

Education and Home Affairs Scrutiny Panel

Record of Meeting

Date: 19th March 2018

Present	Deputy J. M. Maçon, Chairman Deputy S. Y. Mézec, Vice-Chairman Deputy T. A. Vallois
Apologies	
Absent	
In attendance	Mr T. Walker, Chief Officer, Community and Constitutional Affairs [item 2 only] Mr D. Le Marquand, Policy Officer, Community and Constitutional Affairs [item 2 only] Mr M. Waddington, Law Draftsman [item 2 only] Mr A. Harris, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of the meetings held on 26th February, 1st and 5th March 2018. The Chairman signed them accordingly.</p>	
	<p>2. Briefing on P.40/2018 'Draft Armed Forces (Vehicles and Roads – Amendments) (Jersey) Regulations 201-</p> <p>The Panel received Mr T. Walker, Chief Officer, Community and Constitutional Affairs, Mr D. Le Marquand, Policy Officer, Community and Constitutional Affairs and Mr M. Waddington, Law Draftsman, for a briefing in relation to P.40/2018 'Draft Armed Forces (Vehicles and Roads – Amendments) (Jersey) Regulations 201- ("the draft law").</p> <p>It was explained that the Armed Forces (Offences and Jurisdiction) (Jersey) Law 2017 contained enabling powers for the States to change, via regulations, provisions relating to military vehicles that may be used in the Island. As such, various amendments were required in respect of the use of military vehicles in the Islands. It was intended that the amendments would apply to all visiting UK squadrons. The draft law, if adopted, was designed to create the following changes in the law:</p> <ul style="list-style-type: none"> • Insurance – This particular amendment was intended to standardise any references to the Armed Forces in the Motor Traffic (Third Party Insurance) (Jersey) Law 1948 and clarify that insurance does not apply to any motor vehicle owned or operated by the home forces. • Registration – This amendment was concerned with the registration markings on military vehicles (it was acknowledged that some military vehicles may not want to be readily identifiable) and changes to the Motor Vehicle Registration (Jersey) Law 1993. It was explained that the Driver and Vehicle Standards 	

	<p>Department (DVS) would need to agree with any home forces, the manner in which it would be identifiable as a military vehicle. This would then be communicated to the Police and Parishes accordingly.</p> <ul style="list-style-type: none"> • International Circulation – The third amendment sought to amend the Motor Vehicles (International Circulation) (Jersey) Regulations 1958. This was in order to clarify that a military Officer would (if stationed for over a year) not need to apply for a Jersey registration plate, but would instead be exempt for the duration of their stay in the Island. It was also intended that this amendment would remove reference to an out of date driving licence used by the British Armed Forces. • Road Traffic Law – This amendment was in relation to the Road Traffic (Jersey) Law 1956 and was concerned with the number of trailers that a vehicle was able to draw (currently one). It was intended that this amendment would create an exemption for any military vehicle. • Standard and Fitness of Vehicles – This amendment dealt with two issues in relation to both the size and fitness of a military vehicle. It was noted that many military vehicles (i.e. tanks) were oversized and certain restrictions would apply for their use on certain roads and times in the Island. The amendment sought to address this issue by legislating that all oversized military vehicles would need to obtain a P.30 licence prior to being driven on the island. This would set out any conditions in respect of the times or roads it could drive on. The amendment also exempted military vehicles from requiring an inspection by DVS, however, in place of this supporting documentation would need to be provided instead. • Licences – The final amendment sought to amend the Motor Vehicles (Driving Licences) (Jersey) Order 2003. It was noted that in the UK a 17 year old in the military was able to apply for a heavy goods vehicle (HGV) licence. It was noted, however, that this was not the case in Jersey. If adopted, the amendment would allow for 17 year olds in Jersey who were in the military to do the same, whilst under supervision at all times. <p>The Panel thanked the Officers for attending and agreed that it would write to DVS, the Department for Infrastructure and the Comité des Connétables to understand if appropriate consultation had been undertaken on the draft law.</p>	AH
<p>Item 2 05/03/18</p>	<p>3. Conflict of Interest</p> <p>No conflicts were declared by Panel Members.</p>	
<p>Item 4 05/03/18</p>	<p>4. Tertiary Education: Student Finance Proposals</p> <p>The Panel received the first draft of the Tertiary Education: Student Finance Proposals report and discussed the contents. The Panel agreed that, subject to minor amendments, the document could be sent for factual accuracy checking.</p>	AH

