



Scrutiny Liaison Committee

Weekly Bulletin of Panel/PAC Activity

Week ending Friday 17th April 2020

Scrutiny Liaison Committee

The Committee continues to meet daily to try to ensure that information, issues and questions raised are shared to help ensure matters are addressed by the relevant Panel and to avoid unnecessary duplication.

The Committee held its weekly meeting the Chief Minister. Issues covered were:

- Ethical Care Charter
- Timing of the proposed States meeting the following day and the impact on scrutiny hearings. The Chief Minister had accepted the concerns, and others, and did want to pursue the sitting
- Access to PPE supply lines
- The approach to testing in care homes
- Gov't comms - referred [to a recent letter](#) sent by the President to the Chief Minister. The CM accepted there was room for improvement. The Committee has arranged a briefing with the Head of comms for Monday.
- Concerns raised about duplication of time and matters discussed by CoM/Emergencies Council/Competent Authorities, with which the CM concurred and was seeking to mitigate

The SLC is considering a detailed proposal about the next phase of work that Panels might undertake, looking forward where possible at big picture policy matters, and how this may best be undertaken and co-ordinated. The Committee will update shortly.

It has also agreed that the president will make a Statement on the activities and approach to scrutiny at this time at the next States sitting, to raise awareness of the important work being undertaken by Panels.

Following media interest in the communications letter detailed above, the President received and replied to correspondence from the President of the States of Alderney, who commented helpfully on their approach to communications in the current times.

Corporate Services Scrutiny Panel - Activity Update

The Panel has mainly focused on its upcoming Quarterly Hearing with the Minister for Treasury and Resources, as well as potential amendments to P.41/2020 (relates to court trials)

- The Panel is finalising an amendment to P.41/2020, to be debated at the next States sitting (21st April 2020)
 - Met with the Education and Home Affairs Scrutiny Panel to discuss the amendment
 - Relevant questions were sent and received by officers
 - Research into court actions within UK and New South Wales
- Updated tracking details on use of reserves to fund COVID-19 actions were received from Treasury (15th April)
- The Panel held its first weekly meeting with the Minister for Treasury and Resources. Main points covered:
 - Procurement and funding of temporary “nightingale” hospital
 - Repayment of loans and internal borrowing, potential future fund-raising measures
- The Panel has scheduled a Quarterly Hearing with the Minister for Treasury and Resources on 23rd April, a question plan is being drafted
- The Panel received a response from the Chief Minister after requesting an indication of the priorities in work programmes across the next 12 months
- 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 noted the release of both the 2019 Government of Jersey Annual Report and Accounts, and the Jersey Appointment Commission Annual Report. Actions have been discussed with the OneGov Review Panel being asked to lead in public comments on the JAC report’s release and conclusions

Future 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
- The Panel has a Quarterly Hearing with the Minister for Treasury and Resources scheduled for 10am, 23rd April

Economic and International Affairs Panel - Activity Update

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.

- The Panel has asked for a meeting with Ian Burns, Director General of Customer and Local Services (Social Security), to understand how the payroll scheme interacts with the income support scheme at Social Security. Additionally, to discuss the Covid Related Emergency Support Scheme (CRESS). A date for this meeting is to be confirmed.
- The Panel is due to hold a Public Hearing with the Minister for Economic Development on Thursday 16th April to discuss support for businesses during the Covid-19 crisis. The Panel met on Tuesday 14th April to discuss business support options in preparation for the Hearing.
- The Panel has asked to meet with Matthew Berry, Senior Law Officer from the Law Officers' Department to discuss Jersey Employment Law in the context of the Covid-19 crisis. The Panel will ask whether some areas of the employment legislation could be relaxed and, if so, what the consequences might be. A date for this meeting is to be confirmed.
- The Panel has weekly meetings with the Minister for Economic Development (normally on a Thursday morning).
- From Monday 20th April, the Panel will have a regular weekly catch up meeting with representatives (Murray Norton and Jenifer Carnegie) from the Chamber of Commerce.
- The Panel may have a regular catch up meeting with representatives from Jersey Business (still to be confirmed).
- The Panel held a public hearing with the EDTSC minister and officers on 16 April. The hearing focused on business support packages, preparations for the crisis and planning for recovery.
- The Panel is undertaking scrutiny of regulations to enable the closure and reopening of construction sites and will be issuing a comments paper.
- The Panel is regularly receiving submissions from businesses and business groups, which it is using to inform its review. Upon receipt of submissions, the Panel from time to time, arranges meetings with the interested parties.

Education and Home Affairs Panel

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 be debated on 21st April. The Panel has contributed its views to the Comments that are due to be presented by the Health and Social Security Panel in order to prevent duplication.

- The Panel has continued its 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. It will be planning hearings with the Ministers in the coming weeks.
- The Panel was due to receive a briefing on Tuesday 14th April to discuss the Draft Covid-19 (Fixed Penalty Notices) (Jersey) Regulations 202- which was due to be lodged by the Minister for Home Affairs. Upon further consideration by CoM and the Emergencies Council these proposals have been withdrawn at this time.
- 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 21st April. The Panel has met with CSSP and contributed towards its amendment in relation to the proposition.

Future briefings/legislative changes to consider

The Panel is due to examine the following legislative changes:

- 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.

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-

Environment, Housing and Infrastructure Panel

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 his response to the outbreak of Covid-19.

Future briefings/legislative changes to consider

- The Panel is due to receive a briefing (TBC) 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]**

P.45/2020 Draft COVID-19 (Amendment of Health Insurance Fund) (Miscellaneous Provisions) (Jersey) Law 2011) Regulations 202- **[Comments to presented]**

P.--/2020 Draft COVID-19 (Mental Health) (Jersey) Regulations 202- **[Comments to be presented]**

P.--/2020 Draft COVID-19 (Capacity and Self-determination) (Jersey) Regulations 202- **[Comments be 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.
- The Panel received a briefing from the Minister for Health and Social Services and his officers on 9th April 2020 to discuss the Draft COVID-19 (Amendment of Health Insurance Fund) (Miscellaneous Provisions) (Jersey) Law 2011) Regulations 202- (P.45/2020) and the Ethical Framework for utilisation of critical care in response to the COVID-19 crisis.
- The Panel received a briefing from the Minister for Health and Social Services and his officers on 14th April 2020 to discuss the Draft Covid-19 (Mental Health) (Jersey) Regulations 202-, Draft Covid-19 (Capacity and Self-Determination) (Jersey) Regulations 202- and the Draft Covid-19 (Restricted Trading) (Jersey) Regulations 202-.
- The Panel received a Public Hearing (via Teams) from the Minister for Health and Social Services on the 16th April to discuss his response to Covid-19.

Future briefings/legislative changes to consider

The Panel is due to examine the following legislative changes:

- Covid-19 (Fixed Penalty Notices) (Jersey) Regulations 202-

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 currently 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 published recently and the PAC will hold a briefing with Deloitte representatives (external auditors) and separately with the Group Director, Performance Accounting and Reporting, and other senior officers of the Treasury on 20 April. Concerns have been centred on the cost of faster closing of accounts and subsequent delay of presentation to States Assembly.
- There is ongoing liaison between the officers of CSSP and PAC re the above.

- 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) and the C&AG is also helpfully providing written as well as verbal updates to the Committee on her work - the C&AG's Report on the Use of Enforcement Powers should be out this week, and the PAC will follow up with the Chief Executive, giving him additional time to respond (8 weeks) except for where the report relates to the Executive's Covid-19 response.