

**STATEMENT TO BE MADE BY ONE OF THE CHAIRMEN OF THE SHADOW SCRUTINY PANELS
ON 15th MARCH 2005**

In the last week, a certain amount of dis-information has been sent to members by e-mail from the President of the Environment and Public Services Committee regarding my Panel's investigations into that Committee's draft proposals, which are currently out for public consultation about the way in which the Committee intends to handle the Island's waste problem and the replacement of the energy-from-waste plant at Bellozanne.

The Committee is pressing the Panel to produce its report on the draft waste strategy. The President has claimed that the Panel has moved the goalposts on a number of occasions in terms of its timetable and its modus operandi; this is not the case.

I made the Panel's position very clear when I made a statement to this Assembly on 14th December 2004, and stated –

“The panel also plans to produce an interim report on the Draft Waste Strategy proposed by the Environment and Public Services Committee. This is expected in to be published in mid-January 2005”.

In fact, it was presented on 25th January 2005.

I then went on to say –

“The Environment and Public Services Committee will then make its final Waste Strategy available to the public and we will scrutinize that and present a report to the States I cannot see that happening until mid-March 2005, as it may be necessary for more public hearings to be held”.

I am not sure what part of that statement the President of the Environment and Public Services Committee has found hard to understand. The President takes the view that the Committee should get the Panel's final report and the Committee will then put forward theirs. In last night's Jersey Evening Post, the President was reported as saying –

“Moreover, there are clear problems within the Scrutiny Panel. Senator Ted Vibert is supposed to be one of the Chairmen of Scrutiny but the Waste Panel Chairman, Deputy Philip Rondel, is being contradicted by him”.

The President clearly does not understand how the Scrutiny process operates and of my rôle in it.

I was appointed by the States as Chairman of one of the Scrutiny Panels on 27th January 2004. In this position I should have chaired all of the public panel hearings; however, as this was acknowledged as a Shadow Scrutiny process, during which members were to learn about Scrutiny, I proposed to the Panel that it should allow each Panel member to act as a Chairman of the public hearings to give them experience; as of today, I have not chaired any public meetings.

This was all approved by the Privileges and Procedures Committee. I was always the Chairman of the Panel responsible for the programme for reporting to the States – in effect the leader of the team. There is no confusion in my Panel about my rôle. On 19th January 2005, because the Panel had not completed its waste report, my Chairmanship of the Panel was extended by the States until 26th March 2005, for the sole purpose of presenting the final Waste Management Strategy report to the States.

I also stated in answer to questions from Deputy Breckon on 18th January 2005 –

“The President of the Committee has made it clear that he intends to bring a proposal to the States for a decision on this in March. The Panel has always regarded this as an unrealistic

target, but in order to ensure that the scrutiny process is not blamed for any delay, we said that we would do everything to produce an interim report by mid-January”.

On the same day, Deputy Troy asked me –

“Previously the President of Environment and Public Services has stated that it is vitally important that we make a decision on the new incinerator in March or February. Does the Chairman of the Scrutiny Panel agree with that, Sir?”

I answered that the panel believed *“that the timescale is not sensible.”*

Clearly the goal posts have never been moved, and this Assembly and the Environment and Public Services Committee have always been aware of my Panel’s timetable and its position has always been crystal-clear.

The very reason the Panel presented the Committee with a draft interim report was to give it a clear indication of all the areas which concerned the Panel. The President has described this interim report as “useless”. The Panel regrets this view but it appears consistent with the President’s whole approach to the Scrutiny process.

There is an important issue involved here, which is that Scrutiny must not be manipulated by Committees, whose policies the Panel is reviewing. It is not for Committees to set the timetable; this is the remit of the Scrutiny Panels and the process must not be allowed to be railroaded by Committees trying to keep to their determined time-tables.

The panel is aware that the Committee’s final strategy has been prepared but the Committee will not make it available to the Panel. The Panel could, of course, stick its heels in and say that it needs to see the Committee’s final report so that it can be scrutinized, as I outlined we would do back in December 2004.

Such a stand-off would not be in the best interests of the Island, as this matter needs to be debated by the States as soon as possible. For this reason, the Panel has agreed to issue its report on the draft strategy with an important proviso regarding the proposed joint Jersey-Guernsey solution. The Panel only received the consultant’s report on this yesterday and will have no opportunity to consider it in its report. If the Committee brings this forward as a solution in its final report, the Panel will wish to scrutinize this thoroughly after its final report is published.

The Panel’s timetable is now that it believes its final report will be available by the end of March 2005. Unforeseen illness in the scrutiny office has reduced staff by 25% and this has seriously hampered the timetable. The Easter holidays have also complicated staff issues. The Assembly can be assured that the Panel will produce its report as quickly as possible, as it always has.