007.74	£107.11	£1,114.85
<b>Environment Scrutiny Panel</b>			
Panel	£0.00	£94.46	£94.46
Advisers	£669.04	£90.08	£759.12
<b>Health, Social Security and Housing Scrutiny Panel</b>			
Panel	£155.34	0.00	£155.34
Advisers	£0.00	£0.00	£0.00
<b>Public Accounts Committee</b>			
Committee	£440.73	£850.50	£1,291.23
<b>Total for Travel and Entertainment:</b>			<b>£7,805.10</b>



## 5. THE STATES GREFFE



### 5.1 Clerks' Section

In the 2009 States Assembly Annual Report the role of the Clerks' section was described in detail. 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 a number of other bodies.
- 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.
- To edit the transcript of the proceedings of the States and to produce the States' Official Report ('Hansard').

### 5.2 Clerking role

Towards the end of 2009, a Committee of Inquiry was established to investigate all planning matters relating to the various relevant planning applications made by, or on behalf of, Reg's Skips Ltd. in connection with the activities of the company as skip operators. It was suggested that this inquiry would only last for 3 months, and on that basis, it was included within the role of the Clerks. It was estimated that the total cost should not exceed £15,000 and the Minister for Treasury and Resources directed that the cost of this Committee of Inquiry must be met from the cash limit of the Planning and Environment Department.

As is often the case with Committees of Inquiry, it has lasted much longer than the time initially allotted, and having commenced towards the end of 2009, it continued throughout 2010 and is still ongoing in 2011. The cost in 2010 for staff and sundry costs is of the order of £18,135, added to over £3,000 in 2009.

The volume of work generated by the Committee of Inquiry over an extended period of time, while providing useful staff development, has provided a challenge in a small team.

The number of meetings for which a Clerk was provided in 2010 is shown in the following table –

	2008	2009	2010
Commission Amicale, <i>now defunct</i>	2	1	n/a
Council of Ministers	32	26	38
Criminal Injuries Compensation Board	6	4	5
Legislation Advisory Panel	5	5	8
Manual Workers' Joint Council, <i>includes 4 Disputes Committees</i>	6	3	6
Migration Advisory Group	8	14	8
Overseas Aid Commission	36	29	31
Planning Applications Panel	14	12	13
Planning and Environment Ministerial meetings	15	11	14
Privileges and Procedures Committee	29	47	39
– PPC Sub-Panel on Complaints	0	0	0
– PPC Public Elections Working Party	n/a	2	5
– PPC States Business Organisation Sub Group	–	–	4
– PPC Media Working Party	n/a	2	3
Probation Board	6	6	6
Public Accounts Committee, <i>now sits with Scrutiny section</i>	15	10	n/a
States Employment Board (+ 2 Hearings)	19	24	15
Tourism Development Fund Advisory Panel	4	6	10
Civil Service Forum	–	1	1
Committee of Inquiry: Reg's Skips, including Hearings	–	5	20
<b>TOTAL</b>	197	208	225

### 5.3 Ministerial Decisions

The Clerks provide the first-line quality assurance of Ministerial Decisions.



*The States Greffe Clerks' team*

**1,184** ministerial decisions were made in 2010, and of these, 10 were signed without seeking quality assurance. In 17 cases the advice given by the States Greffe related to non-compliance with paragraph 3 of Standing Order 168, which requires 15 working days' notice to be given in advance of entering into a binding agreement for certain land transactions.

Department	Number of Ministerial Decisions		
	2008	2009	2010
Chief Minister	38	100	100
Economic Development	242	231	212
Education, Sport and Culture	25	23	22
Health and Social Services	63	68	71
Home Affairs	90	121	85
Housing	122	109	104
Planning and Environment	281	199	143
Property Holdings	99	94	143
Social Security	88	77	81
States of Jersey Police	1	–	–
Transport and Technical Services	116	116	133
Treasury and Resources	149	223	190
<b>TOTAL</b>	<b>1,314</b>	<b>1,361</b>	<b>1,184</b>

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 in an orderly fashion. All decisions are checked by the States Greffe within 24 hours, and usually within half a day.

