

PRIVILEGES AND PROCEDURES COMMITTEE

(45th Meeting)

4th May 2007**PART A**

All members were present, with the exception of Deputy C.H. Egré, from whom apologies had been received.

Connétable D.F. Gray of St. Clement - Chairman
 Senator S. Syvret
 Senator M.E. Vibert
 Connétable K.A. Le Brun of St. Mary
 Deputy G.C.L. Baudains
 Deputy J. Gallichan

In attendance -

M.N. de la Haye, Greffier of the States
 Mrs. A.H. Harris, Deputy Greffier of the States
 Mrs. D. Abbot-McGuire, Finance and Administration Manager (for a time)
 Miss P. Horton, Clerk to the Privileges and Procedures Committee

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

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| Minutes. | A1. The Minutes of the meetings held on 11th April 2007 (Part A and Part B) and 17th April 2007 (Part A only), having been previously circulated, were taken as read and were confirmed. |
| Quarterly Report - States' Assembly - First Quarter 2007.
422/10/1(80)
Encl. | A2. The Committee, with reference to its Minute No. A2 of 7th February 2007, received and considered the First Quarter Report 2007 for the States Assembly, prepared by the Finance and Administration Manager.

The Committee, having been advised that the States Assembly budget was predicted to be underspent at the end of 2007, accordingly noted the States Assembly Quarterly Financial Report for the First Quarter 2007. |
| Installation of showers in States Building for use of States Members.
1240/9/3(1)
Encl. | A3. The Committee received and considered a report, prepared by the Finance and Administration Manager in connexion with the installation of showers in the States Building for the use States Members.

The Committee was advised that some Members had asked to have shower facilities provided in the States Building. In this regard the Finance and Administration Manager outlined three options for the Committee to consider as follows -

(a) Construct separate area for shower facilities - The Committee was advised that the kitchen near the interview rooms could be converted into a shower room with a changing area. The only disadvantage was that it would result in the loss of a kitchen facility. There was no other area in the States Building which could be converted into a shower room and as the building was a designated Site of Special Interest planning |

permission would not be given for constructing a shower in a separate area;

- (b) **Use the existing showers in the basement** - The existing showers in the basement could be used but only by a limited number of States Members;
- (c) **Install showers in toilets on ground floor** - One cubicle in each of the Men's and Women's toilets could be converted into a shower cubicle. This would result in the loss of three cubicles in each area and the loss of two urinals in the Men's toilets. The disadvantages of this option were as follows -
 - (i) there would not be an area to keep clothes or towels in the toilets;
 - (ii) there were already lockers provided but users would need to be aware that these were some distance away from the toilets;
 - (iii) there would not be any facilities for washing or drying towels;
 - (iv) the toilets could become untidy if towels and clothes were left hanging on hooks. Users would need to be informed that they were responsible for removing all items from the toilets;
 - (v) the space available in the Women's toilets was large enough to install a shower cubicle and changing area although part of the window would be blocked up. The space available with the loss of two urinals in the Men's toilet would also be large enough to install a shower cubicle with a changing area.

The Committee, having considered the three options, opined that it would not be necessary to have separate shower facilities for men and women and agreed that the kitchen should be converted into a unisex shower facility. The Committee requested that it be advised of the estimated cost for converting the kitchen into a shower facility prior to any further action being taken.

The Finance and Administration Manager was directed to take the necessary action.

Composition and
Election of the
States Assembly.
465/1(75)

A4. The Committee, with reference to its Minute No. A1 of 27th April 2007, resumed consideration of the Composition and Election of the States Assembly.

The Committee having expressed its disappointment with the outcome of the recent States debate on the matter of the reform of the States Assembly agreed that it would continue to work on proposals for reform. The Committee felt that a report should be prepared outlining the reasons why some of the options already considered were not satisfactory and that workable options should be put forward for consideration by the States Assembly.

The Committee opined that although there had been extensive public consultation no real consensus had been established and it would be difficult to present workable options that were satisfactory to everyone. The Committee discussed the matter in detail and agreed that one of the options put forward should be to have a number of large constituencies with the 12 Parish Connétables remaining in the States as it was felt that this option would address the imbalance in representation in the Island particularly in relation to Deputies seats where changes in population had not been reflected in the allocation of seats which had remained unchanged for many years.

The second option that the Committee requested to be put forward was for one class of States member elected on a Parish basis and the 12 Parish Connétables all with the same term of office. The Committee felt strongly that the public should be given the opportunity to express a view on the proposals and any proposed reform should be put to the electorate in a referendum.

The Committee agreed that the Chairman should make a statement at the next States sitting advising members of its intention to continue to work on proposals for the reform of the composition of the States Assembly.

The Greffier of the States was directed to take the necessary action.

Code of Practice
on Public Access
to Official
Information:
Annual Report
for 2006.
955(32)

A5. The Committee received and considered a report entitled ‘Code of Practice on Public Access to Official Information: Annual Report for 2006’.

The Committee recalled that a report concerning the operation of the Code of Practice on Public Access to Official Information was presented to the States annually. It was noted that a total of 73 applications under the Code had been recorded by individual departments of the States, the majority of which had been made to the Health and Social Services Department.

The Committee, having noted that the Code of Practice on Public Access to Official Information had been in force since 20th January 2000, agreed that the current format of the Annual Report should be revised.

The Deputy Greffier of the States was directed to take the necessary action.

Distribution of
weekly meeting
sheet to all States
Members.
1240/9/1(140)
Encl.

A6. The Committee received and considered a report dated 27th April 2007, prepared by the Greffier of the States, in connexion with the distribution of weekly meeting sheets to all States Members.

