

Chairmen's Committee

Record of Meeting

Date: 29.04.10
Meeting No: 43

Present	Senator B. E. Shenton, President Deputy R.G. Le Hérissier, Vice-President Senator A. Breckon Senator S.C. Ferguson Deputy P.J. Rondel Deputy M.R. Higgins (Part of items 4 and 5)
Apologies	
Absent	
In attendance	Mrs K. Tremellen-Frost, Scrutiny Manager Mr. M. De La Haye, Greffier of the States (Part of items 4 and 5)

Ref Back	Agenda matter	Action
	<p>1. Minutes</p> <p>The minutes of 5th and 23rd March and 12th and 15th April, having been approved were signed. Senator Breckon explained that no representatives of his Panel had been available for the meeting of 23rd March 2010 due to their attendance being required at a hearing which had not been able to be arranged at any other time.</p>	
	<p>2. Panel reports</p> <p>These were noted.</p>	
<p>17.12.09 item 12</p> <p>515/20(8)</p>	<p>3. Economic Affairs Scrutiny Panel: Intellectual Property (Unregistered Rights)(Jersey) Law 201- (IPURL) Review</p> <p>The Committee received and noted the scoping document and the terms of reference and also noted that the Panel was looking for an adviser. The Chairman was advised that considerable work had been undertaken on this issue which may be of relevance to the review.</p>	
	<p>4. Economic Affairs Scrutiny Panel : minutes</p> <p>The Committee noted that thirteen sets of Panel minutes, although approved by the Panel, remained unsigned. The Chairman agreed there was a backlog which would be signed on Tuesday 4th May 2010.</p> <p>In respect of approved minutes, the Committee agreed that, in the interest of public transparency and good practice, once Panel minutes had been approved they should be made public and uploaded to the website even if they were not signed. The Committee agreed to write a formal letter to the Chairman of the Economic Affairs Scrutiny Panel to apprise him of this decision. (Deputy M.R. Higgins had left the meeting prior to this decision being made. The Greffier of the States was in attendance when the decision was made).</p>	BS
<p>17.12.09 item 7</p>	<p>5. Economic Affairs Scrutiny Panel: Draft Sea Fisheries (Bag Limits) (Jersey) 200- Review: Chairman's own report.</p>	

<p>515/16(8)</p>	<p>The Committee noted that the Report on Sea Fisheries Bag Limits: S.R 4/2010 had been published and presented by the Panel on 16th April 2010. The Chairman had subsequently prepared a separate, additional report to the one presented and was seeking to present it to the States with a projet to amend Standing Orders to permit minority reports.</p> <p>The Chairman expressed his view that the Panel had been deceived by a States Member and a Senior Officer in respect of information given about the vires of a situation. This had not been picked up by the Panel who, in the Chairman's view, had not undertaken sufficient research, and it only came to light during the Chairman's continued investigations.</p> <p>The Committee considered the matters above and the rôle and responsibilities of a Chairman and the effect the presentation of a separate report would have on the remainder of the Panel Members and the scrutiny function as a whole. It considered whether the report could be presented as an addendum to S.R.4/2010 in the name of the Panel.</p> <p>The Greffier of the States was welcomed to the meeting shortly before the Chairman, Economic Affairs Scrutiny Panel left the meeting.</p> <p>In the absence of the aforementioned Chairman, the Committee, having given the matter further consideration and having noted the chronology of events which led to there being a separate report prepared by the Chairman, agreed that a formal letter would be sent to the Chairman advising him that he should revert to his Panel and discuss the way forward. The Panel should be requested to accept that the report could be published as an addendum to S.R. 4/2010 and be willing to present it to the States in the name of the Panel. The Committee also agreed to advise the Chairman that if there were any serious concerns in respect of a Minister's actions or those of a public employee these should be pursued through the proper complaints procedures.</p>	<p>MH</p> <p>BS</p>
<p>510/1(51)</p>	<p>6. Economic Affairs Scrutiny Panel: scrutiny reports</p> <p>The Chairman expressed his complete disdain for scrutiny reports as currently produced, as he did not like the style. He explained that one of the reasons for wishing to present his individual report on the Sea Fisheries Bag Limits Review was to present a template which could be used for all future scrutiny reports. The Committee considered that a full report was not a template as a template comprised outline headings and structural suggestions only without content into a specific review.</p> <p>The Committee was advised that the suggestion of a standardised template had been considered by a former Chairmen's Committee but at that time, it was agreed that it was important for individual Panels to have the freedom to present reports as they so chose in a style which was relevant to the Panel and the topic.</p>	
<p>04.03.09 item 2 515/15(8)</p>	<p>7. Economic Affairs Scrutiny Panel Tourism PPP Review</p> <p>The Committee was advised that this review had been delayed by the Economic Development Department who was now on version 7 of the</p>	

