



Scrutiny Liaison Committee

Weekly Bulletin of Panel/PAC Activity

Week commencing Monday 14th April 2020

Scrutiny Panels & PAC

[Corporate Services Scrutiny Panel - Activity Update – COVID-19](#)

The Panel is has mainly focused on Treasury spending that may affect the government plan, as well as potential amendments to P.41/2020 (relates to court trials)

- The Panel produced a draft amendment to P.41/2020, this has now been deferred to next Assembly Sitting
 - Comments paper produced
 - Received the views of the Law Society of Jersey
 - Met with representatives of Law Officers' Department, this was done jointly with the Education and Home Affairs Scrutiny Panel
 - Relevant questions were sent and received by officers
- The Panel reviewed Control of Housing & Work (Exemptions) - Temporary Amendment
- The Panel reviewed Regulation of Care Comments Paper
- The Panel received items from the Emergencies Council's meeting on 12th March, 17th March, 25th March and 8th April
- The Panel has contacted the Emergency Planning Officer and received a copy of Guernsey's draft report on the Pandemic Flu exercise that was carried out in November 2019, an amended copy of the Channel Islands Pandemic Influenza Preparedness Strategy has been requested
- The Panel held a Quarterly Hearing with the Chief Minister on 3rd April, written answers were requested to questions that had not been asked in time.
- Details on use of reserves to fund COVID-19 actions were received from Treasury
- The Panel received information on progress of 2018/19 tax returns, and impacts of COVID-19 on this
- The panel noted the release of both the 2019 Government of Jersey Annual Report and Accounts, and the Jersey Appointment Commission Annual Report

- The Panel has previously received and amended P.28 Draft Public Finances (Amendment of Law) (Jersey) Regulations 202-. The amendment was accepted by the Minister for Treasury and Resources

Meetings

- The Panel has weekly meetings to discuss COVID-19 and general business, scheduled on Wednesday morning's
- The Panel has weekly meetings with the Minister for Treasury and Resources, scheduled on Wednesday afternoons. Note this week's one was delayed, and the time was used to discuss amendments to P.41/2020

Economic and International Affairs Panel - Activity Update – COVID-19

The Panel is mainly focussing on the work of the Minister for Economic Development and the support offered to the business community. The Panel is also focussed on the economic impacts of the outbreak and the economic recovery plan.

- The Panel has contacted a range of business organisations asking for their feedback on how they are coping. The Panel is logging the concerns and discussing them directly with the Minister for Economic Development.
- A number of businesses have contacted the Panel directly to share their views. Concerns to date have mainly been around the co-funded payroll scheme and support for different sectors.
- The EIA Chair and Deputy Perchard are members of the Business Liaison Group. Any matters relating to the Panel's work are communicated and logged.
- The Panel met with representatives (Murray Norton and Jenifer Carnegie) from the Chamber of Commerce on Tuesday 7th April. A number of matters were raised which included the Government's management of the outbreak and communication with businesses.
- The Panel met Graeme Smith from Jersey Business on Wednesday 8th April. It was noted that Jersey Business was offering support and guidance to the business community.
- The Panel is due to hold a Public Hearing with the Minister for Economic Development on Thursday 16th April.
- The Panel has weekly meetings with the Minister for Economic Development (normally on a Thursday morning).
- The Panel has contacted the Minister for External Relations to ask him about his plans for repatriation flights (inbound/outbound).

- The Panel has contacted the EDTSC Minister and Infrastructure Minister asking for information about the legal basis for the construction sector permit scheme.
- The Panel is scrutinising the guidelines enabling the maintenance of the commercial landlord / tenant relationship during this crisis period and has also undertaken legislative scrutiny on a couple of propositions that were subsequently withdrawn by the minister.

