Social Affairs Scrutiny Panel

Date: Tuesday 2nd May 2006
Location: Le Capelain Room, States Building

Present	Deputy F.J. Hill, B.E.M., Chairman Deputy J.A. Martin, Vice Chairman Deputy A.E. Pryke Deputy S. Pitman
Apologies	Deputy D.W. Mezbourian
Absent	
In attendance	Mrs. A. Harris, Deputy Greffier of the States [Item 1] Mr. C. Ahier, Scrutiny Officer Mr. W. Millow, Scrutiny Officer Miss. S. Power, Scrutiny Officer [Item 1]

Ref Back	Agenda matter	Action
[18/04/06, Item 12b]	**1. Meeting with Deputy R.C. Duhamel** The Panel met Deputy R. C. Duhamel, President of the Chairmen's Committee, to consider a number of aspects of the Panel's relationship with the Committee. **a) Split of the Social Affairs Scrutiny Panel** The Panel was advised that the exact manner in which a split would occur had not been identified but that a number of options existed. The President advised the Panel that the current draft proposition sought States approval of the principle of the split and of the necessary allocation of resources. The Panel was advised that it would potentially be beneficial if the proposition were to indicate precisely how the split would occur. The President advised the Panel that he had met the Privileges and Procedures Committee to consider the proposed split. He informed the Panel that it had been agreed the Chairmen's Committee would bring a proposition relating to the split whilst the Privileges and Procedures Committee would bring a proposition to amend Standing Orders accordingly. The Panel was advised that Standing Order 143 allowed for the Chairmen's Committee to bring its own proposition to amend Standing Orders. The Panel was advised that the Chairmen's Committee was hoping to proceed with its proposition as soon as possible. The Panel was advised that a request would need to be made soon for funding, necessary for a split to occur, to be provided in 2007. The President advised the Panel that Scrutiny had access to funds remaining from previous allocations and that these funds would potentially allow for the provision of resources during the second half of 2006.	

	The Panel was advised that approximately two months were required to recruit a new employee but that such an employee would not necessarily be able to begin work immediately due to his / her individual circumstances. The Panel noted that Standing Orders prevented States Members from sitting on more than two Scrutiny Panels but that no limit was set for the number of Sub-Panels on which a Member could sit. The President advised the Panel that Standing Orders seemingly allowed for a Scrutiny Panel to be comprised of one person. The Panel agreed it would consider the possible ways in which the proposed split could occur before notifying the Chairmen's Committee of the result of its consideration.	**PANEL**
[18/04/06, Item 5]	**b) Strategic Plan** The Panel advised the President that it had prepared a paper on *Strategic Plan 2006 to 2010* (P.40/2006) which outlined comments and questions it would wish to make on the Plan as well as amendments it would wish to lodge. The Panel noted it would be able to lodge amendments in its own name. The Panel was advised that each proposed amendment would require a report indicating the resource implications of the amendment. It was further advised that Ministers would be obliged to assist Scrutiny Panels in identifying potential resource implications. The President advised the Panel that a paper outlining the responses of all Scrutiny Panels to the Plan would be ready for 4th May 2006 when the Chairmen's Committee would meet to consider the Strategic Plan. It was noted that all members of Scrutiny Panels, as well as States Members who did not form part of Scrutiny or the Executive, had been invited to this meeting. The President advised the Panel that a coordinated paper would allow for a better approach to those issues which fell within the remit of more than one Scrutiny Panel. The President further advised the Panel that the Council of Ministers had taken a similar approach to issues that cut across more than one department by establishing sub-groups. The President informed the Panel he had met with Senator F.H. Walker, Chief Minister, to consider Scrutiny's approach to the Plan. The Panel was advised that the Chief Minister had believed each Scrutiny Panel would meet the Ministers within its remit to discuss those sections of the Plan relevant to the Ministers' Departments. The Panel advised the President that it had intended to meet Mrs J. Marshall, Strategic Planning Manager, Chief Minister's Department, to consider its response to the Plan. Further to discussion with the President, it agreed to send its questions and comments to the relevant ministers once the Chairmen's Committee had considered the issue on 4th May 2006.	**CA/WM**

The Panel noted the Plan had not been presented in conjunction with the budget. It further noted that comments had been made by the Chief Minister that suggested the Plan had already been budgeted.

The Panel was advised that it had been intended for Scrutiny to be kept informed of the Plan's development but that this did not appear to have happened.

c) Centre for Public Scrutiny (CfPS) Annual Conference

The Panel noted that the Chairmen's Committee had agreed at its meeting on 20th April 2006 to send three Members and potentially four Officers to the Conference on 28th June 2006. The President advised the Panel that no firm commitment had been made and that it would be possible for more than three Members to attend.

