



| States Assembly

States Greffe

Deputy Kristina Moore
Chief Minister

BY EMAIL

6th December 2023

P.149/2014 – Freedom of Information (FOI): Extension to Companies owned or controlled by the States

Dear Chief Minister,

Thank you for your letter dated 10th November 2023 in response to our letter of 9th November 2023.

The Committee has considered your letter at its recent meeting and would be grateful if you could provide a response to the following queries which arose:

1. Please confirm how the States decisions tracker will aid in the implementation of this proposition? It is our understanding that the tracker goes back as far as 2018 and the proposition in question is dated 2014.
2. You mention that past governments have engaged with Arms Length Bodies and States Owned Entities to assess their views and the impact of extending the law to them. Could you provide an overview of what current government is doing in terms of engagement?
3. Within your letter you have expressed that you are of the view that a default mechanism should be in place to deal with older decisions. Can you confirm what this default mechanism would look like?

As mentioned in our letter, certain implications of this situation have been raised at Scrutiny Liaison Committee meetings to which you have asked us to share. We can confirm that discussions have been had around the possible restriction this could pose when questioning Ministers or Chief Officers and their accountability regarding some of these organisations. In addition, we note that within the [Public Finance Manual](#) an Arm's Length Organisation is defined as "*an organisation which fulfils a role or function the States of Jersey would otherwise perform.*" The Committee believe that performance of this role should be transparent and open to Freedom of Information requests in line with the Freedom of Information (Jersey) Law 2011 which allows people a general right of access to information held by most public authorities in Jersey.

If you have any questions regarding this or our work in general, please do not hesitate to contact me. All letters will be uploaded to the Scrutiny website as a matter of course unless otherwise stated.

Yours sincerely,

Deputy Sam Mézec

President, Scrutiny Liaison Committee