

Education & Home Affairs Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: 28th April 2008

Meeting 71

Present	Deputy D.W. Mezbourian, Chairman Deputy J. Gallichan, Vice-Chairman Deputy S. Pitman
Apologies	Connétable G.F. Butcher
Absent	
In attendance	Mr. W. Millow, Scrutiny Officer Mr. T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Meetings</p> <p>The Panel approved and signed the records of its meetings held on the following dates:</p> <ul style="list-style-type: none"> • 10th March 2008, Item 6b [Private Session] • 19th March 2008 • 20th March 2008 [Private Session] • 4th April 2008 <p>The Panel deferred consideration of the record of the meeting held on 31st March 2008. It was agreed that the record of 20th March 2008 was suitable for release into the public domain.</p>	
[21/04/08, Item 1]	<p>2. Customs and Immigration</p> <p>The Panel noted that a Public Hearing would be held at 2:00pm on 25th April 2008 with the Minister for Home Affairs. It further noted that arrangements would be put in place for site visits to take place during the afternoon of 12th May 2008.</p> <p>Consideration was given to lines of enquiry that could potentially be followed. It was noted that issues arising from the spending pressures on the Customs and Immigration Service were potentially of most pertinence to ferry companies rather than airlines. The Panel further noted that written requests would be despatched to the Minister for Treasury and Resources; the Minister for Economic Development; and HD Ferries.</p> <p>The Panel requested that updated indexes of the documentation received to date be circulated.</p>	TO
[31/03/08, Item 4]	<p>3. Social Inclusion – Mont-à-l’Abbé</p> <p>The Panel noted that its work programme at the present time was somewhat full and it was therefore agreed that work on the Social Inclusion – Mont-à-l’Abbé Review should be deferred until the Panel’s present work on the Draft Annual Business Plan was completed. It was noted that some written documentation had already been gathered for the review and that files awaited distribution.</p> <p>The Panel considered potential dates for a visit to Mont-à-l’Abbé School and agreed that it would request a visit on 2nd June 2008.</p>	WM
[23/04/08,	4. Early Years	

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Item 1]	The Panel noted that its report would be presented to the States on 29th April 2008. It was further noted that the report had been circulated to States Members that morning and would be despatched to the media that afternoon. Consideration was given to a draft media release and it was amended accordingly. It was noted that the Chairman would be absent from the Island from 1st to 6th May 2008 and that Deputy J. Gallichan, as Vice-Chairman, would take responsibility for dealing with the media during that time.	
[10/03/08, Item 4]	<p>5. Policing of Events</p> <p>The Panel noted receipt of the Ministerial Response to <i>Policing of Events: User Pays?</i> (SR4/2008) in which it was indicated that all of the Panel's findings and recommendations had effectively been accepted by the Minister for Home Affairs. It was agreed to undertake a media release once the Ministerial Response had been formally presented to the States.</p>	WM
[21/04/08, Item 3]	<p>6. Annual Business Plan</p> <p>The Panel considered its draft report on the draft proposals and provisional cash limits for the 2009 Annual Business Plan. The Panel identified amendments that it would wish to have made and requested the Officers to enact the amendments accordingly.</p> <p>The Panel was advised that its report would be collated with other Scrutiny Panels' responses and despatched to the Council of Ministers with an overarching report from the Chairmen's Committee. The Panel noted that in order to meet the timetable in which the Council of Ministers would consider the Panels' responses on 8th May 2008, the Panel would need to have approved its report by the end of 30th April 2008. It was agreed that a copy of the draft report would be made available to the Scrutiny Manager in order that it could be used by the Chairmen's Committee for drafting of the overarching report.</p> <p>The Panel recalled that provision had been made in its 2008 work programme for work on the 2009 Annual Business Plan to be undertaken in August 2008. Consideration was given to the implications for Panel's schedule of work during the summer of 2008 and, noting that the 2009 Annual Business Plan was due to be lodged on 15th July 2008, it was agreed that the Panel would hold Public Hearings with the two relevant Ministers during the week beginning 21st July 2008. It was noted that the Chairman would request a formal record to be made when the Panel came to approve the specific date(s) of the Hearings. It was further noted that Deputy Gallichan would be unavailable on 23rd July 2008.</p>	WM WM /TO
[21/04/08, Item 2]	<p>7. Marriage and Civil Status</p> <p>The Panel noted that arrangements had been made for a Public Hearing to be held with the Minister for Home Affairs at 2:00pm on 16th May 2008. It was noted that the Minister had lodged <i>Draft Marriage and Civil Status (Amendment No.2) (Jersey) Law 200-</i> (P.61/2008) and that it would be debated on 3rd June 2008.</p> <p>The Panel considered draft Terms of Reference and, with one amendment, approved the following final Terms of Reference for its work on the amendment:</p> <ol style="list-style-type: none"> 1. To examine the rationale and principles underlying the <i>Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200-</i> 2. To consider the work on which the Minister for Home Affairs has based the draft amendment 3. To assess the implications of amending (or not, as the case may be) 	

