

## CHAIRMEN'S COMMITTEE

Meeting of Chairmen held on 1<sup>st</sup> June 2007

Meeting Number 47

Present	Deputy S C Ferguson, President Deputy R G Le Hérisssier, Vice President Deputy R C Duhamel Deputy F J Hill Deputy J A Martin Deputy P J D Ryan (with the exception of Items 1 and 2) Deputy J G Reed Deputy A Breckon (Items 1-4)
Apologies	Deputy G P Southern
Absent	
In attendance	Miss S. Power, Scrutiny Officer Mr M. De La Haye, Greffier of the States (Item 3)

Ref Back	Agenda matter	Action
	<p><b>1. Minutes</b></p> <p>a. 18<sup>th</sup> May 2007 - The Committee noted that there were several amendments that needed to be made to the Minutes of the meeting of the 18<sup>th</sup> May 2007, and requested for them to be made and placed on the agenda for approval at the next meeting.</p> <p>b. 22<sup>nd</sup> May 2007 – The Minutes of 22<sup>nd</sup> May 2007 were taken as read and signed accordingly.</p>	SP
	<p><b>2. Panel Position Reports</b></p> <p>The Committee received and noted individual Panel Reports as read, in addition to the following additional information that had arisen since the Reports had been produced:</p> <p><b>a) Corporate Services Scrutiny Panel</b></p> <p>The Committee noted that the Panel Chairman had received a letter dated the 24<sup>th</sup> May 2007, from the Chairman of the Privileges and Procedures Committee requesting the Corporate Services Scrutiny Panel to conduct a Review into the proposed draft Freedom of Information Law. The letter further proposed that the draft law would not be lodged prior to any potential Scrutiny Review.</p> <p>The Chairman of the Panel explained that this was an issue that needed to be discussed in full by his Panel, however initial caution was expressed given the Panel's currently heavy workload. The Committee was supportive of the Chairman's initial reluctance, as it was believed to be a contentious issue that would elicit many individual political viewpoints if subjected to a Scrutiny Review.</p> <p><b>b) Economic Affairs Scrutiny Panel</b></p>	

### Money Laundering Regulations

The Panel will soon be considering the possibility of forming a Sub-Panel to conduct a Review into money laundering regulations.

### Economic Development Department Business Plan

The Committee discussed the issue that had arisen in terms of the invitation to the Minister for Economic Development to attend a Panel meeting to discuss the Business Plan, and the reluctance of the Minister for this discussion to take place in public. It was agreed that the Chairman of the Panel should write to the Minister to suggest an alternative date for his attendance at a Panel meeting. This meeting should take place in public, however it was agreed that the letter should suggest that any issues that needed to be discussed in private could take place during an 'in camera' session at the end of the meeting.

GS

## **c) Education and Home Affairs Scrutiny Panel**

### Review of the Centeniers Role in the Magistrate's Court:

The Committee noted that the Panel was currently experiencing some difficulties, as individual Panel members had differing views on the way forward in terms of the content of the draft Report. The Panel would be considering the final draft of its Report at a meeting on the 4<sup>th</sup> June, and it was hoped that it would be possible for the Panel to reach a consensus at this meeting.

### Letter from the Minister for Home Affairs:

The Committee noted that the Chairman of the Panel had received a letter from the Minister for Home Affairs, dated the 24<sup>th</sup> May 2007, highlighting several forthcoming pieces of work the department would be focusing on in advance of the IMF Inspection Team's attendance in the Island in the second quarter of 2008. It was noted that the Minister had requested the Panel's support in enabling the various pieces of legislation to proceed to debate in the States after the mandatory lodging period.

## **d) Health, Social Security and Housing Scrutiny Panel**

### Telephone Mast Review

The Committee noted that following Public Hearings at the end of May, the Minister for Economic Development had been supportive of the Panel's Report, and had agreed to move forward in accordance with the Panel's recommendations. It was further noted that to date the Panel had been unable to arrange a Public Hearing with the Minister for Health and Social Services to discuss the relevant recommendations for his department.

### Housing Property Plan Review

The Committee noted that the Chairman of the Sub-Panel would be preparing a statement to make to the House on the 5<sup>th</sup> June 2007, highlighting serious issues that had emerged

during the course of the Sub-Panel's Review, in order to enable members to decide whether the debate should proceed as planned on the 19<sup>th</sup> June 2007.

#### Income Support Sub-Panel

The Committee noted that this issue had been subject to further delays, and the new Income Support system would now be going live on the 2<sup>nd</sup> January 2008.

#### Business Plans

The Committee noted that the Sub-Panel conducting this Review had experienced difficulties, as it was felt that there was not enough information available in order for a full and thorough Review to be completed. It was further noted that the reporting deadline of the end of April, requested by the Council of Ministers, had proven impossible to follow.

Concern was also expressed by the Panel Chairman, as there had been great difficulty in obtaining requested information from the Health and Social Services Department, as despite items being outlined in the Business Plan, when further information was requested on these items it was not available.

The Committee agreed that as a result of these difficulties, in conjunction with similar problems experienced with the Housing Property Plan Review, the President of the Committee would write a letter to the Chief Minister highlighting the current difficulties in terms of access to requested information from both the Health and Social Services and Housing departments.

