

Education and Home Affairs Scrutiny Panel

Record of Meeting

Date: 14th January 2013

Meeting No: 26

Present	Deputy J. M. Maçon, Chairman Connétable M. P. S. Le Troquer, Vice Chairman
In attendance	Deputy M. Tadier M. Haden, Scrutiny Officer Deputy J. Young (item 8) Deputy J. Le Fondré (item 8) Deputy G. Baudains (items 6 & 8)
Apologies	Connétable S. W. Pallett

Ref Back	Agenda matter	Action
	1. Minutes The Minutes of the meetings held on 17th December 2012 were approved and signed.	
516/1(1)	2. Resignation of Panel member The Panel received a letter of resignation from Connétable S. Pallett.	
Item 5 17.12.12 516/35	3. Relocation of Police HQ – addendum to report S.R. 19/2012 Having noted comments received from civilian staff and a report of the latest drop-in session for staff at Police Headquarters, the Panel approved a draft addendum to its report for circulation to stakeholders and then publication. The Panel also received Deputy J. Young, Chairman of the Environment Scrutiny Panel, who wished to explain his Panel's intentions to conduct an additional review of the relocation of the Police Headquarters focussing the broader impact of the building on the town, principally the parking and traffic implications. Deputy J. Maçon agreed to be co-opted onto the Environment Panel to assist with this review.	
Item 6 17.12.12 516/1(51)	4. Police Procedures and Criminal Evidence (Codes of Practice) Amendment No 2 (Jersey) Order 201- The Panel considered a briefing note, prepared by the Home Affairs Department for the Minister. It was noted that the purpose of the amendments was to modernise methods of conducting interviews and recording evidence and that they were not contentious. No comments had been received from the public consultation. The Panel agreed that a further briefing was unnecessary	
Item 4 26.11.12 516/34	5. Prison Service: Treatment of prisoners with emotional or mental health problems The Panel received Advocate Fogarty for a public hearing to discuss issues relating to the mental health treatment of prisoners.	

<p>Item 3</p> <p>17.12.12</p> <p>110(9)</p>	<p>6. Higher Education Funding: methods of assessment</p> <p>The Panel received Deputy G. Baudains in relation to his proposition P.134/2013 to request the Minister for Education Sport and Culture not to implement proposed changes to introduce household income as the basis for assessment for applications for higher education funding.</p> <p>Deputy Baudains explained that he believed that the first call for contributions to student funding should be the biological parents and not any new partners who were part of a new household after divorce or separation of the parents.</p> <p>The Panel agreed that this was an important matter which ought to be considered by the States, rather than passed by Ministerial Order without discussion.</p> <p>The Panel recalled its previous discussion with the Minister on this topic and noted that a presentation was to be made to all States members on 15th January.</p> <p>The Panel agreed to defer a decision on conducting a full review of the matter until after this presentation.</p>	
<p>516/1(51)</p>	<p>7. Unlawful Public Entertainment (Jersey) Regulations 201-</p> <p>The Panel considered a letter, dated 21 November 2012, from the Minister for Home Affairs relating to the renewal of Triennial Regulations governing public entertainment in Jersey, which were due later this year.</p> <p>The Minister wished to give the Panel the opportunity to consider whether it was desirable to move forward to implement the recommendations from the Legislation Committee working party, chaired by Deputy Le Hérissier. The conclusion of the working party in their report (R.C. 26/2002) had been that it was no longer appropriate for the Bailiff to exercise the executive function of controlling public entertainment. However, it appeared that an alternative means of licensing entertainment would be costly and entail substantial law drafting. Furthermore, reaching a definition of ‘public entertainment’ was not a simple matter. As a consequence, the States had agreed on previous occasions to continue with the existing arrangements.</p> <p>The Panel agreed to invite Deputy Le Hérissier to its next meeting, along with Senator L. Farnham, who had also been a member of the above working party, to discuss the possible way forward. The Panel also agreed to invite the Bailiff’s Secretary to discuss the current operation of licensing public entertainment. The Scrutiny Officer was requested to prepare a draft scoping document for a possible review.</p>	<p>MH</p>
<p>465/1(182)</p>	<p>8. Machinery of Government Review Sub Committee: Interim Report</p> <p>The Panel received Deputies J. Le Fondré, J. Young and G. Baudains to discuss the proposals contained in their interim report, particularly the implications for Scrutiny in establishing Ministerial Boards with non executive members whose role would be to oversee the policies and priorities of the Minister, providing a form of ‘real time’ scrutiny which the current Scrutiny Panels struggled to provide. Under the proposed new arrangements it was envisaged that Scrutiny Panels would be free to focus on higher level topics and that Panels would not be</p>	

	<p>aligned to specific Ministries.</p> <p>The discussion focussed on whether the new arrangements would improve accountability. Members acknowledged that the workload of members would be a key factor, particularly if the recommendations of the Electoral Commission to reduce the numbers of States members were implemented. Putting these proposals alongside proposals to increase the number of Ministers there was some concern that the Scrutiny function might be unappealing to non executive members who might find that they had little time to dedicate to Scrutiny.</p>	
	<p>9. Next Panel Meeting</p> <p>The next meeting will take place on Monday 4th February 2013.</p>	