

STATES OF JERSEY



DRAFT AMENDMENT (No. 38) OF THE STANDING ORDERS OF THE STATES OF JERSEY (P.1/2019): AMENDMENT

**Lodged au Greffe on 5th February 2019
by Deputy K.F. Morel of St. Lawrence**

STATES GREFFE

DRAFT AMENDMENT (No. 38) OF THE STANDING ORDERS OF THE STATES
OF JERSEY (P.1/2019): AMENDMENT

PAGE 7, AMENDMENT 1 –

For Amendment 1 substitute –

“1 Standing order 117 (Ministers: selection process) amended

In standing order 117 of the Standing Orders of the States of Jersey –

- (a) paragraph (2D) is deleted;
- (b) in paragraph (17A) for the words “paragraph (5)” there is substituted “this standing order”.

DEPUTY K.F. MOREL OF ST. LAWRENCE

REPORT

Understanding a Minister's intentions when they take office is a key factor in being able to hold them to account but as it currently stands, Amendment No. 1, as described in [P.1/2019](#), makes it harder for Assembly members and the public to do so because it removes the requirement, for Ministers elected to office without a challenger, to provide a written statement of their policy intentions.

Because the requirement to provide a written statement of policy intentions currently only falls upon those Ministers elected without a vote of the Assembly, it is understandable that the Privileges and Procedures Committee would want to create a level playing field for all Ministers, regardless of whether or not they were challenged in their pursuit of office.

Avoiding unintended consequences

Unfortunately, whilst the original amendment as proposed is sound from an administrative perspective, in reality, it has the unintended consequence of weakening the Assembly's and the public's ability to hold Ministers to account. It does so by forcing Islanders to rely on statements and questions made to the States Assembly during elections to ministerial office.

In turn, this means that to hold Ministers to account, Islanders only have Hansard and all the difficulties that come with searching through it. On top of this, once they've found the appropriate text, they then have to decipher the statement and answers provided by the new Minister before they have a hope of understanding their policy intentions.

If Amendment No. 1 is passed unamended, there will be no specific requirement for any new Ministers to include policy intentions in their statement or in answers to questions, meaning that the public and Assembly members will be in an even weaker position when it comes to holding Ministers to account, than they are today.

This proposed amendment to the amendment is designed to address these anomalies by requiring all successfully elected Ministers to provide a written statement of policy intentions to the States Assembly within 3 working days of being elected to office.

Building public confidence in government

The amendment also requires that those statements are posted online, meaning that they will be more easily found by members of the public and will become a long-standing, easily accessible resource, which all Islanders can use to more effectively hold Ministers to account throughout their terms of office.

The requirement is far from onerous, with new Ministers only needing to provide a bullet point list of their policy intentions, in order to fulfil the requirements of this amendment. In fact, it could be argued that should a Minister find it difficult to comply with this requirement, then perhaps ministerial office isn't the place for them.

The impact of this amendment will certainly be significant as Islanders will, for the first time, have an easily searchable and readable online resource that gives them crucial insight into the aims and intentions of their new government ministers.

The Government of Jersey is often criticised for lacking transparency and for the opacity of its decision making. This simple amendment gives the Assembly an excellent opportunity to build public confidence in government whilst also requiring very little in the way of effort from individual ministers.

Financial and manpower implications

There are no financial implications arising as a result of adopting this amendment. The only human resource implication would be to ensure the statements are uploaded to the existing States Assembly website.