

States of Jersey
States Assembly



États de Jersey
Assemblée des États

States Assembly ANNUAL REPORT 2012



**PRESENTED TO THE STATES BY THE
PRIVILEGES AND PROCEDURES COMMITTEE**

R.37/2013

CONTENTS

Foreword by the Bailiff of Jersey, President of the States		7
Introduction by the Chairman of the Privileges and Procedures Committee		8
1.	MEMBERSHIP OF THE ASSEMBLY	
1.1	Introduction	9
1.2	Membership	10
1.3	Bailiff of Jersey knighted in Her Majesty's Birthday Honours.....	10
1.4	Retirement of the Deputy Viscount.....	11
1.5	Tributes to former members	12
2.	MEETINGS OF THE STATES	
2.1	Number of meetings	14
2.2	Length of meetings	15
2.3	Special States meeting to welcome Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall.....	16
2.4	Allocation of time.....	21
2.5	Oral Questions with notice	21
2.6	Oral Questions without notice	22
2.7	Written Questions.....	23
2.8	Statements.....	23
2.9	Public Business.....	24
2.10	Significant debates during 2012	28
3.	PRIVILEGES AND PROCEDURES COMMITTEE	
3.1	Membership	32
3.2	Meetings	32
3.3	Significant items dealt with by the Committee	32

4.	SCRUTINY PANELS AND PUBLIC ACCOUNTS COMMITTEE	
4.1	Chairmen’s Committee President’s Foreword	35
4.2	About Scrutiny and the Public Accounts Committee	37
	(a) Chairmen’s Committee Membership	37
	(b) Scrutiny Panel and PAC membership	38
	(c) Membership changes	39
	(d) Other Members’ involvement in Scrutiny	39
	(e) Panel and Committee staff 2012	40
	(f) Staffing changes	40
4.3	Scrutiny and the Public Accounts Committee [PAC] moving forward in a new term of office	41
	(a) Implementation of recommendations of R.118/2011	42
	(b) Improve communication [Recommendation 1 of R.118/2011]	43
	(c) Involvement in policy development [Recommendation 2 of R.118/2011]	44
	(d) Scrutiny must be more selective in its review topics, reorganise and standardise its working practices and be more professional and robust [Recommendations 3 and 5 of R.118/2011]	45
	(e) Ensuring adherence to Standing Orders, Code of Practice, Protocols and Guidelines [Recommendation 4 of R.118/2011]	46
	(f) Training and awareness-raising [Recommendation 6 of R.118/2011]	47
4.4	Reviews	49
4.5	Other work	51
4.6	Scrutiny across Ministerial Departments	53
4.7	Advisers	55
4.8	Public accessibility to review work	56
4.9	Committee Secretariat Network	57

4.10	Scrutiny Panels and Public Accounts Committee Reports.....		59
	(a)	Corporate Services Scrutiny Panel.....	59
	(b)	Economic Affairs Scrutiny Panel.....	64
	(c)	Education and Home Affairs Scrutiny Panel	70
	(d)	Environment Scrutiny Panel	75
	(e)	Health, Social Security and Housing Scrutiny Panel.....	78
	(f)	Public Accounts Committee	82
4.11	Scrutiny Expenditure as at 31st December 2012.....		86
4.12	Scrutiny Travel and Entertainment Costs 2012.....		88
5.	INTER-PARLIAMENTARY BODIES		
5.1	Introduction		89
5.2	Commonwealth Parliamentary Association (CPA).....		89
5.3	Assemblée Parlementaire de la Francophonie (APF).....		93
5.4	British-Irish Parliamentary Assembly		94
5.5	Cricket match against the States of Guernsey		96
5.6	Swimarathon and ITEX Walk		96
6.	THE STATES GREFFE		
6.1	Clerks' section		97
	6.1.1	Clerking role.....	98
	6.1.2	Ministerial Decisions.....	99
	6.1.3	Access to information.....	100
	6.1.4	Official Report ('Hansard')	100
6.2	States Assembly Information Centre.....		101
6.3	States Assembly website		103
6.4	Public engagement.....		103
6.5	Publications Editor		104

6.6	Reprographics	105
6.7	Registry.....	106
6.8	Staffing matters	107
6.9	The Youth Assembly	108
6.10	Primary school visits to the States Chamber/Citizenship Programme	110
APPENDIX	Membership of the States Assembly on 31st December 2012.....	114

(Front cover – the scene in the Royal Square as States members awaited the arrival of the Royal Couple – photograph courtesy of Simon Larbalestier)

Foreword by the Bailiff of Jersey, President of the States



I am delighted to have been invited by the Chairman of the Privileges and Procedures Committee to contribute a foreword to this 7th Annual Report of the States Assembly.

As ever, the Report contains much useful information. It shows that 2012 was a very different year from 2011 in terms of the number of States Sittings, namely 34 compared with 61. Interestingly, time spent on questions was in fact longer than in 2011; the major reduction was in the time spent on public business. A material factor in that reduction would appear to relate to the number of private members' propositions. In 2012 there were 16 taking up 18.7% of the time spent on public business, whereas in 2011 there were 61 taking up 41.2% of the time. The reduction in time spent in the States will have freed up members for other important work such as ministerial duties, scrutiny and constituency business, and it will be interesting to see whether 2013 shows a similar trend.

A major highlight of the year was the special Sitting of the States in the Royal Square on 10th July to welcome Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall representing Her Majesty the Queen in her Diamond Jubilee year. It was a memorable occasion witnessed by a large number of Islanders, and enabled the Island to renew its loyalty to the Crown as part of what was a very successful visit by Their Royal Highnesses.

I am delighted that the Youth Assembly was held once again and that the programme of primary school visits to the States Chamber has continued. It is important that our young people are aware of the way in which the Island is governed so that they can participate fully in future. I commend all those involved in the various programmes.

I would also like to express particular thanks to the Greffier and his staff. I know that members appreciate all that they do but they really do provide a truly excellent service to all the members of the States.

Introduction by the Chairman of the Privileges and Procedures Committee



Connétable A.S. Crowcroft of St. Helier

In my Introduction last year I drew attention to the fact that 2011 had been the busiest ever year for the States Assembly, which had sat for a record number of hours in the lead-up to the 2011 elections. I suggested in that introduction that the ‘record’ was not one of which the Assembly should be particularly proud.

This year’s Annual Report tells a very different story. The Assembly has sat for fewer hours than for many years and, although the first year after an election is traditionally quieter than the other 2 years in the current 3 year electoral cycle, I sense a mood among the members elected in 2011 to adopt a more business-like approach to the work of the Assembly. Meetings of the States are, of course, a very important aspect of every member’s work but they should not, in my view, be allowed to dominate a member’s time as happened in 2011. I am therefore encouraged that the new Assembly seems to have set itself an objective of establishing a more appropriate balance between the time spent in States meetings and the time taken for other aspects of our work.

2012 saw the establishment of the Electoral Commission, which published its recommendations at the end of the year on the possible reform of the Assembly. I would like to thank the members of the Commission for the very rigorous way they approached their task and I would also like to pay particular tribute to the 3 lay members of the Commission, Mr. Colin Storm, Professor Ed Sallis and Dr. Jonathan Renouf, who worked on a purely honorary basis and gave many hours of their time to this work. The Island owes them a debt of gratitude.

As ever, the preparation of the Annual Report of the States’ Assembly represents a considerable amount of work for staff of the States Greffe, and I would like to thank them all for the detailed way in which they have again prepared this comprehensive record of the work of the Assembly and of its committees and panels.

1. THE STATES ASSEMBLY



1.1 Introduction

2012 was the first full year for the new Assembly which had taken office in November 2011. The year proved to be very different year from 2011, which had been the busiest year ever in the history of the Assembly. Excluding the 2 special Sittings for ceremonial purposes, there were only 34 meeting days for ‘ordinary’ business in 2012, which compares to 62 meeting days for these purposes in 2011. This is the lowest number of meeting days for over 10 years and it is, in fact, necessary to go back to 2000 to find a year with fewer meetings.

The number of meetings in every year since 2000 is shown below –

	No. of meeting days for ordinary business	Ceremonial meetings	Total number of meeting days
2000	30	2	32
2001	34	3	37
2002	45	2	47
2003	36	1	37
2004	47	2	49
2005	48	1	49
2006	35	3	38
2007	44	1	45
2008	50	1	51
2009	59	1	60
2010	49	1	50
2011	61	3	64
2012	34	2	36

1.2 Membership

There were no changes of membership in the Assembly during the year. The overall average length of elected service of the 51 elected members on 31st December 2012 was just over 7 years, with the longest-serving member of the Assembly, Connétable L. Norman of St. Clement, having served as an elected member for 29½ years. Three other members, Senator P.F. Routier, M.B.E., Senator A. Breckon and Deputy R.C. Duhamel of St. Saviour, had all served for 19 years.

At the end of 2012 the average length of service was 9.1 years for Senators, 8.4 years for Connétables and 6 years for Deputies. The average length of service across the 3 categories of member was 7.2 years.

The overall average age of elected members of the Assembly at the end of 2012 was 55.4 years, with the average age being 56.4 for Senators, 61.1 for Connétables and 52.8 for Deputies. Members ranged in age from 25 to 72 years old.

The elected membership of Assembly throughout 2012 was comprised of 39 male and 12 female members.

1.3 Bailiff of Jersey knighted in Her Majesty's Birthday Honours

Members of the States were delighted to hear the news in June 2012 that the Bailiff had been made a Knight Bachelor in Her Majesty's Birthday Honours list. Sir Michael has been Bailiff, and thereby President of the States, since July 2009, after serving as H.M. Attorney General from 1994 to 2000 and as Deputy Bailiff from 2000 to 2009. On 26th June 2012, at the first meeting of the Assembly after the announcement, the Chief Minister congratulated Sir Michael on behalf of all members in the following way –

“Sir, **[Approbation]**, may I take this opportunity and be the first States member to officially congratulate you and say how pleased and delighted we are that Her Majesty knighted you in Her recent Birthday Honours List. You have served your island, Sir, as Attorney General, Deputy Bailiff and now as Bailiff and I am sure that all members agree with me that it is indeed very well deserved and we take it, Sir, as an Assembly, as an honour as well. I should also like to say how pleased we are for your wife, Lady Birt, who, as I know Sir, **[Approbation]** our wives are a support and we could not do without their support, we are absolutely delighted for her as well and the very active role she plays in our community and also the patronages that she holds, Sir, so may I congratulate you **[Approbation]**,”

Sir Michael received his knighthood from Her Majesty The Queen at an investiture ceremony at Buckingham Palace on Friday 9th November 2012.



Sir Michael and Lady Birt outside Buckingham Palace with their daughter Alexa and son Ben

1.4 Retirement of the Deputy Viscount



At the end of November 2012 the States bid farewell to Mr. Peter de Gruchy, who retired after 16 years as Deputy Viscount. In addition to his many duties for the Court service, particularly as the Island's coroner, Mr. de Gruchy, who had served in the Viscount's Department for 30 years, was particularly visible to States members as he carried the Bailiff's Mace at the start of States meetings and at ceremonial functions such as Liberation Day. States members joined others at a reception in the Old Library on 30th November 2012 to wish Peter and his family well for his retirement and to thank him for his service to the States.

1.5 Tributes to former members

Two former members of the States passed away during 2012 and, in the customary manner, the Bailiff or Deputy Bailiff paid tribute to each one at the next Sitting of the Assembly. Extracts from those tributes are reproduced below.

Mrs. Evelyn Mabel Pullin passed away on 17th February 2012 Deputy of St. Saviour No. 1 between October 1992 and December 1999

The Bailiff, 6th March 2012

“Most members will be aware that Mrs. Evelyn Pullin, former Deputy for No. 1 District of St. Saviour, died on 17th February 2012. She was first elected in September 1992 and remained a member until she retired on 9th December 1999.



*Photograph courtesy of the
Jersey Evening Post*

That was a couple of months before I joined the States as Attorney General and I did not therefore have the good fortune of serving with her. But I am told that, although she did not speak often, she was always brief and to the point when she did. She served on a wide range of States Committees, Agriculture and Fisheries, Social Security, Cottage Homes and Overseas Aid until 1996 and, in her last term, Establishment, Planning and Environment, Legislation and Overseas Aid Committees and the Jersey Transport Authority. She had a short spell as President of the Education Committee and she also made her mark as a member of the Committee of Inquiry into the release of the Chief Officer of Sports, Leisure and Recreation, that inquiry continuing for over a year, and she spent a considerable amount of time examining the copious material that was put before the inquiry.

Deputy Pullin came from a humble background in St. Helier and, despite that disadvantage compared with others in the 1920s and 30s, she was able, by her own ability and the many sacrifices of her family, to gain a place at London University where she trained as a teacher, later becoming the headmistress of a large comprehensive school in south London with over 1,000 pupils. She returned to Jersey, becoming headmistress of Jersey College for Girls in 1974 and she stayed there until her retirement from teaching in 1981. That she was prepared to put herself forward for the States for the first time at the age of 72 and sit as a member for 7 years is itself a tribute to her and to her willingness to serve the community.”

Mr. (Philip) Roy Cabot passed away on 4th May 2012
Deputy of Trinity between November 1992 and September 1996, Connétable of Trinity from September 1996 to November 2002

The Deputy Bailiff, 15th May 2012

“Members will probably be aware that some 10 days ago or so Roy Cabot, the former Connétable of Trinity, sadly died at the age of 86. He was first elected to the States in November 1992 as the Deputy of Trinity succeeding Deputy Edgar Becquet whose term of office he completed. He was re-elected in 1993 when Trinity had the excitement, unusual in the 20th century, of having 4 candidates for Deputy. He became Connétable in 1996 and he held that position until his retirement in November 2002.



Photograph courtesy of the Jersey Evening Post

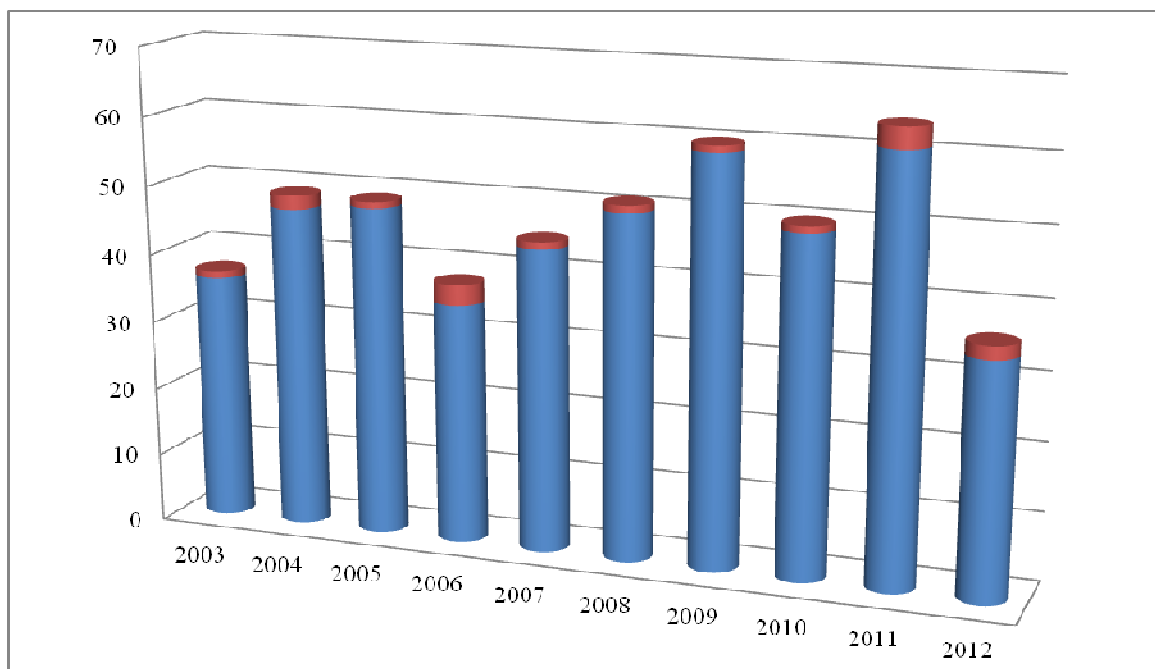
He served on a number of States Committees including Public Health, Establishment, Education, Etat Civil and Overseas Aid and he was also a member of the Telecommunications Board. Roy Cabot was dedicated to his parish – he was a farmer who gave an enormous amount of time to honorary service as a Centenier and as a Procureur du Bien Public. With Leonard Picot he instigated the building of the Trinity Youth Centre and, while Connétable, he initiated the construction of retirement homes for Trinity residents and, fittingly, these were named after him as Les Maisons Cabot. He had the pleasure of seeing the first residents move in during his term of office. In the Assembly he was not perhaps a regular contributor and in terms of his personal skills he would have regarded himself as a ‘doer’ rather than a talker, but when he did talk one could be sure that it was a contribution that was measured and sound.”

2. MEETINGS OF THE STATES



2.1 Number of meetings

As mentioned above the Assembly met for considerably fewer days in 2012 when compared to 2011, which was the busiest ever year in the history of the Assembly. In 2012 there were a total of 36 meeting days and this was a considerable change from the underlying trend over the last 10 years as shown in the following graph –



(Meetings for normal business in blue, ceremonial meetings in red)

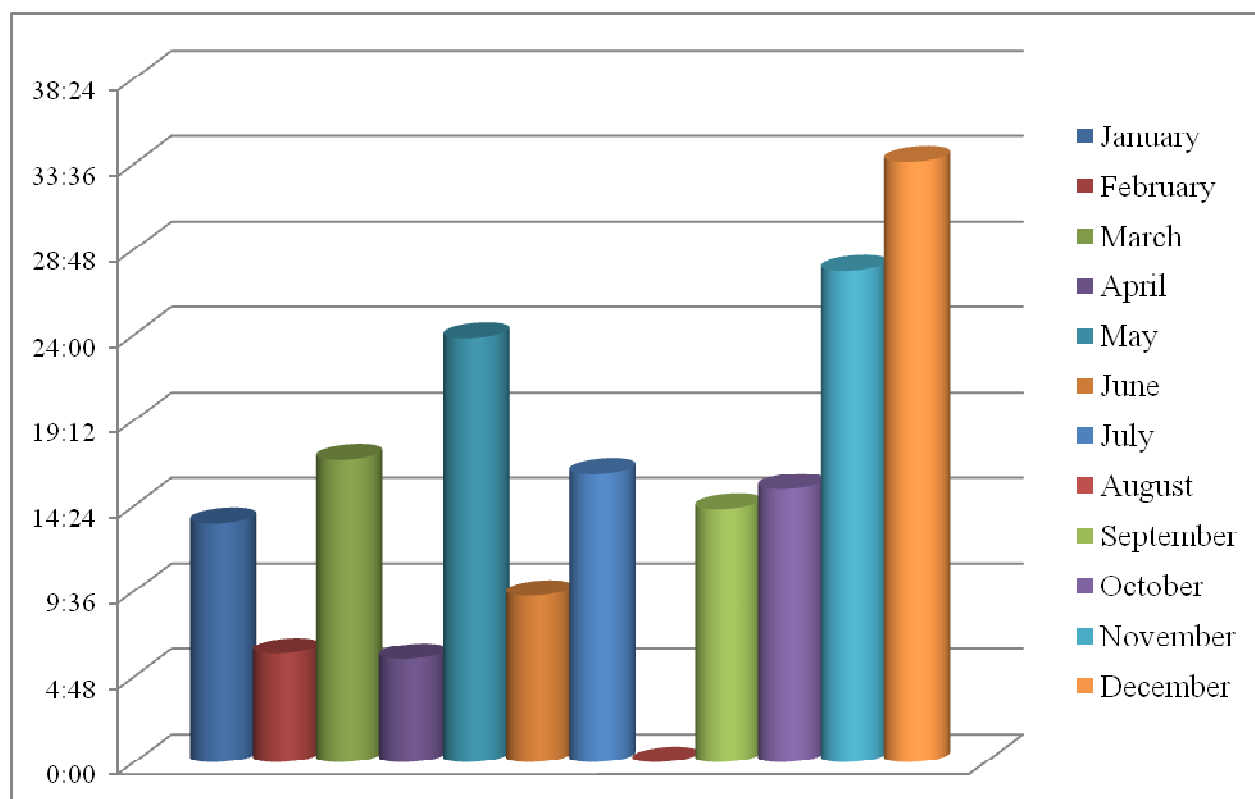
The 36 meeting days were made up of 21 scheduled Tuesday sittings, 13 continuation days on the following Wednesdays and Thursdays and 2 ‘ceremonial’ meetings (Liberation Day and the special meeting on 18th July 2012 to welcome Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall).

2.2 Length of meetings

The Assembly sat for a total of 183 hours and 3 minutes in 2012, almost exactly half of the 2011 record total of 366 hours and 31 minutes. The 2 ceremonial meetings lasted for 28 minutes in total, meaning that the Assembly spent 182 hours and 35 minutes on ‘ordinary’ business.

With no meetings in August the allocation of time for this ‘ordinary business’ was spread almost equally between the First and Second Sessions with a total of 91 hours and 43 minutes in the First Session and 90 hours, 52 minutes in the Second Session; although it is important to note that the First Session lasted some 7 months from January to July, whereas the Second Session lasted for only 4 months from September to December.

