

STATES OF JERSEY



Jersey

DRAFT AMENDMENT (No. 47) OF THE STANDING ORDERS OF THE STATES OF JERSEY

Lodged au Greffe on 8th September 2020
by the Privileges and Procedures Committee

STATES GREFFE

REPORT

The adoption of this Standing Order would implement the Assembly's approval of [‘States Assembly: time limits on speeches in debate’ \(P.101/2019\)](#) on 12th November 2019. The arguments relating to time limits, and information on the position in other jurisdictions, was included in the report accompanying P.101/2020 and that report has been appended to this one.

In approving P.101/2019, the Assembly agreed that speeches in debates should not normally exceed 15 minutes in length (excluding the time spent on certain interventions) but that the Presiding Officer should be able to exercise discretion either to allow a member to speak for longer than 15 minutes or to implement a shorter time limit on speeches if he or she considered that it was necessary to do so. Any such discretion would be exercised in accordance with guidance issued by the Bailiff following consultation with the Privileges and Procedures Committee. The Committee is proposing the insertion of a new Standing Order to achieve this.

In line with P.101/2019, Standing Order 104A would provide for a standard time limit of 15 minutes on speeches made during the debate on a proposition. No time limit would therefore apply to the speeches made by the proposer of a proposition as neither making the proposition nor summing up form part of ‘the debate’ under Standing Orders. The new Standing Order would also ensure that no time limit applied to any speech made by a member who was the subject of a vote of no confidence or a vote of censure (or, if a body were the subject of such a proposition, to any speech made by the chair or president of that body).

Standing Order 104A would clarify that certain interventions would not count towards the duration of a member's speech, namely any time required to address –

- (a) points of order or matters of privilege;
- (b) points of clarification; or
- (c) questions to the Attorney General or Solicitor General.

The new Standing Order would allow the Presiding Officer to exercise discretion, either to allow a member to speak for longer than 15 minutes or to introduce a shorter time limit than 15 minutes for all (or parts) of a debate. The Standing Order itself would not include the guidance; this would be published separately. The initial guidance agreed by the Bailiff (following consultation with the Committee) that would apply has been appended to this report. The guidance will be kept under review.

The introduction of time limits would require some means by which the Presiding Officer (and, indeed, all members) could easily follow the duration of a member's speech. In March 2020, a trial was undertaken in which 3 screens were placed in the States Chamber to show the length of speeches. The Committee has concluded this system worked well and, subject to the Assembly's adoption of the new Standing Order, a similar system will be replicated in the Chamber. It is envisaged that one screen would be placed each side of the Bailiff's entrance to the Chamber (for members to see) and that a third would be placed on the table in front of the Greffier's desk in order that the Presiding Officer can see the duration of the speech. Placing the screens in this fashion should not require any invasive work in the Chamber and so planning permission should not be required. However, the States Greffe will investigate whether more permanent

installations for the 3 screens would be beneficial and engage with the planning process, if the permanent installations required invasive work in due course.

Financial and manpower implications

There would be a cost implication of installing timers in the States Chamber. It is envisaged that purchasing and installing the equipment would cost between £2,500 and £3,000. This expenditure could be accommodated within the States Greffe's existing budget; in light of the Assembly's adoption of P.101/2019 provision was made for the implementation of that decision and the introduction of timers in the Chamber was an objective in the [States Greffe's 2020 Business Plan](#).

APPENDIX

Time limits on speeches in debates
Guidance on the Exercise of Discretion

Standing Order 104A governs the time limits that apply to the speeches given by members of the States during debates. A time limit of 15 minutes applies, unless the Presiding Officer has exercised discretion, either to allow a member to speak for longer than 15 minutes or to implement a shorter time limit than this for the entirety (or parts) of a debate.

In accordance with Standing Order 104A, this guidance has been issued by the Bailiff, having consulted with the Privileges and Procedures Committee, to explain how the Presiding Officer will exercise discretion for longer speeches or implement a shorter time limit than 15 minutes.