#### 5.4 Access to Information

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. Given that some departments do not record high numbers of decisions made by the Minister or Assistant Minister, it is assumed that the delegation of functions to officers must cover all the remaining decisions made by officers. 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,”;*

and the Greffier was requested to ensure that all matters recorded in Part B minutes were properly exempt from disclosure. Clearly, it is not possible to review that which does not come to the Greffier’s attention because it is not recorded within the Ministerial Decisions procedures. The level of recording of decisions at officer level is a matter for departments, as will be their ability to carry out their own detailed research in the future, as the States Greffe will no longer be able to assist in respect of documents it does not hold.

#### 5.5 Official Report (‘Hansard’)

Since the change to the ministerial machinery of government, the number of States’ meetings days increased from 38 in 2006 to 50 in 2010. This had a corresponding 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. The Clerks can provide individual States members on request with an unedited version of extracts of the transcript if required. This usually arrives 5 working days after the meeting.

<b>Official Report</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
No. of States’ meeting days	38	43	51	60	50

## 5.6 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 and the Comptroller and Auditor General; as well as information about the Commonwealth Parliamentary Association, Assemblée Parlementaire de la Francophonie and various initiatives such as the Jersey Youth Assembly and Primary School visits to the Chamber.

Whilst some displays were static within the Centre, several, particularly those pertaining to the work of the States Assembly, were updated on an almost daily basis to ensure that the information on display was current, relevant and engaged the public’s interest. Staff members were also 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.

A range of quality States Assembly souvenirs is on sale in the Centre so that visitors are now able to purchase a memento of their visit to the States Chamber. The range includes a silk tie featuring the updated States crest design, pens, pencils, 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.



## 5.7 Public engagement

Continued efforts were made during 2010 to make the States Chamber more accessible to the public. This included the provision of signage outside the Building to promote States meetings, and additional signage was installed within the public entrance to the States Chamber and leading into the public gallery.

States Greffe staff were involved with a number of secondary school visits to the Chamber, which dovetailed with the Citizenship Programme within schools; and also welcomed a number of other visitors, including those from the Women's Institute and a group of French students from Rennes. The Assistant Greffier also attended Highlands College's annual Enrichment day in December 2010 and gave talks to students about the importance of exercising their right to vote.



*Jennifer Cartwright, Information Assistant from the States Greffe Registry, with a selection of quality States Assembly souvenirs (dress: model's own)*

## 5.8 States Assembly website

The States Greffe continued to maintain the States Assembly website [www.statesassembly.gov.je](http://www.statesassembly.gov.je) throughout 2010 and the site has clearly become the principal source of information about the work of the Assembly for many people.

Activity statistics relating to the site show that there are some 370,000 hits per month making an annual total of some 4,440,000 hits.

During 2010, staff worked with the Information Services Department and C5 Alliance to revamp the States Assembly website in order to enhance accessibility, and it is anticipated that the improved site will be launched during 2011.

## 5.9 Publications Editor

The Ministerial Decision system required procedural changes to be implemented to ensure that States matters were lodged with the Greffe in a timely and efficient manner. The Clerks of the States Greffe monitor the Livelink system and inform the Publications Editor of matters for lodging “au Greffe” or presentation to the States, but officers from other Departments are also required to play a more proactive role in this process. Throughout 2010, procedures were adjusted and modified to ensure that all matters, especially Orders, were effectively processed through the Livelink system and included on the States Order Paper.

With the advent of the ministerial system of government, changes in Standing Orders relating to the timescale for lodging propositions meant that instead of matters being lodged weekly, items could be lodged on a daily basis. It was originally anticipated that this would spread out the work more evenly but, in reality, there still remains a last-minute rush to lodge items on States meeting days, and consequently these continue to be particularly busy periods for the Publications Editor. The busiest times in 2010 were before the Draft Annual Business Plan and Budget debates, as many amendments were lodged right up to the deadline.