	<p>The Panel agreed that it would meet at 9:30am on Monday 26th March in order to discuss and finalise its key findings, recommendations and conclusions for the report. The Officer advised that a meeting request would be circulated shortly.</p>	AH
Item 5 05/03/18	<p>5. Draft Criminal Procedure (Jersey) Law 201-</p> <p>The Panel noted that the Sub-Panel had concluded its review of the Draft Criminal Procedure (Jersey) Law 201- and had published comments in advance of the second reading on 20th March.</p> <p>The Panel noted that the Minister for Home Affairs opposed the Panel's amendment in respect of the issue of retrials.</p>	
Item 1 13/03/18	<p>6. Draft Sexual Offences (Jersey) Law 201-</p> <p>The Panel noted that its comments on the Draft Sexual Offences (Jersey) Law 201- had been lodged in advance of the debate on 20th March 2018.</p> <p>The Panel also noted that the Minister for Home Affairs had accepted the Panel's first and second amendments, but had rejected the third amendment as it was believed that it may have unintended consequences to the draft law. The Panel did not agree that sufficient reasons had been given for it to withdraw the amendment at this stage. It did, however, agree that should sufficient reasons be given during the debate, then its position may change.</p>	
Item 7 05/03/18	<p>7. Nursery Education Fund</p> <p>The Panel noted an email from the Jersey Early Years Association (JEYA) that had raised concern about the lack of information regarding the Nursery Education Fund (NEF), and the lack of support for local nursery providers.</p> <p>The Panel also noted that no information had been supplied by the Education Department in relation to when a Ministerial Decision was expected to rescind the means testing of the NEF. The Officer advised that this would be followed up as a matter of urgency. The Panel agreed that this issue should be highlighted as a key priority for the next Panel in its legacy report.</p> <p>The Panel agreed that it would draft a statement to be read out in the States Assembly detailing the concerns that had been raised in relation to the NEF, and the perceived lack of priority that it had been shown by the Minister for Education. The Panel requested that all of its correspondence with JEYA was shared with the Children's Commissioner to highlight its concerns.</p>	AH AH
Item 8 05/03/18	<p>8. Care of Children in Jersey Review Panel</p> <p>The Panel received an update from Deputy S.Y. Mézec as to the progress made by the Care of Children in Jersey Review Panel.</p> <p>Deputy S.Y. Mézec was due to visit Edinburgh, as part of a delegation with the Chief Minister, in order to meet the Scottish Children's Minister and various other agencies dealing with looked after children. This was due to take place on Friday 23rd March 2018.</p>	

	It was noted that the Review Panel was due to hold a public hearing with the Chief Minister on Thursday 29th March, after which it would consider and publish its legacy report.	
Item 10 05/03/18	9. P.39/2018 – Draft Explosives (Amendment) (Jersey) Law 201- The Panel noted that the proposition had been deferred by the Minister for Home Affairs and was due to be debated by the next States Assembly. The Panel agreed that no further actions were required at this time.	
Item 13 08/01/18	10. Legacy Report The Panel discussed and agreed areas for inclusion in its legacy report. The Officer explained that a draft would be circulated by 6th April for consideration prior to the Panel's last meeting on 16th April 2018.	AH
	11. Future Meetings The Panel noted that its next scheduled meeting was due to take place at 1:30pm on Monday 16th April 2018 in the Blampied Room, States Building.	