The allocation of time throughout the year is shown on the chart below –



2.3 Special States meeting to welcome Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall

On 18th July 2012 Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall visited Jersey to represent Her Majesty The Queen in Her Diamond Jubilee year.

A large number of events were held in the Island to mark the Diamond Jubilee over the extended Bank Holiday weekend at the beginning of June, and the Royal Visit by Their Royal Highnesses was a fitting way to continue to mark the Jubilee year.

As part of the Royal visit, the States convened for a special meeting of welcome for Their Royal Highnesses. In order to allow as many Islanders as possible to observe the meeting, the Assembly met in the Royal Square where a special dais and seating had been laid out to recreate the shape of the States Chamber.



*His Royal Highness the Prince of Wales addressing the States
(Photograph courtesy of the Jersey Evening Post)*

The Royal couple, preceded by the Mace and the Seal and escorted by the Bailiff and His Excellency the Lieutenant-Governor, were warmly greeted by States members and members of the public as they emerged from the States Building into the Royal Square to take their places on the dais. After the normal roll-call by the Greffier and prayers led by the Dean of Jersey, the meeting was opened and the Bailiff gave a Loyal Address to Their Royal Highnesses in the following terms –

“Your Royal Highness,

It gives me great pleasure on behalf of the States and the people of Jersey to welcome you most warmly to the Bailiwick today. We are especially delighted that you are accompanied by Her Royal Highness The Duchess of Cornwall on her first official visit to Jersey.

Her Majesty The Queen’s Diamond Jubilee, which you have come to help us celebrate, has a special resonance in Jersey. It was evident in the official celebrations last month when Islanders came together in their thousands to share in the joy of the occasion, joining citizens throughout the British Isles and the Commonwealth to pay tribute to their Sovereign. It was, of course, a reflection of the affection in which Her Majesty is held by her subjects. Yet it was possible, Sir, to detect a particular warmth in the sentiments of the people of Jersey.

The Channel Islands are, of course, amongst the oldest possessions of the Crown, dating back to the Norman Conquest, when the throne of England and the Duchy of Normandy were united in the person of King William I. Jersey men may well have fought on William’s side at the Battle of Hastings, for the Islands had been part of the Duchy since 933. Certainly, when King Henry II later commissioned a great verse chronicle to record the history of the Dukes of Normandy, it was to the Jersey born poet Wace that he turned for his account.

Yet when we trace back our loyalty to the Crown, it is another great Battle, nearly 150 years after the Norman Conquest, which is of particular significance. Few loyal subjects of the Crown today regard the summer of 1204 as a particularly auspicious moment in English history, for it was when the French King Philippe Auguste won the Battle of Rouen resulting in King John’s loss of mainland Normandy. But for Channel Islanders, that year is viewed from a more favourable perspective.

That the loss of Normandy did not also embrace these small islands is still a source of surprise to many who consult a map of the Channel Islands for the first time and remark upon their proximity to the French coast. But the loyalty of Islanders to the person they regarded simultaneously as their King and Duke, encouraged by privileges first extended by King John, has ensured that the Islands have remained dependencies of the Crown to this day.

The intervening centuries were not without incident, but two things remained constant over the years: the Islands could count upon the protection of the Crown against any aggressor and, reciprocally, the Crown could rely upon Jersey’s unswerving loyalty in a sometimes troubled world.

In February 1649, prominent Islanders gathered to declare loyalty to their new King. Of course, the Prince, who had taken refuge among his people in Jersey, would not be crowned King Charles II until the Restoration, but he was recognised as Sovereign here in a spontaneous gesture of fidelity which preceded by 11 years events across the English Channel. The place where that proclamation was made was in this very Square where we are assembled today. In return for that loyalty, in 1663 the King presented the Bailiff with the Island’s Royal Mace, which sits before you today.

It was in this same spot in 1781, that a young army officer, Major Francis Peirson, would lay down his life in the Battle of Jersey. His heroism and that of the men who supported him is recorded in the celebrated painting by John Singleton Copley ‘The Death of Major Peirson’ which has been loaned by The Tate for public display in the Jersey Museum this year as part of our Diamond Jubilee celebrations.

On your last visit to Jersey, Sir, you joined us in marking the 800th Anniversary of these links by illuminating the holographic portrait of Her Majesty which the Island commissioned for the occasion. It has since been shared in an exhibition touring Britain as part of the National celebrations, and a copy has been donated to the National Portrait Gallery in London. The portrait is a vivid reminder of the many happy memories which Islanders treasure of the six visits which Her Majesty has made to Jersey since 1949.

We express our gratitude to Your Royal Highnesses for visiting us today as we join with people throughout the world in celebrating the Diamond Jubilee, marking 60 years of selfless and dedicated service to her peoples by Her Majesty. We take this opportunity of re-affirming our deep affection, loyalty and respect for our Sovereign Queen Elizabeth II.”



His Royal Highness the Prince of Wales addressing the States
(Photograph courtesy of the Jersey Evening Post)

His Royal Highness the Prince of Wales responded in the following way –



“Mr. Bailiff,

I am most grateful to the States and people of Jersey for the wonderful welcome you have shown us today. My wife and I are both delighted to be here formally to mark Her Majesty The Queen’s Diamond Jubilee, which I know has already given rise to much celebration in the Island.

The people of Jersey also played their part in the Diamond Jubilee events in London and, most visibly, at the River Pageant on the Thames. We were very moved, I must say, to see Jersey’s two boats there, including the Island’s first powered lifeboat, so lovingly-restored by the Maritime Museum. It gives me no pleasure, here in the sunniest part of the British Isles, to be reminded that the weather that day was especially suitable for a lifeboat and, someone said, for toads too.

Mr. Bailiff, you have spoken most generously of the particular affection in which The Queen is held by the people of Jersey. To your loyal address, Her Majesty has asked me to convey her heartfelt thanks.

I can assure you that The Queen will be deeply touched, as my wife and I have been, to learn of the warmth of the welcome you have extended to us here today. In return, I know Her Majesty will wish me to express how this great Island, of rich history and strong loyalties, will remain so very dear to her heart, now and in the years to come.”

The States then adjourned and His Royal Highness was invited to unveil the commemorative granite '60' laid into the paving of the Royal Square to commemorate Her Majesty's Diamond Jubilee. Their Royal Highnesses then walked around the Square and met the crowds who had gathered to welcome them.



*His Royal Highness the Prince of Wales unveiling a granite feature in the Royal Square to commemorate the Diamond Jubilee of Her Majesty The Queen
(Photograph courtesy of the Jersey Evening Post)*

2.4 Allocation of time

The total of 182h 35m during the 34 meetings for ordinary business was broken down as follows –

	2012	<i>2011</i>
Roll call/Communications from the Presiding Officer	4h 49m	8hr 35m
Notification of presentations and propositions lodged	45m	54m
Appointment of Ministers, Chairman, etc.	1h 21m	25h 19m
Notification of written answers tabled	1h 5m	59m
Oral questions with notice (inc. Urgent questions)	37h 24m	30h 52m
Oral questions without notice	10h 41m	8h 19m
Statements	4h 37m	7h 48m
Public Business	119h 21m	276h 48m
Arrangements of Public Business for future meetings	2h 57m	5h 40m
TOTALS	182h 35m	365h 14m

It is of interest to note that although the time spent on public business was considerably less than in 2011, the amount of time spent on oral questions with notice and oral questions without notice was longer than in 2011; although it should be noted that, because of the elections in 2011, there were fewer meetings at which questions could be asked.

2.5 Oral Questions with notice

Oral questions with notice can be answered at any scheduled meeting of the Assembly, but not during continuation days unless they are approved by the Bailiff as urgent questions. There were 3 urgent questions asked during 2012.

A total of 307 oral questions with notice and 3 urgent questions were answered during the year, with only 4 other questions that had been listed on the Order Paper not being answered because the 2 hour period allocated had expired. The total time spent answering the 307 questions with notice was 36 hours and 51 minutes, meaning that an average of 7.2 minutes was spent on each one, slightly longer than the 2011 average of 6.8 minutes.

The breakdown of Ministers/Committees and others with official responsibility answering the oral questions with notice (including the 3 urgent questions) was as follows –

	2012	2011
Chief Minister	71	44
Treasury and Resources	48	56
Economic Development	26	38
Health and Social Services	26	37
Planning and Environment	26	19
Transport and Technical Services	26	18
Home Affairs	19	15
Social Security	16	9
Education, Sport and Culture	13	12
H.M. Attorney General	11	7
Housing	11	5
Privileges and Procedures Committee	7	2
Comité des Connétables	5	3
Chairmen's Committee	2	1
Electoral Commission	2	0
Environment scrutiny panels	1	0
Consumer Council	0	1
Health, Social Security and Housing Scrutiny Panel	0	1
Public Accounts Committee	0	2
TOTAL	310	270

2.6 Oral Questions without notice

Following the period of oral questions with notice at every scheduled States meeting there is a period of 30 minutes set aside for oral questions without notice to Ministers. Two Ministers answer for up to 15 minutes each on a rota basis, with the Chief Minister answering at every other States meeting. A total of 10h 41m was spent on oral questions without notice during the year.

Ministers answered as follows:

	2012	2011
Chief Minister	9	8
Deputy Chief Minister for Chief Minister	1	1
Education, Sport and Culture	4	2
Health and Social Services	4	2
Home Affairs	4	3
Housing	4	3
Planning and Environment	4	2
Economic Development	3	3
Social Security	3	2
Transport and Technical Services	3	2
Treasury and Resources	3	4
Total	42	32

2.7 Written Questions

Each member of the States is able to submit up to 5 written questions for each scheduled States meeting and there were 355 written questions answered in 2012, slightly fewer than the 2011 total of 395. The busiest sitting for written questions was 26th June 2012, when 28 were submitted for answer. It is of note that there was a significant increase in the number of questions submitted to H.M. Attorney General, with an increase from the 2011 figure of 8 to a 2012 total of 29.

The breakdown of Ministers, Panels, Committees and others answering the written questions was as follows –

	2012	<i>2011</i>
Chief Minister	58	<i>68</i>
Treasury and Resources	57	<i>73</i>
Transport and Technical Services	36	<i>28</i>
H.M. Attorney General	29	<i>8</i>
Planning and Environment	28	<i>37</i>
Economic Development	27	<i>43</i>
Health and Social Services	27	<i>62</i>
Home Affairs	26	<i>13</i>
Social Security	26	<i>20</i>
Housing	16	<i>14</i>
Education, Sport and Culture	14	<i>14</i>
Privileges and Procedures Committee	4	<i>9</i>
Comité des Connétables	2	<i>2</i>
Electoral Commission	1	<i>0</i>
Environment Scrutiny Panel	1	<i>0</i>
Health, Social Security and Housing Scrutiny Panel	1	<i>1</i>
Jersey Overseas Aid Commission	1	<i>0</i>
Public Accounts Committee	1	<i>2</i>
Corporate Services Scrutiny Panel	0	<i>1</i>
TOTAL	355	<i>395</i>

2.8 Statements

There was a significant drop in the number of statements made in 2012, with only 20 being made compared to the 2011 total of 39. The statements and the period of questioning of up to 10 minutes that follows official statements lasted for a total of 4 hours, 37 minutes, meaning that each statement and questions took an average of 13.8 minutes.

18 of the statements were made by Ministers and other officeholders on matters of official responsibility and 2 were personal statements.

The breakdown of those making statements was as follows –

	2012	<i>2011</i>
Chief Minister	3	<i>6</i>
Education and Home Affairs Scrutiny Panel	3	<i>4</i>
Corporate Services Scrutiny Panel	2	<i>3</i>
Economic Development	2	<i>5</i>
Education, Sport and Culture	2	<i>2</i>
Personal Statements	2	<i>5</i>
Comité des Connétables	1	<i>1</i>
Corporate Services Scrutiny Panel	1	<i>0</i>
Housing	1	<i>2</i>
Social Security	1	<i>1</i>
Transport and Technical Services	1	<i>1</i>
Treasury and Resources	1	<i>4</i>
Commonwealth Parliamentary Association	0	<i>1</i>
Health, Social Security and Housing Scrutiny Panel	0	<i>1</i>
Planning and Environment	0	<i>1</i>
Privileges and Procedures Committee	0	<i>2</i>
TOTALS	20	<i>39</i>

2.9 Public Business

As expected, the amount of time spent on public business, namely 119h 21m, dominated the total sitting hours, although the percentage of the total was lower than in 2011 (65.2% compared to 75.5% in 2011). As indicated above, there was also a significant reduction in the total number of hours spent on public business when compared to 2011 when the Assembly spent well over double the 2012 total.

The total number of propositions debated during the year was 131, approximately two-thirds of the 2011 total of 189.

The breakdown of the number of each type of proposition debated during the year was as follows –

	2012	<i>2011</i>
Regulations	30	<i>31</i>
Appointments	26	<i>16</i>
Laws	21	<i>40</i>
Ministers' policy matters	20	<i>23</i>
Private members' policy matters	16	<i>61</i>
Legislative Acts (including Appointed Day Acts)	10	<i>6</i>
PPC/Comité des Connétables policy matters	3	<i>2</i>
Medium Term Financial Plan/Budget (Annual Business Plan in 2011)	2	<i>2</i>
Standing Orders	2	<i>4</i>
'In Committee' debate	1	<i>1</i>
No confidence/dismissal/censure	0	<i>1</i>
Petitions	0	<i>1</i>
Scrutiny Panels/PAC policy matters	0	<i>1</i>
TOTAL	131	<i>189</i>

The total time spent on the various categories of proposition, the percentage of the total time and the average time spent per proposition in each category is shown in the following table –

	Total time	% of total time	Average time per projet (Minutes)
Ministers' policy matters	36h 54m	30.9%	1h 50m
Private members' policy matters	22h 18m	18.7%	1h 23m
Medium Term Financial Plan/Budget	21h 32m	18.0%	10h 46m
Laws	12h 9m	10.2%	34m
Regulations	11h 21m	9.5%	22m
PPC/Comité des Connétables policy matters	7h 33m	6.3%	2h 31m
Appointments	3h 31m	2.9%	8m
'In Committee' debate	2h 48m	2.3%	2h 48m
Legislative Acts (including Appointed Day Acts)	44m	0.6%	4m
Standing Orders	31m	0.4%	15m
TOTAL	119h 21m		

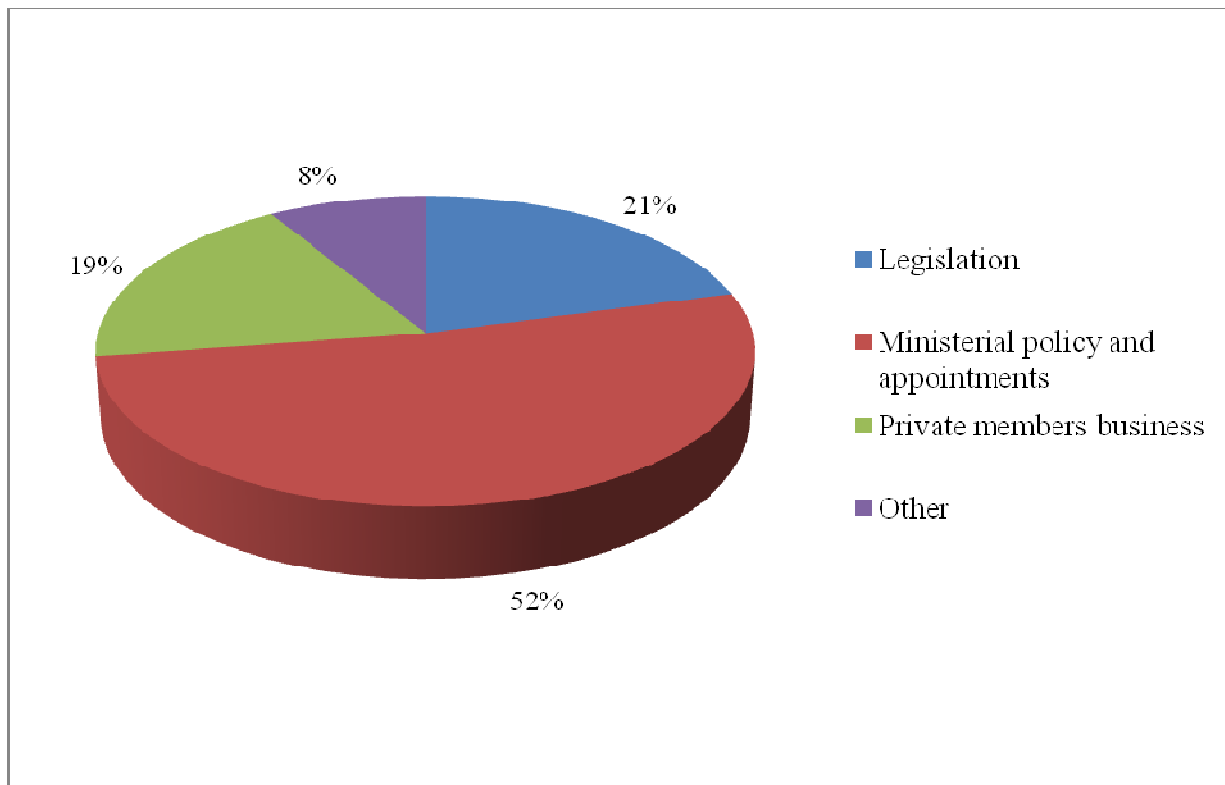
When compared to previous years, the percentage of time spent on propositions brought by private members, namely 18.7%, was significantly less than in previous years. In 2011, for example, private members' business represented 41.2% of the total time spent on public business and in 2010 the percentage was 42%.

If the time spent in debates is divided into 4 broad categories, namely –

- (i) legislation,
- (ii) ministerial policy and appointments,
- (iii) private members' business, and
- (iv) other¹,

the percentage of time spent on each can be illustrated as follows –

¹ 'Other' covers debates on policy matters brought by PPC and the Comité des Connétables, as well as one 'in Committee' debate.



The number of propositions lodged 'au Greffe' during any year will always differ from the number of propositions debated, as some propositions that are debated during the year have been lodged in the last few months of the previous year and, similarly, some propositions lodged during a year will not be debated until the following year. In addition, there are a quite significant number of propositions lodged that are never debated as they are withdrawn before coming to the Assembly. The number of propositions lodged during the year is nevertheless a useful indication of the level of activity and can be compared from year to year.

During 2012, 138 new propositions were lodged, 59 fewer than the 2011 total of 197. The breakdown into the different types of propositions lodged was as follows –

	2012	2011
Private members' policy matters	22	74
Laws	19	38
Regulations	32	32
Appointments	26	19
Ministers' policy matters	23	18
Legislative Acts (including Appointed Day Acts)	8	4
Standing Orders	2	3
Medium Term Financial Plan/Budget	2	2
Chairmen's Committee/Scrutiny Panel/PAC policy	0	2
Petitions	0	2
PPC/Comité des Connétables policy matters	3	2
No confidence/dismissal/censure	1	1
TOTALS	138	197

The following table shows those responsible for lodging the 138 propositions –

	2012	<i>2011</i>
Chief Minister	30	22
Private members	23	78
Minister for Economic Development	23	25
Minister for Treasury and Resources	16	13
Minister for Social Security	13	23
Minister for Home Affairs	10	6
Privileges and Procedures	6	7
Council of Ministers	5	1
Minister for Education, Sport and Culture	3	1
Minister for Planning and Environment	2	7
Minister for Health and Social Services	2	5
States Employment Board	2	4
Minister for Transport and Technical Services	1	2
Comité des Connétables	1	1
Minister for Housing	1	0
Chairmen's Committee	0	1
Education and Home Affairs Scrutiny Panel	0	1
TOTALS	138	197

Any proposition lodged can be subject to amendment and, in turn, amendments may be subject to amendment to amendments. In common with the general trend in the volume of public business there was a significant reduction in the total number of amendments and amendments to amendments lodged during 2012, which was as follows –

	2012	<i>2011</i>
Amendments	34	127
Amendments to amendments	6	21
TOTALS	39	148

It should be noted that 10 of the above total of amendments, and one of the amendments to amendments, related to the draft Medium Term Financial Plan debate.

2.10 Significant debates during 2012

As stated in previous Annual Reports, it is clearly a subjective judgement for anyone to attempt to identify the most important or significant items debated by the Assembly during the year, as the relative importance of matters will depend largely on every person's personal and political opinions, but some of the items discussed by the Assembly that may be considered as the most significant for the Island were as follows.

Electoral Commission

The States decided in 2011 to establish an independent Electoral Commission to examine the composition of the Assembly, but in 2012 the recently appointed Privileges and Procedures Committee asked the States to agree that the Commission should be comprised instead, of an elected States member as Chairman with 2 other States members and 3 non-States members. This change, together with revised terms of reference for the Commission, was approved in March 2012, and Senator Sir Philip Bailhache was appointed by the Assembly as Chairman, with Connétable J. Gallichan of St. Mary and Deputy J.P.G. Baker of St. Helier as members. In May, the 3 non-States members, Mr. Colin Storm, Dr. Jonathan Renouf and Professor Ed Sallis were appointed by the States.

