

STATES OF JERSEY

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DRAFT STANDING ORDERS OF THE STATES OF JERSEY (P.162/2005): SECOND AMENDMENTS

**Lodged au Greffe on 13th September 2005
by Deputy G.P. Southern of St. Helier**

STATES GREFFE

DRAFT STANDING ORDERS OF THE STATES OF JERSEY (P.162/2005): SECOND AMENDMENTS

1 PAGE 43, STANDING ORDER 13 –

In paragraph (1) for the word “60” substitute the word “90”.

2 PAGE 59, STANDING ORDER 63 –

In paragraphs (1) and (9) for the word “60” substitute the word “90”.

3 PAGE 66, STANDING ORDER 84 –

In paragraph (3) after the words “if it appears to him or her” insert the words “that the proposition is one which has been the subject of an inquiry and report by a scrutiny panel or”.

DEPUTY G.P. SOUTHERN OF ST. HELIER

REPORT

Amendments 1 and 2

My primary intention in bringing these amendments is to assist the smooth and effective running of States business, but it will, I believe, also succeed in the secondary aim of assisting the Bailiff to conduct question time in an orderly manner.

I believe that question time performs a vital function in the overall business of the States. It will not be replaced by the scrutiny function but will remain as an essential adjunct to it. I remain convinced, as I was when I brought my amendment to P.171/2004 in October 2004, that the experiment of reducing question time to an hour was a step too far. It has not only reduced the time spent on questions but, far worse, it has significantly reduced the quality of the interaction.

I have only to refer back to the proceedings of the 9th November 2004 to illustrate what I mean. There were 12 oral questions tabled, along with 12 answers to written questions. Many of the latter were fully answered in a brief paragraph. These might have been more appropriate as oral questions with consequent supplementaries, were it not for the artificial restrictions we have placed around question time.

In conducting the session that day, it seemed to me that the Bailiff struggled to find the balance between proper exploration of the issues through supplementaries, and moving matters on at an efficient pace. Once again, in my view, he found it difficult to find the correct balance, not through any fault of his own, but because the task we have set him is an impossible one. Twelve questions, and it often is 12 questions, simply cannot be answered properly in a mere hour.

We saw that day the introduction of a 90 second limit for Presidents' answers. The inevitable result was that 2 Presidents failed to get any sort of answer out at all, which in turn meant that the first supplementary was wasted in inviting the president to complete a competent answer. In addition to this unsatisfactory outcome, I counted 3 questions where members still had supplementaries unasked when time was called.

Amendment 3

It seems clear to me that one of the prime aims of scrutiny is to produce better informed and higher quality debate in the Assembly. To this end any scrutiny panel will trawl through the evidence which underpins any policy or proposal which it has investigated to bring such evidence to public notice. Occasionally the evidence gathered or the topic itself will have attracted such attention that the public, via the media, will have had a thorough grounding in many aspects of the subject under scrutiny. Equally in such cases, members of the Assembly will be well informed.

Unfortunately these cases will be all too rare. Most scrutiny investigations will gather only occasional interest from the media or public, and the detail uncovered in their reports will go largely unnoticed. Thorough investigations, such as the recent work on the Solid Waste Strategy, will contain a wealth of often complex detail and argument. In the majority of cases, it will be only in the debate in the Chamber that the full panoply of arguments can be fully explored and understood.

It seems to me that to that to retain the ability to cut short any debate in which a great deal of investment of time, expertise and money has taken place to obtain the highest quality evidence through scrutiny would be a waste of such expenditure. Were any debate on such a scrutiny topic to be foreclosed, it would also suggest to those outside the chamber that the scrutiny process carries little weight or respect in the Assembly. That the Assembly is quite prepared to bring important debates to an end with a closure motion in cynical disregard for scrutiny was evidenced recently when members chose to close the Migration debate without having heard a single word from any of the members of relevant scrutiny panel.

I believe that as part of bedding in the culture change brought about by our adoption of scrutiny we need to offer some protection to the scrutiny process and to recognise its importance in the ministerial system. I believe this amendment goes some way towards these aims.

Financial and manpower implications

There are no financial or manpower implications for the States arising from these amendments.

Re-issue Note

This Amendment has been re-issued as the original inadvertently contained incorrect paragraph numbers in 2 and an incorrect page number in 3. The Greffier apologises for the error.