The Publications Editor was responsible for the production of the following publications during 2010 –

- 199 new propositions for lodging;
- 102 amendments to lodged propositions;
- 141 comments for presentation to the States in relation to lodged propositions or amendments;
- 117 of the 155 reports that were presented to the States in the ‘R.’ series (*the other 38 reports were delivered to the States Greffe already printed by the presenting departments*);
- 21 Laws registered in the Royal Court following adoption by the States Assembly and sanction by Her Majesty’s Privy Council; and 2 U.K. Orders in Council also published in the Laws series that were extended to Jersey by registration in the Royal Court;
- 135 R&Os (Regulations and Orders), which can be broken down into –
  - 82 Orders and one set of Bye-laws made by Ministers;
  - 10 sets of Rules made by the Courts;
  - 27 sets of Regulations, 12 Acts and one Amendment to Standing Orders adopted by the States; and
  - 2 items of U.K. subordinate legislation extended to Jersey by registration in the Royal Court.

## 5.10 Registry

The Registry section provides an organised and thorough archive of information relating to the work of the States Assembly (and its Committees and Panels), Ministerial Departments and Scrutiny. The Registry section also has responsibility for the retention and archiving of the signed copies of all Ministerial Decisions and relevant attachments. The Section also uploads 'Part A' (Public) Ministerial Decisions onto the [www.gov.je](http://www.gov.je) website to be accessed by the public.

The Information Manager has been the Department's representative on the [www.gov.je](http://www.gov.je) website Web Content Managers' Group and has worked to ensure that the States Assembly and Scrutiny pages were adequately promoted and their public profile maintained. She is also a member of the Record Managers' Working Group which oversees the management of information archives across the States.

## 5.11 Reprographics

Although the demise of the Committee system saw a reduction in the number of agendas produced by the Reprographics section, there were still sizeable Council of Ministers, Planning Applications Panel and Privileges and Procedures Committee agendas printed on a weekly basis, as well as the various papers for all of the other Boards and Panels serviced by the States Greffe.



The section produced a large number of documents for other Departments, particularly some extremely confidential matters such as the papers for the Curtis Warren trial, and the Verita and Wiltshire Reports. The section is also responsible for printing States employees' business cards. There were also several Scrutiny Reports printed during the year, but the work of the States continued to provide the bulk of the workload. The busiest times in 2010 were before the Draft Annual Business Plan and Budget debates, as many amendments were lodged right up to the deadline. The Reprographics Assistant is also responsible for compiling the log notes of each States meeting and providing CD copies of the meetings to members and the public when required.



## 5.12 Staffing matters

During 2010, States Greffe staff participated in a number of ‘dress-down days’ and raised over £1,200 for various charities, starting the year with a collection for the survivors of the Haiti disaster when £128 was raised from a dress-down day and homemade cake sale. Staff appeared to give more generously if Belinda Pugh, Reprographics Assistant, dressed in an amusing costume! Highlights in 2010 included a cowgirl for ‘Jeans for Genes’ (£145) and a fairy for Children in Need (£260).



*Belinda Pugh, Reprographics Assistant, collecting money for charity on States Greffe ‘dress-down’ days*

In December 2010, staff also held a special dress-down day to raise funds for the Jersey Society for the Prevention of Cruelty to Animals and raised £150, in memory of their late colleague Kris Kelly, who died in December 2007.

The Bookshop Manager, Manny Oliviera, created a vegetable soup for the December 2010 Soup Kitchen event, which was sold under the States Greffe name to raise money for the Shelter Trust for the Homeless.

### 5.13 The Youth Assembly



The 13th Youth Assembly was held in the States Chamber on the afternoon of Wednesday 17th March 2010. The event, which was sponsored by the Jersey Branch of the Commonwealth Parliamentary Association, included debates on topics selected by the students, as well as a Question Time, all of which mirrored a normal States meeting. This was the 4th year in which the event was held on a Wednesday, in order to ensure that Ministers would be able to attend for Question Time (as the event had previously clashed with the Council of Ministers' meeting dates). All of the Island's post-16 students were represented at the Assembly, as Highlands College fielded a team following a 5 year absence from the event.

