

2019.03.12

2 Senator S.Y. Mézec of the Chairman of the Privileges and Procedures Committee regarding the timetable for development of a proposition by the Committee to establish the office of elected Speaker: [OQ.61/2019]

Will the Chairman provide a timetable for the States debating a proposition brought by the Committee to establish an elected Speaker?

Deputy R. Labey of St. Helier (Chairman, Privileges and Procedures Committee)

The working party on the future role of the Bailiff finished its deliberations at 9.00 a.m. yesterday morning and produced a draft report and proposition. I convened a meeting of P.P.C. (Privileges and Procedures Committee) at 2.00 p.m. yesterday afternoon, because the path for this proposition was always to be from the working party to P.P.C. to the Assembly. Unfortunately, I was unable to gain consensus on P.P.C. in support of my Committee bringing that proposition, which is disappointing for those of us who worked on the working party. I am sure the Chief Minister would join with me in thanking Deputy Ash, Deputy Martin and Deputy Truscott for working so harmoniously over the course of the last few months on this issue, which can be divisive. We believe we have unearthed some interesting points. I think the plan is for the Committee, obviously, to reassess after that challenge from members of P.P.C. We would like to publish our report and hold a meeting of States Members to discuss it, because it may inform a future debate.

6.2.1 Deputy S.Y. Mézec:

Of course, the clock is ticking for us to be able to enact this change upon the retirement of the current Bailiff. Would the Chairman of P.P.C. be able to tell the Assembly, when is the latest point that this Assembly can make an in principle decision and us still have time to put the legislation together and get it through Privy Council in time for later this year?

Deputy R. Labey:

It is extremely tight, but I believe the advice is that it could just be done if we were to debate, in this Assembly, a proposition by the end of April, I think, or beginning of May. It is very tight, but I understand that it is not impossible that it might be done. But the timeframe is challenging. The Senator will know that I agree with him on the timing and the sensible conclusion by the time there is a handover of Bailiffs. It is why I informed him, yesterday, of how things had gone on P.P.C.

6.2.2 Senator S.C. Ferguson:

This is all very well, but where does the public interest and the public concern on this come into the whole consideration? As far as I know, unless something has escaped me, the public have not been asked about this. Where do they fit into all this wonderful scheme of things?

Deputy R. Labey:

The proper time to consult the public is when there was something tangible that was going to come before the Assembly, with regards to the role.

6.2.3 Deputy M. Tadier of St. Brelade:

Is the Chairman of P.P.C. essentially saying that this whole exercise has been another waste of time and energy and was he not told this by more experienced Members at the very onset not to go down this route, because there was already a simple proposition waiting to go and it is a political

decision that needs to be taken by this Assembly? That no amount of deliberations around committee would resolve this issue. Does he regret not taking that advice in hindsight?

[10:00]

Deputy R. Labey:

I understood that advice. There is a certain amount of *mea culpa* to my representations to the Assembly today. I wanted to give the Chief Minister a chance to have this forum. I do not think it has been a complete waste of time. I think that it unearthed some very interesting conundrums and it might have found some solutions. It certainly found some interesting debating points. We would like to publish those before the Assembly, as some issues might be helpful and inform a future debate.

6.2.4 Deputy M. Tadier:

Is the Chairman in a position to give more information as to what the nature of the proposition put forward by the subcommittee was? Was it the fact that the subcommittee's proposal lacked in quality and therefore could not get consensus from P.P.C., or is it something other than that?

Deputy R. Labey:

It could well be that members of P.P.C. found it lacking in quality. I cannot remember exactly any of them saying that specifically. But, yes, it was rejected by P.P.C. It was brought to P.P.C., not for us to have a debate about the future role of the Bailiff, but for me to get their consensus in bringing this - what I would describe to the Deputy as a compromise proposition - to the Assembly. The 6 members of P.P.C., not including myself, probably can be regarded as a bellwether for opinion within the Assembly. It was quite clear that this proposition was a non-starter, as far as they were concerned.

6.2.5 Senator I.J. Gorst:

The Chairman is a master with words. I wonder if he could just clarify for us that the subgroup had a proposal, which would require a change. My understanding is that there was a reasonable compromise on the table. Is he saying that the subcommittee agreed to bring that forward, presented it to P.P.C. and P.P.C. have rejected it and said they do not want to lodge that proposal before the Assembly? I wonder if he could just give us that clarity on both of those 2 assertions?

Deputy R. Labey:

Yes, the Senator is absolutely correct on both assertions.

6.2.6 Deputy S.Y. Mézec:

I am grateful for the answers from the Chairman of P.P.C. There were comments that were made at the start of this process that the more you try to compromise on this matter, the more you would end up upsetting everybody and nobody would end up being happy with a compromise proposition. Does the Chairman of P.P.C. agree that, since we are almost out of time on this matter, a full proposition, for establishing an elected speaker, should be put on the table and members of this Assembly can pass the verdict? If they do not like it, they do not have to accept it and if they do then we get the full business here, rather than a compromise, which would leave nobody happy.

Deputy R. Labey:

Yes, I think the Senator is probably right. I thought it was, obviously, a worthwhile exercise otherwise I would not have undertaken it. I think the general feeling might be summarised as: if it were done, when 'tis done, then 'twere well it were done not only quickly but cleanly.