

STATES OF JERSEY



REQUIREMENT FOR SECONDER AT TIME OF LODGING A PROPOSITION- (P.102/2023) – COMMENTS

Presented to the States on 29th January 2024
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

Deputy M.R. Ferey lodged P.102/2023 on 14th December 2023 which asks the States Assembly to approve amending Standing Orders to require that any proposition brought by a Member of the States in his or her own right be seconded at the time of lodging. This change, if adopted would also remove the requirement for the Bailiff to ask for a seconder from the Assembly floor in such instances.

Currently, Standing Orders state the following:

“102 Proposition, proposal or nomination must be seconded

- (1) Every proposition, proposal and nomination must be seconded by a member of the States after the proposer has moved or made it, unless standing orders provide otherwise.
- (2) A proposition, proposal or nomination that is not seconded is taken to have been withdrawn.”

Deputy Ferey proposes to ensure that a seconder makes a more formal statement of support for a proposition by putting their name to it before it is lodged. The Deputy anticipates that having to secure a minimum level of support in order to lodge a proposition will ensure that quality and relevance of the matters under debate will improve.

The Privileges and Procedures Committee (PPC) is aware of only two instances in recent memory in which a proposition was proposed in the Chamber but was then not seconded. The PPC has also investigated instances in which propositions were seconded but then received only one vote (on the basis they may also indicate a problem to be resolved). There have been six such instances since the advent of Ministerial Government, and a further ten instances between 1981 and 2005. The Committee considers that the amount of time saved within the Chamber by the introduction of this policy would be minimal.

The Committee notes that Deputy Ferey’s proposition anticipates that a proposer will have had discussions with a potential seconder at an early stage, with the hope that it will assist in making the proposition more robust. Whilst PPC agrees that such advance discussions can be helpful, there is no obligation at present for any Member to garner support before a matter is lodged. In this instance, no time and effort on the part of the proposer, or the States Greffe in assisting the proposer, would therefore be saved. Whilst the States Greffe Members’ Resources Team already ask Members whether they have sought others’ views on their prospective propositions; it is ultimately for the Member themselves to decide whether to engage with others before the matter is lodged.

The current system provides a unique forum for all of the 49 States Members to bring forward topics which they consider significant for debate, including matters which they may well have included in their manifestos and promised the public they would pursue if elected. Even if their proposition is not seconded, the existing system provides them with the opportunity to propose it and to raise the issue within the Assembly. With the exception of question time, an individual Member has no other means of raising matters apart from lodging a proposition for debate. There is no current equivalent within Jersey’s system of the Early Day Motion system, for example (early day motions are

motions submitted for debate in the House of Commons for which no day has been fixed). The ability for any individual Member to lodge a proposition and for the debate to be given exactly the same level of importance on the Order Paper as matters brought forward by the Government is an important aspect of our political system. Therefore, PPC questions whether the introduction of this proposition would make the process of debating a proposition more difficult overall, especially for backbenchers.

As the proposer of the proposition, Deputy Ferey was not involved in the discussion in order to avoid a conflict of interest.