

Education & Home Affairs Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: 10th March 2008

Meeting 62

Present	Deputy D.W. Mezbourian, Chairman Deputy J. Gallichan, Vice-Chairman [Items 6b and 12 – 17] Connétable G.F. Butcher Deputy S. Pitman [Items 1 – 6 and 12b – 17]
Apologies	
Absent	
In attendance	Mr. W.J. Bailhache QC, H.M. Attorney General [Item 6b] Mr C. Swinson OBE, Comptroller and Auditor General [Item 12b] Mr. W. Millow, Scrutiny Officer Mr. T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Previous Meetings</p> <p>The Panel amended the record of its meeting of 21st January 2008 in order that it showed that Connétable G.F. Butcher was a member of the Comité des Connétables. Minor typographical amendments were made to the records of the meetings of 25th January 2008 (Item 2, Private Session); 11th February 2008; and 11th February 2008 (Item 8b, Private Session). Subsequent to these amendments, the Panel approved and signed these records as well as the following:</p> <ul style="list-style-type: none"> • 25th January 2008, Item 1 [Private Session] • 14th February 2008 	
[21/01/08, Item 7]	<p>2. GP Out-of-Hours</p> <p>The Panel noted receipt of correspondence, dated 19th February 2008, from the Chairman of the Health, Social Security and Housing Scrutiny Panel in which the Chairman had advised that the HSSH Panel had contacted the Minister for Health and Social Services in relation to Recommendation 3 of <i>The GP Out-of-Hours Co-Operative Service</i> (SR6/2007).</p>	
	<p>3. Questions to Ministers</p> <p>The Panel noted that the Minister for Economic Development and the Minister for Planning and Environment would answer questions without notice at the States sitting of 11th March 2008.</p> <p>The Panel further noted that the Minister for Social Security and the Chief Minister would answer questions without notice at the States sitting of 1st April 2008.</p>	
[04/03/08, Item 2]	<p>4. Policing of Events</p> <p>The Panel noted that the final report had been distributed to States Members and the media on 7th March 2008 and that it would be distributed to other contributors on 10th March 2008. The Panel was advised that the summary booklet would be distributed on 11th March 2008.</p>	

	<p>The Panel thanked the Scrutiny Officer for his work during the review and on the Panel's report.</p>	
	<p>5. Consultation Papers The Panel noted receipt of the following consultation papers:</p> <ul style="list-style-type: none"> • Towards Fairer Financial Support for Students (Deadline: 25th April 2008) • National Gallery (Deadline: 10th April 2008) <p>It was noted that work on the consultations could potentially be incorporated into the Panel's work on the 2009 Annual Business Plan.</p>	
[04/03/08, Item 3]	<p>6. Civil Aviation a) General Matters The Panel recalled that public consultation on the <i>Draft Civil Aviation (Jersey) Law 200-</i> (subsequently lodged as P.18/2008) had occurred over the Christmas period. It was further recalled that, on 6th March 2008, the Panel had presented comments on the draft law and that certain elements of the media had reported on these comments.</p> <p>The Panel was advised that several States Members had spoken to the Chairman about the draft law and expressed concerns about the implications of adopting the law. It was noted that the draft law was due to be debated on 11th March 2008.</p> <p>The Panel, noting the provisions of Standing Orders 72, 79 and 83, considered whether it would wish to have the draft law referred to it for scrutiny. It was noted that the fourth meeting of the States Assembly subsequent to that of 11th March 2008 was that to be held on 3rd June 2008. Consideration was given to the provisions of Standing Order 139 and whether the Panel would wish to form a sub-panel to undertake any subsequent work on the draft law. It was agreed that the Panel was minded not to have the draft law referred to it for Scrutiny.</p> <p>It was noted that the Corporate Services Scrutiny Panel had presented comments on <i>Draft Goods and Services Tax (Amendment)(Jersey) Law 200-</i> (P.17/2008). It was further noted that the format of the comments could provide a model on which the Panel could base any comments that it might wish to present in the future.</p> <p>b) HM Attorney General The Panel met H.M. Attorney General, Mr. W.J. Bailhache QC. This part of the meeting was held in private session under Articles 3.2.1(a)(v) and 3.2.1(b) of the <i>Code of Practice on Public Access to Official Information</i>.</p>	
	<p>7. Scrutiny Newsletter The Panel considered a paper regarding the Scrutiny newsletter and noted that the third issue of 'Scrutiny Matters' was due to be circulated in late April or early May 2008. It was further noted that the intention was for the third issue to be punchier than previous issues and that Panels were requested to consider the following in relation to their own individual pages:</p> <ul style="list-style-type: none"> • Identification of one or two areas upon which the Panel would like to focus within the newsletter; • Nomination of one Panel Member to be subject to a Member Profile; • Identification of any other issues the Panel might wish to see 	