The Panel noted that attendance at the Conference was available at a discount price if an application were made before 17th May 2006.

The Panel noted that a day for Officers would occur after the CfPS Conference.

The Panel was advised of the existence of a Scrutiny training fund and further advised that this fund did not need to be used solely for training.

[18/04/06, Item 12a]

d) Communication

The President advised the Panel that it had been agreed to disseminate copies of the Chairmen's Committee's minutes to Scrutiny Panels.

e) Role of Scrutiny

The Panel noted that there were different interpretations of the role Scrutiny filled and different opinions of whether it would be involved in policy development. The President advised the Panel that the Council of Ministers would possibly consider this issue.

f) 'Scrutiny Plus'

The President advised the Panel that a call had been made at a meeting of 'Scrutiny Plus' for formal administrative support to be provided to it. He further advised the Panel that the Chairmen's Committee had considered this issue and agreed that the matter would be taken back to 'Scrutiny Plus' for consideration.

The President advised the Panel that the Chairmen's Committee was free to invite whomsoever it wished to its meetings including all members of Scrutiny Panels and States Members who did not form part of the Executive or Scrutiny.

The Panel was advised that 'Scrutiny Plus' was not a States-

	appointed body and that it would therefore be potentially problematic to expect a support service to be provided by the States Greffe due to the need for the Greffe to remain impartial. The Panel considered the potential benefit in having quarterly meetings that involved all members of Scrutiny. It noted that it had been agreed to hold co-ordinated Scrutiny Public meetings. It was advised that plans had been implemented for a meeting to be held on 18th May 2006.	
[03/04/06, Item 14]		
	2. Minutes The Panel agreed it would defer consideration of the minutes to its next meeting, pending advice from Mrs S. Costigan, Principal Youth Officer, on the accuracy of the record of her meeting with the Panel. It requested that a copy of the relevant minutes be sent to Mrs Costigan for her consideration.	**CA/WM**
	3. Matters arising	
[03/04/06, Item 2]	The Panel noted it had not received information from the Department of Health and Social Services on Long-Term Care following an initial request on 9th January 2006. It agreed that a follow-up request would be made.	**CA/WM**
[26/02/06, Item 2]	The Chairman advised the Panel he had been contacted by an individual regarding the Cardiology Service. It was noted that the Chairman was acting as an individual in this matter. The Panel considered how to delineate work undertaken by the Panel and work undertaken by Panel members acting as individuals. It agreed that the wording of future agendas would be changed and that 'To note Chairman and Panel Updates' would subsequently read 'To note Chairman and Panel Members' Actions'.	**CA/WM**
	The Panel questioned whether the President of the Chairmen's Committee would meet the Chief Minister with regard to the provision of legal advice to Scrutiny Panels. The Panel was advised that Senator M.E. Vibert, Minister for Education, Sport and Culture, had requested a copy of all Scrutiny Topic Proposal Forms relating to Early Years Education and Care that had been received by the Panel as well as a copy of the correspondence relating to this matter that had been received. The Panel requested that the Minister be advised these documents were confidential. The Panel was advised that it would be possible to undertake a visit to the Committee Service of the National Assembly of Wales.	**CA/WM**
	4. Topic Proposals	
[18/04/06, Item 6a]	**a) Legitimacy Law** The Panel noted that the Proposer had not confirmed his intention to withdraw his proposal. It agreed that his comments would be forwarded to the Legislation Advisory Panel and the Proposer advised accordingly.	**CA/WM**

	b) Speed Cameras	
[18/04/06, Item 6b]	The Panel noted advice received from the Police on concerns expressed in this Topic Proposal Form. It agreed to request that the Police keep the Panel advised of developments in this area. It further agreed to seek clarification on whether there were plans to introduce speed cameras.	**CA/WM**
	c) Social Housing and First-Time Buyer Property	
[18/04/06, Item 6f]	The Panel was advised that the Public Accounts Committee had indicated it would look into the issue of housing trusts. It was further advised that the relevant section of this Proposal (relating to first-time buyer properties) had been forwarded for the attention of the Environment Scrutiny Panel.	
	d) Early Years Education and Care	
[18/04/06, Item 6]	The Panel noted it had received eight Proposal Forms relating to this topic. It agreed to notify each Proposer of its decision made on 18th April 2006 that it would undertaken a review of this topic.	**CA/WM**
	The Panel noted correspondence (dated 24th April 2006) from Mr A. Walton relating to this topic. It agreed that a response would be sent indicating that the Panel had agreed to undertake a review of this subject.	**CA/WM**
	e) Joint Financial Crimes Unit	
	The Panel agreed to defer consideration of this Proposal pending advice from the JFCU on the concerns expressed in the Proposal.	**CA/WM**
[18/04/06, Item 13]	**5. Social Policy Sub-Group**	
	During its discussions with Deputy R.C. Duhamel, the Panel noted that a request for a Panel Member to attend meetings of the Social Policy Sub-Group had not been accepted.	
	Further to its discussions with Deputy Duhamel, the Panel considered correspondence (dated 13th April 2006) from Senator F.H. Walker, Chief Minister, regarding its request. The Panel agreed to write to Senator Walker to request copies of the Sub-Group's agendas and minutes as well as a schedule of its meetings.	**CA/WM**
[18/04/06, Item 9]	**6. Youth Service**	
	Further to its consideration of the minutes of its meeting with Senator M.E. Vibert and Mrs S. Costigan on 18th April 2006, the Panel agreed it would request clarification from Mrs Costigan with regard to the following issues: • Training offered to Youth Workers • Work of Area Managers • Staff Audit of Sessional Workers • Funding granted to uniformed groups	**CA/WM**
	The Panel agreed to write to Senator M.E. Vibert, Minister for Education, Sport and Culture, to ask what further consideration had been given regarding the development of the new Youth Service Strategy and the potential involvement of the Panel.	**CA/WM**