During the Assembly, which was presided over by the Connétable of St. Clement, the prospective politicians followed the same protocols as their adult counterparts. Deputy J.A. Martin of St. Helier, Assistant Minister for Health and Social Services, answered a question asked by De La Salle College regarding under-age drinking. The Minister for Education, Sport and Culture faced questions from Highlands College regarding tuition fees for those who decide to study Open University degree courses, and from Hautlieu regarding additional funding for Jersey Heritage.

The Minister for Home Affairs answered questions asked by Victoria College regarding the introduction of discrimination laws in the Island, and from Highlands College regarding the re-introduction of the death penalty for those who commit crimes against children and crimes of a sexual nature.

Deputy R.C. Duhamel of St. Saviour, Assistant Minister for Planning and Environment, answered a question asked by De La Salle College regarding SSIs, and the Minister for Economic Development answered a question asked by Beaulieu Convent School regarding the avoidance of GST.

The Chief Minister answered questions without notice for over 15 minutes on a wide range of topics.



50 student members from the Island's sixth forms participated in the Assembly, and the young parliamentarians had worked in conjunction with their own tutors and officers of the States Greffe for several months to prepare propositions together with supporting reports in the style expected for the States. Topics covered in debate included proposals that Jersey's long-term health care costs should be met through increased social security contributions, that there should be greater equality for women in the workplace, that health care provision should be prioritised according to the patient's lifestyle, that Jersey should become a communist state, that conscription should be used to combat unemployment, and that prostitution should be decriminalised.

## 5.14 Primary school visits to the States Chamber/Citizenship Programme



The school visit scheme, which involved all Year Five (aged 9 and 10) primary school children, 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. Three of the children took the rôles of the Greffier, the Dean and the Usher.

During 2010 the scheme continued to be run by the Assistant Greffier, Mrs. Lisa Hart, and the Cultural Development Officer, Mr. Rod McLoughlin, assisted by staff from the States Assembly Information Centre. Children received a leaflet before their visit (prepared by the Assistant Greffier and the Publications Editor, using photos taken by one of the States Greffe's Information Assistants and the Assistant Greffier's cartoon character 'Pierre the Pigeon') which gave an overview of the work of the States. A DVD/Powerpoint presentation was also available for downloading 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 2010, 34 Year Five classes and a total of 1,024 children visited the 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. For the first time in 2010, pupils from Mont à l'Abbé School visited the Chamber as part of the scheme.



Debate topics during 2010 included the introduction of cycle helmets, making fruit a compulsory mid-morning snack in schools, banning school uniforms, reclaiming land at St. Aubin and bringing in strong measures against dog-owners who did not pick up their dogs' faeces! Children cited seeing the Royal Mace and pressing the voting buttons as the highlights of their visit to the States Chamber.



*Connétable P.F.M. Hanning of St. Saviour, who regularly attends the Year 5 visits of all the schools in St. Saviour*



*The Jersey Crest, drawn by one of the Year 5 pupils from St. Michael's School, following their visit to the States Chamber*

## APPENDIX D

### MEMBERSHIP OF THE STATES ASSEMBLY ON 31st DECEMBER 2010

#### (Article 2 of the States of Jersey Law 2005)

Mr. Michael Cameron St. John Birt, Bailiff, President (Appointed 9th July 2009).

His Excellency Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E., His Excellency the Lieutenant Governor (Appointed June 2006).

