

## Social Affairs Scrutiny Panel

Meeting 15

Date: 12th June 2006

Location: Le Capelain Room, States Building

Present	Deputy F.J. Hill, B.E.M., Chairman Deputy J.A. Martin, Vice Chairman Deputy D.W. Mezbourian Deputy S. Pitman
Apologies	Deputy A.E. Pryke
Absent	
In attendance	Mrs. K. Tremellen-Frost, Scrutiny Manager [Items 3-6] Mr. C. Ahier, Scrutiny Officer Mr. W. Millow, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p><b>1. Minutes</b></p> <p>The Panel approved the minutes of 30th May 2006 with two amendments. In Item 4, the Panel inserted the words “in his capacity as a member of the Income Support Sub-Panel” to clarify that Deputy G.P. Southern had acted as such when meeting Professor B. Stafford, University of Nottingham. In Item 8, the Panel replaced the words “would undertake” with the words “had undertaken” to reflect the fact that the Comité des Chefs de Police had already undertaken a visit to Nottingham.</p>	
	<p><b>2. Matters Arising and Action Updates</b></p> <p><b>a) Matters Arising</b></p> <p>The Panel requested the Officers to confirm that letters of thanks had been sent to Jurat J.C. Tibbo and Mrs. R. Higgins for their attendance on the Panel at its meeting of 30th May 2006.</p>	<b>CA/WM</b>
<b>[30/05/06, Item 3b]</b>	<p>The Panel was advised that the witnesses who had attended the Public Hearing on HMP La Moye had forwarded their comments on the transcript of the Hearing to the Scrutiny Office. The Officers were requested to forward these comments to the Panel for its consideration.</p>	<b>CA/WM</b>
<b>[30/05/06, Item 1a]</b>	<p>The Panel noted that no decision had been made by the Minister for Education, Sport and Culture on how consultation would occur for the new Youth Service plan. It was advised that Senator M.E. Vibert, Minister for Education, Sport and Culture, had been asked to clarify what access the Panel would be given to the Plan during its development.</p>	
	<p><b>b) Action Updates</b></p> <p>The Panel noted the updates on actions requested at its meeting of 30th May 2006. Further consideration was given to the following Updates:</p>	
<b>[30/05/06,</b>	AU2: The Panel requested that the ‘In attendance’ box of its	

<b>Item 2a]</b>	minutes record the presence of all individuals or parties who came to speak to the Panel at its meetings.	<b>CA/WM</b>
<b>[30/05/06, Item 2b]</b>	AU3: The Panel was advised that information on Long-Term care had been received from the Department of Health and Social Services and subsequently forwarded to the Panel. The Officers were requested to confirm that each Panel member had received a copy of the information.	<b>CA/WM</b>
<b>[30/05/06, Item 3a]</b>	AUs 4 and 5: The Panel noted that it had received information from the Departments of Treasury and Resources and Home Affairs on the bids made by the latter Department for funding in relation to HMP La Moye. It requested the Officers to clarify the wording of the question on this matter that had been put to Senator W. Kinnard, Minister for Home Affairs, during the Public Hearing on HMP La Moye.	<b>CA/WM</b>
<b>[30/05/06, Item 5]</b>	AU 6: The Panel noted that Senator F.H. Walker, Chief Minister, had congratulated the Panel for its work on <i>Strategic Plan 2006 to 2010</i> (P.40/2006) during the States sitting of 6th June 2006.	
<b>[30/05/06, Item 5dv]</b>	AU 8: The Panel noted it had made a request (at its meeting on 30th May 2006) for information on the means-test used by the Department of Housing when assisting older people to remain in their own homes. It was agreed that a request for this information would be put in writing to the Department.	<b>CA/WM</b>
<b>[30/05/06, Item 9b]</b>	AU 10: The Panel noted it had not received a response to its request for information on staffing of the Joint Financial Crimes Unit. It agreed that a further request for information would be made.	<b>CA/WM</b>
	AU 11: The Panel noted that a complaint had been made at the Scrutiny Public Meeting held at Hautlieu School on 18th May 2006 regarding the format of letters sent by Scrutiny Panels to members of the Public. The Panel noted that whilst standard formats for its letters did exist, letters sent by the Panel reflected personalised comments that it wished to make to the addressee.	
	<p><b>3. Rôle of Scrutiny Officers</b></p> <p>The Panel met Mrs K. Tremellen-Frost, Scrutiny Manager, to consider the rôle played by Scrutiny Officers in providing a support service to Scrutiny Panels.</p> <p>The Panel was advised that an examination of the rôle of Scrutiny Officers had been undertaken as a full Scrutiny function had been in place for six months.</p> <p>The Panel noted the following advice in relation to the role of Scrutiny Officers:</p> <ul style="list-style-type: none"> <li>• Officers should maintain impartiality and independence whilst providing the support service based on the political decisions taken by Panels</li> <li>• Officers should work alongside their Panels, Sub-Panels, working groups etc with information pertaining to a review</li> </ul>	