	The Panel noted it had not received documentation from the Department of Education, Sport and Culture requested during its meeting with Senator Vibert and Mrs Costigan. It agreed to wait until its meeting on 2nd May 2006 before considering a potential follow-up request.	
	7. CfPS Conference Further to its discussion with Deputy R.C. Duhamel, the Panel was advised that the Chairmen's Committee had agreed three Members would be chosen to attend the Conference. It was further advised that the Committee had considered whether other Members would be able to attend but that clarification would need to be sought on which budget the Committee would wish to be used to pay for the attendance of other Members. The Panel noted the interest of Deputies J.A. Martin and S. Pitman in attending the Conference but that Deputy A.E. Pryke would not attend the Conference. The Chairman indicated his interest in attending the Conference if it were possible to tie in a review-related visit and that Deputy D.W. Mezbourian had expressed an interest in attending the Conference.	
[18/04/06, Item 7]	**8. Income Support** The Panel noted the Income Support Sub-Panel would meet at 2:00pm on 2nd May 2006. It was advised that the Panel had met with representatives of the Citizens Advice Bureau and Jersey Child Care Trust and would meet with a representative of the Jersey Association of Carers. The Panel was advised that a request had been made to the Comité des Connétables for its view on the proposed Citizens Fund and the use of Parish Halls as satellite offices. It noted that this request had been acknowledged but not answered. The Panel questioned whether consideration would be made of the Health Shelter in lines of enquiry relating to the Citizens Fund. The Panel noted that the results of the Household Expenditure Survey would be significant for this review.	
[18/04/06, Item 8]	**9. GP Out-of-Hours** The Panel noted that invitations to Public Hearings had been sent to the parties listed below. It was advised that no response had been received. • Jersey Competition Regulatory Authority • Senator S. Syvret, Minister for Health and Social Services • Dr B. Perchard The Panel considered whether it would be necessary to invite other parties to a Public Hearing to ensure that the Panel would access a variety of views on the Co-Operative scheme. The Panel noted that a request for information relating to the review had been made to the Department of Health and Social	

	Services but that no response had been received. It was agreed that copies of requests made would be sent to each Panel Member. The Panel noted it had not received confirmation of which practices had joined the Co-Operative and which had remained outside. The Panel considered the funding arrangements for the driver service offered to the Co-Operative and noted that questions on this matter had been included in the request made to the Department of Health and Social Services.	**CA/WM**
[18/04/06, Item 11]	**10. Centeniers in the Magistrate's Court** The Panel considered the possibility of combining a visit relating to this review with attendance at the CfPS Conference. It considered that one possibility would be to visit the Crown Prosecution Service in London in conjunction with a Magistrate's Court. It was noted that the Chairman had contact details and agreed that he would forward these details to the Officers. The Panel noted that the parties listed below had been informed of the Panel's decision to begin work immediately on this review. It further noted that all States Members had been advised of this situation. • Department of Home Affairs • Mr M. Wilkins, Judicial Greffier • Mr I. Le Marquand, Magistrate • Centeniers' Association The Panel was advised that an advert calling for public submissions would appear in the Jersey Evening Post on 2nd and 3rd May 2006. The Panel considered that potential lines of enquiry for this review might include looking at the relevant situation in the Youth Court as well as the system employed in Guernsey. It was noted that this review would not entail the creation of a Sub-Panel.	**BH**
[18/04/06, Item 3]	**11. HMP La Moye** **a) Review Status** During its discussions with Deputy R.C. Duhamel, President of the Chairmen's Committee, the Panel considered whether it would undertake a full review of HMP La Moye. It noted that no such review had been inserted into its initial Work Programme. **b) Public Hearing** The Panel advised the President that it had been in correspondence with Senator W. Kinnard, Minister for Home Affairs, and had invited her to a Public Hearing on 12th May 2006. The Panel noted correspondence (dated 26th April 2006) from Senator Kinnard relating to the Public Hearing. It considered the Senator's request that it approach the Chairmen's Committee for	

