

TM/SC/119

PRIVILEGES AND PROCEDURES COMMITTEE

(9th Meeting)

21st April 2015**PART A (Non-exempt)**

All members were present.

Connétable L. Norman of St. Clement, Chairman
 Senator P.F.C. Ozouf
 (not present for item Nos. A1, A4-A7)
 Connétable D.W. Mezbourian of St. Lawrence
 (not present for item No. A8)
 Connétable J.E. Le Maistre of Grouville
 (not present for item No. A8)
 Connétable C.H. Taylor of St. John
 Deputy J.A. Martin
 Deputy S.Y. Mézec of St. Helier

In attendance -

M.N. de la Haye O.B.E., Greffier of the States
 L.M. Hart, Deputy Greffier of the States
 T. McMinigal, Clerk to the Privileges and Procedures Committee

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

Minutes. A1. The Minutes of the meetings of 10th February 2015 (Part B only) and 16th March 2015 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Role of the Presiding Officer. A2. The Committee, with reference to its Minute No. A7 of 16th March 2015, considered a report from the Committee Clerk in connexion with the role of the Presiding Officer of the States Assembly.

450/1(18)

The Committee recalled that at its previous meeting it had agreed to formally review the role of the Bailiff as President of the States. Members were advised that, based upon evidence from a range of comparable jurisdictions, a number of possible arrangements existed in respect of the Presiding Officer. From a purely practical standpoint, the creation of a post of elected speaker appeared feasible, although it was likely that there would be a cost associated with it, and the impact on the civic head role of the Bailiff was hard to assess. The Committee acknowledged that, ultimately, the responsibility would fall on its shoulders to adopt a political stance on the matter, whether that was in favour of the status quo or of some change.

The Committee further recalled that it had invited the Chief Minister to attend its current meeting to discuss the topic at first-hand. Whilst the Chief Minister had withdrawn his attendance at a late juncture due to other urgent commitments, he had nevertheless issued correspondence, dated 20th April 2015, in which he set out some thoughts for the Committee's consideration. The Committee noted that the Chief Minister proposed that a change might be made to the States of Jersey Law

2005, whereby the Bailiff and Deputy Bailiff would not preside when laws were being made. Instead, in such instances an elected member or the Greffier/Deputy Greffier of the States would preside. It was suggested that such a change might improve the current position in relation to widely accepted judicial standards, without affecting the overall position of the Bailiff as President of the Assembly.

Having reviewed this correspondence, the Committee considered that it should be shared with the Bailiff for comment, subject to the Chief Minister's permission. Members also wished to reiterate their invitation to the Chief Minister to attend a meeting of the Committee to discuss the matter in person. The Committee Clerk undertook to make the necessary arrangements.

Overall, it was felt that no position should be taken until the entire Committee was both present and in full possession of the relevant facts and arguments. The Committee was in agreement that it should review the role of the Bailiff to the fullest extent possible, giving consideration as to how an alternative Presiding Officer might undertake those duties which were perhaps less visible, for example the approval of questions and propositions. The Committee noted the position accordingly.

States
Assembly
Annual Report
2014.
1240/25(9)

A3. The Committee, with reference to its Minute No. A2 of 10th April 2014, received a draft of the 2014 States Assembly Annual Report.

The Committee, having requested that one section displayed in the document be reordered, agreed to present the report to the States once a foreword from the Bailiff and an introduction from the Chairman had been added, and once a period of a week had been allowed to account for any further amendments as suggested by Members. The Greffier of the States was requested to take the necessary action.

Web-streaming
of meetings of
the States.
465/4(13)

A4. The Committee, with reference to its Minute No. B1 of 16th March 2015, received an update from the Greffier of the States in relation to the web-streaming of meetings of the States.

The Committee noted that the report and proposition "States Assembly: filming proceedings and the installation of clocks" (P.39/2015 refers) had been lodged "au Greffe" on 16th April 2015 for debate at the States Assembly sitting on 2nd June 2015.

Having lodged the proposition, the Committee re-iterated its suggestion that a briefing be arranged to demonstrate the benefits and capabilities of a web-streaming facility to all States Members. Officers from the States Greffe undertook to make the necessary arrangements in respect of the above.

The Committee also considered that it would be useful to receive written confirmation from the Planning and Environment Department that planning permission was not required in order to install filming equipment in the States Chamber. The Greffier of the States undertook to liaise with that Department in order to obtain its consent.

Connétables J.E. Le Maistre of Grouville and C.H. Taylor of St. John maintained their dissent from the Committee's decision on the basis that the cost of web-streaming was prohibitive, especially in the current economic context.

Installation of
digital clocks
in the
Chamber.

A5. The Committee, with reference to its Minute No. B2 of 10th February 2015, received an update from the Greffier of the States in respect of the installation of digital clocks in the States Chamber.

