Social Affairs Scrutiny Panel

Meeting 16
Date: 26th June 2006
Location: Le Capelain Room

Present	Deputy F.J. Hill, B.E.M., Chairman Deputy D.W. Mezbourian Deputy A.E. Pryke
Apologies	Deputy J.A. Martin, Vice Chairman Deputy S. Pitman
Absent	
In attendance	Deputy C.H. Egré [Item 3] Mr. W. Millow, Scrutiny Officer

Ref Back	Agenda matter	Action
	1. Minutes of previous meetings The Panel approved the minutes of its meeting on 12th June 2006.	
[12/06/06, Item 2a]	**2. Matters Arising and Action Updates** **a) Action Updates** The Panel noted the updates on actions requested at its meeting on 12th June 2006 with further consideration given to the following actions: **i)** AU1: The Panel was advised that a letter of thanks had been sent to Jurat J.C. Tibbo, Chairman of the Prison Board of Visitors for his attendance at the meeting on 30th May 2006. It was noted that Jurat Tibbo had contacted the Scrutiny Office regarding possible amendments to the minutes of 30th May 2006.	
[12/06/06, Item 9]	**3. Centeniers in the Magistrate's Court** **a) Meeting with Deputy C.H. Egré** The Panel met Deputy Egré to discuss his experiences in the Honorary Police and his views of the role played by Centeniers in the Magistrate's Court. The Panel was informed of the experience gained by Deputy Egré of dealing with disciplinary matters during his career in the Royal Air Force (RAF). The Panel was informed that Deputy Egré had joined the Honorary Police of St. Peter in 1996 as a Constable's Officer and had progressed through the ranks to become a Centenier, a rank he held for approximately three years. He expressed an opinion that it was beneficial to work one's way through the ranks in this manner as this process provided a form of training. Deputy Egré explained why he had chosen to join the Honorary Police: he advised that there was a tradition in his family of joining the Honorary Police and expressed the view that the system of Honorary service was an important and effective part of Island life.	

The Panel and Deputy Egré considered why people would wish to become Centeniers. It was noted that some people might be motivated by a wish to serve the community but that others might be attracted by the powers conferred by such a position. Deputy Egré cautioned that this power needed to be exercised sensibly. He advised the Panel that few people became Centeniers due to the Court work involved. He also highlighted the possibility that Centeniers could build up a power base that potentially lay beyond the level of experience and capability of those holding the position.

The Panel was advised that Deputy Egré's training with regard to Parish Hall Enquiries had consisted of witnessing how an experienced Centenier conducted Enquiries. He added that an experienced Centenier had sat in on his own first few Enquiries to provide assistance.

Deputy Egré advised the Panel of the procedures involved in moving from the context of a Parish Hall Enquiry to that of the Magistrate's Court. He considered with the Panel the possible courses of action available to a Centenier when presented with a case. The Panel was further advised that an overriding concern for Centeniers, whatever course of action was taken, was to ensure that defendants were aware that the system was just. It was noted that the Honorary Police had not traditionally lent itself to the procedural formalities of professional police forces.

The Panel was informed that paperwork used by Centeniers for their work at Parish Hall Enquiries, as well in the Magistrate's Court, came from the Criminal Justice Unit of the States of Jersey Police. Deputy Egré expressed an opinion that Centeniers were able to review this paperwork objectively.

Deputy Egré highlighted the difference between 'presenting' a case and 'prosecuting' a case in Court and informed the Panel that Centeniers did the former.

Deputy Egré advised the Panel that he had observed other Centeniers presenting cases in the Magistrate's Court prior to presenting his own first case. He informed the Panel that a Centenier's first case was likely to be one that involved little complication. The Panel was further advised that Deputy Egré felt he had been sufficiently trained and prepared for presenting cases in the Magistrate's Court.

Deputy Egré informed the Panel that Centeniers in St. Peter presented their own cases in Court (when he was a member of the Honorary Police) and that this would involve a Centenier having perhaps four or five cases to present each month.

The Panel was advised that a Centenier who had concerns over presenting a particular case was able to talk to a Legal Advisor about that case.

The Panel was advised that the Magistrate would sometimes ask

	the Centenier presenting a case in Court for an opinion on the defendant. Deputy Egré further advised that scope for this to occur would be lost were Jersey to introduce the equivalent of the Crown Prosecution Service. Deputy Egré expressed his opinion that it would have been more accurate if *Report of the Independent Review body on Police Services in Jersey* (chaired by Sir C. Clothier) had referred to 'inconsistent' training for Centeniers rather than using the word "inadequate" to describe the training provided. He advised the Panel that it would be beneficial if some Centeniers were instructed how to train others. Subsequent to his attendance, the Panel agreed to write to Deputy Egré to thank him for his attendance. It further agreed that a copy of the relevant Minute would be sent to him. **b) Meeting Arrangements** The Panel identified three individuals whom it would wish to meet in relation to this review and agreed to invite each one to attend a Panel Meeting. The Panel noted it would meet Mr W.J. Bailhache QC, HM Attorney-General on 10th July 2006. **c) Visits** The Panel considered the benefit of undertaking a visit to a Magistrate's Court in the United Kingdom. It was agreed that the Chairman would make preliminary enquiries about making a visit. It was noted that an overnight stay might allow the maximum benefit to be gained from such a visit. The Panel agreed to undertake visits to witness Parish Hall Enquiries in St. Helier, St. Lawrence and Trinity. It agreed to write to the Connétables of these Parishes to request that it be allowed to undertake such visits. The Panel agreed to visit the States of Jersey Police Headquarters, particularly to learn about the work undertaken in the Criminal Justice Unit and the Custody Unit. It agreed to write to Mr G. Power, Chief Officer, to request that such a visit take place. The Panel agreed it would be beneficial to undertake a visit to witness a sitting of the Youth Court. The Panel noted that the Chairman and Deputy D.W. Mezbourian had been invited to attend a meeting of the Comité des Chefs de Police on 17th July 2006.	**WM** **WM** **BH** **WM** **WM**
[12/06/06, Item 8]	**4. GP Out-of-Hours** The Panel was advised of the current status of the Jersey Competition Regulatory Authority's (JCRA) review of the Co-Operative out-of-hours service	