	'authority' to follow a certain line of enquiry. The President advised the Panel that it did not need to receive the Committee's authority.	
	Subsequent to its discussion with Deputy Duhamel, the Panel noted it had not received confirmation from Senator Kinnnard of her attendance at the Public Hearing. It agreed that if no response had been received by 4th May 2006, the Minister would be contacted for confirmation. The Panel further agreed to put out a Press Release once Senator Kinnard's confirmation had been received.	**CA/WM** **CA/WM**
	The Panel noted that a meeting had been arranged on 11th May 2006 to allow for preparation for the Public Hearing. It further noted that the Minister for Home Affairs had been requested to provide an update on the 2001 Recommendations by 10th May 2006. The Panel agreed to request that the Minister provide it with a copy of any information she would bring to the Hearing.	**CA/WM**
	c) HM Chief Inspector of Prisons The Panel noted that enquiries had been made into the possibility that Mrs A. Owers, HM Chief Inspector of Prisons, would be able to meet the Panel. It was advised that Mrs Owers was available during May 2006 and that the cost of Mrs Owers meeting the Panel would merely entail the flight costs. The Panel agreed to request HMI for a list of those recommendations from its 2001 report of HMP La Moye that had not been implemented,	**CA/WM**
	d) Responding to Drug Use The Panel noted it had not received a response to its request for information on the number of prisoners at La Moye for drug-related crime and the amount spent by the Prison on unsubsidised prescriptions.	
	The Panel was advised of drug rehabilitation projects that had been undertaken in Prisons in the United Kingdom and that would be of potential interest to the Panel.	
	e) Laws and Regulations The Chairman advised the Panel of work he had undertaken on Laws relating to the Prison. The Panel agreed that copies of all Laws and Regulations currently in force relating to the Prison would be sent to all Panel Members.	**CA/WM**
	The Panel noted that *Prison (Jersey) Rules 1957* were being updated and had been sent to the Law Draftsmen.	
	The Panel noted that *Prison (Board of Visitors) (Jersey) Regulations 1957* provided for the existence of a Board of Visitors that coprised Jurats. It further noted that duties of the Board included producing an annual report on the Prison but that the Panel had not been able to obtain copies of the most recent reports.	

	The Panel noted receipt of the following documents and requested that copies be sent to each Panel Member: • *Prison Board: Report for 2001* (R.C.25/2002) • *H.M. Prison, La Moye: Report on the Temporary Release of Prisoners* (R.C.52/2003) • *States of Jersey Prison Service: Annual Report 2002 - Business Plan 2003* (R.C.28/2003) • *States of Jersey Law 1966, as amended: delegation of Functions - Prison Officers (Jersey) Regulations 1957* (R.C.11/2205 (re-issue)) • *States of Jersey Law 1966, as amended: Delegation of Functions - Prison Officers (Jersey) Regulations 1957 - Revised Committee Paper* (R.C.17/2005) **f) Other Matters** The Panel noted it had not had an opportunity to see the visiting facilities during its visit to HMP La Moye on 21st April 2006. The Panel was advised that the Chief Minister had indicated the Minister for Home Affairs would bring a report on the Prison to the Council of Ministers.	**CA/WM**
[18/04/06, Item 4]	**12. Sexual Offences** During its discussions with Deputy R.C Duhamel, President of the Chairmen's Committee, the Panel noted that *Sexual Offences (Jersey) Law 200-* (P.196/2005) would be withdrawn and brought back to the States at a later time in conjunction with a Sexual Offenders Law. The President advised the Panel that this Sexual Offenders Law would probably fall within its remit. The Panel noted that the Department of Home Affairs had forwarded copies of those submissions relating to Sexual Offences which the Department had received. The Panel noted that it had not received copies of submissions made by the Departments of Health and Social Services and Education, Sport and Culture and agreed to request copies of these submissions. The Panel was advised that copies of the submissions received had been collected from the Department on Wednesday 26th April 2006. The Panel agreed to defer discussion of this issue to its meeting on 15th May 2006.	**CA/WM**
	13. Future Meetings The Panel noted that the next regular meeting would take place at 9:30am on Monday 15th May 2006 in Le Capelain Room, States Building. It further noted it would meet at 2:00pm on Thursday 11th May 2006.	

Signed Date

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Chairman, Social Affairs Panel