Discretion may be exercised by the Presiding Officer in the following circumstances to allow for speeches of longer than 15 minutes –

1. Where the member speaking is designated as the ‘main respondent’ to the debate. The identity of this main respondent will depend on the subject of the proposition and the identity of the proposer. The following table provides examples of main respondents who would potentially be identified for certain types of debate –

Type of Debate	Potential Main Respondent
Ministerial Policy / Legislation	Chair of the relevant Scrutiny / Review Panel
‘Backbench’ Policy / Legislation	Relevant Minister or Chair of the relevant body (e.g. PPC or SEB)
Scrutiny Policy / Legislation	Relevant Minister or Chair of the relevant body (e.g. PPC or SEB)

On occasion, there may be more than one Minister, or more than one Chair, who is identified as the ‘main respondent’. If there is doubt as to which is the relevant Minister(s), the Presiding Officer shall take the advice of the Chief Minister. If there is doubt as to which is the relevant Scrutiny Panel or Review Panel, the Presiding Officer shall take the advice of the President of the Scrutiny Liaison Committee.

2. Where a number of technically complex points need to be made during the speech, particularly if the member has applied in advance of the debate for such discretion to be applied.
3. Where the subject of the debate is especially emotive and further time is required by an individual member to complete his or her speech.
4. In instances when the Assembly is meeting remotely, or when some Members are attending remotely, where a member has experienced technical difficulties when participating remotely.

A shorter time limit than 15 minutes may be implemented in the following circumstances –

1. Once the Assembly has been informed by a member of the States, under Standing Order 84, of his or her intention to propose that the proposition being debated is put to the vote.
2. Where it appears to the Presiding Officer that the debate on a proposition can be concluded by 5.15 p.m. (i.e. not including the reply of the proposer).

In order to determine whether to implement a shorter time limit in such circumstances, the Presiding Officer will ask members to indicate whether they intend to speak during the debate.



Jersey

DRAFT AMENDMENT (No. 47) OF THE STANDING ORDERS OF THE STATES OF JERSEY

Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES make the following Amendment to the Standing Orders of the States of Jersey¹ under Article 48 of the States of Jersey Law 2005² –

1 Standing Order 104A (Time limits on speeches in debates) inserted

After standing order 104 of the Standing Orders of the States of Jersey³ there is inserted the following standing order –

“104A Time limits on speeches in debates

- (1) A speech by a member of the States in a debate must not exceed 15 minutes in length unless the presiding officer has exercised discretion to allow the member to speak for longer.
- (2) However, the presiding officer may exercise discretion to implement a shorter time limit than 15 minutes for speeches made during the entirety of, or parts of, a debate.
- (3) The Bailiff, after consultation with the Privileges and Procedures Committee, must issue guidance explaining how the presiding officer may exercise discretion under paragraphs (1) and (2).
- (4) The length of a member’s speech shall not be taken to include –
 - (a) any time required to address a point of order or a matter of privilege or immunity raised under standing order 101(1)(a);
 - (b) any time during which the member speaking has agreed to give way in accordance with standing order 101(1)(c);
 - (c) any time required for the member to explain any material part of his or her speech in accordance with standing order 103(2)(d); or
 - (d) any time required during the member’s speech for questions to be put to the Attorney General or the Solicitor General.
- (5) No time limit under this standing order applies, in a debate upon a proposition of no confidence in or to censure, suspend or expel a member of the States, to a speech made by the member who is the

subject of the proposition or by the chair or president of the committee or panel which is the subject of the proposition.”.

2 Citation and commencement

This Amendment may be cited as Amendment (No. 47) of the Standing Orders of the States of Jersey and comes into force on the day after it is made.

ENDNOTES

Table of Endnote References

<u>1</u>	<i>chapter 16.800.15</i>
<u>2</u>	<i>chapter 16.800</i>
<u>3</u>	<i>chapter 16.800.15</i>