	The Panel noted it would visit the Emergency Call Centre as part of the review.	
[12/06/06, Item 7]	**5. Income Support** The Panel noted that the Income Support Sub-Panel had considered a draft version of the Income Support Law and would send a list of comments and questions on the Draft Law to the Department of Social Security. It was noted that the Sub-Panel had agreed to pursue a line of enquiry relating to the potential involvement of the Parishes in the administration of Income Support and the role of Constables in the Citizen's Fund. The Panel further noted that the Sub-Panel planned to hold Public Hearings in relation to this issue. The Panel noted the Sub-Panel would meet Senator P.F. Routier, Minister for Social Security, on 7th July 2006	
	6. Forthcoming Propositions The Panel agreed it would not seek to have the following proposition referred to it for scrutiny: • *Draft Teachers' Superannuation (Amendment No.2) (Jersey) Law 200-* (P.69/2006)	
[12/06/06, Item 2a]	**7. HMP La Moye** The Panel noted it had received suggestions from witnesses who had attended the Public Hearing that the transcript be amended. The Panel agreed to seek procedural advice on how amendments to official transcripts would normally be made.	**WM**
[12/06/06, Item 2b] **[18/04/06, Item 6d]**	**8. Topic Proposals** **a) Joint Financial Crimes Unit (JFCU)** The Panel was advised that advice had been received from the States of Jersey Police on matters raised in a Topic Proposal Form relating to staffing at the JFCU. The Panel agreed to defer consideration of this advice to the next meeting and requested that a paper be drawn up outlining the advice received. **b) Speed Cameras** The Panel considered advice it had received from the States of Jersey Police on matters raised in a Topic Proposal Form relating to speed cameras. The Panel agreed it would not undertake a review of this topic. It agreed to inform the Proposer and to forward the advice it had received from the Police. The Officer was requested to confirm that there would be no objection from the Police to its advice being forwarded in this manner. **c) University Grants** The Panel considered a Topic Proposal Form it had received relating to university grants and agreed it would not undertake a review of this Topic. It agreed to inform the Proposer of its decision and to advise the Proposer that a proposition relating to this matter would ultimately be lodged by the Minister for Education, Sport and Culture and that the Panel would remain informed of what happened in this area. It was noted that a presentation by the Department of Education, Sport and Culture on university funding would take place on 30th June 2006. The Panel agreed it would wait until this presentation had occurred before replying to the	**WM** **WM** **WM**

	Proposer. **d) Record of Assessment Forms** The Panel deferred consideration of Record of Assessment forms for the subjects listed below. It requested that copies of the relevant Topic Proposal Forms be placed on the agenda to help the Panel in its consideration. • Legitimacy Law • Education for Democracy • Poverty in Jersey	**WM**
[12/06/06, Item 6]	**9. Split of the Social Affairs Panel** The Panel considered a paper outlining the Topics that the Panel had considered and the areas of responsibility of those Departments that fell within the Panel's remit. It agreed that further detail was required on the areas of responsibility and requested that this information be collated. It was noted that this topic would be considered by the Chairmen's Committee on 30th June 2006. The Panel noted that the Council of Ministers had considered the financial implications of splitting the Panel at a Council meeting on 21st June 2006.	**WM**
[12/06/06, Item 2a]	**10. Youth Service** The Panel noted that information relating to the Youth Service previously requested from the Department of Education, Sport and Culture had not been received. It was agreed that the Chairman would correspond with Senator M.E. Vibert, Minister for Education, Sport and Culture, on this matter. The Panel requested that a list be compiled of the dates on which the outstanding information had been requested.	**BH** **WM**
[15/05/06, Item 2a]	**11. Social Policy Sub-Group** The Panel noted correspondence from Senator F.H. Walker, Chief Minister, relating to the work of the Social Policy Ministerial Steering Group. It agreed to reply to Senator Walker to thank him for his correspondence and the information he had forwarded.	**WM**
[12/06/06, Item 5]	**12. Sexual Offences** The Panel considered and amended its draft comments on *Draft Sexual Offences (Jersey) Law 200-* (P.53/2006).	
	13. Future Meetings The Panel noted it would next meet at 9:30am on 10th July 2006 in Le Capelain Room, States Building. Given the number of individuals the Panel wished to see in relation to the Centenier Review, the Panel requested confirmation on whether it would be possible to hold an all-day meeting on that date. It was noted that a meeting of the Income Support Sub-Panel was scheduled for 2:00pm on 10th July 2006.	**WM**

Signed Date

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Chairman, Social Affairs Panel