

Answers issued to Members on 17 September 2007

[R] signifies that the Member has declared an interest.

[W] signifies that the question was tabled in Welsh.

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Questions to the Minister for Social Justice and Local Government

Peter Black (South Wales West): What is the target date for the implementation of a strategy to combat hate crime? (WAQ50344)

The Minister for Social Justice and Local Government (Brian Gibbons): Work has already started on the development of a Community Cohesion Wales Project. This will include an initiative to tackle hate crime. The work is expected to take 9-12 months to complete and I will then consider what else needs to be done in relation to the 'One Wales' programme.

Peter Black (South Wales West): What is the target date for the implementation of an all-Wales alcohol reduction strategy? (WAQ50345)

Brian Gibbons: Alcohol is already a part of the current Welsh Assembly Government Substance Misuse Strategy and we are developing a new strategy to run from May 2008. Alongside this, the Assembly Government Health Improvement Division is also developing an Alcohol Action Plan that will focus on the prevention of alcohol misuse.

Paul Davies (Preseli Pembrokeshire): Does the Minister have any plans to allow public representations to cross-examine submitted evidence at tribunals into Local Government conduct? (WAQ50349)

Brian Gibbons: The Public Services Ombudsman for Wales is responsible for considering allegations of misconduct against local government members in Wales. Where the Ombudsman considers that an allegation warrants investigation, he may undertake that investigation himself, or refer the matter to the relevant authority's Monitoring Officer for investigation and report to the local standards committee. Where the Ombudsman undertakes the investigation, he has discretion to refer his report to either the local standards committee or the President of the Adjudication Panel for Wales.

The function of local standards committees and tribunals formed by the Adjudication Panel is to determine, based on the report of the Monitoring Officer or the Ombudsman as appropriate, whether there has been a breach of the code of conduct and, if so, the appropriate sanction, if any.

Members subject to allegations of misconduct may choose to appear before the standards committee or a tribunal to give evidence in person or through a representative, or they may submit written representations. Standards Committees and tribunals are empowered to call relevant witnesses to give evidence to assist them in making their determination. They may also require the investigating officer to attend for the purpose of presenting his or her report and clarifying matters within it.

While hearings may be open to the public, there is no right for the public to cross-examine evidence submitted at a hearing. A person who believes that they have evidence relevant to an investigation should contact the investigating officer during the course of his or her investigation.

Should a person consider that he or she is in possession of relevant information during the course of a hearing, it is open to them to make that fact known to the standards committee or the tribunal via the administrative support staff. It is for the standards committee or the tribunal to determine whether such evidence was relevant and admissible.