SF

### **e) Environment Scrutiny Panel**

#### Sheltered Housing Proposition

The Committee noted that there had been some suggestion that the Panel should Review the Sheltered Housing Proposition. However, it was explained by the Chairman that the viability of such a Review was uncertain, as there were difficulties in terms of availability of data due to further work that is being conducted by the Population Office that would be of benefit to such a Review. It was further explained that there is a need for a full Review to be conducted into the Island Plan, which could incorporate work into the proposals for Sheltered Housing. The Chairman explained that the Panel would be writing to the Minister for Planning and Environment highlighting concerns with the Sheltered Housing proposition, and it was agreed that this should be a joint letter from the Chairman of the Health, Social Security and Housing Scrutiny Panel, to incorporate issues with the housing elements of the proposition.

RD/AB

### **f) Public Accounts Committee**

The Committee noted that the PAC's main event for 2007 would take place on the 30<sup>th</sup> July 2007, where the Committee would be holding Public Hearings with the Chief Officers from the Health and Social Services; Home Affairs; Education Sport and Culture; and Housing Departments to discuss the annual accounts for these departments.

The Committee would also be issuing comments on the

	Comptroller and Auditor General's last three reports within the next week.	
<b>Item 1</b> <b>22/05/07</b>	<p><b>3. Propositions to the States</b></p> <p><b>a) Code of Practice</b></p> <p>Further to the Committee's decision on the 22<sup>nd</sup> May 2007 to lodge the draft Code of Practice in its entirety before the 5<sup>th</sup> June 2007, the Committee received an amended version of the Legal advice section of the draft Code of Practice, compiled by H.M. Attorney General that had been sent to the President. The Committee agreed that this version did not reflect the views of the Committee in terms of Scrutiny's access to legal advice.</p> <p>The Committee further considered the version of the draft Code of Practice, as lodged on the 15<sup>th</sup> August 2006. The Committee made several amendments to this document, and requested for the Greffier of the States and the Scrutiny Officer to incorporate the changes accordingly. The Committee reaffirmed its earlier decision for the document to be lodged on the 5<sup>th</sup> June 2007, and delegated responsibility to Deputies Ferguson; Le Hérissier; and Hill to review the document in full in advance of 5<sup>th</sup> June 2007, to consider any additional amendments that the Committee may wish to make. It was agreed that the final version would be circulated to all Chairmen's Committee members by email to provide the opportunity for members to comment, in advance of lodging.</p>	MDLH/SP
<b>Item 5</b> <b>18/05/07</b>	<p><b>b) Access to Council of Minister's Part B background papers</b></p> <p>The Committee considered a draft report and proposition in respect of access to Council of Ministers' Part B background papers, and agreed that, rather than lodging this as a separate item, it should be included in the draft Code of Practice to be lodged on the 5<sup>th</sup> June 2007.</p> <p>On a separate matter, on behalf of the Economic Affairs Scrutiny Panel, Deputy Martin raised an issue in terms of the Code of Practice on Public Access to Official Information. It was explained to the Committee that the Panel had been experiencing difficulties in terms of the distribution of information as the Minister for Economic Development had attempted to rely on exemptions under the Code of Practice in an attempt to prevent publication by the panel of certain information. The Committee agreed that the Code only referred to the information flow between members of the public and the States, and it was therefore not believed to be appropriate for it to affect the flow of information from Ministers to Scrutiny. Deputy Martin agreed to provide this feedback to the relevant parties.</p>	JM
<b>Item 2</b> <b>22/05/07</b>	<p><b>c) Amendment of Standing Order 141</b></p> <p>Further to its meeting of the 22<sup>nd</sup> May 2007, the Committee reconsidered its decision for the President of the Chairmen's Committee to be elected annually, and agreed that it no longer wished for this amendment to be made to Standing Orders.</p> <p>The Committee requested the Greffier of the States to prepare an amendment to Standing Orders to permit the President of</p>	MDLH

	the Chairmen's Committee to be elected from within the Chairmen's Committee rather than with approval of the States.	
	<p><b>4. Debrief on Scrutiny Away Day</b>  The Committee received and noted notes from the Scrutiny Away Day on the 22<sup>nd</sup> May 2007, and requested for a date to be arranged for the next meeting to take place in six months time.</p>	KTF
	<p><b>5. Orchid Communications</b>  The Committee agreed to defer this item of business to its next meeting on the 29<sup>th</sup> June 2007, and requested for it to be placed as a matter of priority on the agenda for this meeting accordingly. It was agreed that Deputies Ferguson and Reed would produce a paper for consideration at this meeting, highlighting the main areas where Scrutiny would benefit from public relations input.</p> <p>The Committee further requested for the following information to be included for consideration with this agenda item:</p> <ol style="list-style-type: none"> <li>a. Quarterly figures outlining the expenditure to date for the work conducted by Orchid Communications.</li> <li>b. Up to date statistics from the Scrutiny website.</li> </ol>	SP SF/JR  SP/KTF
	<p><b>6. Scrutiny Article – Institute of Directors Newsletter</b>  The Committee noted articles prepared by Deputy Ferguson and Mr E. Egglshaw, Orchid Communications, for inclusion in the next edition of the Institute of Directors Newsletter. Deputy Ferguson requested that members let her know of any feedback on either article as soon as possible.</p>	All members
	<p><b>7. Date of next meeting:</b>   29<sup>th</sup> June 2007: 9.30 am, Le Capelain Room, States Building</p>	

Signed

Date:

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President, Chairmen's Committee