	<i>First elected</i>
Senator Terence Augustine Le Sueur	15.12.87
Senator Paul Francis Routier	09.12.93
Senator Philip Francis Cyril Ozouf	09.12.99
Senator Terence John Le Main	20.12.78
Senator Ben Edward Shenton	05.12.05
Senator Frederick Ellyer Cohen	05.12.05
Senator James Leslie Perchard	05.12.05
Senator Alan Breckon	09.12.93
Senator Sarah Craig Ferguson	12.12.02
Senator Alan John Henry Maclean	05.12.05
Senator Bryan Ian Le Marquand	08.12.08
Senator Francis du Heaume Le Gresley M.B.E.	18.06.10
Connétable Kenneth Priaulx Vibert of St. Ouen	10.05.94
Connétable Alan Simon Crowcroft of St. Helier	12.12.96
Connétable John Le Sueur Gallichan of Trinity	11.11.02
Connétable Daniel Joseph Murphy of Grouville	19.09.03
Connétable Michael Keith Jackson of St. Brelade	11.11.05
Connétable Silvanus Arthur Yates of St. Martin	30.06.06
Connétable Graeme Frank Butcher of St. John	08.12.06
Connétable Peter Frederick Maurice Hanning of St. Saviour	24.08.07
Connétable Leonard Norman of St. Clement	17.06.83
Connétable John Martin Refault of St. Peter	08.12.08
Connétable Deidre Wendy Mezbourian of St. Lawrence	05.12.05
Connétable Juliette Gallichan of St. Mary	05.12.05
Deputy Robert Charles Duhamel of St. Saviour No. 1	09.12.93
Deputy Frederick John Hill B.E.M of St. Martin	09.12.93
Deputy Roy George Le Hérissier of St. Saviour No. 3	09.12.99
Deputy John Benjamin Fox of St. Helier No. 3	09.12.99
Deputy Judith Ann Martin of St. Helier No. 1	05.05.00
Deputy Geoffrey Peter Southern of St. Helier No. 2	15.02.02
Deputy James Gordon Reed of St. Ouen	12.12.02
Deputy Carolyn Fiona Labey of Grouville	12.12.02
Deputy Colin Hedley Egré of St. Peter	12.12.02
Deputy Jacqueline Ann Hilton of St. Helier No. 3	12.12.02
Deputy Paul Vincent Francis Le Claire of St. Helier No. 1	09.04.99
Deputy John Alexander Nicholas Le Fondré of St. Lawrence	05.12.05

Deputy Anne Enid Pryke of Trinity	05.12.05
Deputy Sean Seamus Patrick Augustine Power of St. Brelade No. 2	05.12.05
Deputy Shona Pitman of St. Helier No. 2	05.12.05
Deputy Kevin Charles Lewis of St. Saviour No. 2	05.12.05
Deputy Ian Joseph Gorst of St. Clement	05.12.05
Deputy Philip John Rondel of St. John	08.11.94
Deputy Montfort Tadier of St. Brelade No. 2	08.12.08
Deputy Angela Elizabeth Jeune of St. Brelade No. 1	08.12.08
Deputy Daniel John Arabin Wimberley of St. Mary	08.12.08
Deputy Trevor Mark Pitman of St. Helier No. 1	08.12.08
Deputy Anne Teresa Dupré of St. Clement	08.12.08
Deputy Edward James Noel of St. Lawrence	08.12.08
Deputy Tracey Anne Vallois of St. Saviour No. 2	08.12.08
Deputy Michael Roderick Higgins of St. Helier No. 3	08.12.08
Deputy Andrew Kenneth Francis Green M.B.E. of St. Helier No. 3	08.12.08
Deputy Deborah Jane de Sousa of St. Helier No. 2	08.12.08
Deputy Jeremy Martin Maçon of St. Saviour No. 1	08.12.08

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

Mr. Timothy John Le Cocq, Q.C., H.M. Attorney General (Appointed 10th November 2008).

Mr. Howard Sharp Q.C., H.M. Solicitor General (Appointed 8th March 2010)

### **Officers of the States**

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

Mrs. Anne Helen Harris, Deputy Greffier of the States (Appointed 5th November 2002).

Mr. Peter Alexander Noël de Gruchy, Deputy Viscount (Appointed 6th December 1996).