The Committee was advised that the abolition of the list was suggested by the States Greffe some years ago but, at that stage, the idea met with little support. Some members had pointed out that they found the printed list extremely useful to take around with them and they would simply have to print out a list at their own expense if it was only found on a website. In addition other members had pointed out that the list provided a weekly reminder of meetings without the need to make the effort to look specifically at a website. Some members had felt that they would miss important meetings if they did not receive the weekly reminder.

The Committee felt that, although the abovementioned objections possibly remained valid for some members today, there were environmental and cost cutting issues that needed to be taken into consideration. The Committee discussed the circulation of the list and also the States Minutes, all reports including “glossy” reports from the Comptroller and Auditor General and a number of other organisations including Jersey Tourism. The Committee was of the opinion that it was not necessary for the abovementioned to be distributed to all States members and agreed that they should only be circulated to members who specifically requested a hard copy. Hard copies of the documents could be made available for all members to view when the States were meeting and at other times members could be emailed a list of the documents which had been produced and advised that a hard copy could be collected from the States Bookshop if required.

The Greffier of the States was directed to take the necessary action.

Scanners for
States Members'
Computer Room.
1240/9/3(2)
Encl.

A7. The Committee considered an e-mail received from Deputy P.V.F. Le Claire requesting the provision of two scanners in the States Members' Computer Room.

The Committee noted that Deputy Le Claire felt that it would be of benefit to him and other States Members to have scanners provided. The Finance and Administration Manager advised the Committee that it was possible to add a scanner to the existing printer in the Computer Room and this would be covered by the current maintenance agreement.

The Committee, having been advised that the cost would be £320, accordingly approved the instillation of a scanner in the States Members' Computer Room.

The Finance and Administration Manager was directed to take the necessary action.

Laptops - use of
in the States
Chamber.
1240/9/3(3)
Encl.

A8. The Committee considered an e-mail received from Deputy P.V.F. Le Claire enquiring whether he would be permitted to use his laptop in the States Chamber.

The Committee was advised that, at present, there was no decision on permitting the extensive use of laptops. The Committee considered Standing Order 99(1) which stated -

99 Behaviour of members during meeting

- (1) Before entering the Chamber, a member of the States must switch off any mobile telephone and every other electronic device he or she has with him or her that would be likely to disturb the proceedings of the States.

The Committee felt that given the size of members' desks in the Chamber and the room available to members there was not enough space to accommodate laptops without causing disruption. Any decision on this matter would apply to all members and if a large number of members were to bring laptops the disruption would almost certainly disturb debates. The Committee also felt that members would be tempted to answer e-mails rather than concentrate on the proceedings.

The Committee agreed that Deputy Le Claire should be advised that it did not support the use laptops in the States Chamber at the present time.

The Greffier of the States was directed to take the necessary action.

E-Petitions.
1240/22(46)
Encl.

A9. The Committee considered an e-mail received from Deputy P.V.F. Le Claire regarding the use of electronic petitions.

The Committee was advised that e-petitions were used in the United Kingdom where the system was run by the Prime Minister's Office. The Committee felt that the cost of implementing and managing such a system would be considerable and the amount of work involved in policing it would be immense. The Committee agreed that as States members were very accessible to the public and the present system for petitions appeared to work well it would not support the introduction of an electronic petition system at the present time and requested that Deputy Le Claire be advised accordingly.

The Greffier of the States was directed to take the necessary action.

Matters for

A10. The Committee noted the following matters for information -

information.

- (a) that Senator P.V.F. Le Claire felt aggrieved at some of the comments made concerning him by Senator B.E. Shenton during the last States sitting. The Committee opined that it was the Presiding Officer who was responsible for deciding whether the content of a speech was appropriate or not and to ensure that standing Orders were observed;
- (b) an e-mail received from Deputy G.P. Southern concerning the action taken by the Committee in relation to the registration of political parties. The Committee requested that Deputy Southern be informed of the dates of its discussions of the matter and also that his draft proposition had been considered at its meeting on 10th January 2007 at which time it had been agreed that it would be preferable if States members could consider the full proposals about to be put forward by the Committee; and
- (c) the Committee confirmed that its next meeting would be held on Wednesday, 23rd May 2007, commencing at 9.30 a.m. in the Le Capelain Room, States Building, Royal Square, St. Helier.

Draft States of
Jersey
(Amendment No.
3) Law 200-
450(5)
Encl.

A11. The Committee, with reference to its Minute No. A7 of 10th January 2007, received and considered a report dated 30th April 2007, prepared by the Greffier of the States in connexion with the draft States of Jersey (Amendment No. 3) Law 200-.

The Committee recalled that the Chairmen of the Scrutiny Panels had found that it would be advantageous to allow advisers to scrutiny panels to participate in questioning at hearings. However, it had been noted that only States Members were protected by immunity from proceedings by the States of Jersey (Powers, Privileges and Immunities) (Scrutiny Panels, PAC and PPC) (Jersey) Regulations 2006. The Committee had agreed that it was prepared to bring forward an amendment to the States of Jersey Law 2005 to cover this matter once the Chairmen's Committee had prepared a draft protocol showing how this would work in practice.

The Committee, having noted that the draft protocol had been prepared, considered the draft States of Jersey (Amendment No. 3) (Jersey) Law 200- which it was noted would enable the States to make Regulations to provide that persons appointed by a States' committee or panel to advise on technical matters had immunity from civil or criminal liability when asking any questions of persons appearing before the committee or panel.

The Committee accordingly approved the States of Jersey (Amendment No. 3) (Jersey) Law 200- and requested that it be lodged 'au Greffe' at the earliest opportunity for consideration by the States.

The Greffier of the States was directed to take the necessary action.