	<p>being shared both ways.</p> <ul style="list-style-type: none"> <li>• There should be a central file held in the office including all documentation on a review.</li> <li>• Officers should undertake research in the main as directed by the Panel.</li> <li>• Officers should not stray into the area of political decision-making.</li> </ul> <p>The Panel received copies of the guidance relating to Scrutiny requests that had been given to executive departments. It was advised that Departmental Scrutiny Liaison Officers (DSLLOs) had been advised to respond to Scrutiny requests as stated in the guidelines. The Panel considered the implications of this advice for its future working practices and noted that this matter warranted consideration by the Chairmen’s Committee. It noted that questions could potentially be asked in the States to gather information and that it would be possible to distinguish between questions emanating from the Panel and those coming from Panel members acting as individuals.</p> <p>The Panel was advised that the Chairmen’s Committee had approved the <i>Draft Code of Practice for Scrutiny Panels and PAC</i> and that it was now to be considered by the Council of Ministers.</p>	
<p><b>[30/05/06, Item 3]</b></p>	<p><b>4. HMP La Moye</b></p> <p>The Panel noted that it had not drafted official Terms of Reference for a review regarding HMP La Moye. It was advised that the Draft Code of Practice for Scrutiny Panels stipulated that Terms of Reference were required prior to the commencement of a review.</p> <p>The Panel agreed that it would produce a report on the work it had undertaken in relation to this topic and that this report would subsequently forwarded to Senator W. Kinnard, Minister for Home Affairs. It was agreed that the Chairman would prepare a draft report before forwarding the draft to the rest of the Panel for comments.</p>	<p><b>BH</b></p>
<p><b>[30/05/06, Item 6]</b></p>	<p><b>5. Sexual Offences</b></p> <p>The Panel noted that the Department of Education, Sport and Culture had presented comments on <i>Draft Sexual Offences (Jersey) Law 200- (P.63/2006)</i> and that comments on the draft law would also be presented by the Department of Health and Social Services.</p> <p>The Panel noted the transcript of the States sitting of 31st January 2006 during which the Chairman had made a commitment that the Panel would undertake work on this topic once it had something to scrutinise.</p> <p>The Panel considered potential courses of action and agreed that it would present a report to the States outlining the work that it had undertaken on this topic. The Panel was advised that Deputy A.E. Pryke had e-mailed her preference for this course of action to the Chairman. The Panel was circulated a draft report that had been prepared by the Chairman.</p>	