Strategic Plan

Article 18(2)(e) requires a newly-appointed Council of Ministers to bring forward for approval a draft Strategic Plan within 4 months of its appointment. The States discussed the draft Plan during an 'in committee' debate in February 2012 and the final version of the Plan was debated and agreed in May. The debate proved to be significantly less controversial than the previous 2 Plans which had been debated in 2008 and 2011, as only one amendment was lodged and the Plan was adopted (as amended) in less than a day. In 2008, for example, the debate took some 5 days and lasted for just under 29 hours.

Civil Partnerships

Following the approval of the necessary legislation in 2011 to enable the introduction of civil partnerships in Jersey, the Assembly adopted an Appointed Day Act in March 2012 which brought the legislation into force on 1st April 2012. The first civil partnership took place in Jersey on 21st April 2012.

Tourism Development Fund

In May the Assembly began a debate on opening the Tourism Development Fund up to private sector projects, but after a number of concerns were expressed by members, the Assembly voted to refer the matter to the Corporate Services Scrutiny Panel for review. The Panel scrutinised the proposal and the debate resumed in July when the proposal was adopted by the Assembly.

States of Jersey Police Force Law 2012

In May the States approved this Law, which updated and modified the statutory provisions relating to the States of Jersey Police Force and also, more significantly, provided for the establishment in the Island of a new Jersey Police Authority to oversee the work of the police. The Law also set out the nature of the future relationship between the police, the Minister for Home Affairs and the new Police Authority.

Connétables (Miscellaneous Provisions) (Jersey) Law 2012

This Law was adopted by the States in May, and its principal purpose was to remove from the 12 parish Connétables their customary policing powers and to provide for the granting of new powers to the Procureurs du Bien Public and the Chefs de Police in each parish.

Open ballot for Ministers and Chairmen

Following the use of an open ballot process for the election of the Chief Minister in November 2011 the States, at the initiative of a private member, agreed in May that Standing Orders should be further amended to provide that the election in the Assembly of all Ministers and Chairmen of scrutiny panels should be undertaken in the future by way of an open ballot where the names of members voting for each candidate could be published after the election.

Economic Growth and Diversification Strategy

This Strategy was developed by the Minister for Economic Development in conjunction with other Ministers following a detailed analysis of the economy undertaken by the Economic Advisor's Unit. It was approved by the States in July, and set out the action that will be taken in the next 3 years to achieve the States of Jersey's vision for the economy as set out in the Strategic Plan.

Incorporation of the Ports of Jersey

Debate on the proposal to incorporate the harbours and airport as a fully-owned States company began in September, but when concerns were expressed by some members during the debate, the proposition was referred back to the Minister for Economic Development so that further information could be provided to members. Following the provision of that additional information the debate resumed in October and the proposal was agreed by the Assembly.

Use of electronic devices in the States Chamber

In September the Assembly approved a trial to enable members to use electronic devices such as tablet computers, Ipads and laptops in the Chamber, provided that the devices could be operated silently and without disturbing other members. Several members have since taken advantage of the ability to use these devices, and by the end of 2012 there was no evidence that their use had caused any particular difficulty or disruption.

Health and Social Services – a new way forward

After many months of consultation by the Minister for Health and Social Services, and a very comprehensive scrutiny review, the Assembly approved, in October, a major new strategy for the redesign of health and social care services in Jersey.

Medium Term Financial Plan 2013–2015

Following changes to the Public Finances (Jersey) Law 2005, the Assembly had to consider for the first time a Medium Term Financial Plan that fixed States spending limits for a 3 year period and not just for the following financial year as had previously been the case. The draft Plan was subjected to significant scrutiny by all 5 scrutiny panels, with a series of scrutiny reports being published before the debate. The debate on the Plan was held over 3 days in November with 8 amendments being considered.

Draft Debt Relief (Developing Countries) (Jersey) Law 201-

The Assembly approved this Law in November. It is intended to limit practices that could undermine international debt relief efforts in support of some of the poorest countries in the world. It will stop creditors, including so-called ‘vulture funds’, from pursuing inequitable payments through Jersey’s courts, thereby demonstrating Jersey’s commitment to play its part in the global effort to support debt relief to assist the world’s most heavily indebted poor countries.

Reform Day – 28th September 1769

At the initiative of a private member the States agreed that 28th September should be recognised annually by the States of Jersey as ‘Reform Day’ to mark the anniversary of the events in Jersey of 28th September 1769 when protesters stormed the Royal Court to demand reform of the then corrupt government and administration of the Island.

Budget 2013

Following the introduction of the 3 year Medium Term Financial Plan (MTFP) process mentioned above, the annual Budget debate process also changed slightly. In addition to being the occasion for the approval of taxation and other income-generating measures for the following financial year, the following year’s detailed capital programme is now approved during the Budget debate within the financial envelope approved in the MTFP. The 2013 Budget was approved over 2 days in December 2012.

Tax Information Exchange and Double Taxation Agreements

The States continued to ratify a significant number of Agreements that had been signed by the Chief Minister and other Ministers/Assistant Ministers on his behalf. During 2012, Agreements with Japan, Hong Kong, Italy, Austria, India, Poland and Qatar were ratified.

Old age pension – increase for 2012

At the initiative of a private member the Assembly agreed in December that the 2012 annual increase in the old age pension should be increased by a further 1.4% to match the Retail Prices Index (Pensioners) figure for June 2012.

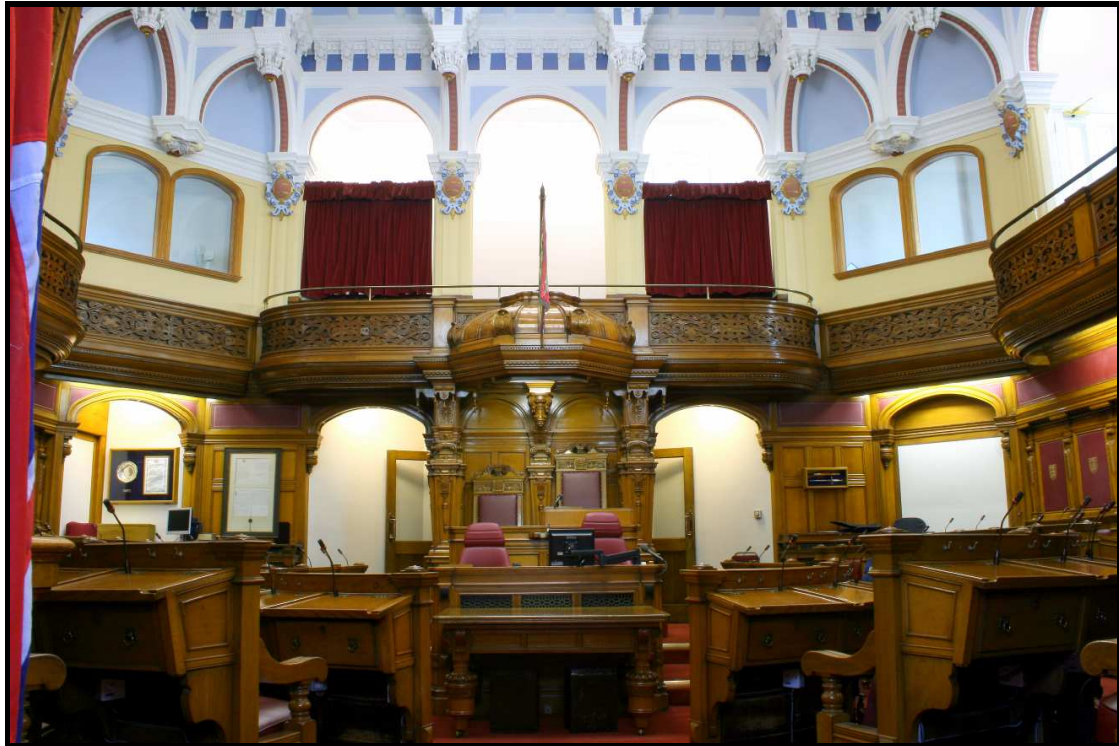
Plémont Holiday Village – acquisition by the public

The last 2012 meeting of the Assembly was dominated by a lengthy debate on the proposition brought by the Chief Minister asking the States to agree to purchase, by compulsory purchase if necessary, the derelict former holiday camp at Plémont so that the site could be sold on to the National Trust for Jersey and restored to nature. The debate, which was held over 3 days, was an extremely emotive one with strong views expressed on both sides. The final outcome could not have been closer as, with 2 of the 51 elected members absent for the vote, the proposal to purchase was rejected by 24 votes in favour and 25 against.



Supporters of the 'Love Plémont' campaign lobbying States members outside the States Chamber before the debate

3. PRIVILEGES AND PROCEDURES COMMITTEE



3.1 Membership

The membership of the Privileges and Procedures Committee (PPC) throughout 2012 was as follows –

Connétable A.S. Crowcroft of St. Helier (Chairman)
Deputy M. Tadier of St. Brelade (Vice-Chairman)
Senator S.C. Ferguson
Senator Sir P.M. Bailhache
Connétable L. Norman of St. Clement
Deputy J.A. Martin of St. Helier
Deputy K.L. Moore of St. Peter

3.2 Meetings

The Committee held 16 formal meetings during the year and recorded another 5 meetings as telephone/electronic-mail meetings. Meetings were normally held on a monthly basis in the meeting rooms in the States Building.

3.3 Significant items dealt with by the Committee

The Committee dealt with a large number of different matters during the year and some of the most significant of these items were as follows –

- **Freedom of Information (Jersey) Law 2011 - implementation.** The Freedom of Information (Jersey) Law 2011 is scheduled to come into force in 2015 and, although its implementation is being handled by the Chief Minister's Department and not by PPC, the Committee nevertheless took steps during 2012 to ensure that appropriate progress was being made by the Chief Minister to enable the Law to be introduced as planned.
- **Electoral Commission.** The Committee brought forward revised terms of reference for the proposed Electoral Commission and agreed that the Commission should be comprised of both States members and non-States members. After these proposals were approved by the States, the Committee brought forward the proposition to appoint the 3 non-States members, Mr. Colin Storm, Professor Ed Sallis and Dr. Jonathan Renouf.
- **Public Elections (Jersey) Law 2002 sub-committee.** The Committee set up 3 sub-committees to review different matters falling within PPC's terms of reference and one of these, chaired by Deputy J.A. Martin, reviewed the operation of the Public Elections (Jersey) Law 2002. The sub-committee consulted widely and brought a number of draft recommendations to PPC for discussion during the year. The sub-committee will complete its work in 2013.
- **Standing Orders sub-committee.** This sub-committee, under the chairmanship of Senator S.C. Ferguson, reviewed Standing Orders and made a number of recommendations to PPC for amendments to Standing Orders which will be brought forward for approval in 2013.
- **Machinery of Government review.** This sub-committee, chaired by PPC Vice Chairman Deputy M. Tadier, was responsible for reviewing the current machinery of government in Jersey with a view to recommending changes if appropriate. The members of the sub-committee carried out a very extensive consultation with States members and others, including departmental chief officers, to ascertain views on the operation of the current ministerial and scrutiny systems. The sub-committee is expected to complete its work in 2013.
- **States Members' Remuneration Review Body.** The Committee brought forward updated and consolidated terms of reference for the Review Body and also renewed the membership of the Review Body for a further period. In addition the recommendations of the Review Body in relation to the remuneration of elected members for 2013 were presented to the States by the Committee.
- **Code of Conduct for Elected Members.** The Committee received a number of complaints under the Code of Conduct for Elected members and dealt with these as required under the procedures set out in Standing Orders. In addition the Committee concluded the work begun by the previous Committee on reviewing the operation of the Code of Conduct and agreed that a new independent post of Commissioner of Standards should be created to undertake the initial investigations of complaints. The creation of this new post will be discussed by the Assembly in 2013.

- **States of Jersey Complaints Panel.** The members of this independent Board continued to review the actions of ministerial departments referred to them by complainants. The membership of the Panel was renewed by PPC during 2012 under the chairmanship of one of the former Deputy Chairmen, Advocate R. Renouf, and the Committee would like to place on record its thanks to the outgoing Chairman, Mrs C.E. Canavan, who stepped down from the position after many years of honorary service.
- **Members' facilities and the use of I.T.** The Committee continued during 2012 to keep the facilities made available to members under review and received a presentation from its Clerk on the manner in which I.T. for members could be improved. In addition the Committee brought forward a proposition on the use of electronic devices such as iPads, tablet computers and laptops in the States Chamber for an experimental period until July 2013.
- **Internet publication of Members' interests.** Following the 'in principle' agreement by the States before the 2011 elections, the Committee brought forward the necessary amendment to Standing Orders to require the publication of each member's Declaration of Interests on the States Assembly website. The Declarations can now be seen on each member's biographical page of the site.

4. SCRUTINY PANELS AND PUBLIC ACCOUNTS COMMITTEE



4.1. Chairmen's Committee President's Foreword

The November 2011 elections brought a raft of newly elected Members to the Scrutiny Panels and Public Accounts Committee [PAC], along with some Members experienced in dealing with Scrutiny and PAC work.

We made a very positive start, with all Members involved in both Scrutiny and the PAC agreeing the importance of using standardised, clear and consistent approaches to Panel and Committee meetings and Hearings for the benefit of both witnesses and members of the public alike. We also agreed standardised proceedings for the public and the media during public Hearings.



We drew up a code of expected behaviour of Members when involved in all Scrutiny and PAC-related matters which we presented to States Members early in 2012 and which was well received. I am personally encouraged and enthused by the progress that Scrutiny and PAC Members have made by following the agreed standardised approach.

I am personally delighted that Scrutiny and PAC Members have abided by the agreed standardised approach.

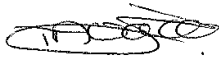
One very important aspect of Scrutiny and PAC work is to ensure follow-up on all recommendations which have been accepted by Ministers to ensure that they are implemented. This is not easy, especially when, over time, accepted Panel recommendations increase in number. However, we are striving to monitor these through written queries and at quarterly Hearings.

As can be seen from this Annual Report, Scrutiny has gathered a fair bit of momentum during 2012. This, coupled with the raised level of expectation by States Members that Scrutiny will review matters which will be debated in the States Assembly, has increased Scrutiny's profile. Although Ministers do not always agree with some findings the Panels make, work undertaken by Panels in raising awareness

prior to debates has created an increased respect which has been demonstrated in the States Assembly.

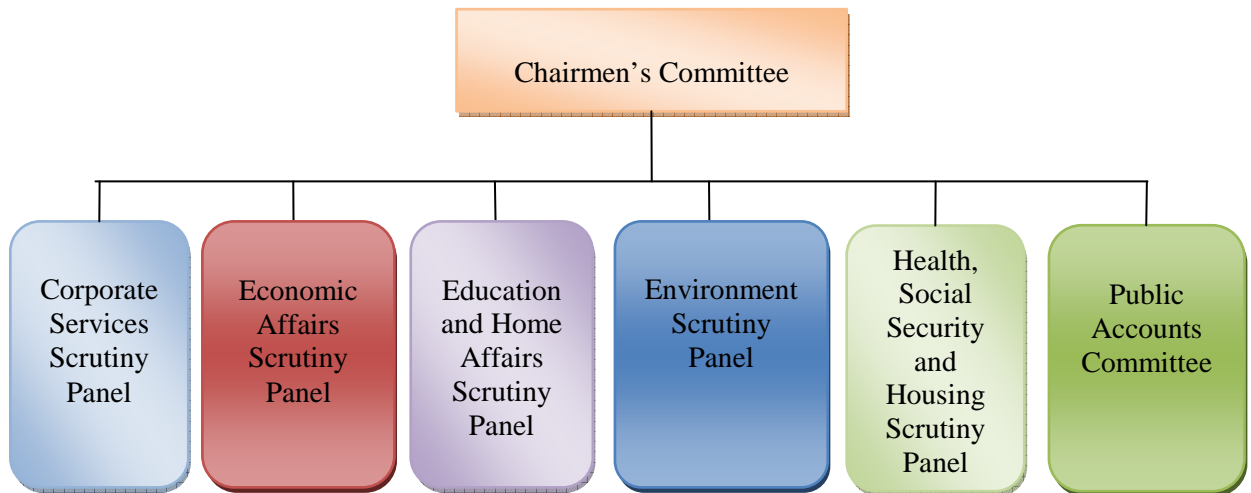
As you will see, this Annual Report shows the amount and breadth of work undertaken across the Scrutiny Panels and PAC during 2012, the first year of this 3 year term of office. The work is being undertaken by a total of 16 States Members, with some additional Members who have either been co-opted to reviews or served on Sub-Panels. I give my personal thanks to all these Members for their dedication and determination.

We will continue to ensure Scrutiny and the PAC are supported, by building on the solid foundation we have laid during 2012 as we move into 2013.



Deputy T.A. Vallois of St. Saviour
President, Chairmen's Committee

4.2. About Scrutiny and the Public Accounts Committee



The Chairmen's Committee comprises the Chairmen of the 5 Scrutiny Panels and the Chairman of the Public Accounts Committee. The membership of the Committee has not altered throughout 2012 and was as follows –

(a) Chairmen's Committee Membership

President:

Deputy T.A. Vallois of St. Saviour, Chairman, Public Accounts Committee

Vice-President:

Deputy S.G. Luce of St. Martin, Chairman, Economic Affairs Scrutiny Panel

Members:

Senator S.C. Ferguson, Chairman, Corporate Services Scrutiny Panel

Deputy J.M. Maçon, Chairman, Education and Home Affairs Scrutiny Panel

Deputy J.H. Young of St. Brelade, Chairman, Environment Scrutiny Panel

Deputy K.L. Moore of St. Peter, Health, Social Security and Housing Scrutiny Panel.

The Chairmen's Committee co-ordinates the work of the Scrutiny Panels and the PAC. It is responsible for ensuring that some of the work of all Ministers is reviewed over time. It also has responsibility for the allocation of the Scrutiny budget and maintains an overview of the Scrutiny function, making recommendations for change as appropriate.

(b) Scrutiny Panel and PAC Membership



Absent for the photograph: Senator S.C. Ferguson, Connétables M.J. Paddock of St. Ouen and S.W. Pallett of St. Brelade and Deputy J.G. Reed of St. Ouen

Corporate Services Scrutiny Panel	Senator S.C. Ferguson Connétable D.J. Murphy of Grouville Deputy J.G. Reed of St. Ouen Deputy R.J. Rondel of St. Helier Deputy S. Power of St. Brelade
Economic Affairs Scrutiny Panel	Deputy S.G. Luce of St. Martin Connétable S.W. Pallett of St. Brelade Connétable M.J. Paddock of St. Ouen
Education and Home Affairs Scrutiny Panel	Deputy J.M. Maçon of St. Saviour Connétable M.P.S. Le Troquer of St. Martin Connétable S.W. Pallett of St. Brelade
Environment Scrutiny Panel	Deputy J.H. Young of St. Brelade Connétable P.J. Rondel of St. John Deputy S.G. Luce of St. Martin
Health, Social Security and Housing Scrutiny Panel	Deputy K.L. Moore of St. Peter Deputy J.A. Hilton of St. Deputy J.G. Reed of St. Ouen
Public Accounts Committee	Deputy T.A. Vallois of St. Saviour Senator S.C. Ferguson Deputy R.J. Rondel of St. Helier Deputy S. Pitman of St. Helier* Deputy G.C.L. Baudains of St. Clement* Mr. S. Haigh Mr. A. Fearn* Mr. C. Evans* Mr. J. Mills* Mr. I. Ridgeway*

*See membership changes on the next page

(c) Membership changes

The only membership changes during 2012 concerned the Public Accounts Committee, and in the case of the Independent, non-States Members was due to the fact that these posts were formally advertised and applicants interviewed. Messrs A. Fearn and C. Evans tendered their resignation from the PAC prior to the new appointments being made, and we would like to thank them for their service on the PAC.

The only other membership change was the resignation of Deputy S. Pitman of St. Helier from the PAC. She was replaced by Deputy G.C.L. Baudains of St. Clement.

Public Accounts Committee	Mr. A. Fearn and Mr. C. Evans resigned	26th June
	Mr. J. Mills and Mr. I. Ridgeway appointed	11th September
	Deputy S. Pitman of St. Helier resigned and Deputy G.C.L. Baudains of St. Clement appointed	25th September

(d) Other Members' involvement in Scrutiny

Scrutiny Panels have the option to either co-opt an additional non-Executive Member to join the Panel for the purposes of a specific review, or to form Sub-Panels. The following Members who are not appointed to a specific Scrutiny Panel have contributed to Scrutiny during 2012 by either joining Sub-Panels or through co-option to a specific Panel.

