

2014.11.25

4.5 Deputy M. Tadier of the Chairman of the Education and Home Affairs Scrutiny Panel regarding the implementation of recommendation 7.19 of the report of the Education and Home Affairs Scrutiny Panel S.R.7/2009:

Will the panel press for the implementation of recommendation 7.19 of the report of the Education and Home Affairs Scrutiny Panel S.R.7/2009, namely that: “The Minister for Home Affairs should implement a new system, enabling independent members of the public to sit on the Board of Visitors.”

Deputy L.M.C. Doublet of St. Saviour (Chairman, Education and Home Affairs Scrutiny Panel):

The short answer to this question is we have no plans to at the moment. Can I give a brief background on this for new Members? There was a report published in 2009 by the Scrutiny Panel about the Prison Board of Visitors, which is comprised of 7 Jurats and they visit the prison regularly to ensure that it is being run efficiently, that there is good use of public funds, that there are no abuses and prisoners are treated fairly. The report produced was very well-evidenced, it was comprehensive and as a panel we do not feel that we need to rescrutinise this area. We did discuss the matter, as a panel, and we felt that this was perhaps a matter for the Minister given that Scrutiny have already looked at this issue.

4.5.1 Deputy M. Tadier:

There was of course no suggestion that the area should be rescrutinised, and I am grateful that the current chairman thinks that that report was effective. The underlying question is a very basic one. Does the chairman and her panel - and I am sure they have had the time to discuss it - agree with the recommendation of that previous Scrutiny Panel that independent members of the public should sit on the Board of Visitors?

Deputy L.M.C. Doublet:

Personally, I do agree with that but the fact is the report has been done. The recommendations have been made by a different Scrutiny Panel and it has been passed on to the Minister, so I feel it is for the Minister to answer.

4.5.2 Deputy J.A. Martin:

I do agree with the chair of the panel that it is down to the Minister. Unfortunately we have been waiting since 2009 and the actual recommendation does not bar Jurats, it just could be a mixed panel. Would the chair not consider, as she is a new chair, and we do also have a new Minister for Home Affairs, to meeting up and finding out whether this can be brought forward because it is very important. The people visiting to make sure that everything is okay are the same people who sit, not necessarily on each case, but they are the people who are putting the people in the prison. There is some sort of conflict there.

Deputy L.M.C. Doublet:

All I can say is we have discussed it as a panel; that was our decision. I can bring it up for discussion again with the panel.

4.5.3 Deputy G.P. Southern:

This proposition came to the States and was rejected by the Chamber on a tied vote. Will the chairman engage with the Minister appropriately to bring back a proposition to this effect to the House, and if the Minister does not agree to doing that will her panel bring a proposition to the House so that this House can resolve this issue once and for all?

Deputy L.M.C. Doublet:

As I already stated, we have no plans to do that at the moment as a panel and I am certain that any Member could bring a proposition of this nature if they wished.

4.5.4 Deputy G.P. Southern:

Is it not more appropriate that a proposition which the chairman and presumably her panel's support is not brought to the House with their weight behind it rather than by a Back-Bencher should it prove necessary to resolve this issue?

Deputy L.M.C. Doublet:

Possibly but, I will state again, my answer is as a panel we have decided not to pursue this matter at present but I would invite Deputy Tadier, possibly, to come and talk to us about it if it was something that he feels to be important.

4.5.5 Deputy M. Tadier:

I am quite happy as a member of a different Scrutiny Panel and also Back-Bencher to come and meet the panel and chairman, but it does seem that we have a potentially strange scenario where the chairman of the panel and seemingly all of the members of that panel support the recommendation, agree that the report was a very good one and it was well-evidenced and that we do need to get to a situation where the Board of Visitors is not solely and entirely comprised of Jurats but the panel themselves do not wish to take any action to achieve that goal, even though they have got a readymade Scrutiny Report there to be launched in the Assembly. Can I ask the chairman to give an undertaking that she will seriously think about who is best placed to lodge this potential proposition, if a proposition is necessary, whether it is her panel with the evidenced work already done or a member of a different Scrutiny Panel and a Back-Bencher?

Deputy L.M.C. Doublet:

I will speak to my panel about this again but the fact is that we are currently setting our work programme at the moment and we do have other priorities. This was something that was carried out by a previous Scrutiny Panel. We are a new panel and we have new priorities. So we will have to see where this comes on our priority list.