	<p>The Panel noted the provision of Standing Order 35 (2):</p> <p><i>A report or comment presented by a body of persons may include a minority report or comment by one of its members.</i></p>	
	<p><b>6. Split of the Social Affairs Panel</b></p> <p>The Panel noted that <i>Social Affairs Scrutiny Panel – division to create a fifth scrutiny panel</i> (P.64/2006) would be debated in the States on 18th July 2006.</p> <p>The Panel requested that the information listed below be collated in preparation for the debate:</p> <ul style="list-style-type: none"> <li>• The size of the Panel’s remit</li> <li>• The work programme for 2006 and the manner in which this was arranged</li> <li>• The number of Topic Proposal Forms received from the Public</li> </ul>	<b>CA/WM</b>
<b>[30/05/06, Item 4]</b>	<p><b>7. Income Support</b></p> <p>The Panel was advised that the Income Support Sub-Panel would meet at 2:00pm on 12th June 2006. It was further advised that the Sub-Panel had not met since its meeting with Senator P.F. Routier, Minister for Social Security, on 19th May 2006.</p>	
<b>[30/05/06, Item 7]</b>	<p><b>8. GP Out-of-Hours</b></p> <p>The Panel noted that correspondence had been sent to Mrs. K. Huchet, Director, Family Nursing and Home Care, to request feedback from Family Nursing and Homecare on its views of how the Co-Operative service had operated since its implementation.</p> <p>The Panel was informed that activity data relating to the Co-Operative service had been received by the Scrutiny Office and would shortly be forwarded to the Panel.</p> <p>The Panel was advised of the progress of the review of the Co-Operative service undertaken by the Jersey Competition Regulatory Authority (JCRA). It was noted that it would be possible to hold Public Hearings once this review had been completed and the JCRA report produced.</p> <p>The Panel noted that one submission it had received had raised the wider issue of governance of GPs and that this issue had been in consideration in the United Kingdom following the ‘Shipman Inquiry’.</p>	
<b>[30/05/06, Item 8]</b>	<p><b>9. Centeniers in the Magistrate’s Court</b></p> <p>The Panel noted that a number of individuals had contacted the Panel with the view to making a submission for this review. It agreed to respond to one submission from a member of the legal profession with an invitation to speak to the Panel at one of its meetings. The Panel considered the benefit of calling people with opposing views to give evidence at Public Hearings.</p> <p>The Panel was advised that the Chairman had been in correspondence with Mr. W.J. Bailhache QC, HM Attorney General.</p>	<b>CA/WM</b>

	<p>The Panel was advised that Mr. C. Ahier, Scrutiny Officer, would act as Lead Officer in the officer support for this review.</p> <p>The Officers were requested to organise a visit by the Panel to the Magistrate's Court.</p> <p>The Officers were requested to send the Panel copies of the Act of the former Home Affairs Committee that recorded the decision not to proceed with Recommendation 4 of <i>Review of Criminal Justice Policy in Jersey</i>.</p> <p>The Panel noted it would visit Guernsey's Magistrate's Court on Monday 19th June 2006. The Officers were requested to confirm the check-in and flight times for the visit.</p> <p>The Officers were requested to establish which individuals were able to preside in the Magistrate's Court in Jersey.</p> <p>The Panel noted that it had previously been invited to attend a meeting of the Comité des Chefs de Police to discuss this topic.</p>	<p><b>CA/WM</b></p> <p><b>CA/WM</b></p> <p><b>CA/WM</b></p> <p><b>CA/WM</b></p>
	<p><b>10. Forthcoming Propositions</b></p> <p>The Panel agreed to defer consideration of the Proposition listed below to its meeting on 26th June 2006:</p> <ul style="list-style-type: none"> <li>• <i>Draft Teachers' Superannuation (Amendment No. 2) (Jersey) Law 200- (P.69/2006)</i></li> </ul>	
	<p><b>11. Questions to Ministers without Notice</b></p> <p>The Panel noted that the Minister for Home Affairs would answer questions without notice at the States sitting of 20th June 2006. It subsequently considered questions that could potentially be asked of the Minister.</p>	
	<p><b>12. Future Meetings</b></p> <p>The Panel noted it would next meet at 9:30am on Monday 26th June 2006 in Le Capelain Room, States Building. It was advised that Deputies J.A. Martin and S. Pitman were unlikely to be present.</p>	

Signed

Date

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Chairman, Social Affairs Panel

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