Education and Home Affairs Panel – COVID-19 Response Update

Comments/Amendment Published

The Panel has undertaken scrutiny and presented Comments on the following pieces of legislation since 20th March 2020:

- P.22/2020 – Draft Unlawful Public Entertainments (Amendment) (Jersey) Regulations 202-
- P.23/2020 – Marriage and Civil Status (Amendment of Law (Covid-19 - Temporary Amendment) Regulations 202-
- P.24/2020 – Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No.3) Act 202-
- P.30/2020 – Draft Covid-19 (Schools and Day Care of Children) (Jersey) Regulations 202-
- P.36/2020 – Marriage and Civil Status (Amendment of Law No.2) (Covid-19 - Temporary Amendment) Regulations 202-

Briefings/Meetings arranged/work undertaken

The Panel has also undertaken work and received briefings on the following propositions and matters:

- The Panel received a briefing on Draft Covid-19 (Restricted Trading) (Jersey) Regulations 202- which was due to be debated on Thursday 9th April. It was, however, not lodged in time and will potentially be debated on 16th April. The Panel will likely present comments on the Regulations and liaise with the H&SS and EIA Panels due to the crossover.
- The Panel reviewed P.40/2020 Draft Children (Placement) (Amendment) (Jersey) Regulations 202- which had been lodged by the Minister for Children. Upon further questioning and consultation with the Children’s Commissioner the proposition was withdrawn. It is intended for a revised version to be brought forward and the Panel will continue to review any changes.
- The Panel has arranged weekly catch up meetings with the Ministers in its remit (Education, Home Affairs and the Children’s aspect of the Minister for Children and Housing). The Panel has also created a log of issues either raised by members of the public or stakeholders that it has shared with the Ministers and will use as the basis for discussion at these weekly meetings.
- P.26/2020 Regulation of Care (Amendment of Law) (Covid-19-Temporary Amendment) (Jersey) Regulations 202- the Panel received a briefing on the proposed changes after concerns were raised by Jersey Cares about the impact of the changes on Children’s

Residential Homes. The submission from Jersey Cares has been published on the States Assembly website.

- Criminal Procedure Law (Consequential Amendments and Appointed Day Act) –the Panel received a briefing from Policy and Law Officers’ and discussed the changes with the Chef de Police. It was intended to liaise with the Jurats and States of Jersey Police and Prison Governor on the requirement for the changes, however, they were withdrawn. The Panel has since been updated that a solution that does not require legal changes has been found.
- A briefing has been arranged for Tuesday 14th April to discuss the Draft Covid-19 (Fixed Penalty Notices) (Jersey) Regulations 202- which is due to be lodged by the Minister for Home Affairs.
- The Panel received a joint briefing with the Corporate Services Scrutiny Panel on the Draft Covid-19 (Emergency Provision – Courts) (Jersey) Regulations 202- which were due to be debated on 9th April. The Chief Minister deferred the debate until 16th April. The Panel will continue to work with CSSP to feed back any views on the proposed legislation where possible.

Future briefings/legislative changes to consider

The Panel is due to examine the following legislative changes:

- Draft Covid-19 (Fixed Penalty Notices) (Jersey) Regulations 202-
- Legislation is being considered around preventing ‘unlawful gatherings’ during Covid-19, although this is still in its infancy
- Legislation is being considered around tackling riots as a result of Covid-19 matters. Again, this is currently in its infancy and would require significant changes to existing legislation.
- Further legislative changes to the Marriage and Civil Status Law are expected to be brought forward for debate on 21st April 2020
- The Minister for Home Affairs is also due to bring forward the Prison (Temporary Amendment – Covid-19) (Jersey) Rules 202-

The Panel will likely arrange briefings for all of these pieces of legislation and consult (where possible) with relevant stakeholders.

Environment, Housing and Infrastructure Panel – COVID-19 Response Update

Comments/Amendment Published

The Panel has undertaken scrutiny and presented Comments on the following pieces of legislation since 20th March 2020:

P.42/2020 Draft COVID-19 (Residential Tenancy) (Temporary Amendment of Law) (Jersey) Regulations 202- [Comments presented and amendment made].

Briefings/Meetings arranged

The Panel has also undertaken work and received briefings on the following propositions and matters:

- The Panel received a briefing from the Minister for Children and Housing and his officers on 31st March 2020 in respect of the state of the Housing Department following the outbreak of Covid-19.