Senator A. Breckon	Housing Transformation Plan (Sub-Panel)
Deputy G.P. Southern of St. Helier	Population and Migration Part 2 (Sub-Panel)
Deputy J.M. Le Bailly of St. Mary	Housing Transformation Plan (Sub-Panel) & Population and Migration Part 2 (Sub-Panel)
Deputy M. Tadier of St. Brelade	Use of Tasers (co-opted) & Higher Education Fees (co-opted)
Connétable D.W. Mezbourian	Radon (co-opted)
Connétable S.A. Rennard of St. Saviour	Population and Migration Part 2 (Sub-Panel)

(e) Panel and Committee staff 2012

		<u>Contact Details</u>
Mrs. Kay Tremellen-Frost	Scrutiny Manager	
Miss Kellie Boydens	Scrutiny Officer	
Mr. Mike Haden	Scrutiny Officer	Scrutiny Office
Mrs. Janice Hales	Scrutiny Officer	Morier House
Miss Sammy McKee	Scrutiny Officer	Halkett Street
Mr. William Millow	Scrutiny Officer	St. Helier
Mr. Tim Oldham	Scrutiny Officer	Jersey
Mr. Malcolm Orbell	Scrutiny Officer	JE1 1DD
Mr. Mick Robbins	Scrutiny Officer [PAC]	
Mrs. Fiona Scott	Scrutiny Officer	
Miss Leah Stoodley	Scrutiny Administrator	

(f) Staffing changes

As part of our continuing commitment to staff development, we had agreed during 2012 to the extension of a one year secondment of Ms. Mel Pardoe to the Education, Sport and Culture Department for a further year up to the end of April 2013. However, during 2012 Mel was successful in securing a full-time job with the Education Department, and we wish her every success and satisfaction in her new venture. We also take the opportunity of thanking her for the work she undertook as Officer to the PAC and to her contribution to the work of the officer team.

Also through efficient succession planning, Miss Sammy McKee won a transfer from the post of Scrutiny Administrator to that of Scrutiny Officer, following an intensive work-shadowing and development programme. Sammy was appointed to this post in June 2012.

Miss Fiona Carnegie continued on a contract basis to fill the post left vacant by Mel Pardoe, and we were delighted to be able to congratulate her on her wedding in May 2012 when she became Mrs. Fiona Scott.

We are also delighted that Miss Leah Stoodley, who filled the post of Scrutiny Administrator on a contract basis for some time, was appointed full-time in November 2012 and we wish her all the best with us.

Mrs. Janice Hales joined us in Scrutiny in July 2012 on a contract basis. Janice has been able to shadow a Scrutiny Officer in reviewing the Medium Term Financial Plan, so that she is now fully able to support a Panel review.

4.3. Scrutiny and the Public Accounts Committee [PAC] – moving forward in a new term of office

Following the elections in October 2011, all newly-elected Members were offered an induction programme regarding the overarching rôle of Scrutiny. This drew upon an internal review of the 2008 – 2011 Scrutiny function undertaken by the previous President, Senator S.C. Ferguson. This review had culminated in a report which had been presented to the States on 7th October 2011 (R.118/2011) and proposed a number of recommendations for the way forward for Scrutiny in the next term of office: 2012 – 2014 inclusive. The report made the following overarching recommendations –

Recommendation 1:	Improve Communication
Recommendation 2:	Reach an agreement that in order to bring about a more inclusive system within the existing structure, Scrutiny should be involved in policy development as per the original intention.
Recommendation 3:	Scrutiny must be more selective in its review topics, reorganise and standardise its working practices and be more robust.
Recommendation 4:	All Members and Officials must ensure adherence to Standing Orders, Code of Practice, Protocols and Guidelines.
Recommendation 5:	Members' behaviour needs to be modified to raise the professionalism of Scrutiny in the public eye.
Recommendation 6:	There should be a comprehensive training programme planned for the next term of office.

Table 1

Once the Scrutiny membership had been decided by the States, recognising that it comprised a large number of newly-elected Members who had a lot to learn and that this was the first year of a 3 year term of office, it set about to establish itself as a professional body. In so doing, it accepted the above recommendations and agreed to work towards implementing them. This provides a tangible means of assessing whether Scrutiny and the PAC have achieved the objectives they set themselves for 2012.

(a) Implementation of recommendations of R.118/2011

Scrutiny Members, through a unanimous agreement, signed up to a shared statement of common purpose from January 2012, which addressed a number of the recommendations above.

<p style="text-align: center;">STATEMENT OF PURPOSE</p> <ul style="list-style-type: none">➤ To commit to a co-ordinated, cohesive, standardised and professional approach to Scrutiny;➤ To encourage good communication and sharing of knowledge amongst Scrutiny Members and also between Scrutiny Chairmen and respective Ministers;➤ To undertake manageable, appropriate topics for review with clear aims and objectives that deliver measurable change when appropriate;➤ To thoroughly follow up on the implementation of recommendations which are accepted by Ministers through the use of propositions, amendments and comments as well as follow-up with individual Ministers
--

Table 2

(b) Improve communication [Recommendation 1 of R.118/2011]

There is now a structured and more refined communication flow between Scrutiny Members and the Chairmen's Committee, between the Chairmen's Committee and the Council of Ministers, between the President and Chief Minister and between Panels and their respective Ministers.

Scrutiny and PAC Members agreed at the outset that quarterly meetings of all Members would be beneficial; and we have met together during 2012 to discuss matters which have arisen during the course of Panels' and PAC's work and to share views on issues relating to the Scrutiny function. Matters which have been considered included a co-ordinated approach to Scrutiny of the Medium Term Financial Plan, a protocol for moving from public to private during hearings, standardised expectations of receipt of documentation prior to Scrutiny Hearings and training requirements.

The encouragement of public contributions has been refined to focus on inviting submissions on specific matters under review. This is the most beneficial public contribution to Scrutiny as it assists Panels in their considerations of how the public are affected by a service, and furnishes the Panels with first-hand accounts of real experiences. This enables the Panels to consider the matters under review in terms of improving a service to the benefit of the public where possible. Also, Members of the public are welcome to attend Public Hearings to observe Ministers being held to account and to listen to oral submissions being provided by witnesses.

Links between Scrutiny and the Council of Ministers have been more streamlined during 2012, with the President of the Chairmen's Committee meeting on a monthly basis with the Chief Minister after each Chairmen's Committee meeting. This has enabled and ensured regular two-way communication about matters which have arisen from either perspective and resulted in matters being dealt with expeditiously.

These meetings were a streamlining mechanism to avoid laborious meetings between all the Ministers present at Council meetings with all Members of the Chairmen's Committee. They have been successful in achieving their aim. However, there has been one joint meeting between the Chairmen's Committee and the Council of Ministers which took place towards the end of 2012. An evaluation of Scrutiny within the new legislature was considered, and the meeting also considered improved working arrangements in terms of when Scrutiny can access Executive information. This would permit closer working practices and enable Scrutiny to be involved to a greater extent in policy under development.

(c) Involvement in policy development [Recommendation 2 of R.118/2011]

P.122/2001 maintained that –

“...scrutiny should be regarded as embracing three main activities, namely participation in the development of policy, the review of legislation and the performance of government.”

Briefings from Departments take place with the aim of updating Panels on the progress of various initiatives. There is no wish or intention of delaying any work being undertaken by Ministers, and being regularly updated assists Panels in planning their work programmes so as to avoid delays whenever possible. However, the importance of holding Ministers to account is still firmly recognised, and this is undertaken through formal Public Hearings.

Scrutiny’s involvement in policy development has always been contentious. It has been queried how Scrutiny could impartially scrutinise policy in development in which it has been involved. However, as can be seen from some of the Panel reports, there has been some successful and welcome scrutiny of developing policies during 2012.

(d) Scrutiny must be more selective in its review topics, reorganise and standardise its working practices and be more professional and robust [Recommendations 3 and 5 of R.118/2011]

Scrutiny has given substantial consideration to selecting review topics which Panels believe will enhance the work of the Executive on behalf of the public. Good topic selection is essential if this is to happen. A number of topics during 2012 have been called for by the States so that debates are better informed. The majority of these debates result in a service delivery with consequent impact on the public. Some topics reviewed this year have also had high levels of public interest.

In respect of re-organisation and standardisation of working practices, the Scrutiny membership agreed from the outset that it was necessary for Scrutiny and PAC members to work consensually. It drew up an agreed Code as set out below which also fulfilled Recommendation 5 of R.118/2011.

SCRUTINY CODE

- Scrutiny Members will abide by agreed procedures for filming of Scrutiny Hearings;
- Scrutiny Members will behave in a professional manner towards each other, the executive and other States Members;
- Personal politics will be left outside Scrutiny;
- Scrutiny will be impartial and objective;
- Hearings will start on time for the benefit of witnesses and the public and be conducted in a professional manner;
- All Scrutiny Hearings will be conducted in public (unless there is a justifiable reason to hold them in private);
- All Scrutiny meetings (i.e. working, administrative meetings) will be conducted in private;
- Scrutiny meeting agendas and minutes will be made public wherever possible;
- All Scrutiny reports should include SMART² related recommendations in reports whenever possible;
- All Ministerial responses will be followed up.

Table 3

In agreeing to SMART-related recommendations, Scrutiny had already made a move to become more robust, but it was also agreed that Scrutiny Report recommendations which were accepted by the relevant Minister(s) must be followed up to ensure implementation. Work has been done on this in a number of ways. In the first instance, a table of all Scrutiny recommendations was prepared which depicted an implementation timeline. This permitted the Chairmen's Committee to take an overview of progress of implementation and to encourage Panels to follow up in a timely manner.

² SMART = Specific, Measurable, Achievable, Realistic and Targeted

(e) Ensuring adherence to Standing Orders, Code of Practice, Protocols and Guidelines [Recommendation 4 of R.118/2011]

Scrutiny Members had signed up to the principle of this when they first met together at the first training session in December 2011. It was agreed that, for Scrutiny to work and to be seen to be working, all Members must ensure they adhere to standardised practices and work in accordance with all relevant protocols. This has been achieved throughout 2012, with all Scrutiny meetings being held in private and all Hearings in public. Public Hearings now also follow a standardised process at the start, whereby the witnesses are permitted to take their places in the first instance prior to members of the public being allowed access to the room. This, it is hoped, has given both witnesses and members of the public greater confidence in knowing that procedures are similar across all Panels.

(f) Training and awareness-raising [Recommendation 6 of R.118/2011]



- (i) Following the November 2011 elections, an introductory session to the rôle of Scrutiny was held for all newly-elected Members. This was delivered by the Scrutiny Office.
- (ii) Once the appointment of Members to the Scrutiny Panels and the Public Accounts Committee had taken place on 24th November 2011, Members were eager to understand more detail about the rôle of Scrutiny and of the Public Accounts Committee. In consequence, on 1st and 2nd December 2011, the new Scrutiny and PAC Members had their first joint gathering by way of a training session run by Mrs. Eleanor Goodison, Catelins House Ltd., who is a former Senior Civil Servant and Deputy Principal of National School of Government. Eleanor had previously delivered successful training for the Jersey Scrutiny function. Accompanying her was Mr. Huw Edwards, a Parliamentary Training Consultant and former Member of Parliament in Monmouth.

The training provided an excellent introduction to the role and purpose of Scrutiny and permitted Members to work together for the first time. Indeed, it provided the opportunity for Panels to consider the work within their remit and to identify some subject areas suitable for review.

The outcome of the training was the creation of the Scrutiny Statement of Purpose and the Scrutiny Code, which set the tone for future working practices and put in place a strategy for implementation of the recommendations as set out in R.118/2011.

- (iii) On 20th January 2012, the President, Deputy T.A. Vallois of St. Saviour, and Vice-President, Deputy S.G. Luce of St. Martin, gave a presentation entitled ***“Scrutiny re-invigorated”*** to all States Members to advise of the agreed ways of working of the Scrutiny and PAC Members. This focussed on the fact that there was a new political team, with new ethics and new ideas and approach, that there would be standardised ways of working and that every attempt would be made to carry out the recommendations of R.118/2011 (see Table 1).

- (iv) This presentation was also given to the Corporate Management Board to ensure that Chief Officers were also aware of the new approach.
- (v) On 15th and 16th March 2012, Scrutiny Members had the opportunity of a day's course on questioning skills. This was delivered by Mrs. Kate Faragher, a personal communications consultant of *beSpokeSkills* who had delivered training programmes for United Kingdom Select Committees. This training was also very successful and explored techniques to ensure that the information sought was forthcoming. It considered different questioning techniques for different categories of witness and explored what made good and poor questioners.
- (vi) In order to reinforce this training, Kate returned to Jersey on 1st and 2nd October to deliver a refresher course. This was more interactive and required Members to hold mock hearings which were video-recorded. Members subsequently watched the recordings to learn how they could improve.
- (vii) A number of Scrutiny Panels have visited Westminster to see Select Committees in action and to discuss methodology and approach so that they would be more prepared when they started to carry out their own reviews. The Public Accounts Committee also visited its counterpart Committee in Westminster to learn from the experiences of another jurisdiction. These visits have been very beneficial in terms of raising the awareness of the Panel/Committee Members about how Scrutiny and the PAC function elsewhere.

4.4. Reviews

Panels were keen to get underway with Scrutiny work, and early into January most Panels had decided on initial topics for review. More detail about the Panels' work is provided in the individual Panel reports; however, this section gives an overview of work across all Panels and the PAC. The table below shows reviews which have culminated in a report during 2012. Some work has been started in 2012 but will roll over into 2013, and this is shown separately. For the purposes of this report, a Scrutiny Review refers to a topic which has been scoped, the Terms of Reference approved, sent to the Chairmen's Committee and to the relevant Minister.

Panels may also produce interim reports, having undertaken a study of a specific area. For example, the Health, Social Security and Housing Scrutiny Panel looked into the Housing Transformation Programme over the summer 2012 and produced an interim report. The purpose of this was to advise the Minister of the Panel's findings to assist the Minister with his determination of its final paper prior to lodging and debate.

Work other than reviews which have been completed by Panels and the PAC are dealt with in Table 5.

Scrutiny/PAC Completed Reviews/Reports 2012	Panel/PAC
Population and Migration	Corporate Services Scrutiny Panel
Tourism Development Fund	
Medium Term Financial Plan – overarching Scrutiny Report	
Budget Statement 2013	
Medium Term Financial Plan	
Aircraft Registry	Economic Affairs Scrutiny Panel
Medium Term Financial Plan	
Introduction of Tasers	Education and Home Affairs Scrutiny Panel
Relocation of Police Headquarters to Green Street Car Park	
Medium Term Financial Plan	
Ash Disposal	Environment Scrutiny Panel
Medium Term Financial Plan	
Respite Care for Children and Young Adults	Health, Social Security and Housing Scrutiny Panel
Health White Paper: caring for each other, caring for ourselves	
Housing Transformation Plan: Interim Report	
Medium Term Financial Plan	
Compromise Agreements	Public Accounts Committee
Bus Contract	

Table 4

It can be seen from the above table that each Scrutiny Panel undertook work on the very important Medium Term Financial Plan. A structured approach to Scrutiny of this Plan was devised, and the reports of individual Panels, although presented separately, were considered and co-ordinated through a Sub-Panel of the Corporate Services Scrutiny Panel. Consequently, Scrutiny was able to produce a comprehensive, overarching Scrutiny report to assist States Members with the debate in the States Assembly.

Ongoing review work

Some review work has been started during 2012 and will roll over into 2013 for completion. These are –

Ongoing Scrutiny/PAC Reviews/Reports	Panel/PAC
Population and Migration	Corporate Services Scrutiny Panel
Innovation Fund	Economic Affairs Scrutiny Panel
Shadow Tourism Board	
Customs and Immigration Service	Education and Home Affairs Scrutiny Panel
Prison Service Annual reports	
Radon	Environment Scrutiny Panel
Housing Transformation Programme	Health, Social Security and Housing Scrutiny Panel
Full Business Cases: Health White Paper	
Discrimination Law	
Annual Report and Accounts 2011	Public Accounts Committee

Table 5

4.5. Other work

Although the most recognised role of Scrutiny is to carry out reviews and produce reports, there are also a range of other options available to Panels. These options are available as an alternative, or as a complement to, Scrutiny Reports. Scrutiny recognises that it needs to be selective when using these options to ensure the appropriateness, and that the method achieves the desired outcomes wherever possible.

The purpose could be, in the case of an amendment, to force a debate in the States to result in an important change to policy or legislation. In the case of Comments it may be to raise awareness of the States Assembly of facts identified by Panels based on factual research, and in the case of Statements to advise the States of a particular course of action. The latter approach results in the possibility of questions to the rapporteur for a 10 minute period. Such matters should be based on research and established facts. During 2012, there were 6 amendments and 5 comments. [For further details of amendments, please see the relevant individual Panel reports.]

Amendments

- Draft Strategic Plan – Health Social Security and Housing (accepted)
- Health and Social Services: “A New Way Forward” Health, Social Security and Housing – 3 amendments (see Panel report)
- Draft Medium Term Financial Plan: Corporate Services (2 amendments (1 adopted, 1 amendment of amendment adopted))

Comments

- States of Jersey Police Force Law – Education and Home Affairs
- Funding for Social Housing Schemes – Corporate Services
- Incorporation of Ports of Jersey – Economic Affairs
- 2013 Budget – Corporate Services
- P.112/2012 Intellectual Property – Economic Affairs

Scrutiny Panels and the PAC also have the opportunity of being able to make statements to the States Assembly, and during 2012 there were 3 of these.

Statements

- Confirmation of Tourism Development Fund review – Corporate Services
- Report release: Introduction of Tasers – Education and Home Affairs
- Relocation of Police Headquarters to Green Street Car Park – Education and Home Affairs

The Environment Scrutiny Panel also chose to respond to the following consultation papers issued by the Planning and Environment Department –

- Response to draft supplementary planning guidance: former Jersey College for Girls, Rouge Bouillon, St. Helier;
- Response to draft supplementary planning guidance: Summerland and Ambulance HQ sites, Rouge Bouillon, St. Helier;
- Disposal of Foul Sewage Consultation;
- Response to draft development brief: Jersey Gas Site, Tunnell Street, St. Helier;
- Protection of Employment Land consultation;
- Development brief, St. Martin's Primary School and Nursery, Field 327A, St. Martin – consultation;
- Draft Supplementary Planning Guidance consultation – Island Plan Policy NE6: Coastal National Park.

4.6. Scrutiny across Ministerial Departments

The Code of Practice for Scrutiny Panels and the Public Accounts Committee (4.3) states that each Panel has the responsibility of ensuring that a fair measure of scrutiny is undertaken across the full range of ministerial departments within its remit during the course of the lifetime of the Panel.

The table below shows per Department both completed Scrutiny reviews and reviews which have been started in 2012 and will continue into 2013. As the PAC has a different and specific remit, its reviews and reports are listed separately on the PAC page.

Chief Minister's	Population and Migration (Part 1)
	Tourism Development Fund
	Compromise Agreements
	Medium Term Financial Plan
	Population and Migration (Part 2) [ongoing]
Economic Development	Aircraft Registry
	Medium Term Financial Plan
	Tourism Shadow Board [ongoing]
	Innovation Fund [ongoing]
	Intellectual Property
Education, Sport and Culture	Medium Term Financial Plan
Health and Social Services	Respite Care for Children and Young Adults
	Medium Term Financial Plan
	Health White Paper: caring for ourselves, caring for each other
	Radon [ongoing]
	Health White Paper: Full Business Cases [ongoing]
Home Affairs	Introduction of Tasers
	Medium Term Financial Plan
	Relocation of Police Head Quarters to Green Street Car Park
	Customs and Immigration Service Annual Report 2011 [ongoing]
	Prison Service Annual reports [ongoing]
Housing	Interim Housing Transformation Plan
	Medium Term Financial Plan
	Housing Transformation Plan [ongoing]

Planning and Environment	Medium Term Financial Plan
	Ash Disposal
	Radon
Social Security	Medium Term Financial Plan
	Draft Discrimination (Jersey) Law 201- [ongoing]
Transport and Technical Services	Medium Term Financial Plan
	Ash Disposal
Treasury and Resources	Medium Term Financial Plan
	Budget Statement 2013
	Social Housing Schemes – funding
	Innovation Fund

Table 6

4.7. Advisers

Scrutiny has a budget available to seek external technical advice in relation to the reviews it is undertaking. The Chairmen's Committee, on behalf of the Panels who have worked with advisers during 2012, extends its thanks to all those who have offered this support. Advisers have brought an additional, independent yet essential, technical expertise which has been invaluable for the work of the Panels. In 2012, the following Panels commissioned advisers for technical support with the following reviews –

Corporate Services	Population and Migration x1
	Medium Term Financial Plan x2
Economic Affairs	Intellectual Property (Unregistered Rights) (Jersey) Law 2011 – (IPURL): Subordinate legislation x1 Innovation Fund x1
Education and Home Affairs	Jersey Police Force Law x1
Environment	Ash Disposal x1
Health, Social Security and Housing	Respite Care for Children and Young Adults x1
	Housing Transformation Programme x2
	Health White Paper x2

Table 7

4.8. Public accessibility to review work

Website: A lot of work has taken place to create a more user-friendly website. Given that Scrutiny is review-focussed and it is most likely that members of the public would be interested in specific topics being reviewed, we have created a site whereby the reviews are readily accessible on the home page. Although there remains work to be completed on the website, all matters relating to a specific review can be accessed by clicking on the review itself. We have also made a conscious effort to regularly update our news section on the right-hand side of the home page. This will give information about forthcoming hearings and links to other matters of public interest where applicable.



Webstreaming and podcasting: Given the decision to hold all working Panel meetings in private and to make more of a focus on the calls for evidence, hearings and reports, Scrutiny considered the possibility of Webcasting its Hearings so that they could be followed live on the website. Although the principle was accepted, this proved to be extremely costly and was deemed an inappropriate use of public funds in the current economic climate. The Chairmen's Committee then considered the use of a playback mechanism and, with a revised and more user-friendly website, it was agreed that podcasting (where audio is uploaded through the Internet) of Scrutiny Hearings would be trialled. Podcasts have been available for playback since September 2012. They are uploaded to the website as soon as is practicably possible after Hearings have taken place.

