

COUNCIL OF MINISTERS

(91st Meeting)

24th July 2008**PART A**

All members were present.

Senator F.H. Walker, Chief Minister
 Senator W. Kinnard, Minister for Home Affairs
 Senator T.A. Le Sueur, Minister for Treasury and Resources
 Senator P.F. Routier, Minister for Social Security
 Senator M.E. Vibert, Minister for Education, Sport and Culture
 Senator P.F.C. Ozouf, Minister for Economic Development
 Senator T.J. Le Main, Minister for Housing
 Senator B.E. Shenton, Minister for Health and Social Services
 Senator F.E. Cohen, Minister for Planning and Environment
 Deputy G.W.J. de Faye, Minister for Transport and Technical Services

In attendance -

W.D. Ogley, Chief Executive, States of Jersey
 M. Heald, Assistant Chief Executive
 J. Morris, Policy and Research Manager
 M.N. de la Haye, Greffier of the States
 I. Clarkson, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A and Part B.

Minutes.

A1. The Minutes of the meetings held on: 29th May (Part B only); 2nd June (Part B only); 6th June (Part A only); 12th June (Parts A and B); 25th June (Part B only); 26th June (Parts A and B); and 2nd July (Part B only), having been circulated previously, were taken as read and were confirmed.

States
 business.
 1240/7/1(1)

A2. The Council reviewed the list of public business scheduled for consideration by the States Assembly during the Second Session of 2008. In preparation for the Second Session it resolved to meet on 21st August 2008 to consider the development of policies to respond to the reported rises in food and fuel prices. It also agreed to give further detailed consideration to the following forthcoming propositions –

- (a) Bailiff of Jersey: cessation of dual rôle (P.112/2008 refers);
- (b) Annual Business Plan (P.113/2008 refers); and
- (c) Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy (P.103/2008 refers).

Ministerial
decisions:
review.
1445(6)

A3. The Council, with reference to its Minute No. A3 of 7th February 2008, considered a report, dated 10th July 2008 and prepared by the Policy and Research Manager, concerning the recording process for Ministerial Decisions and a related proposal for a review of existing arrangements.

The Council considered a report, dated 10th July 2008 and prepared by the Policy and Research Manager, concerning the recording process for Ministerial Decisions and a related proposal for a review of existing arrangements.

The Council recalled that the basis and process for making and recording Ministerial Decisions had been set out in R.C.80/2005, which had been presented to the States by the Policy and Resources Committee on 18th October 2005. Further supplementary guidelines had been presented to the States by the Council of Ministers on 4th December 2006 (R.93/2006 refers). A considerable number of Ministerial Decisions had subsequently been processed effectively following the introduction of the ministerial system of government; however, complications had arisen in an isolated number of cases. In this connexion the Council recalled that on 17th June 2008 the Minister for Home Affairs had informed the States Assembly of her intention to raise with the Council the need for a review of procedures for Ministerial Decision recording, following concerns expressed in connexion with the making of the Police Procedures and Criminal Evidence (Codes of Practice) (Amendment) (Jersey) Order 2008, which had subsequently been rescinded.

It was reported that officers of the Chief Minister's Department and the States Greffe had recently discussed the efficiency and effectiveness of the existing Livelink Ministerial Decision recording system and associated administrative procedures. During the course of those discussions it had been recognized that certain inconsistencies were developing within the decision recording process. There was evidence that administrative approaches to the process of recording decisions varied slightly between departments and that there were differing views among departments on the matter of when a Ministerial Decision was required. Related supplementary work had been carried out subsequently by the Deputy Greffier of the States, who had produced a report concerning the process of quality assuring decisions submitted to the States Greffe. Several specific issues requiring attention had been outlined within her report.

The Council, having acknowledged that the final 6 months of the inaugural 3-year period of Ministerial Government was approaching, concluded that it would be appropriate to revisit the process of recording Ministerial Decisions as a matter of course and to consider whether further refinements to the process could be introduced. **To that end, the Council determined that a project team, to be led by the Chief Minister's Department and supported by the States Greffe, should review existing procedures in consultation with departments across the States and should produce a report outlining its findings, and any related recommendations, by the end of October 2008 for subsequent consideration by the Council.**

In the intervening period, the Council agreed that all departments should be reminded as to what precisely constituted a Ministerial Decision under R.C.80/2005 and the supplementary guidelines.

91st Meeting
24.07.08

Child
protection
services:
criminal
investigation.
835/3/4(19)
839/41(9)

A4. The Council, with reference to its Minute No. A3 of 12th June 2008, noted the current status of the criminal investigation into the historical delivery of child protection services in Jersey.