- The Panel received a briefing from the Minister for the Environment and his officers on 8th April 2020 in respect of

Future briefings/legislative changes to consider

- The Panel is due to receive a briefing on 14th April from the Minister for Infrastructure to discuss his response to the outbreak of Covid-19 and the impact on the Infrastructure work programme.

[Health and Social Security Panel – COVID-19 Response Update](#)

Comments/Amendment Published

The Panel has undertaken scrutiny and presented Comments on the following pieces of legislation since 20th March 2020:

P.21/2020 Draft Cremation (Suspension and Modification of Regulations – COVID-19) (Jersey) Regulations 202- **[Comments presented]**

P.29-2020 - Draft Covid-19 (Enabling Provisions) Law 202- **[Comments presented]**

P.31/2020 Draft Social Security (Amendment of Law No.12) (Jersey) Regulations 202- **[amendment made]**

P.32-2020 – Draft Covid-19 (Screening, Assessment and Isolation) (Jersey) Regulations 202- **[Comments presented]**

Briefings/Meetings arranged

The Panel has also undertaken work and received briefings on the following propositions and matters:

- The Panel received a briefing from the Minister for Health and Social Services, his officers and a Senior Legal Adviser on 20th March 2020 to discuss the legislative programme in response to the Covid-19 situation.
- The Panel received a briefing from the Minister for Health and Social Services, his officers and a Senior Legal Adviser on 26th March 2020 to discuss the Draft Covid-19 (Enabling Provisions) (Jersey) Law 202- (P.29/2020) and Draft COVID-19 (Screening, Assessment and Isolation) (Jersey) Regulations 202- (P.32/2020).
- The Panel received a briefing from the Minister for Health and Social Services and his officers on 8th April 2020 to discuss the provisions for Covid-19 testing and the island wide Covid-19 Household Health Survey.

Future briefings/legislative changes to consider

The Panel is due to examine the following legislative changes:

- Covid-19 Amendments to the Mental Health (Jersey) Law 2016.
- Covid-19 Amendments to the Capacity and Self-Determination Law

- Covid-19 (Resident Trading) (Jersey) Regulations 202-
- Covid-19 (Fixed Penalty Notices (Jersey) Regulations 202-
- The Panel is also due to receive the Minister for Health and Social Services for a Public Hearing (via Teams) on the 17th April to discuss his response to Covid-19.

The Panel will likely arrange briefings for all of these pieces of legislation and consult (where possible) with relevant stakeholders.

Public Accounts Committee Activity Update – COVID-19

The Committee is concentrating its efforts on only asking of the Chief Executive and Treasurer questions relating to the implementation of States decisions in respect of the Covid-19 outbreak and the Government’s response to it.

- The States Accounts for 2019 were recently published and the PAC is organising separate private briefings, with Deloitte representatives (external auditors) and the Group Director, Performance Accounting and Reporting, Treasury on 20 April. Concerns have been centred on the cost of faster closing of accounts and subsequent delay of presentation to States Assembly.
- A number of questions, echoing the C&AG’s concerns about the recording of monies spent in the crisis and how decisions were made, were sent to the Chief Executive, focussing on how the Executive will record decisions made and how changes to the Government Plan will be monitored and recorded (response expected 17 April 2020).
- A comments paper, relating to the recent Executive Response to the PAC’s Financial Management Report of February 2020, will incorporate the points above.
- The PAC has sought and received assurances from the Chief Operating Officer on strengthening IT services, digital modernisation programme reprioritisation, and data protection. It will continue to monitor closely and will receive a private briefing in early May.
- The PAC is currently organising a briefing (hopefully public) from the Chief Executive on the above on 11 May.
- The Chair and officer have weekly updates with the C&AG (Monday mornings) - 2 C&AG reports, 1 on SOJDC and the other on Handling Complaints will be published within the next 10 days.

Review Panels (where relevant)

Government Plan Review Panel - Activity Update – COVID-19

The Panel met to discuss impact of COVID-19 on the government plan

- The Panel met, hearing that there will likely be a delay to the 2021-2024 plan. It was decided to work on review concurrently, including asking relevant panels to review sections that they had done previously

Meetings

- The Panel has no scheduled meetings and will meet on an ad-hoc basis as required