Scrutiny Matters Newsletter: the spring edition of the Scrutiny Matters newsletter was distributed during the week of 23rd April 2012 and focussed on the working ethics and practices of the "new scrutiny". An autumn edition was distributed during the week of 12th November 2012, which concentrated on work being carried out by the Scrutiny Panels and the PAC.

4.9. Committee Secretariat Network



Jersey Scrutiny Officers continue to participate in the Committee Secretariat Network, which is a group comprising staff representatives from parliamentary select/scrutiny committees. These include along with Jersey [alphabetically listed] –

- Guernsey
- House of Commons
- House of Lords
- House of Oireachtas [Ireland]
- Isle of Man
- London Assembly
- National Assembly for Wales
- Northern Ireland
- Scottish Parliament
- States of Guernsey [Scrutiny].

These meetings provide excellent opportunities for learning about the operation of Scrutiny elsewhere and provide a sound forum for sharing best practice.

The first of these was held in March 2012 in Belfast and the second was held in the Isle of Man on 4th and 5th October 2012. Topics discussed included the following –

- Use of tablets in committee meetings/electronic committee papers
- Roles and responsibilities of Committee Chairs
- Parliamentary Reform Programme (Scotland)
- Use of social media in promoting committee work
- Recent Scrutiny Reform (Isle of Man)
- Increasing public involvement in the work of Committees
- Presentation from the Crown Dependencies on Electoral Reforms
- Outcomes of House of Commons Liaison Select Committee Inquiry into Select Committee Powers and Effectiveness.

4.10. Scrutiny Panels and Public Accounts Committee Reports

(a) Corporate Services Scrutiny Panel



Photograph courtesy of the Jersey Evening Post

Introduction

The Corporate Services Scrutiny Panel's remit is to look into matters relating to policies and actions brought forward by either the Chief Minister or Minister for Treasury and Resources. The reports presented by the Panel during the year, which include all the Panel's findings and recommendations, are available under the Panel's page on the Scrutiny website.

Panel Reviews in 2012

Population and Migration



In February 2012 the Panel began its review into 'Population and Migration – Part 1' following the publication of the latest Census results in December 2011. The results revealed that the total resident population figure had significantly increased by 9,100

between 2001 and 2011. Furthermore, the Census called into question the Population Policy which had aimed to limit inward migration over a 5 year period to a maximum of 150 heads of household per annum. The main aims of the review, therefore, were to consider the implications of the 2011 Census results for the Population Policy and to examine the measures proposed by the Council of Ministers in the new Strategic Plan, in relation to population and migration matters. An adviser from Edge Analytics was engaged by the Panel to assist with its review. With regard to evidence-gathering, the Panel advertised to the public for written submissions and received 5 witnesses for Public Hearings during March 2012. The Sub-Panel questioned the States of Jersey Chief Statistician, President of Chamber and Commerce, Minister for Economic Development, Minister for Housing and Chief Minister. A report was presented to the States on 24th April 2012. Four recommendations were made, 3 of which were accepted by the Chief Minister in his response to the report.

In October 2012 the Panel agreed that a Sub-Panel would undertake a second review into Population and Migration. The main aim of the review is to consider the effectiveness of the provisions proposed in the *Control of Housing and Work (Jersey) Law 2012* and associated Regulations, in the light of the 2011 Census results. The Sub-Panel held 5 Public Hearings between 26th November – 17th December, in which they received the President of the Chamber of Commerce, Minister for Housing, Minister for Economic Development, Minister for Social Security, and Chief Minister. Furthermore, the Sub-Panel arranged 2 private briefings in which it received information from the Law Draftsman and States of Jersey Chief Statistician. The Sub-Panel is expected to present its report at the end of February 2012.

Tourism Development Fund



On 2nd May 2012 the proposition *Tourism Development Fund: assistance to the private sector* (P.26/2012) was brought to the States Assembly for debate. Following a vote, it was agreed by the majority that the proposition should be referred to a Corporate Services Scrutiny Sub-Panel for its review. The Corporate Services Panel subsequently agreed to form a Sub-Panel to undertake a review into this matter. Furthermore, due to the debate on this proposition taking place on 10th July 2012, the Sub-Panel agreed that it was imperative to present its report ahead of this date. The main aim of the Sub-Panel was to examine the reasoning behind the proposition to extend grant assistance from the TDF to the private sector and present its findings to

the States prior to the debate. Public Hearings were held with the Chairman of the TDF Panel, Minister for Treasury and Resources and Minister for Economic Development. The Sub-Panel also received written submissions from the Jersey Hospitality Association, the Managing Director of the Seymour Group and the Connétable of St. Martin. A report was presented to the States on 3rd July 2012. Three recommendations were made, 2 of which were accepted by the Minister for Treasury and Resources. The Sub-Panel fully supported the Proposition to grant assistance to private sector entities.

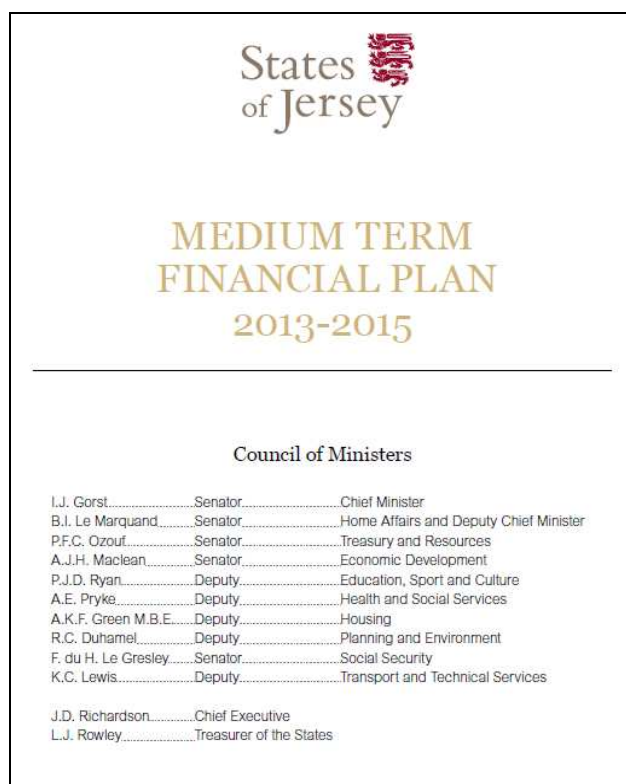
Social Housing Capital Projects



In April 2012, the Minister for Treasury and Resources brought forward proposals to use £27 million from the Consolidated Fund to fast-track progress on 6 social housing schemes. The proposals were intended to address the shortfall in funding facing the Department of Housing in maintaining and increasing the States' housing stock, and to assist the construction industry during challenging times.

The Panel was briefed on the proposals by the Minister and undertook a short review, gathering written material and questioning the Minister during a Quarterly Public Hearing. The Panel identified matters in respect of the proposals where further information was required, and the Panel presented comments to the States ahead of the debate on the Minister's proposition in May 2012. Through the comments, the Panel sought clarification from the Minister on the proposals' implications for the Stabilisation Fund, the Medium Term Financial Plan and the Currency Fund. The Minister addressed these requests for clarification during the debate.

Medium Term Financial Plan



The Panel played its part in a co-ordinated Scrutiny Review of the Medium Term Financial Plan (MTFP) in which all Scrutiny Panels had a role. The MTFP, proposed by the Council of Ministers and debated by the Assembly in November 2012, set States' spending levels for the years 2013 to 2015.

Ahead of the debate, the Panel held public hearings with the Chief Minister and Minister for Treasury and Resources, and gathered written material on the spending proposals as they related to the Ministers' Departments. The Panel presented a report in respect of each Department to the States, highlighting issues in respect of the funding pressures facing them.

The Panel also established a Sub-Panel to consider overarching matters in respect of the MTFP. The MTFP Sub-Panel contained a representative from each Scrutiny Panel and 2 expert advisers were engaged to assist it. The Sub-Panel considered the economic circumstances and forecasts underlying the MTFP and the mechanics by which the MTFP held together and would operate. Public Hearings were held with the Chief Minister and the Minister for Treasury and Resources, whilst the Sub-Panel could also draw upon the material gathered by the Scrutiny Panels. A report was presented to the States on behalf of the Sub-Panel on 22nd October 2012. Eleven recommendations were made, 10 of which were accepted by the Minister for Treasury and Resources in his response to the report. The Minister is therefore due to undertake work during the first part of 2013 on the recommendations and, for instance, will consider whether future MTFPs can be established on a 5 year, rolling basis.

The Sub-Panel's review led to the identification of 2 amendments to the MTFP which were lodged and proposed on its behalf by the Panel. The first, adopted unanimously by the Assembly, will see the Minister for Treasury and Resources develop a performance-monitoring and reporting framework for the MTFP. The second, albeit subjected to an amendment from the Council of Ministers, saw the creation of growth allocations for 2014 and 2015. These had not been included in the Council's initial plans for the MTFP. Following the Sub-Panel's work and the Panel's amendment, the Assembly will therefore have the opportunity to debate the allocation of growth expenditure in the 2014 and 2015 Budget Statements.

2013 Budget Statement



The Panel undertook a short review of the Draft 2013 Budget Statement, in which the Minister for Treasury and Resources set out his proposals in respect of Income Tax, GST, Impôts duties and Stamp Duty. The Panel gathered written material, held a public hearing with the Minister in November 2012 and sought advice from the Channel Islands Competition and Regulatory Authorities (CICRA). The Panel presented comments to the States in order to inform the Assembly's debate on the Budget Statement, in particular drawing out information and advice received in respect of Impôts and the effect of increasing Income Tax exemption thresholds.

(b) Economic Affairs Scrutiny Panel



Introduction

The Panel's remit covers matters relating to the policies and actions of the Minister for Economic Development. In addition to 4 Quarterly Update Public Hearings and a series of topic-specific progress briefings from the Economic Development Department, the Panel undertook a number of pieces of Review work during 2012 as follows.

Panel reviews in 2012

Aircraft Registry

The Panel published its Aircraft Registry report in September 2012, having concluded its Review into the Minister for Economic Development's plans to either work with Guernsey to establish a joint Channel Islands Aircraft Registry, or to set up a separate Jersey Registry. The concept of a Channel Islands or Jersey Aircraft Registry to harness the potential economic benefits of attracting and growing associated industry is not new, but the introduction of the Isle of Man Registry and developments in Guernsey and other jurisdictions saw the issue re-emerge and come to a head this year. The report firmly concluded that a joint approach was the most appropriate option for Jersey at this stage. It also highlighted the need for the Minister to move quickly to avoid Guernsey establishing its own Registry, and consequently jeopardising Jersey's role in any future Aircraft Registry, following a period of hesitancy and avoidable delays from the Jersey authorities.



After the Panel's report was published, Guernsey announced that it planned to establish its own Aircraft Registry without Jersey, predominantly due to the reasons highlighted above. However, the Minister remains hopeful of persuading his counterpart in Guernsey of the benefits of launching a joint Registry, and negotiations are ongoing to achieve that result.

Intellectual Property (Unregistered Rights)



The Panel has examined proposed updates to Jersey's intellectual property rights legislation. At the core of that work, it commissioned a legal 'sense check' of the proposals from a leading world authority in this area, Mr. N. Garnett of Interight Ltd. The report was broadly positive and welcoming of the new subordinate legislation, and the issues that it raised were considered by the Minister for Economic Development ahead of the States debate of the legislation in December 2012. Certain amendments were made to the draft legislation ahead of the debate, reflecting recommendations made by the Panel, and further consideration is to be given by the Minister to other points raised by the Panel's work.

Tourism Shadow Board



At the beginning of October 2012, the Panel became aware of the Minister's intention to lodge a proposal to establish the Tourism Shadow Board by the end of the month. The Minister was facing pressures within his timetable associated with the development of the Tourism Strategy. Although the Panel's approach is to try to avoid undue delay in the Minister's work, it was in the position whereby, having only just received drafts of the report and proposition, it was being given unduly limited time to even assess the scale of the work that it might undertake. The Panel agreed that it would need, and would be expected, to undertake some work on this issue, consistent with its approach to select key components of the overarching Economic Growth and Diversification Strategy (approved by the States in July 2012) for Review as appropriate.

Within this context, the Panel and Minister were able to reach an agreement to enable the Panel to carry out its work, without causing what it appreciated were understandable concerns regarding the possible impact of significant delay on the Tourism Strategy. A debate date was set for 15th January 2013.

Within the agreed short timetable, the Panel focused its approach to the Review and targeted its information-gathering accordingly, giving particular attention to taking evidence from the Minister and from industry representative groups. The Panel completed its evidence-gathering in December and, despite the short timeframe, intends to publish its report, complete with findings and recommendations, ahead of the mid-January 2013 debate.

Ports of Jersey Incorporation



The Panel identified plans for the incorporation of Ports of Jersey as a key topic of its 2012 Work Programme. Since the beginning of the year it has formed an integral part of ongoing work, and was the subject of discussion at Quarterly Hearings, requests for written information (including draft versions of the Report and Proposition, the first of which was received by the Panel in May 2012), two dedicated briefings from the Chairman of the Shadow Board and Group Chief Executive, Ports of Jersey, and a site visit to Jersey Airport. Arrangements for a site visit to the harbours in 2013 are ongoing.

During the debate on *P.70/2012: Incorporation of Ports of Jersey* on 12th September 2012, when questions were raised about the level of detail provided by the Minister for Economic Development in his report, it was apparent that, in addition to the Chairman's speech outlining the Panel's work to date and current position on the issue, some Members would have welcomed written comments from the Panel. The Panel took the opportunity arising from the reference back to the Minister agreed by the States during the debate to present written Comments. Ahead of the rearranged debate, the Panel held a Public Hearing with the Minister for Economic Development on 19th September, and took the opportunity to question him on a number of the key issues raised by Members during the initial debate.

The Panel concluded that *P.70/2012* represented a significant but far from final step in the incorporation of Ports of Jersey project, establishing an 'in principle' decision of the States that confirmed a direction of travel for the Minister. Whilst there was nothing of fundamental concern to lead the Panel to conclude that this was an inappropriate step to take, it nevertheless highlighted that detailed work remains to be undertaken in a number of key areas, including the crucial regulatory and competition frameworks and staff transfer.

Ultimately, legislation will need to be brought to the States by the Minister at a later date, to establish the new incorporated body and to achieve a number of the policy objectives set out in the report accompanying *P.70/2012*. From a Scrutiny perspective, the Panel agreed that further work should be undertaken, but at a later, more appropriate time in 2013, when there are more developed proposals and details to examine.

Medium Term Financial Plan (MTFP)

Along with the other Scrutiny Panels, the Economic Affairs Panel contributed a report to a cross-Panel Scrutiny Review of the Medium Term Financial Plan, which sets States' spending levels for 3 years from 2013 to 2015. The MTFP was proposed to the States by the Council of Ministers, and was debated in November 2012. The Panel began work by holding a briefing with the Minister, followed by a written request to the Minister to respond to detailed questions relating to his spending proposals. This helped the Panel's preparations for a Public Hearing with the Minister to conclude its evidence-gathering. The Panel's report was presented to the States alongside those of the other Panels relating to their respective remits, and an overarching MTFP Sub-Panel report.

Financial Services Ombudsman



At the beginning of the year, the Panel prioritised a Review of important forthcoming legislation that would establish a Financial Services Ombudsman for Jersey. Introducing an Ombudsman Scheme for financial complaints in Jersey was a recommendation of the 1999 'Edwards Review' of financial regulation in the Crown Dependencies, and the subject of much consideration and sporadic progress ever since. By 2009 there was little sign of the Ombudsman, but that year a successful amendment to the 2010 Business Plan by Senator Alan Breckon established the States agreement to create an Ombudsman by securing the all important law drafting time.

It had been the intention of the Minister for Economic Development to lodge the legislation for States debate before the summer recess in 2012, with the Ombudsman to be operational from early 2014. The Panel had therefore agreed its Terms of Reference in March, after informative briefings from the Department and Senator Alan Breckon on their respective work on the matter.

Unfortunately, despite the continued attention of the Panel and progress briefings from his Department, which eventually led to the establishment of a detailed timetable for its delivery, delays in the Minister's Ombudsman project have led to the full

Review being placed on hold, as, disappointingly, the legislation remains insufficiently developed for the Panel to examine. A key issue revolves around the role of Guernsey in an Ombudsman scheme, and the possibility that a Channel Island service could be established. The Panel is very conscious of the States decision and therefore remains committed to the Review, and will continue pressing the Minister on the progress and/or the detail of the draft legislation into 2013, mindful that the Ombudsman is due to commence operation from January 2014.

Jersey Innovation Fund



Towards the end of 2012, the Panel launched a Review of the new Economic Development initiative the 'Jersey Innovation Fund', the principle of which was established as part of the Economic Growth and Diversification Strategy that the States had adopted in July. The Jersey Innovation Fund seeks to support innovation through financial investment by the States in a wide range of activity, from direct business support to strategic infrastructure investments across the private, public and third sectors. Under current proposals, the £10 million Fund would be established with an initial allocation of £5 million coming from part of the proposed redemption of JT Group Limited's 9% cumulative preference shares. The source of the remaining £5 million has yet to be confirmed.

In December the Panel agreed Terms of Reference and appointed an independent expert adviser, CIPFA Business Ltd., and will be taking evidence in the first quarter of 2013. It plans to publish its findings and recommendations ahead of States debate scheduled for March.

(c) Education and Home Affairs Scrutiny Panel



Introduction

The Panel's remit covers matters relating to the policies and actions of the Ministers for Education, Sport and Culture and Home Affairs. The Panel has undertaken a number of Reviews during 2012 as follows.

Panel Reviews in 2012

Draft Police Force (Jersey) Law 201- (Comments)



Having recalled that a previous Panel had undertaken a review of the draft Law in 2008, the Panel agreed to commission the previous Panel's expert advisers to review the latest version of this draft Law. It was noted that the new draft provided much greater clarity in respect of issues identified by the previous Panel, namely the roles of

the Police Authority and the Minister in the production of the annual Policing Plan, the status of the Honorary Police in relation to the new governance arrangements and the operational independence of the Chief Officer of Police. Two relatively minor points of clarification were identified which the Minister for Home Affairs agreed to amend in the draft Law.

The Introduction of Tasers in Jersey (S.R.4/2012)



The Minister's intention to authorise the use of Tasers by the States of Jersey Police sparked a great deal of public interest. Tasers provide an option for a lower level of response, instead of firearms, to serious threats to public safety. Nevertheless, many members of the public had concerns about the potential for inappropriate use and believed that levels of crime in the Island did not warrant their introduction here. Deputy M. Tadier of St. Brelade proposed a Scrutiny Review and joined the Panel for this piece of work.

The Minister provided the Panel with a copy of his draft report and proposition and the Panel undertook a detailed study of the procedures, safeguards, costs and training, as well as the human rights implications. The Panel received 18 written submissions and also commissioned an online survey which produced 428 responses. Just over 50% of responders were opposed to the use of Tasers (51% against; 44% in support and 5% unsure).

In its conclusions, the Panel accepted that there was a justification for providing firearms-trained officers in Jersey with a less lethal alternative to conventional firearms, but was not satisfied that the Minister's report provided a convincing case for deployment of the new weapons here. The Panel's report made 20 recommendations aimed at clarifying the boundaries set for the use of Tasers and providing sufficient evidence for a capability gap before progressing the proposal to introduce Tasers. The Minister has undertaken to submit a revised report and proposition in 2013.

Relocation of Police Headquarters (S.R.19/2012)



Deputy J.A. Martin of St. Helier's proposition (P.92/2012) sought a review of the decision to locate the States of Jersey Police Headquarters to the Green Street car park site. The Panel decided to undertake a review focussing on matters relating to the internal design of the new Police HQ at Green Street car park and the question whether the proposed building would adequately meet the requirements of the States of Jersey Police Force over the next 20 to 30 years. The Panel was clear that issues relating to location and planning issues, such as traffic implications, the impact of the building on its immediate environment and the loss of public parking at Green Street were not within its remit.

The Panel was given access to the detailed plans supporting the planning application. Its report examined the budget restraints, the constraints of the site and parking issues for both members of the public and police officers. While the senior management of the Police maintained that the Green Street site would provide all the facilities which could foreseeably be required by the Police for the next 30 years, the Panel remained unconvinced that there would not be a need at some point in the future to look for additional accommodation for the Police Force as new operational needs emerge. While this might not be an argument against the current plans at Green Street, the Panel believed that the major disadvantage that the site does not offer any possibility of future expansion ought to be acknowledged.

Jersey Prison Service Annual Report 2011



The Scrutiny Panel noted a risk identified in the Home Affairs Department's Annual Business Plan 2012 which stated, in relation to the Prison Service: *'The requirement to meet the CSR savings targets may result in the loss of personnel in key areas or a reduction in the level of resources applied to some aspects of the prison regime. This would impact on performance and may require targets to be reviewed and adjusted.'*

Given the recent history of underfunding at H.M. Prison La Moye, from which it has only recently recovered, the Panel agreed that it would be appropriate to conduct a brief review of the Prison Service in order to examine the extent of this risk and to assess whether there was a danger that the CSR savings programme might undermine recent progress in improving the prison regime.

