

# Education & Home Affairs Scrutiny Panel

## PUBLIC MEETING

### Record of Meeting

Date: 29th October 2007

Meeting 46

Present	Deputy D.W. Mezbourian, Chairman Deputy J. Gallichan, Vice-Chairman Deputy S. Pitman
Apologies	
Absent	
In attendance	Senator W. Kinnard, Minister for Home Affairs [Item 2b] Mr. G. Power, Chief Officer – States of Jersey Police [Item 2b]  Mrs. D. Le Marrec, Tourism Development Manager – Economic Development [Item 2c]  Mr. W. Millow, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p><b>1. Records of Meetings</b> The Panel approved and signed the records of its meeting of 8th October 2007 and of its meeting of 18th October 2007 (with one minor typographical correction).</p>	
[18/10/07, Item 1]	<p><b>2. Policing of Events – User Pays</b> <b>a) General Matters</b> The Panel received an update on the arrangements for Public Hearings. It was noted that the Minister for Economic Development would attend at 9:30am on 12th November 2007 and that the Directors of Jersey Live would attend at 3:00pm on the same day. It was further noted that parts of the Hearing with the Directors of Jersey Live might need to be held <i>in camera</i> at their request. The Panel agreed that it would send invitations to the Comité des Connétables and the Comité des Chefs de Police.</p> <p>The Panel agreed that Panel Members would consider potential questions and forward them to the Scrutiny Office by 5th November 2007 in order that they might be collated into formal question plans.</p> <p>The Panel noted that correspondence had been received from the Honorary Police Association indicating that Parishes might respond individually to the Panel's request for information.</p> <p>The Panel recalled that an individual had requested a meeting with it. It was noted that the meeting had been arranged for 10:00am on 30th October 2007.</p> <p>The Panel noted that the Assistant Minister for Education, Sport and Culture with responsibility for culture was due to appear on the BBC Radio Jersey Talkback programme on 4th November 2007. The Panel agreed that it would be beneficial to receive a recording of this programme and requested the Officer to make the appropriate enquiries.</p>	<p><b>WM</b></p> <p><b>DM/JG/SP</b></p> <p><b>WM</b></p>

The Panel considered the written submission it had received on behalf of the Bailiff regarding the work of the Public Entertainment Panel. The Panel noted the relevance of the *Unlawful Entertainment (Jersey) Regulations 2007* to the work of this Panel. It was noted that the current regulations had essentially entailed re-enactments of previous regulations albeit with some exceptions. The Officer was requested to clarify how the current regulations differed to previous ones.

WM

The Panel recalled that it had received written information from the States of Jersey Police. The Panel noted its uncertainty over whether this information could be released into the public domain and therefore requested the Officer to clarify the situation.

WM

**b) Meeting with the Minister for Home Affairs**

The Panel met the Minister for Home Affairs, accompanied by the Chief Officer – States of Jersey Police, to receive a confidential briefing. This part of the meeting was held in private session under Article 3.2.1(b) of *Code of Practice on Public Access to Official Information*. A separate record of the briefing was taken for inclusion in the review file.

On an unrelated matter, the Minister offered the Panel a briefing on the work of her Department to assist the Panel when it came to choose its next review. It was noted that this would occur some time in the new year.

The Panel advised the Chief Officer that it had contacted Mr. A. Williamson in relation to the issue of children absconding from Heathfield.

**c) Event-Led Tourism**

The Panel received a briefing on event-led tourism from Mrs. D. Le Marrec, Tourism Development Manager – Economic Development. A separate record of the meeting was taken for inclusion in the review file.

Subsequent to the briefing from Mrs. Le Marrec, the Panel agreed to request the minutes of meetings that might have been held between the three relevant Ministers during the development of the user pays proposition.

[12/10/07,  
Item 1]

**3. Early Years**

The Panel noted that its expert advisor, Dr. C. Hamer, had forwarded a timeline that indicated the sequence of strategic developments and policy formulations in relation to early years education and care.

The Panel recalled that at its Public Hearing with the Minister for Economic Development the Minister had undertaken to forward the Panel's questions to those employers present on a list maintained by his Department. The Officer was requested to liaise with Dr. Hamer regarding the formulation of these questions.

WM

It was noted that arrangements had been made for the Panel to meet the Comptroller and Auditor General at 12:15pm on 30th October 2007, subject to confirmation.