	<p>included (for example, successes to date or future work); and</p> <ul style="list-style-type: none"> • Suggestion of appropriate images that could be used on the Panel's page. <p>The Panel noted that either Deputy J. Gallichan or Connétable Butcher would be subject to the Member profile. It was agreed that Deputy Gallichan would be given first refusal.</p> <p>The Panel considered what it would wish to put in its own individual page and requested the Officers to begin drafting.</p>	WM /TO
[25/02/08, Item 6]	<p>8. Annual Business Plan</p> <p>The Panel noted that briefings in relation to the Annual Business Plan would be delivered on 7th and 25th March 2008. It was further noted that, subsequent to the second briefing, the Chairman would meet the Scrutiny Officers to consider the course of action the Panel could take.</p> <p>The Panel noted arrangements for the receipt of information relating to the Annual Business Plan whereby the Chairman would be requested to sign confidentiality agreements on behalf of the Panel prior to the relevant documentation being forwarded. It was further noted that confidentiality agreements had previously been signed on 14th and 27th February 2008.</p>	
	<p>9. Forthcoming Propositions</p> <p>The Panel noted that the following proposition had been lodged by the Minister for Home Affairs and was due to be debated by the States on 1st April 2008:</p> <ul style="list-style-type: none"> • <i>Draft Export Control (Jersey) Law 200- (P.21/2008)</i> <p>It was further noted that a copy of correspondence despatched to the Minister for Home Affairs in relation to P.21/2008 had been received by the Panel. The Officers were requested to contact the Department of Home Affairs to see if a response to this correspondence had been despatched.</p>	WM /TO
[11/02/08, Item 11]	<p>10. Action Updates and Matters Arising</p> <p>The Panel noted the actions undertaken in response to requests made at its previous meetings with particular reference to the following:</p> <p>AU 9: Contact had been made with the Chief Minister's Department regarding the status of the Social Policy Framework. It was agreed to write to the Chief Minister with a request for an update on the matter.</p> <p>AU 16: Correspondence had been despatched to Advocate P. Landick regarding the <i>Criminal Offences (Jersey) Law</i>.</p> <p>The Panel noted receipt of briefing notes from the Chairmen's Committee meeting of 22nd February 2008.</p>	WM /TO
	<p>11. Ministerial Decisions</p> <p>The Panel noted that the following decisions had recently been made by the Minister for Education, Sport and Culture:</p> <ul style="list-style-type: none"> • 2007 Budget Transfers and Additional Funding (MD-ESC-2008-0003) • JCG and Langford Capital Projects - Inflation Allocation (MD-ESC-2008-0004) • Annual Report and Accounts for 2007 (MD-ESC-2008-0005) 	

	<p>The Panel noted that the following decisions had recently been made by the Minister for Home Affairs:</p> <ul style="list-style-type: none"> • Budget Transfer - Criminal Injuries Compensation Fund (MD-HA-2008-0011) • Budget Transfer from GST budget to Customs and Immigration budget (MD-HA-2008-0008) • Temporary Release at Easter (MD-HA-2008-0012) • Fire and Rescue Service - external inspection of the Service (MD-HA-2008-0007) • Fire and Rescue Service - Integrated Risk Management Action Plan 2008 (MD-HA-2008-0004) • Draft Discrimination (Jersey) Law 200- (MD-HA-2008-0013) 	
[04/03/08, Item 1]	<p>12. Early Years a) General Matters</p> <p>The Panel received copies of the latest draft of the report. It was agreed that Panel Members would forward comments to the Scrutiny Office by 17th March 2008. The Panel considered the timetable it would follow during subsequent work on the draft report and agreed it would aim to present the report during the week beginning 7th April 2008.</p> <p>It was noted that the Panel would receive a briefing on 20th March 2008 from officers of the Department of Health and Social Services. It was further noted that draft questions for the briefing had been received from the Panel's expert advisor, Dr. C. Hamer; it was agreed to forward these questions to the Department of Health and Social Services.</p> <p>The Panel was advised that a request had been made for the latest progress report on Strategic Plan initiatives. It was noted that the latest report was likely to be presented to the States in May 2008.</p> <p>It was noted that Deputy I.J. Gorst had tabled a written question to the Minister for Education, Sport and Culture (the answer to which would be tabled on 11th March 2008) that was of potential relevance to the Panel's review.</p> <p>b) Comptroller and Auditor General</p> <p>The Panel met the Comptroller and Auditor General, Mr. C. Swinson OBE. This part of the meeting was held in private session under Article 3.2.1(b) of the <i>Code of Practice on Public Access to Official Information</i>.</p>	
[11/02/08, Item 8]	<p>13. Customs and Immigration</p> <p>The Panel considered and agreed Terms of Reference for the review. It was noted that the Terms of Reference could be revisited subsequent to the appointment of an expert advisor for the review. The Officers were requested to begin enquiries with a view to identifying potential advisors. It was agreed to advise the Minister for Home Affairs of the Terms of Reference.</p> <p>It was noted that work would begin on drafting a Call for Evidence.</p>	TO /WM
[25/02/08, Item 7]	<p>14. Marriage and Civil Status</p> <p>The Panel noted receipt of correspondence from a member of the public relating to the proposals to amend the <i>Marriage and Civil Status (Jersey) Law 2001</i>.</p>	

	The Panel noted that it had received the <i>Draft Marriage and Civil Status (Amendment No.2)(Jersey) Law 200-</i> from the Minister for Home Affairs. Consideration was given to a draft Scoping Document and it was agreed that the Panel's work would follow the course outlined in the Document.	
[25/02/08, Item 1]	15. Draft Discrimination Law The Panel noted that public consultation on the <i>Draft Discrimination (Jersey) Law 200-</i> ended on 14th March 2008. It was noted that the Panel had no comments to make on the draft law at this stage.	
[25/02/08, Item 2]	16. Draft Crime (Disorderly Conduct and Harassment) Law The Panel considered the comments it had drafted on <i>Draft Crime (Disorderly Conduct and Harassment)(Jersey) Law 200-</i> , noting that the draft law had yet to be lodged. No further amendments to the comments were identified.	
	17. Future Meetings The Panel noted that its next scheduled meeting would occur at 9:30am on 31st March 2008.	

Signed

Date:

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Chairman
Education & Home Affairs Panel