The Panel will report on its findings in the New Year. However, its review was extended to take account of issues identified by the Prison Board of Visitors in their Annual Report, particularly those relating to the treatment of prisoners with mental health conditions.

Jersey Customs and Immigration Service Annual Report 2012



The Panel also noted the following risk relating to staff shortages at Customs and Immigration: *‘Ongoing staff shortages in the Customs and Immigration frontline teams could affect the ability of the service to maintain satisfactory disruption levels which could lead to increased availability of drugs in the Island’.*

In 2008 a previous Scrutiny Panel had undertaken a review of staffing at JCIS. Its report (S.R.14/2008) described a Service which had been under considerable pressure through several years of underfunding surviving through a ‘patch and mend’ approach which was considered unsustainable as a long-term solution. Subsequently, the Department’s cash limit was increased to allow the JCIS to fill vacant posts and recruit 3 additional officers for Frontier teams; however, the increase was not enough to enable Frontier teams to be brought up to optimum operational strength.

The latest Annual Report 2011 of the JCIS shows that the value of drugs seized by the service was lower than in the previous year and below the average of the last 5 years. The Panel decided to investigate the current prevalence of illegal drugs in Jersey and met with the States of Jersey Police, the Alcohol and Drugs Service and the Jersey Addiction Group to evaluate whether they had concerns about a growing supply of illegal drugs in the Island. A report will be available in the New Year.

(d) Environment Scrutiny Panel



Introduction

At the beginning of 2012, the new Panel met with the Ministers for Transport and Technical Services and Planning and Environment to discuss departmental priorities and inform consideration of its work programme. Departmental work-streams and timing of initiatives were taken into account in deciding a way forward; and as a result, Ash Disposal was the first major review planned by the Panel. A number of other possible reviews were also discussed and subsequently scoped for inclusion at a later date.

Panel Reviews in 2012

Medium Term Financial Plan

The Panel reviewed the Medium Term Financial Plan in respect of the departments within its remit, i.e. Transport and Technical Services and the Department of the Environment, publishing reports on each department as part of the overall review carried out by the Corporate Services (MTFP) Scrutiny Sub-Panel.

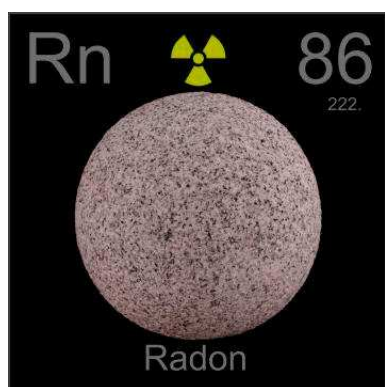
Ash Disposal



The Panel appointed AEA Technology plc. as expert advisers to assist with this review, which focused on finding sustainable solutions for disposing of the ash and air pollution control residues generated by operation of by the Energy from Waste Plant. The Panel considered that continued burial of ash waste in lined pits at La Collette was no longer sustainable or justifiable in light of developing technologies offering alternative solutions for recovery and recycling of ash wastes. The Minister for Transport and Technical Services indicated at an early stage that the department was also strongly in favour of finding more sustainable solutions and therefore welcomed the Panel's review.

The Panel's advisers considered evidence presented by the Transport and Technical Services and Environment Departments, submissions from stakeholders and members of the public and carried out a comprehensive study of processes and opportunities available for waste recovery both on- and off-Island. Their final technical report to the Panel was submitted at the beginning of December 2012 and the Panel's Scrutiny report (S.R.20/2012) was presented to the States on 17th December. Throughout the process the Panel received excellent co-operation from departments; at the time of writing ministerial responses had not yet been received.

Radon



Early in the year the Panel planned and received approval from the Chairmen's Committee for a review of radon in the Island. Following a presentation from the Head of Health Protection in July, there was some delay in receiving information requested from the Department, and a further meeting with the Minister for Health and Social Services and Medical Officer of Health eventually took place in November. In the meantime, plans were amended to take account of other work

arising and the radon review will continue early in 2013. The Connétable of St. Lawrence has agreed to join the Panel on a co-opted basis for the purpose of this review.

Other work

Apart from review work, the Panel has held regular meetings and a number of public hearings with Ministers throughout 2012, and has also undertaken a variety of other tasks. Work by the previous Environment Panel on the Marine Environment and concerns about possible pollution affecting shellfish growers were followed up through several meetings with the Department and a joint meeting with the industry. Responses were submitted to a number of consultations from the Department of the Environment in respect of draft Supplementary Planning Guidance, and in November the Panel was requested by the Department of the Environment to carry out a review of the draft Energy Policy, which is out to public consultation until the end of January 2013. The Panel proposes to undertake this review starting in the New Year.

In respect of reported problems with the planning process, the Panel continued to question the Minister for Planning and Environment on these matters at public hearings throughout the year, for example raising questions at a quarterly public hearing on 3rd December over the proposed new Police HQ in Green Street and the apparent withdrawal of proposals for the Parkside Village project in Bath Street by Le Masurier Ltd. The Panel intends to follow up both of these issues early in 2013.

Other areas of concern regarding the planning process centre on the lack of an independent planning appeals system based only on the planning merits. The Panel had previously considered this matter for review, but the Minister promised to deliver a report with recommendations for changes to the planning appeals system early in 2013. The Panel would therefore expect to consider the results of the internal department review before deciding whether formal Scrutiny is required.

The Panel has also questioned the Minister for Planning and Environment on several occasions on the important planning policy for Affordable Housing. The Minister has also promised to address this, announcing his decision to drop the unworkable Island Plan policy H3 and come up with a more practical solution.

With regard to the work of the Transport and Technical Services Department, in addition to the review of Ash Disposal, the Panel has met with the Minister both in public and in private on a number of occasions, participating in early consultation on possible changes to taxi regulation, as well as following up developments with the new bus contract, due to come into force in January 2013. Members have also visited the Energy from Waste Plant, La Collette reclamation site and the Bellozanne sewage treatment works during the course of the year.

(e) Health, Social Security and Housing Scrutiny Panel



Introduction

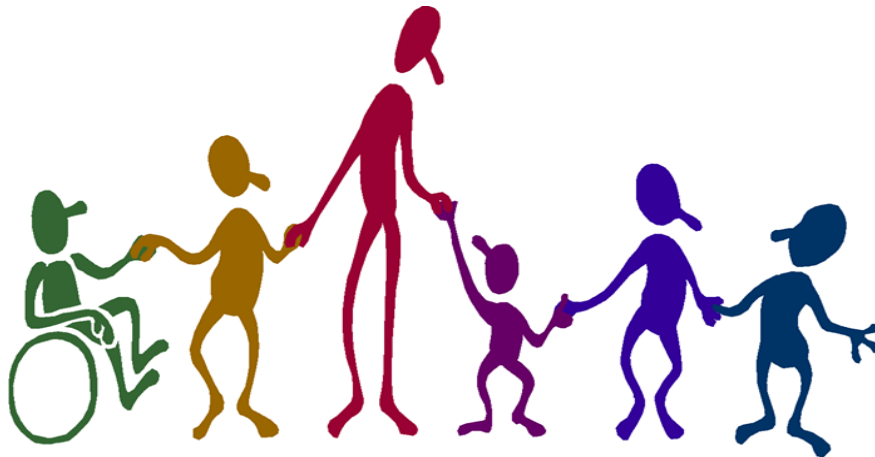
The Panel undertook 2 major reviews during 2012, details of which are set out below. Three other reviews were started in the last quarter of 2012, for which further work will be undertaken throughout 2013.

Panel reviews 2012

Respite Care for Children and Young Adults

The Panel presented its report into Jersey's respite care services for children and young adults with disabilities on 26th April 2012. The Panel conducted an in-depth, 5 month review of the service offered by the Island's 3 respite care homes for children and those catering for young adults, questioning a broad cross-section of service users and providers on their views of respite care provision. Fifteen witnesses gave evidence before the Panel, including parents of children with complex and special needs, professionals working in Special Needs education, and representatives from third sector organisations including Autism Jersey, Mencap and Variety. The Panel also questioned the Minister for Health and Social Services and her senior officers on 2 separate occasions about their policies around respite care.

The main findings of the review were that families caring for children with severe physical or mental disabilities have had to contend with a sometimes erratic and unpredictable respite service, which had created significant stress and in some cases, family breakdown.

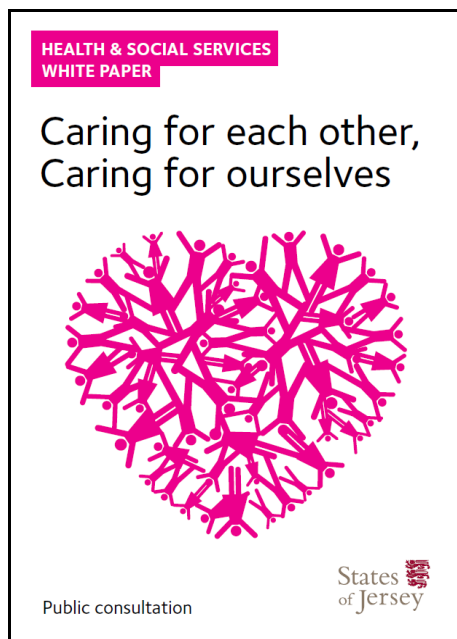


There was a lack of appropriate residential facilities in Jersey for children and young people with disabilities, which meant that respite homes had been used, on occasion, to provide an emergency care service for children and young adults with severe emotional and behavioural disorders. At other times, the Panel found that respite homes had been used as a hospice, and/or a long-term care homes.

On the day the Panel presented its report, the Chairman, Deputy K.L. Moore of St. Peter, said: *“The Panel felt that in many cases parents’ expectations of respite care were being let down by failures on the behalf of the Department to properly manage and plan for the needs of the community. It is evident that too few resources have been channelled in the direction of respite care, and this simply mustn’t be allowed to continue. Jersey has the potential to be a shining example of how a small community can care for its most vulnerable, but at the moment, we feel this is a long way off. We urge decision makers to act to secure a respite service that is fair, open and accessible to those who need it most.”*

Many of the Panel’s recommendations were accepted by the Minister for Health and Social Services, and it was noted that the Department had conducted its own review, commissioning Action for Children, to look at the Children’s Service. Following publication of a report by Action for Children which largely agreed with the findings of the Panel, further work is planned for 2013 to monitor the improvement of respite services.

Health White Paper Review: “A New Health Service for Jersey: the way forward”



The Panel presented its report regarding the Health White Paper: “Caring for each other, Caring for ourselves” and subsequent report and proposition of the Council of Ministers “A new way forward for Health and Social Services” on 15th October 2012.

The final Report and Proposition, developed from the results of the White Paper, asked States Members to decide whether proposals for a redesign of health and social care services by 2021 should be co-ordinated by the Council of Ministers. By the end of 2014, the proposition called for proposals to be developed for: investment in hospital services and detailed plans for a “new” hospital; a new model of primary care and a sustainable funding mechanism. The changes proposed would amount to a very major redesign of health and social services on the Island. They were intended to substantially update buildings, facilities, skills and service models so that Islanders’ service and experiences of them could be improved.

Although, the Panel questioned whether the proposals contained in the Report and Proposition would deliver the planned improvement at a cost that was affordable and with the degree of effectiveness Islanders were right to expect, it also concluded that it would be hard not to support a redesign of health and social care services. The Proposition aimed to redesign the health and social care system to produce better outcomes for Islanders; improve the efficiency and effectiveness of resource use, cater for demographic change and relieve pressures on services which were apparently at risk of becoming over-extended.

The Report and Proposition was approved by the States, and the Panel looks forward to undertaking more work on the redesign of health and social care services as the Full Business Cases are developed.

Housing Transformation Programme



In April 2012 the Minister for Housing brought forward a White Paper entitled “Achieving Decent Homes: An Affordable Housing Framework for the Future”, which proposed to overhaul the way social housing in Jersey is managed, maintained and funded. A Sub-Panel was formed in May to consider these proposals and the wider Housing Transformation Programme.

The Sub-Panel appointed expert advisers from the Chartered Institute of Housing and De Montfort University, and held a series of hearings in July with members of the Executive responsible for overseeing the Transformation Programme, as well as key stakeholders and members of the Housing Trusts. An Interim Report was released in August which contained a number of insights gained from the public hearings and drew attention to high-level issues surrounding the proposals in the White Paper. This report was intended to assist the Housing Department with the drafting of the final propositions and was welcomed by the Minister.

The Sub-Panel continues to monitor the development of the Housing Transformation Programme and will be presenting a full report in 2013 in time for the debate.

Panel Amendments

- The Panel lodged an amendment to the Strategic Plan (P.28/2012) in April 2012 to include “Promoting Family and Community Values” which was accepted by the Assembly.
- The Panel lodged 3 amendments to the Proposition P.82/2012 “Health and Social Services: A New Way Forward” in October 2012:
 - Regarding the proposals to be brought forward by the end of 2014 for a “new” hospital, the Panel called for an amendment to include full details of all manpower and resource implications necessary to implement the proposals – supported by the Council of Ministers and accepted.
 - For the development of a new primary care model, the Panel called for an amendment to bring forward proposals by the end of 2013 as opposed to 2014 as stated in the proposition – this was not supported by the Council of Ministers and was withdrawn during the debate. However, a compromise was reached by which the Chief Minister assured the Panel and States Assembly that the Council of Ministers would complete the work on the new primary care model by the end of September 2014.
 - Regarding the proposals for a sustainable funding mechanism, the Panel called for an amendment to bring forward the proposals before the end of September 2014, as opposed to “by the end of 2014” as mentioned in the proposition – this was supported by the Council of Ministers and accepted.

(f) Public Accounts Committee



Committee Constitution

The Public Accounts Committee is constituted of a Chairman and an equal split between States Members and independent members. In January 2012, the Committee was constituted as follows: Deputy T.A. Vallois of St. Saviour was the Chairman, Senator S.C. Ferguson was Vice-Chairman and the States Members were Deputies S. Pitman and R.J. Rondel of St. Helier.

The Chairman arranged with the independent members that they would, in the first instance, serve on the Committee for 6 months. This would allow the Committee to decide its objectives for the 3 year term. It would further allow the consideration of the skills needed in the independent members to meet those objectives and to adjust accordingly to meet the challenges.

Initially, the independent members were Mr. A. Fearn, Mr. S. Haigh, BSc, C.Dir, and Mr. C. Evans. On the completion of the 6 month period, Mr. Haigh continued in post and Mr. Fearn and Mr. Evans resigned from the Committee due to outside pressures. Following an open recruitment process, on 11th September Mr. I. Ridgway and Mr. J. Mills, CBE had their names approved by the States and joined the Committee.

On 25th September, the States noted the resignation of Deputy S. Pitman of St. Helier from her position on the Committee and appointed Deputy G.C.L. Baudains of St. Clement.

Committee Reviews 2012

Compromise Agreements

Following the reports by the Comptroller and Auditor General, 'The former Chief Executive – Compromise Agreements March 2012' and 'Utilisation of Compromise Agreements March 2012', in April, the Committee launched a review into Compromise Agreements. Following a period of evidence-gathering by examination of documentation, briefings received by the Committee and public hearings, a report was published on 6th July which contained 11 recommendations to the Chief Minister, Privileges and Procedures Committee and others, that related to matters including succession planning, the need for impact assessments, more clearly defined senior roles and fractured lines of responsibility and accountability.

Bus Contract



The report published by the Comptroller and Auditor General, 'Management of the Bus Contract' had been critical of the governance of the previous contract between the States of Jersey and the then providers of the bus service. The Committee decided to examine the problems. Again, evidence was gathered by examining documentation and holding public hearings. The Committee published its report on 2nd August which noted that the Transport and Technical Services Department had responded favourably to the recommendations contained within the Comptroller and Auditor General's report. The report endorsed the direction the department was taking and contained no recommendations.

Financial Report and Accounts 2011



The Committee noted that Standing Orders require the Committee to receive reports from the Comptroller and Auditor General on the results of the audit of the annual financial statement of the States and to report to the States upon any significant issues arising from those reports. Unusually, in 2012, this was not possible as the Island did not have a Comptroller and Auditor General in post. Standing Orders also require the Committee to assess whether public funds have been applied for the purpose intended by the States, whether extravagance and waste are being eradicated and sound financial practices applied throughout the administration of the States. The Committee decided that it would review the Financial Report and Account in the absence of a Comptroller and Auditor General.

It is clearly impractical to examine every financial facet of the States of Jersey, so specific areas were chosen for more detailed consideration. Money carried forward from one year to the next, money kept for departmental contingency funds, grants and pensions, all received examination at briefings and hearings which were held in September and October. Further information and documentation was sought through the remainder of the year.

The Financial Report and Accounts was a high level document which gave minimal detail of how money was spent. Further detail was required in almost every case to understand the issues behind the figures. This delayed the completion of the review and created significant work for the departments concerned.

The report is expected to be published in early 2013.

Ongoing Reviews

In December 2012, the Committee commenced preparatory work for a number of reviews.

It noted that numerous problems had been raised during the review into the Financial Report and Accounts 2011. It was agreed that a review would be undertaken in the case of a specific grant from the Economic Affairs Department to a film company. The scoping documents were completed and agreed by the Chairmen's Committee.

The Committee also completed scoping documents of a review into the States Central Procurement Unit to deal with concerns of value for money which were raised in the review into the Financial Report and Accounts.

During the review into the Financial Report and Accounts, problems were also recognised relating to the approval of grants and subsidies.

4.11. Scrutiny Expenditure as at 31st December 2012

Panel	Reviews	Review estimates 2012 £	Actual review expenditure £	Actual Panel Expenditure £	Total expenditure £
Corporate Services	Population Part 1	10,000.00	6,185.30		
	Population Part 2	10,300.00	3,468.28		
	MTFP – Panel	3,600.00	217.92		
	MTFP – Sub-Panel	28,300.00	28,474.00		
	Tourism Development Fund	2,050.00	567.00		
	2013 Budget	600.00	–		
	Funding of Housing Capital Budgets				
Panel					1,201.50
Total Corporate Services spend		54,850.00	38,912.50	1,201.50	40,114.00
Economic Affairs	Financial Ombudsman Scheme		7,400.00	–	
	Aircraft Registry	7,400.00	1,165.90		
	MTFP	300.00	–		
	Jersey Innovation Fund	17,800.00	–		
	Tourism Shadow Board	2,400.00	243.00		
	IPURL	7,800.00	7,000.00		
Panel					868.50
Total Economic Affairs spend		43,100.00	8,408.90	868.50	9,277.40
Education and Home Affairs	SOJ Police Law	600.00	600.00		
	Police Use of Tasers	1,800.00	2,233.20		
	Prison Service Annual Report		200.00	189.00	
	MTFP	600.00	189.00		
	Relocation of Police HQ	300.00	270.00		
	Customs and Immigration	200.00	108.00		
Panel				1,194.00	
Total Education and Home Affairs spend		3,700.00	3,589.20	1,194.00	4,783.20
Environment					
	Ash Disposal	50,000.00	28,454.09		
	Radon	15,000.00	–		
	MTFP	400.00	–		
Panel				1,458.00	
Total Environment spend		65,400.00	28,454.09	1,458.00	29,912.09

Panel	Reviews	Review estimates 2012 £	Actual review expenditure £	Actual Panel Expenditure £	Total expenditure £
Health, Social Security and Housing	Respite Care for Children & Young Adults	16,200.00	13,526.68		
	White Paper	72,500.00	42,782.85		
	Housing Transformation	67,100.00	17,639.72		
	MFTP	800.00	135.00		
	Full Business Case	43,000.00	–		
Panel				1,696.00	
Total HSSH spend		199,600.00	74,084.25	1,696.00	75,780.25
PAC	Financial Report & Accounts 2011		1,200.00	526.50	
	Canbedone	600.00			
	Compromise Agreements	1,080.00	729.00		
Panel				995.92	
Total PAC spend		1,080.00	729.00	995.92	1,724.92
Other					21,757.45
Totals		367,730.00			183,349.31
	Total budget	371,500.00			
	Total actual spend	183,349.31			
	Balance	188,150.69			
	Balance after estimated spend	3,770.00			

4.12. Scrutiny Travel and Entertainment Costs 2012

	Travel (inc. accommodation) £	Entertainment £	Total £
Corporate Services Scrutiny			
Panel	2,196.92	58.40	2,255.32
Advisers	2,698.23	60.32	2,758.55
Economic Affairs Scrutiny			
Panel	0	0	0
Advisers	0	0	0
Education and Home Affairs Scrutiny			
Panel	0	0	0
Advisers	0	0	0
Environment Scrutiny			
Panel	0	67.80	67.80
Advisers	1,022.83	88.35	1,111.18
Health, Social Security and Housing Scrutiny			
Panel	234.00	73.80	307.80
Advisers	5,777.21	237.97	6,015.18
Public Accounts Committee			
Committee	0	0	0
Total for Travel and Entertainment	11,929.19	586.64	12,515.83

In addition, members of the PAC and Corporate Services Panels attended Westminster for training purposes at a cost of £2,461.54.