The Panel considered the arrangements for Public Hearings. It

	<p>was noted that the States Assembly was likely to sit on 8th November 2007, thereby precluding the possibility of holding Hearings on that day. The Officer was requested to contact those people who had previously been invited to Hearings on that day to enquire whether they could attend on 9th November 2007.</p> <p>The Panel recalled that it had requested the attendance of Dr. S. Mountford at its Hearing on 9th November 2007 with the Minister for Education, Sport and Culture. It was noted that officer attendance at this Hearing had not yet been confirmed. The Panel agreed it would pursue this matter after 6th November 2007 if no such confirmation had been received by that time.</p> <p>The Panel recalled that it would receive Mrs. A. Curzons, Headteacher of d’Auvergne Primary School at a Hearing on 5th November 2007. It noted that questions to officers should not be based on their assessment of policy. It agreed that Mrs. Curzons would be advised of the Panel’s question plan ahead of the Hearing.</p>	WM
[08/10/07, Item 1]	<p><b>4. Rôle of the Centenier in the Magistrate’s Court</b></p> <p>The Panel noted receipt of correspondence from H.M. Attorney General, dated 12th October 2007, which had been copied to the Chairman.</p> <p>The Panel noted that a letter from Mr. G. Risoli had appeared in the <i>Jersey Evening Post</i> on 25th October 2007 in which it had been erroneously stated that the Panel had not published Mr. J. Cooper’s legal advice. It was noted that the Chairman had requested that a response be drafted (for publication in the JEP). The draft was considered and approved. It was further noted that Advocate P. Sinel had also recently sent a letter to the JEP regarding this matter.</p> <p>The Panel noted that the Ministerial Response to its report (SR18/2007) was likely to be available before the States debate on <i>Criminal Justice Policy - audit of the need for a prosecution service</i> (P.161/2007). The Panel was advised by the Chairman that a response from H.M. Attorney General would also be available soon. The Panel considered its course of action in relation to P.161/2007. It agreed that it was minded to undertake work in relation to the proposition in due course but that it would first await the Ministerial Response to SR18/2007.</p> <p>The Panel was advised that in July 2007 the House of Lords Select Committee on the Constitution had produced a report on the relations between the executive, the judiciary and Parliament. The Panel noted that the content of the report might be pertinent to its own review of the rôle of the Centenier in the Magistrate’s Court and therefore requested the Officer to circulate the link to the Select Committee’s report.</p>	WM
[08/10/07, Item 7]	<p><b>5. Correspondence to Mr. Williamson</b></p> <p>The Panel noted that the Chairman had corresponded with the Assistant Minister for Health and Social Services regarding the issue of children absconding from Heathfield. The Panel requested that the correspondence be forwarded to Mr. A. Williamson in case he was unaware of the information that had been provided by the Assistant Minister.</p>	WM
[08/10/07, Item 10]	<p><b>6. Customs and Immigration</b></p> <p>The Panel recalled that Customs and Immigration had been</p>	

	<p>identified earlier in 2007 as a potential topic for review. Recalling the Minister's offer of a briefing on the work of her Department, the Panel agreed it would request a presentation on Customs and Immigration early in 2008.</p>	
	<p><b>7. Disorderly Conduct and Harassment</b>  The Panel noted receipt of correspondence, dated 12th October 2007, from the Minister for Home Affairs. The Panel agreed to consider that draft <i>Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-</i> at its next meeting.</p>	
	<p><b>8. Action Updates and Matters Arising</b>  The Panel noted the actions undertaken in response to requests made at its previous meetings with particular reference to the following:</p> <p>AU1: The Panel was advised that Chairmen's Committee agendas were uploaded to the Scrutiny website once they had been distributed to the Committee.</p> <p>The Panel noted receipt of the briefing notes of the Chairmen's Committee meeting of 5th October 2007.</p>	
[08/10/07, Item 9]	<p><b>9. Annual Business Plan</b>  The Panel recalled that it had received clarification from the Department of Education, Sport and Culture on its section of Annual Business Plan 2008. The Officer was requested to forward the information to Deputy A. Breckon.</p>	WM
[08/10/07, Item 3]	<p><b>10. Assessment for Learning and Critical Skills</b>  The Panel was advised that Mr. C. Chipperfield had confirmed that the documents that had been distributed at his meeting with the Panel could be forwarded to the Health, Social Security and Housing and Economic Affairs Panels.</p>	
	<p><b>11. Forthcoming Propositions</b>  The Panel agreed it would not seek to undertake a review of the following proposition:</p> <ul style="list-style-type: none"> <li>• <i>Draft Public Library (Jersey) Regulations 200-</i> (P.146/2007)</li> </ul>	
	<p><b>12. Ministerial Decisions</b>  The Panel noted that no Ministerial Decisions by the two Ministers in its remit had been recorded on www.gov.je between 2nd and 22nd October 2007.</p>	
	<p><b>13. Questions to Ministers</b>  The Panel noted that the Minister for Health and Social Services and Chief Minister would answer questions without notice at the States sitting of 6th November 2007.</p> <p>The Panel noted that the Minister for Education, Sport and Culture and Minister for Planning and Environment would answer questions without notice at the States sitting of 20th November 2007.</p>	
	<p><b>14. Future Meetings</b>  The Panel noted that it would next meet on 5th November 2007 for Public Hearings in relation to the Early Years review. It was also noted that the Panel's next scheduled meeting was due to occur on 12th November 2007.</p>	

Signed

Date:

.....

.....

Chairman  
Education & Home Affairs Panel