

4.3 The Deputy Bailiff:

The next matter is a statement by Deputy Duhamel, the Chairman of the Chairmen's Committee who will make a statement regarding work processes of the Assembly and Scrutiny.

Deputy R.C. Duhamel of St. Saviour (Chairman of the Chairmen's Committee):

The referral of the draft Sexual Offences Law to the Scrutiny Panels raises the general question of whether propositions brought to this Assembly could be improved upon both in form and content. The Chairmen's Committee briefly discussed this issue recently and has concluded that it would be beneficial if reports appending propositions paid greater attention to the thread of arguments put forward in making a case and in particular that documents relied upon for base assumptions were duly referenced and available for interested Members to scrutinise before any debate. The Chairmen's Committee will work with the Privileges and Procedures Committee to bring forward improvements to the work processes of this Assembly in this regard.

4.3.1 Deputy R.G. Le Hérisssier:

I wonder, Sir, if the Chairman of the Scrutiny Panel could confirm that what his Panel is seeking to achieve is much better policy making - and under the exchange that has just taken place that point may have been obscured - what he is after from ministries is much better and systematic policy making.

Deputy R.C. Duhamel:

Absolutely right, Sir. I think it is incumbent upon any Member of this House bringing forward a proposition in a private capacity or indeed, Sir, a Minister on behalf of the ministry to actually begin to make the case in the form that scrutiny would expect the case to be made. If scrutiny is about looking at evidence and following the logical thread of arguments from one end of an argument to the other, it must be everybody's duty in preparing a document for consumption by this House that certain protocols, in order to deliver that structured way of thinking, is inherent within those documents.

4.3.2 Deputy C.J. Scott Warren:

Would the Chairman agree, as alluded to by the Dean, that when we have the strength of arguments put forward in making a case, that also included where there is this situation should be the case against the proposition so that a comparison can be made and a conclusion drawn from that.

Deputy R.C. Duhamel:

Absolutely, Sir. I think it is right if Members are going to come to a balanced conclusion in any debate that the argument for and the argument against is presented so that Members are in a better position to actually make that judgment.

4.3.3 The Deputy of St. Martin:

I ask the Chairman if he would expect that when the proposition comes back to the House there will be evidence shown of the consultation carried out by the necessary Committee, i.e. the Home Affairs Committee.

Deputy R.C. Duhamel:

I would have expected that, Sir, but unfortunately it looks as if the Chairman of the Social Affairs Panel has somewhat put his foot in it. **[Laughter]** No doubt there will be things said at the next Chairmen's Committee. I think it is a little but unfortunate, Sir, that perhaps in starting to use the new machinery of ministerial government and the new Standing Orders that we do appear to have done our shoelaces a little bit tight and we appear to have stumbled. I think it must be right that if, indeed, there are any social arguments or health arguments that ways and

means must be found to introduce these arguments through the Corporate Affairs Panel, so that these issues will be discussed and the House, as I say, will be in a proper position to fully discuss the issues on which a decision is expected.

4.3.4 The Deputy of St. Martin:

Could I just ask if the Chairman would confirm that if, in fact, the Corporate Affairs says the Island has a legal obligation to carry out or pass this piece of legislation, Scrutiny is a waste of time anyway.

The Deputy Bailiff:

These are to be questions, not statements. Are there any other questions?

4.3.5 Deputy P.J.D. Ryan:

One last consideration. I wonder if the Chairman could just inform the Assembly as to the degree or not of concern that the Chairmen's Committee had generally as to whether the correct use of referring debates that were in trouble to Scrutiny was an appropriate way forward for the Executive to behave and whether there was concern generally for the future of scrutiny being used as a fallback if an Executive debate...

The Deputy Bailiff:

I am sorry, Deputy. That may be a very interesting point, but I do not think it can be said to arise out of the Chairman's statement. No doubt it can be taken up at another time. Are there any other questions?