5. INTER-PARLIAMENTARY BODIES



5.1 Introduction

Members of the States continued to play an active role in a number of different inter-parliamentary bodies in 2012 and these parliamentary exchanges complemented the executive contacts made by the Chief Minister, Ministers and by the Assistant Chief Minister with responsibility for External Relations, Senator Sir Philip Bailhache.

5.2 Commonwealth Parliamentary Association (CPA)

The Jersey Branch continued to play an active role in the CPA throughout 2012 with a number of members attending events across the Commonwealth.

Branch AGM

The Jersey Branch AGM was held in February and in accordance with the revised Branch Rules approved in 2010, it was necessary to elect the Chairman and members of the Executive Committee for a 3 year term until the next elections. The members selected to serve on the Committee were –

Connétable L. Norman of St. Clement (Chairman)
Senator P.F. Routier (Deputy Chairman)
Senator Sir P.M. Bailhache
Connétable D.J. Murphy of Grouville
Connétable D.W. Mezbourian of St. Lawrence
Deputy R.C. Duhamel of St. Saviour
Deputy J.G. Reed of St. Ouen
Deputy C.F. Labey of Grouville
Deputy M.R. Higgins of St. Helier
Deputy S.G. Luce of St. Martin.

The Branch was particularly pleased to welcome the CPA Chairperson, Sir Alan Haselhurst MP, to the AGM. Sir Alan was elected as Chairperson for a 3 year term in July 2011, and was able to brief members and guests at the AGM about the work he was doing to improve the effectiveness of the CPA and to resolve the longstanding issue of problems associated with the Association's status as a UK charity.

61st Westminster Seminar and Westminster Workshop on Public Accounts Committees

Deputy M.R. Higgins attended the Annual Westminster Seminar on Parliamentary Practice and Procedure from 4th to 10th March 2012 organised by the CPA UK Branch. The Seminar was followed by a workshop organised by the CPA UK Branch on the operation of Public Accounts Committees which was attended by a then member of the PAC, Deputy S. Pitman of St. Helier.

Commonwealth Day 2012

Anna Siodlak, a Jersey student studying International Relations at the London School of Economics and Political Science, represented Jersey at the Annual Commonwealth Day Observance in London organised by the CPA Secretariat. The 2012 theme was 'Connecting Cultures' In her subsequent report to the Jersey Branch, Anna wrote: *"I felt extremely privileged to be standing with these other young people, representing my home, Jersey (...) We parted on a positive note, eager to add each other on Facebook and swap photos from the day. All in all, the day was enlightening and filled me with pride, not only of our island, Jersey, but of being part of the Commonwealth and the promotion of diversity, democracy and culture."*



Participants at the Commonwealth Day Observance with the CPA Secretary-General

23rd Commonwealth Parliamentary Seminar – Samoa

Deputy M. Tadier of St. Brelade attended the Annual CPA Seminar that was held in the remote island of Samoa between 24th and 30th May 2012. As usual the Seminar brought together delegates from across the Commonwealth and covered a wide range of topics relating to parliamentary practices and procedures, with a number of expert speakers from parliamentary and academic backgrounds.

42nd Conference of the British Islands and Mediterranean Regional – Edinburgh

Connétable A.S. Crowcroft of St. Helier, Deputy J.A.N. Le Fondré of St. Lawrence, Deputy S.J. Pinel of St. Clement and Deputy R.J. Bryans of St. Helier attended the annual British Islands and Mediterranean Regional Conference that was hosted by the Scotland Branch in Edinburgh between 10th and 14th June 2012. The delegation was supported by the Deputy Honorary Secretary, Mrs. Anne Harris. The overall theme of the conference was ‘Making Parliaments Relevant’, and the sessions included discussions on the use of social media by parliamentarians and by parliaments.

50th Canadian Regional Conference Quebec

The Jersey Branch was fortunate to receive an invitation through the Regional Secretariat to send a delegate as an observer to the annual Canadian Regional conference and Senator P.F. Routier represented Jersey at this event. The conference was held in Quebec City from 15th to 21st July 2012.

32nd Small Branches and 58th Commonwealth Parliamentary Conference – Sri Lanka

Senator I.J. Gorst, Senator S.C. Ferguson and Deputy J.G. Reed of St. Ouen, supported by the Deputy Honorary Secretary, attended the annual Small Branches and Plenary Conferences that were hosted by the Sri Lanka Branch in Colombo from 9th to 15th September 2012. The Jersey delegates played an active part in both conferences and Senator Gorst was one of the discussion leaders alongside Senator the Hon. Velma Newton (Barbados) and the Hon. David Agius (Malta) on the topic chosen by Jersey of “Ensuring Adequate Parliamentary Scrutiny of Foreign and Commonwealth Affairs”. The topic was initially discussed at the Small Branches conference before being considered during the plenary conference as the Small Branches topic.



Senator Ian Gorst, Chief Minister, addressing the Small Branches conference

5th Commonwealth Youth Parliament – London

Joe Mayes and Andrew de Castro represented Jersey at the 5th Commonwealth Youth Parliament which was held at Westminster in December. The Youth Parliament brought together young people from across the Commonwealth, and the final debating session was held in the House of Lords. Both delegates found the experience fascinating and enjoyable. In his report to the Jersey Branch, Joe wrote: *“I found the real value of the conference lay in the opportunity to get some hands-on experience of life in a legislature and to work with a diverse range of people. We split into two political parties and worked as teams on various projects, such as debating and amending a youth unemployment bill at the committee stage and preparing Ten Minute Rule bills. (...) In all it was a fantastic experience where I met some great people from across the Commonwealth and learnt an immense amount about politics. It was a privilege to both represent Jersey and work with passionate young people in such historic surroundings. I'll forever be grateful for the Commonwealth Parliamentary Association for the opportunity”*. Andrew wrote *“We spent a frenetic four days in Westminster with the Commonwealth Youth Parliament and gladly so; in amongst the conferences, debates, tours and seminars, we were able to forge important friendships with delegates from around the Commonwealth and garner an understanding of their political concerns and aspirations. For any delegates unfamiliar with the intricacies of contemporary British politics, it was an opportunity to delve deeper into the well-oiled workings of the mother of all Parliaments; for*

those already au fait with its intricacies, it was a chance to question Lords and MPs (including, amongst others, Andrew Lansley, John Bercow, Andrew Mitchell and Lord Steel) and officers about the minutiae of their respective roles. (...) Despite the large number of young delegates, I was struck by how quickly we formed a close-knit community on the Parliamentary campus. Familiarity lead to friendship, and I began to appreciate the importance of the Commonwealth not just as an intergovernmental organisation, but also as a collection of shared values, liberties and expectations.”

5.3 Assemblée Parlementaire de la Francophonie

After a quiet year in 2011, the Jersey Section of the Assemblée Parlementaire de la Francophonie had a full year in 2012.

Presidents’ conference

This began with the President, Connétable J. Gallichan of St. Mary, attending the Presidents’ conference, at which the Presidents of each European French-speaking country are present. Their primary aim is to set the theme of the European Regional Conference. As a small jurisdiction within the organisation, Jersey was pleased to be able to influence the agenda, introducing economic governance as a topic for the first time, and offering to approach an expert speaker for the event.

General Assembly of the APF

The General Assembly of the APF was held in July in Brussels. This event includes delegations from all French-speaking countries around the world, and offers an opportunity to meet and network with influential politicians from many other countries. Jersey was represented by the Vice-President of the Jersey Section, Deputy S. Power of St. Brelade, and the Assistant Chief Minister, Senator Sir P.M. Bailhache.

European Regional Conference

In November, at the European Regional Conference, a delegation comprising the President, Connétable J. Gallichan of St. Mary, Deputy J.A.N. Le Fondré of St. Lawrence, and Connétable P.J. Rondel of St. John attended. Mr. John Harris, Director General of the Financial Services Commission, was present as a keynote speaker on the topic of economic governance with a view to building confidence in business and guaranteeing sustainable business development. His presentation was followed by an interesting and lively question and answer session, with topics ranging from the Bank of England and Jersey, to the duration of the current crisis in the United States of America and European countries, and to whether the US Dollar will be replaced as the currency for business in the future.

Finally, the Jersey Section was proud to recommend Mr. John Harris for an honour – “Ordre de la Pléiade” – at the level of ‘Chevalier’. Mr. Harris was recommended to receive this award in recognition of his service to Jersey in French-speaking environments such as presentations to the French National Assembly, in the presence of the President and members of the Foreign Affairs Committee and the members of the Senate Finance Commission; and to the Finance Commission, Luxembourg. These presentations touched on issues such as information exchange agreements, European Savings Directives, Trusts, offshore companies and tax avoidance. Mr. Harris is also President of the Alliance Française in Jersey.

The “Pléiade, Ordre de la Francophonie et du Dialogue des Cultures” is awarded at different levels to recognise the outstanding merits of those who have distinguished themselves serving the ideals of the Assemblée Parlementaire de la Francophonie and French-speaking communities.

The President stated that protecting and enhancing the reputation and integrity of Jersey in commercial and financial matters’ is a key aim of the Jersey Financial Services Commission; however there is no doubt that John Harris’ fluency in French and his ability to inform and enter into dialogue directly with French-speaking counterparts in other countries plays a significant part in maintaining Jersey’s reputation overseas. This is enormously valuable and makes all the difference in building relationships with other countries. This honour is well deserved and the Jersey Section was very pleased that its recommendation was accepted.

Mr. Harris was formally presented with his award on 19th November 2012 by M. Jacques Legendre, the Parliamentary Secretary-General of the Assemblée Parlementaire de la Francophonie and M. Jean-Paul Wahl, Chief Executive of the European Region of the APF.



John Harris, M. Jean-Paul Wahl, M. Jacques Legendre

5.4 British-Irish Parliamentary Assembly

Connétable D.J. Murphy of Grouville was selected by members in 2012 as Jersey’s member for the British-Irish Parliamentary Assembly, and he attended both Plenary Sessions in 2012. B.I.P.A. brings together parliamentarians from the parliaments at Westminster and Dublin, from the devolved Parliament and Assemblies in Scotland, Wales and Northern Ireland and from the 3 Crown Dependencies.

The 43rd Plenary was held in Dublin on 14th and 15th May 2012 in the Seanad Chamber, Leinster House (Irish Parliament), Dublin. This was the first occasion on which Seanad Eireann, the upper house of the Irish parliament, had been the venue for a plenary of the Assembly.

An Taoiseach, Enda Kenny TD, addressed the Assembly on 14th May on the theme of the plenary “Making business easier between Britain and Ireland.” Other speakers at the 44th plenary included –

- Darina Allen of Ballymaloe Cookery School
- Minister for Health, James Reilly TD
- Minister for Transport, Tourism and Sport, Leo Varadkar TD.

There was also an innovative panel discussion with representatives from the private sector including –

- Sean O’Driscoll, CEO Glen Dimplex
- Eoin Tonge, Greencore
- Sally Storey, Vice-President and General Manager GlaxoSmithKline (Ireland) Ltd.

Delegates were also hosted at a reception by the President of Ireland, Mr. Michael D. Higgins.



Connétable D.J. Murphy of Grouville and Mrs. Murphy with the President of Ireland

The 45th plenary was held in Glasgow from 22nd to 23rd October 2012. This was the third occasion that the Assembly had met in Scotland, and the first occasion that a plenary session had taken place in Glasgow.

The theme of the plenary was “The Scottish Economy and Irish/Scottish Relations” and included contributions from a range of business and trade union representatives. There was also a specific discussion on “Devolution and the West Lothian Question” led by Professor Sir William McKay, Chair of the Commission on the Consequences of Devolution for the House of Commons. There was also an opening address at the plenary by the Secretary of State for Northern Ireland, Theresa Villiers MP.

5.5 Cricket match against the States of Guernsey

The annual cricket match between the States of Jersey and their colleagues from the States of Guernsey was held in Guernsey on an overcast and gusty day on 13th July 2012. Despite the excellent 37 runs from Senator A.J.H Maclean and 27 from the Constable of Trinity, the Jersey bowlers were over-generous by providing 45 extras to their northern colleagues which gave Guernsey their first win for 4 years. As in previous years the match provided the opportunity for members to get to know their Guernsey colleagues better, particularly as this was the first match that had been held since the Guernsey elections held on 18th April 2012.

5.6 Swimarathon and ITEX Walk

States members participated in both the Swimarathon in March and in the Lieutenant Governor’s Challenge as part of the ITEX walk in June. Although these were not, of course, inter-parliamentary activities, both events provided the opportunity for members to raise funds for local charities by participating in these community events.



*The States Swimarathon team:
(Back row l to r) Deputy J.P.G. Baker of St. Helier, Senator L.J. Farnham,
Deputy R.G. Bryans of St. Helier
(Front row l to r) Senator P.F. Routier (Captain), Deputy J.A.N. Le Fondré of
St. Lawrence, Senator Sir P.M. Bailhache*

6. THE STATES GREFFE



6.1 Clerks' section

In brief, the functions of the Clerks' section are –

- ◆ to provide professional clerking support to the Council of Ministers, certain committees and other bodies appointed by the States, and also to provide support in other areas;
- ◆ to act as liaison officers to departments, providing procedural advice in relation to the work of the States Assembly as required;
- ◆ to provide quality assurance of Ministerial Decisions, in conjunction with the Deputy Greffier of the States; and
- ◆ to edit the transcript of the proceedings of the States and to produce the States' Official Report ('Hansard').

6.1.1 Clerking role



Senior Clerk Peter Monamy and Clerks – Ian Clarkson, Kate LARBalestier and Morgan Sim



Clerk Anna Goodyear, assigned on a full-time basis to the Electoral Commission during 2012

The number of meetings for which a Clerk was provided in 2012 is shown in the following table –

	2010	2011	2012
Council of Ministers	38	37	35
Criminal Injuries Compensation Board	5	8	8
Legislation Advisory Panel	8	3	9
Manual Workers' Joint Council, <i>includes 3 Disputes Committees</i>	6	8	3
Migration Advisory Group	8	1	n/a
Overseas Aid Commission	31	33	52
Planning Applications Panel	13	11	11
Planning and Environment Ministerial meetings	14	11	8
Privileges and Procedures Committee	39	35	21
– PPC Sub-Panel on Complaints	0	0	1
– PPC Public Elections Working Party	5	n/a	n/a
– PPC States Business Organisation Sub-Group	4	1	n/a
– PPC Media Working Party	3	n/a	n/a
– PPC Standing Orders and Internal Procedures Sub-Committee	n/a	n/a	8

	2010	2011	2012
– PPC Public Elections Sub-Committee	<i>n/a</i>	<i>n/a</i>	5
– PPC Machinery of Government Review Sub-Committee	<i>n/a</i>	<i>n/a</i>	8
Electoral Commission (and public meetings and visits)	<i>n/a</i>	<i>n/a</i>	15
Probation Board	6	6	6
States Employment Board (+ 2 Hearings)	15	26	26
Tourism Development Fund Advisory Panel	10	5	10
Civil Service Forum	1	1	2
Committee of Inquiry: Reg's Skips, including Hearings	20	<i>n/a</i>	n/a
TOTAL	226	186	228

In addition to acting as departmental liaison officers, members of the Clerks' section also carried out research on request, primarily on behalf of the Chief Minister's Department and the States Employment Board.

One member of the Clerks' section was assigned on a full-time basis to the Electoral Commission during 2012.

6.1.2 Ministerial Decisions

The Clerks provide the first-line quality assurance of Ministerial Decisions.

1,191 Ministerial Decisions were made in 2012, and of these, 4 were signed without seeking quality assurance. In 3 cases the advice given by the States Greffe related to non-compliance with paragraph 3 of Standing Order 168, which requires 15 working days' notice to be given in advance of entering into a binding agreement for certain land transactions.

Department	Number of Ministerial Decisions		
	2010	2011	2012
Chief Minister	100	152	134
Economic Development	212	212	169
Education, Sport and Culture	22	39	30
Health and Social Services	71	57	47
Home Affairs	85	96	93
Housing	104	114	112
Planning and Environment	143	125	135
Property Holdings	143	148	132
Social Security	81	103	116
Transport and Technical Services	133	123	102
Treasury and Resources	190	147	121
TOTAL	1,184	1,316	1,191

The Ministerial Decisions process using Livelink allows departmental staff to prepare decisions in draft in advance of the time that a decision needs to be made, the quality assurance process to take place, and then to place the decision before the Minister or Assistant Minister. All decisions are checked by the States Greffe within 24 hours, and usually within half a day.

6.1.3 Access to information

On 8th June 2004, prior to the introduction of the ministerial form of government and the provision in the States of Jersey Law 2005 to delegate decisions, the States decided to revise the Code of Practice on Public Access to Official Information to include the following paragraph –

“3.1.1(a) an authority shall grant access to all information in its possession, and Committees of the States, and their sub-committees, shall make available before each meeting their agendas, and supplementary agendas, and grant access to all supporting papers, ensuring as far as possible that agenda support papers are prepared in a form which excludes exempt information, and shall make available the minutes of their meetings,”;

In addition, the Greffier of the States was requested to ensure that all matters recorded in Part B minutes were properly exempt from disclosure. When providing the first-line quality assurance of Ministerial Decisions, the Clerks’ section routinely checks the application of exemptions under the Code of Conduct. A further check is then carried out by the States Greffe at the subsequent level of quality assurance.

All decisions, whether taken by the Minister or delegated by a Minister to an Assistant Minister or to an officer, remain a decision of the Minister in law. The level of recording of decisions at officer level is a matter for departments and it is not possible for matters that have not been recorded within the Ministerial Decisions process to be reviewed by the Greffe.

6.1.4 Official Report (‘Hansard’)

Since the change to ministerial government, the number of States’ meetings days increased steadily to 64 in 2011 and reduced to 36 in 2012. This had a corresponding impact on the Clerks, led by the Senior Clerk, who read the transcripts on their return from the transcribers and check the drafts, carrying out any necessary light editing to remove hesitations and repetitions, etc. Prior to the availability of the edited version, Clerks can provide individual States members on request with an unedited version of extracts of the transcript if required. This usually arrives 5 working days after the meeting. A copy of the audio recording can be prepared if required sooner.

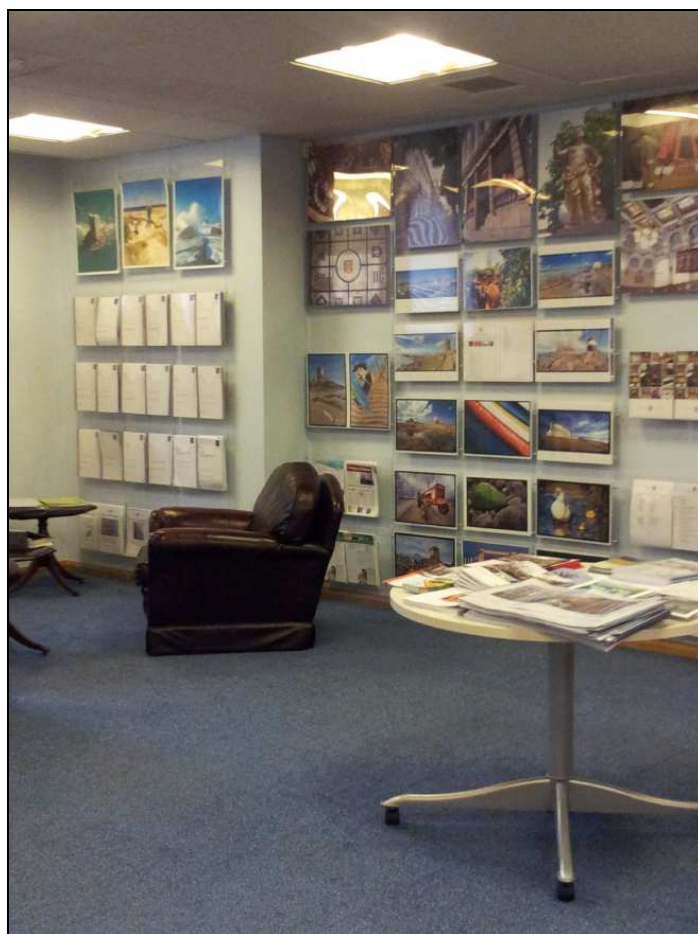
Official Report	2009	2010	2011	2012
No. of States’ meeting days	60	50	64	36

6.2 States Assembly Information Centre

The States Assembly Information Centre (formally ‘States Greffe Bookshop’) provides designated display areas for the work of the States Assembly, Scrutiny, the Public Accounts Committee, the Comptroller and Auditor General; as well as information about the Commonwealth Parliamentary Association, the Assemblée Parlementaire de la Francophonie; and various initiatives such as the Jersey Youth Assembly and Primary School visits to the Chamber.



Whilst some displays were static within the Centre, several, particularly those pertaining to the work of the States Assembly, were updated on an almost daily basis to ensure that the information on display was current, relevant and engaged the public's interest. One of the most notable displays highlighted the 2 sides to the debate on the purchase of the Plémont former holiday camp site which was a major debate in 2012. Staff members were also involved in the Primary School visits to the States Chamber, helping to record each meeting and assisting the children performing the role of Usher for the Assembly in delivering notes around the Chamber. They also prepared the paperwork for each visit, ensuring that the children had information about the States Member whose seat they occupied, as well as a special Order Paper for their meeting and copy of the proposition they were debating.