	Tourism PPP. The Panel had concluded its hearings and a Scrutiny Report would, however, be published within the next two weeks.	
23.03.10 item 5	8. Economic Affairs Scrutiny Panel: Review of Harbours and Airports	
515/19(8)	The Committee was advised that this review had not yet started but would be starting shortly by consideration of Jersey Harbours issues with Deputies Vallois, De Sousa and Tadier.	
1240(214)	9. Separation between scrutiny and private member work The Committee considered a matter which had been raised by the Council of Ministers in respect of the separation between scrutiny and private member work. The Committee considered the importance of Scrutiny Members being prepared to withdraw from reviews into matters where there was a conflict of interest. However, it also considered whether all Ministers used their respective departments for their own political agendas. It was agreed to write to the Council of Ministers to express the view that it was incumbent on all Members to consider the separation of individual Member roles and other responsibilities.	BS
510/1(45)	10. Circulation of supporting papers to members of the public attending scrutiny meetings The Committee noted that two Panels had requested full agendas with supporting papers to be made available to Members of the public. Having the importance of standardisation of approach across all Panels in mind as this was important in the eyes of the public, the Committee agreed that only agenda front cover sheets should be made available on the outside of the meeting room door and in the meeting room for members of the public. It was agreed that members of the public would not be issued supporting papers.	SOs SAdmin
28.01.10 item 4 (private meeting and record) 510/1(50)	11. Data Protection: Guidelines The Committee agreed the Data Protection Guidelines for Scrutiny Panels and the PAC and also agreed that they would be circulated to all Panels and the PAC. It was also agreed that the Data Protection Commissioner would be invited to talk to all Scrutiny Members at the Scrutiny Member-only away-morning.	RLH
18.02.10 item 21 1444/4(18)	12. Comprehensive Spending Review The Committee recalled that the President and Panel Chairmen had received correspondence dated 23rd April 2010 from the Chief Minister by way of an apology that information would not be forthcoming to scrutiny as promised on that day. The Committee noted that the Corporate Services Scrutiny Panel and the Public Accounts Committee had made independent press releases in relation to the lack of information on, and the delay of, information being forthcoming. The Committee noted comments from all Panels on their proposed work on this area. The Committee agreed to write to the Chief Minister to express its disappointment that it was unlikely that scrutiny of any value could occur given the approach of the Council of Ministers in not providing sufficient time for scrutiny to undertake meaningful work, despite the	BS

	Council of Ministers having promised information to scrutiny in a timely manner.	
23.03.10 item 15 1240/10 (36)	<p>13. Media Working Group Report - comments from Panels</p> <p>The Committee received comments from a number of Panels on this report which included a variety of responses from the view that live audio streaming of all scrutiny meetings/hearings may not be cost-effective to the view that all States meetings should be visually streamed.</p> <p>The comments also varied from an agreement with the definition of a "true journalist" to the view that all media, inclusive of "citizen's media" should be treated equally.</p> <p>No comments had been received from the Economic Affairs Scrutiny Panel or the Public Accounts Committee.</p> <p>The Committee agreed that it supported audio-streaming for scrutiny hearings only but not scrutiny meetings and agreed to write to the Privileges and Procedures Committee including each of the Panel comments.</p>	BS
	<p>14. Postage costs</p> <p>Given the increase in postage costs, the Committee considered ways of saving money on postage but agreed that there was no easy way of doing this but would monitor the situation.</p>	
28.01.10 item 13 510/1(47)	<p>15. Member-only meeting</p> <p>The Committee's decision to involve a Scrutiny Member newly elected to the States in 2008 in the arrangement of a member away-morning had been unsuccessful. It was agreed that the Vice-President would arrange this. It was also agreed that this would be a good opportunity for Members to have a briefing on Data Protection issues from the Data Protection Commissioner and to discuss the success or otherwise of the newsletter.</p>	RLH
	<p>16. Financial report - 1st quarter</p> <p>The Committee noted the above.</p>	
15.04.10 item 1 510/1(5)	<p>17. Information requested not forthcoming from the Social Security Department (Use of the Code of Practice)</p> <p>The Committee noted that the Code of Practice had been followed to access information from the Social Security Department, which had not been forthcoming by the agreed date. An email from the Chairman of the Sub-Panel was sent to the Minister expressing the Sub-Panel's disappointment, a formal letter by the Chairman of the Panel to the Minister supported the Sub-Panel and given that this was not the first time delays had been incurred suggested that a different Scrutiny Liaison Officer be found, the Scrutiny Manager contacted the Chief Executive Officer and the Chairmen's Committee wrote formally to the Minister for Social Security copying this to the Chief Minister. A reply was received from the Minister for Social Security disputing the need for reallocation of duties however, the information requested was supplied.</p>	
23.03.10 item 7 510/3(5)	<p>18. Newsletter</p> <p>The Committee noted that edition 6 was currently being printed ready</p>	

	for circulation as of 13th May 2010. The Committee noted a comment from Deputy Labey about the cost and value of the newsletter and agreed that this could be discussed at the Member-only away-morning.	RLH
23.03.10 item 6 510/3(2)	19. Citizenship Project The Committee noted that work was ongoing in the organisation of this. Some schools had requested holding this in the Autumn Term due to work pressures and examinations during the Summer Term. The Committee considered potential topics and agreed that it was for the Education Department to determine an appropriate topic for the youngsters.	
23.03.10 item 5 510/1(5)	20. Code of Practice for Scrutiny Panels and the Public Accounts Committee: Review Sub-Group The Committee noted that all submissions had now been received and the Sub-Group would be meeting on 10th May to progress its findings and recommendations.	TV
23.03.10 item 4 510/1(49)	21. States Assembly Annual Report 2009 The Committee noted that the Annual Report 2009 would be sent to all Members at the end of the week and presented to the States on 4th May 2010. The press releases by the President and Panels would be circulated under the relevant embargo.	KTF
510/1(3)	22. Media training courses The Committee noted information from a training provider in media training and presentation skills and requested further information in respect of costs and group sizes.	KTF
	23. Future Meetings The next scheduled meeting was 20th May 2010, Le Capelain Room, scheduled for 12.30pm.	

Signed

Date:

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Senator B. Shenton
President



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17th June 2010