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465/4(14)

The Committee noted that the report and proposition “States Assembly: filming proceedings and the installation of clocks” (P.39/2015 refers) had been lodged “au Greffe” on 16th April 2015 for debate at the States Assembly sitting on 2nd June 2015.

States
procedures:
review
465/4(14)

A6. The Committee, with reference to its Minute No. A3 of 16th March 2015, received an oral update from the Committee Clerk on the activities of the Standing Orders and Internal Procedures Sub-Committee.

The Committee noted that a second meeting of the Sub-Committee had been held on 23rd March 2015 to discuss, among other matters, the appointment procedures for Ministers and Chairmen and the conduct of question time within the Assembly. The Committee Clerk advised that a report formalising the Sub-Committee’s deliberations would be prepared and presented to the Committee upon the conclusion of its examination of States procedures.

The Committee recalled that a targeted questionnaire honing in on specific areas of procedure was being drafted and would be issued to all States Members once finalised. The Committee was informed that this questionnaire was close to completion and would be distributed once it had been approved by the Sub-Committee.

The Committee further recalled that the Sub-Committee had mooted the possibility of arranging a workshop for all States Members wherein Standing Orders would be discussed. A date of 16th June 2015 had been set for this workshop. Invitations would follow in due course.

The Committee noted the position accordingly and awaited further developments with interest.

Composition
and election of
the States
Assembly.
465/1(195)

A7. The Committee, with reference to its Minute No. A4 of 16th March 2015, received an oral update from the Deputy Greffier of the States on the activities of the Sub-Committee on the Composition and Election of the States Assembly.

The Deputy Greffier reported that an Officer Group meeting had taken place on 30th March 2015 to discuss the outcomes of the meeting of the Sub-Committee on 18th February 2015. Officers had undertaken to prepare a provisional timeline for the reform process, draft terms of reference, a longlist of potential questions for the first in a series of ‘open forum’ meetings with all States Members and a summary of the Venice Commission insofar as it related to the States Assembly. These materials would be presented to the Sub-Committee and finalised at its next meeting, which was scheduled for 12th May 2015.

The Committee further noted that a date of 2nd June 2015 had been secured for the hosting of the Sub-Committee’s first ‘open forum’ meeting with all States Members. This meeting would initiate the Sub-Committee’s consultation process with the wider Assembly. The Deputy Greffier indicated that arrangements would be made to accommodate those Members unable to attend this inaugural meeting in order that their views might also be recorded. Members were informed that a letter of invitation would be issued to all States Members following the Sub-Committee’s meeting on 12th May 2015. The Committee Clerk undertook to draft a letter to this effect for the Chairman’s signature.

States
Members’
Remuneration
Review Body:

A8. The Committee, with reference to its Minute No. A2 of 20th February 2015, received correspondence dated 17th April 2014 from the States Members’ Remuneration Review Body (SMRRB) in connexion with its intention to undertake a fresh and full review of States Members’ pay.

review of
States
Members' pay.
1240/3(73)

The Committee recalled that, following the appointment of Mr. I. Black, Mr. G. White and Mrs. L. Read, the SMRRB had been fully re-constituted. At its first meeting on 13th April 2015 the SMRRB had selected Mr. J. Mills C.B.E. to act as its Chairman.

Members noted that the SMRRB's review would be prepared so that the implementation of any recommendations should be from the time of the next elections in 2018. In the first instance, the SMRRB considered that it would benefit from an informal conversation with the Committee wherein it would ask Members for their reflections on the role and responsibilities of a States Member. It was noted that it was these attributes which, to a greater or lesser extent, shaped the reward structure of the vast majority of modern organisations.

The Committee considered that it was right and proper to arrange this conversation with the SMRRB. The Greffier of the States undertook to make the necessary arrangements.

Register of
Names and
Addresses
(Comparison
with Electoral
Registers)
(Jersey)
Regulations
201-
756/4(1)

A9. The Committee, with reference to its Minute No. A7 of 10th February 2015, received an oral update from the Chairman in respect of the "Draft Register of Names and Addresses (Comparison with Electoral Registers) (Jersey) Regulations 201-."

The Committee recalled that, in December 2013, the Committee as previously constituted had agreed the Association of Electoral Administrators should be appointed to conduct a feasibility study to establish whether the Names and Addresses Register could be used to generate the electoral register automatically without the need for the current annual registration process.

The Committee noted that the Regulations required to enable the trial to take place had now been drafted by the Chief Minister, and had been presented to the Comité des Connétables on 20th April 2015. The Comité expressed that it was content for the Chief Minister to proceed with the lodging of the Regulations.

It was anticipated that the electoral districts of St. Helier No. 1, St. Saviour No. 1 and St. Brelade No. 1 would participate in the pilot should the Regulations be approved by the States. The trial was expected to cost £5,200, a sum which would be met from the States Assembly budget. A report on the outcomes of the test would then be prepared, paving the way for consideration to be given to the most appropriate way forward for electoral registration in Jersey.

The Committee noted the position accordingly.