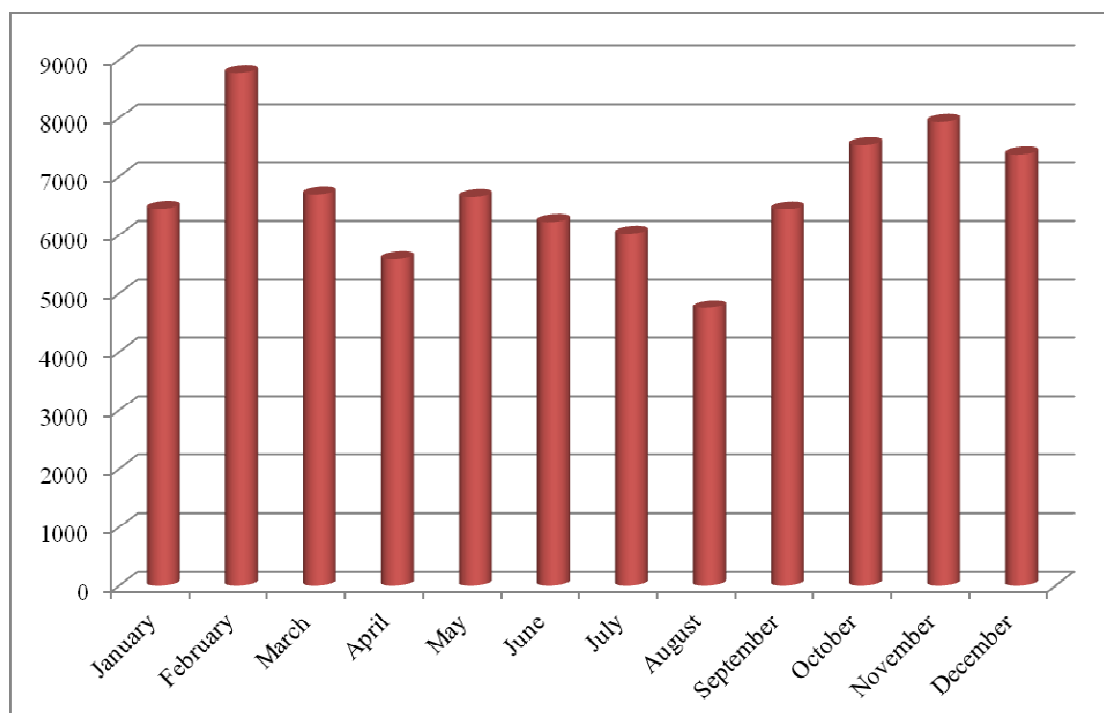


A range of quality States Assembly souvenirs is on sale in the Centre so that visitors are now able to purchase a memento of their visit to the States Chamber. The range includes a silk tie featuring the updated States crest design, pens, pencils, mousemats, mugs and bookmarks. A silk scarf and set of coasters have also been produced using the parochial crest design contained within the beautiful stained-glass window just outside the entrance to the States Chamber, usually only seen by States Members and staff.

6.3 States Assembly website

The new States Assembly website was launched in the autumn of 2011 and the site remained an extremely key resource for members, States departments and members of the public throughout 2012. The decision by the States to allow the use of electronic devices in the States Chamber further increased the importance of the website for members who can now access all documents they need in the Chamber through the website.

There were a total of 80,419 visitors to the site in 2012; 70.2% were returning visitors and 29.8% visited for the first time. The visits were spread relatively evenly throughout the year although the fewest visits were in August during the summer recess, indicating that usage is greater when the Assembly is meeting.



6.4 Public engagement

Continued efforts were made during 2012 to make the States Chamber more accessible to the public.

States Greffe staff were involved with a number of secondary school visits to the Chamber, which dovetailed with the Citizenship Programme within schools; and also welcomed a number of other visitors, including those from the Women's Institute and a group of French students from Rennes. The Assistant Greffier also welcomed a number of students from Highlands to the Chamber as part of the College's enrichment programme and Travel and Tourism and Social Sciences courses.

6.5 Publications Editor

The Ministerial Decision system required procedural changes to be implemented to ensure that States matters were lodged with the Greffe in a timely and efficient manner. The Clerks of the States Greffe monitor the Livelink system and inform the Publications Editor of matters for lodging “au Greffe” or presentation to the States, but officers from other Departments are also required to play a more proactive role in this process. Throughout 2012, procedures were monitored and modified, where necessary, to ensure that all matters, especially Orders, were effectively processed through the Livelink system and included on the States Order Paper. Extra work did ensue at times as a result of other Departments not delivering signed Ministerial Orders to the Publications Editor in a timely manner. As the publications series of ‘Regulations and Orders’ (R&Os) must be published in strict chronological sequence of their making, any delay in the return of a signed Order may result in the need to reprint other R&Os that have subsequently been made and delivered promptly.

With the advent of the ministerial system of government, changes in Standing Orders in 2005 relating to the timescale for lodging propositions meant that instead of matters being lodged weekly, items could be lodged on a daily basis. It was originally anticipated that this would spread out the work more evenly but, in reality, there still remains a last-minute rush to lodge items on States meeting days. This consistently creates particularly busy periods for the Publications Editor. The busiest time in 2011 was prior to the Island Plan debate, for which there were a record 74 published amendment documents (including 16 amendments to amendments). During 2012, the most amendments lodged to an individual proposition were in relation to the debate on the Medium Term Financial Plan 2013 – 2015, for which there were 10 proposed amendments.

The Publications Editor was responsible for the production of the following publications during 2012 –

- 138 new propositions for lodging;
- 37 amendments to lodged propositions;
- 47 comments for presentation to the States in relation to lodged propositions or amendments;
- 99 of the 146 reports that were presented to the States in the ‘R.’ series (*the other 47 reports were either delivered to the States Greffe already printed by the presenting departments, or required only the preparation of a front cover before printing*);
- 40 Laws registered in the Royal Court following adoption by the States Assembly and sanction by Her Majesty’s Privy Council; 4 U.K. Orders in Council extended to Jersey by registration in the Royal Court, and the Canons of the Church of England in Jersey, which were also published in the Laws series;

- 171 R&Os (Regulations and Orders), which can be broken down into –
 - 115 Orders (*made by Ministers*);
 - 8 sets of Rules (*made by the Courts*);
 - 33 sets of Regulations, 13 Acts and 2 Amendments to Standing Orders adopted by the States.

6.6 Reprographics

The Section was busy during 2012 and produced a large variety of documents in black and white and colour with various binding methods, for all States Departments, ranging from Annual Reports, Business Plans, Budget Reports, Scrutiny Reports to sensitive and confidential material for the Law Officers' Department. The printing of the business cards for States employees and various Departments still remains popular.

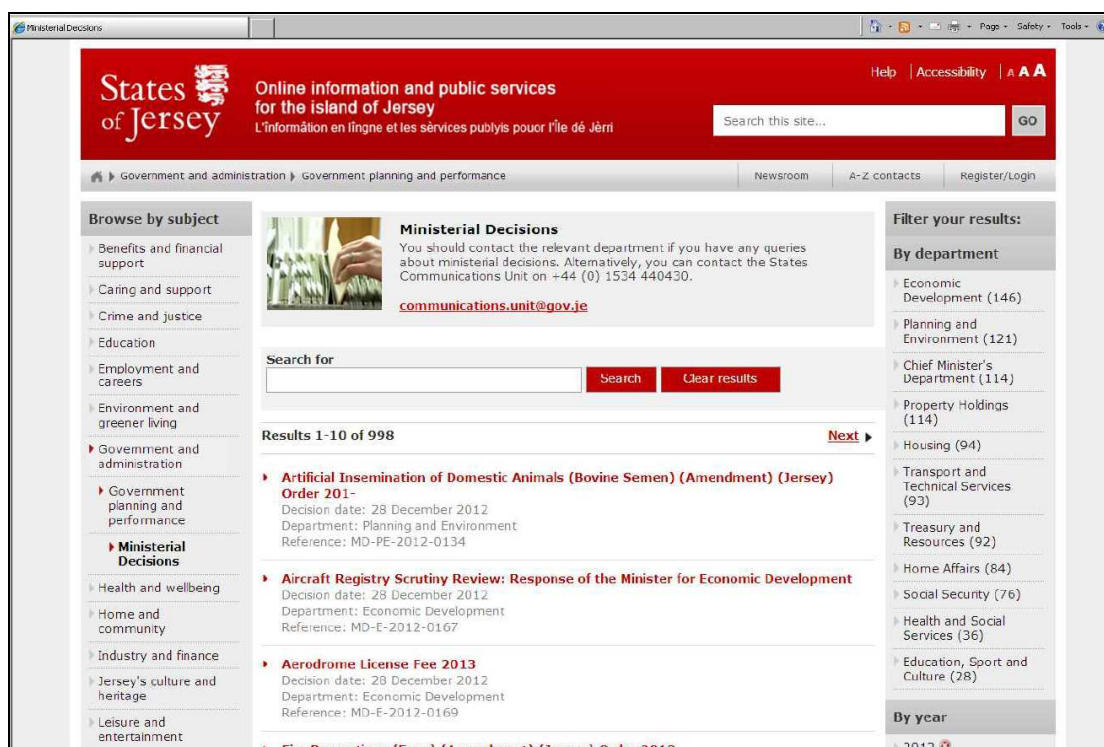


Since the demise of the Committee system there has been a reduction in the amount of agendas produced, but there were still sizeable Council of Ministers, Planning Applications Panel and Privileges and Procedures Committee agendas printed on a weekly basis, as well as various papers for all other Boards and Panels serviced by the Clerks' section.

The States still continued to provide the bulk of the workload for the Section. The Reprographics Assistant is also responsible for compiling the log notes of each States meeting and produced a number of CD copies of the meetings for members and the public on request.

6.7 Registry

The Registry section provides an organised and thorough archive of information relating to the work of the States Assembly (and its Committees and Panels), Ministerial Departments and Scrutiny. The Registry section also has responsibility for the retention and archiving of the signed copies of all Ministerial Decisions and relevant attachments. The Registry is also responsible for uploading public Ministerial Decisions onto the gov.je website.



During 2012 the Section has been working closely with Jersey Archive to ensure that procedures are in place to ensure that all appropriate and relevant information will be preserved and archived for future generations. This project has included a detailed information audit and the creation of retention schedules for all classes of information held in the Registry.

In addition, the Section has continued its work to digitise sound recordings of Committees of Inquiry Hearings, converting reel-to-reel tapes, cassette tapes and audio CDs. These sound recordings will also form part of the permanent preservation of records held by the States Greffe and Jersey Archive.

6.8 Staffing matters

During 2012, States Greffe staff participated in a number of ‘dress-down days’ and raised over £800 for various charities. In December 2012, staff also held special dress-down days to raise funds for the Jersey Society for the Prevention of Cruelty to Animals in memory of their late colleague Kris Kelly who died in December 2007. £160 was raised.

Staff entered into the Jubilee spirit in June 2012 and held a celebration party to showcase their culinary skills.



6.9 The Youth Assembly

The fifteenth Youth Assembly was held in the States Chamber on the afternoon of Wednesday 14th March 2012. The event, which was sponsored by the Jersey Branch of the Commonwealth Parliamentary Association, included debates on topics selected by the students as well as a Question Time, all of which mirrored a normal States meeting. This was the sixth year in which the event was held on a Wednesday, in order to ensure that Ministers would be able to attend for Question Time (as the event had previously clashed with Council of Ministers' meeting dates). All of the Island's post-16 students were represented at the Assembly.



During the Assembly, which was presided over by Senator P.F. Routier, the prospective politicians followed the same protocols as their adult counterparts. This included a very interesting session in which students posed questions with notice to members of the Council of Ministers. The Minister for Education, Sport and Culture was the first in the spotlight answering questions on skills training asked by a student from Highlands College. The Deputy of Grouville, in her role as Assistant Minister for Economic Development, responded to a question from a student from Victoria College concerning ways in which graduates could be encouraged to return to Jersey after their studies. The Minister for Planning and Environment responded to questions on planning applications from a student of De La Salle College, whilst the Minister for Social Security answered a question posed by a student from Beaulieu about students' social security contributions. The Minister for Home Affairs tackled questions from Jersey College for Girls in relation to the Sex Offenders (Jersey) Law 2010, and finally the Chief Minister responded to a question with notice from a Hautlieu School student concerning the introduction of performance-related pay within the public sector.

The Chief Minister then answered questions without notice for over 15 minutes on a wide range of topics.



Fifty-seven student members from the Island's sixth-forms participated in the Assembly, compared to just 44 the previous year. The young parliamentarians had worked in conjunction with their own tutors and officers of the States Greffe for several months to prepare propositions together with supporting reports in the style expected for the States. Topics covered in debate included proposals that Jersey should: become a secular society (rejected); become a smoke-free Island (rejected); implement a stricter benefits system to reduce dependency on Income Support (adopted); cease to pay for post-16 education (rejected); introduce a discrimination Law (adopted); and increase tax on smokers to meet health care costs (rejected).



6.10 Primary School visits to the States Chamber/Citizenship Programme

The school visit scheme, which involved all Year Five (aged 9 and 10) primary school children, from both the States-funded and private sector, ran throughout the school year and enabled each school to visit the States Chamber on a Monday morning. The children sat in the seats usually occupied by States Members and used the voting system during a mini-debate on a topic of their choice. Three of the children took the rôles of the Greffier, the Dean and the Usher.



Jade Bell (as Greffier) from La Moye School in the debate on the proposition SP.14/2012: 'Build a skatepark at Les Quennevais', which was adopted – 24 votes pour, 12 votes contre and 2 abstentions

During 2012 the scheme continued to be run by the Assistant Greffier, Lisa Hart, and the Cultural Development Officer, Rod McLoughlin, assisted by staff from the States Assembly Information Centre. Children received a leaflet before their visit (prepared by the Assistant Greffier and Publications Editor, using photos taken by our Registry Assistant and AGOS' cartoon character Pierre the Pigeon) which gave an overview of the work of the States. A DVD/Powerpoint presentation was also available for downloading by the schools prior to their visit, in order to prepare the children for their special meeting. The DVD provided some historical information regarding the Chamber and the evolution of the States. In addition it highlighted the procedural aspects of a States meeting, which the children's visits mirrored as closely as possible.



Ben Huelin and Cameron Moore from First Tower School, in the debate on the proposition SP.10/2012: 'Families in Jersey should only have one car per household', which was rejected – 9 votes pour, 26 votes contre and 8 abstentions

During 2012, 30 Year Five classes and a total of 968 children visited the Chamber. Each child was presented with a copy of their proposition, an Order Paper, an information sheet concerning the States member whose seat they had taken, and a certificate to commemorate their involvement in the visit. The scheme aims to encourage local children to take more of an interest in how their Island is governed, and dovetails with the citizenship curriculum to promote participation in elections, especially since the reduction in the voting age to 16.



Aimee Anderson from Rouge Bouillon School, in the debate on their proposition SP.22/2012: 'All children should have a pet', which was rejected – 15 votes pour and 22 votes contre

Debate topics during 2012 included the creation of more skate-parks proposed by La Moye, St. Clement and Mont Nicolle schools, rebuilding Fort Regent Swimming Pool, building a bridge to France, banning school uniform and reducing the school week to 4 days. Not to be outdone by their adult counterparts, our young parliamentarians debated the future of Plémont headland 4 times – the proposition to return the headland back to its natural state being defeated during debates by St. Lawrence School and 2 groups from Victoria College Preparatory School, but being adopted by the students of St. Peter's School.

Children cited seeing the Royal Mace and pressing the voting buttons as the highlights of their visit to the Chamber.



Chief Royal Court Usher, Stuart Anderson, showing the Royal Mace to students from Rouge Bouillon School

We welcomed a number of distinguished guests to sit in the seat usually occupied by H.E. the Lieutenant Governor, including head-teachers from JCG Preparatory School and St. Michael's; the Chief Minister; the Connétable of St. John; the Deputies of Trinity and St. Martin; Deputies J.H. Young, M. Tadier and S. Power of St. Brelade;

Deputy E.J. Noel of St. Lawrence; Deputy S.J. Pinel of St. Clement; Deputy A.K.F. Green of St. Helier; as well as our very own Mr. Stuart Anderson, Chief Royal Court Usher, when his daughter attended with Rouge Bouillon School. The Connétables of St. Helier, St. Brelade and St. Martin; and Deputy J.M. Maçon of St. Saviour, also attended visits as spectators in the Chamber and Gallery.



Chief Royal Court Usher, Stuart Anderson and daughter Aimee

APPENDIX

MEMBERSHIP OF THE STATES ASSEMBLY ON 1st JANUARY 2012

(Article 2 of the States of Jersey Law 2005)

³Mr. Michael Cameron St. John Birt, Bailiff, President (Appointed 9th July 2009).

His Excellency General Sir John McColl, K.C.B., C.B.E., D.S.O., His Excellency the Lieutenant Governor (Appointed 26th September 2011).

First elected

Senator Paul Francis Routier M.B.E.	09.12.93
Senator Philip Francis Cyril Ozouf	09.12.99
Senator Alan Breckon	09.12.93
Senator Sarah Craig Ferguson	12.12.02
Senator Alan John Henry Maclean	05.12.05
Senator Bryan Ian Le Marquand	08.12.08
Senator Francis du Heaume Le Gresley M.B.E.	18.06.10
Senator Ian Joseph Gorst	05.12.05
Senator Lyndon John Farnham	09.12.99
Senator Sir Philip Martin Bailhache	20.12.72
Connétable Alan Simon Crowcroft of St. Helier	12.12.96
Connétable John Le Sueur Gallichan of Trinity	11.11.02
Connétable Daniel Joseph Murphy of Grouville	19.09.03
Connétable Leonard Norman of St. Clement	17.06.83
Connétable John Martin Refault of St. Peter	08.12.08
Connétable Deidre Wendy Mezbourian of St. Lawrence	05.12.05
Connétable Juliette Gallichan of St. Mary	05.12.05
Connétable Philip John Rondel of St. John	08.11.94
Connétable Michael John Paddock of St. Ouen	14.11.11
Connétable Stephen William Pallett of St. Brelade	14.11.11
Connétable Michel Philip Sydney Le Troquer of St. Martin	14.11.11
Connétable Sadie Anthea Rennard of St. Saviour	14.11.11
Deputy Robert Charles Duhamel of St. Saviour No. 1	09.12.93
Deputy Roy George Le Hérissier of St. Saviour No. 3	09.12.99
Deputy Judith Ann Martin of St. Helier No. 1	05.05.00
Deputy Geoffrey Peter Southern of St. Helier No. 2	15.02.02
Deputy James Gordon Reed of St. Ouen	12.12.02
Deputy Carolyn Fiona Labey of Grouville	12.12.02
Deputy Jacqueline Ann Hilton of St. Helier No. 3	12.12.02
Deputy John Alexander Nicholas Le Fondré of St. Lawrence	05.12.05
Deputy Anne Enid Pryke of Trinity	05.12.05
Deputy Sean Seamus Patrick Augustine Power of St. Brelade No. 2	05.12.05
Deputy Shona Pitman of St. Helier No. 2	05.12.05

³ The Bailiff was knighted in June 2012 in Her Majesty's Birthday Honours List – see section 1.3.

Deputy Kevin Charles Lewis of St. Saviour No. 2	05.12.05
Deputy Montfort Tadier of St. Brelade No. 2	08.12.08
Deputy Trevor Mark Pitman of St. Helier No. 1	08.12.08
Deputy Edward James Noel of St. Lawrence	08.12.08
Deputy Tracey Anne Vallois of St. Saviour No. 2	08.12.08
Deputy Michael Roderick Higgins of St. Helier No. 3	08.12.08
Deputy Andrew Kenneth Francis Green M.B.E. of St. Helier No. 3	08.12.08
Deputy Jeremy Martin Maçon of St. Saviour No. 1	08.12.08
Deputy Gerard Clifford Lemmens Baudains of St. Clement	11.12.98
Deputy Patrick John Dennis Ryan of St. John	12.12.02
Deputy James Patrick Gorton Baker of St. Helier No. 1	14.11.11
Deputy John Hilary Young of St. Brelade No. 1	14.11.11
Deputy Susan Jane Pinel of St. Clement	14.11.11
Deputy John Michael Le Bailly of St. Mary	14.11.11
Deputy Stephen George Luce of St. Martin	14.11.11
Deputy Roderick Gordon Bryans of St. Helier No. 2	14.11.11
Deputy Kristina Louise Moore of St. Peter	14.11.11
Deputy Richard John Rondel of St. Helier No. 3	14.11.11

The Very Reverend Robert Frederick Key, B.A., Dean of Jersey (Appointed 6th October 2005).

Mr. Timothy John Le Cocq, Q.C., H.M. Attorney General (Appointed 10th November 2008).

Mr. Howard Sharp Q.C., H.M. Solicitor General (Appointed 8th March 2010)

Officers of the States

Mr. Michael Nelson de la Haye, Greffier of the States (Appointed 5th November 2002).

Mrs. Anne Helen Harris, Deputy Greffier of the States (Appointed 5th November 2002).

Mr. Peter Alexander Noël de Gruchy, Deputy Viscount (Appointed 6th December 1996).