	<p>the <i>Marriage and Civil Status (Jersey) Law 2001</i></p> <p>It was agreed that a copy of the Terms of Reference should be sent to the Minister for Home Affairs.</p> <p>The Panel noted receipt of correspondence, dated 17th April 2008, from a member of the public with an interest in this matter. It was agreed that the Panel would not meet this individual but that a request would be made to the individual to forward any written comments that the person felt were pertinent to the Panel's Terms of Reference.</p> <p>The Panel recalled that a request had been made to Senator P.F.C Ozouf for his views on the matter. It was noted that the Senator had been requested to forward any submission he would wish to make by the end of April 2008. It was agreed that Senator Ozouf should be contacted on 1st May 2008 if no submission had been received by that time.</p>	<p>WM</p> <p>WM</p> <p>WM</p>
[10/03/08, Item 2]	<p>8. GP Out-of-Hours</p> <p>The Panel noted receipt of correspondence from Deputy A. Breckon, Chairman of the Health, Social Security and Housing (HSSH) Scrutiny Panel, in which it was stated that the HSSH Panel would be provided with an update on the GP Co-Operative Out-of-Hours scheme sometime at the end of April, or in early May, 2008.</p>	
[31/03/08, Item 7]	<p>9. HMP La Moye</p> <p>The Panel noted receipt of correspondence from a member of the public in relation to the Prison Board of Visitors. The Panel further noted that <i>Prison Board of Visitors – Report for 2007</i> (R.39/2008) had been presented to the States on 24th April 2008.</p>	
	<p>10. Forthcoming Propositions</p> <p>The Panel agreed it would not seek to undertake a review of the following propositions that had been lodged au Greffe:</p> <ul style="list-style-type: none"> • <i>Draft Legal Deposit (Jersey) Law 2007 (Appointed Day) Act 200-</i> (P.50/2008) • <i>Draft Legal Deposit (Jersey) Regulations 200-</i> (P.51/2008) • <i>Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200-</i> (P.54/2008) • <i>Draft Regulation of Investigatory Powers (British Broadcasting Corporation) (Jersey) Regulations 200-</i> (P.59/2008) 	
[11/02/08, Item 10]	<p>11. Disorderly Conduct and Harassment</p> <p>The Panel noted that <i>Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-</i> (P.55/2008) had been lodged au Greffe and that it was due to be debated by the States on 3rd June 2008. The Panel recalled its previous agreement that it would prepare comments to the draft law once it had been lodged. It was further recalled that draft comments had previously been considered and amended and the Panel therefore requested that the draft comments be circulated for further consideration.</p>	<p>WM /TO</p>
	<p>12. Action Updates and Matters Arising</p> <p>The Panel noted receipt of the briefing notes of the Chairmen's Committee meeting of 28th March 2008.</p>	
[31/03/08, Item 10]	<p>13. Scrutiny Newsletter</p> <p>The Panel was advised by the Chairman that work on drafting the 'Scrutiny Matters' newsletter had effectively been completed and that the draft was now ready to be printed. It was noted that the format of the next issue would differ to that of the previous one.</p>	
	<p>14. Ministerial Decisions</p> <p>The Panel noted that the following decisions had been made by the Minister for Education, Sport and Culture:</p>	

	<ol style="list-style-type: none"> 1. Highlands Refurbishment Project – budget rationalisation (MD-ESC-2008-0007) 2. Annual Report for 2006 on the application of the Public Records (Jersey) Law 2002 (MD-ESC-2008-0009) 3. Legal Deposit (Jersey) Law 2007 (Appointed Day Act) and Legal Deposit (Jersey) Regulations 200- (MD-ESC-2008-0010) 4. Victoria College & Victoria College Prep School – Request by Governing Body to increase fees for the academic year 2008 – 2009 (MD-ESC-2008-0011) 5. Jersey College for Girls and Jersey College for Girls Prep School – Request by Governing Body to increase fee for the academic year 2008 – 2009 (MD-ESC -2008-0012) <p>The Panel noted that the following decisions had been made by the Minister for Home Affairs:</p> <ol style="list-style-type: none"> 1. Customs and Excise Law (Amendment No. 6) 200- (MD-HA-2008-0020) 2. Draft Crime (Disorderly Conduct and Harassment) Law 200- (MD-HA-2007-0081) 3. Authorised signatories for the States of Jersey Fire and Rescue Service (MD-HA-2008-0018) 4. Draft Regulations under Part 3 of the Regulations of Investigatory Powers (British Broadcasting Corporation) (Jersey) Law 200- (MD-HA-2008-0021) 5. Customs and Immigration Department – Annual Report 2007 (MD-HA-2008-0024) 	
[10/03/08, Item 6]	<p>15. Draft Civil Aviation Law</p> <p>The Panel noted that, with Ministerial Decision MD-HA-2008-0019, the Minister for Home Affairs had withdrawn <i>Draft Civil Aviation (Jersey) Law 200-</i> (P.18/2008). It was further noted that the law had subsequently been re-lodged by the Council of Ministers as P.53/2008.</p> <p>The Panel noted that P.53/2008 differed to P.18/2008 in that, if adopted, the proposed Directorate of Civil Aviation would sit within the Chief Minister’s Department rather than the Department of Home Affairs. The Panel was advised that the draft law, and in particular this change in ministerial responsibilities, had been discussed by the Chairmen’s Committee on 25th April 2008.</p>	
	<p>16. Questions to Ministers</p> <p>The Panel noted that the Minister for Home Affairs and the Minister for Housing would answer questions without notice at the States sitting on 29th April 2008.</p>	
	<p>17. Future Meetings</p> <p>The Panel noted that its next scheduled meeting would occur at 9:30am on 12th May 2008.</p>	

Signed

Date:

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Chairman
Education & Home Affairs Panel

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