

PRIVILEGES AND PROCEDURES COMMITTEE

(13th Meeting)

1st May 2009**PART A**

All members were present, with the exception of Deputy C.H. Egré and Deputy M.R. Higgins, from whom apologies had been received.

Connétable J. Gallichan of St. Mary, Chairman
 Senator B.I. Le Marquand
 Deputy J.B. Fox
 Deputy J.A. Martin
 Deputy M. Tadier

In attendance -

M.N. de la Haye, Greffier of the States
 Mrs. A.H. Harris, Deputy Greffier of the States
 Miss A-C. Heuston, 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 meeting of 27th March 2009 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Definition of
 'media'.
 465/4(7)

A2. The Committee considered a report by the Greffier of the States dated 27th April 2009 in connexion with the definition of the term 'media'.

The Committee noted the content of the report, as well as correspondence dated 29th April 2009, addressed to the Greffier of the States, from Mr. M. Dun and Mr. N. McMurray entitled: "Privileges and Procedures Committee and the definition of 'media'".

The Committee discussed the request of Mr. Dun and Mr. McMurray for public facilities and access to government activities to be improved through the provision of lift access to the public galleries of the States Chamber, together with public toilets, a sound system and more appropriate seating. It was noted that, due to the constraints of the historic building, it had not been possible during the building's refurbishment for lift access to the public galleries to be installed.

The Committee agreed that it would wish to consider its current policy with regard to mailing documents to the media and that consideration should also be given to the provision of improved writing facilities in the public gallery. It was suggested that a public hearing could take place at which interested parties could address the Committee in relation to the topic.

Code of Conduct
 for Elected
 Members of the
 States: review

A3. The Committee considered the proposition lodged 'au Greffe' on 20th April 2009 by the Deputy of St. John entitled "Code of Conduct for Elected Members of the States: review" (P. 63/2009 refers).

P.63/2009.
1240/4(166)

The Committee, with reference to its Minute No. B1 of 1st May 2009, recalled that it planned to undertake a review of the sanctions available under the Code of Conduct, and considered that, while the Code may not be defective in its current form, it may not be entirely effective due to a possible lack of sanctions should a breach of the Code occur.

The Committee therefore agreed to look into bringing forward measures in early course to ensure that States members would have greater incentive to maintain acceptable standards of behaviour in accordance with the Code of Conduct. It was also agreed that, while the Committee had not intended to examine the Code itself as part of its review, as requested in the Deputy of St. John's proposition, it would be content to do so, should members of the States so wish.

The Committee agreed to present a comment to the States expressing its support for the proposition; however, members agreed that they would not wish to comment on the report which accompanied the proposition.

The Committee Clerk was directed to take the necessary action.

Composition and
election of the
States.
465/1(75)

A4. The Committee, with reference to its Minute No. B1 of 2nd April 2009, considered a report by the Greffier of the States in connexion with proposals for the revision of the composition and election of the States.

The Committee recalled that it had considered a draft report and proposition in relation to the composition and election of the States and had agreed that further consideration needed to be given to the options in connexion with the division of the Island into large electoral districts.

The Committee noted that the proposed revised structure consisted of 12 Connétables and other members elected in 6 large electoral districts. The Committee considered possible divisions of the Island into 6 large districts and then assessed from those how many members there should be in total in the districts. The Committee noted the parish population figures from the 2001 census, together with the number of registered electors at the 2008 Senatorial election, alongside two possible large constituency models. It was agreed that the first proposal for the division of the Island would be a model that could be followed if the concept of large electoral districts were to be accepted by the States and the electorate, and that this should be detailed in the draft proposition to the States.

The Committee considered whether further consultation and research should be undertaken before it put forward the proposition, but concluded that, rather than repeat the consultation, it remained preferable to build on the work already carried out, and to take the matter forward. The Committee agreed that, in order to allow States members time to consider the proposition fully and to lodge any amendments, it would seek a debate after 8 weeks rather than the minimum 6 weeks required under Standing Orders.

The Greffier of the States was requested to amend the draft report and proposition in line with the Committee's discussions, and to present the revised version to the Committee for approval in early course.

Draft Freedom of
Information
(Jersey) Law
200-
670(1)

A5. The Committee, with reference to its Minute No. B1 of 13th March 2009, noted that the Deputy Commissioner for Freedom of Information in the United Kingdom, Mr. G. Smith, had agreed to meet with members to discuss the Draft Freedom of Information (Jersey) Law 200- on Friday 22nd May 2009.

The Committee agreed that it would meet with the Deputy Commissioner on the morning of 22nd May 2009 to discuss matters in relation to the draft legislation, including exemptions, the appeals process, and implementation of the Law. This would be followed by a States members' forum at which the Deputy Commissioner would be invited to give a brief presentation, and the day would conclude with a follow-up meeting with the Committee in the afternoon. The Committee requested that the proceedings be recorded.

The Deputy Greffier of the States was directed to take the necessary action.

Matters arising.

A6. The Committee noted the following matter arising –

- a) correspondence dated 27th April 2009 from the President of the Chairmen's Committee regarding the allocation of the Blampied and Le Capelain Rooms to a function other than scrutiny with the agreement of the Privileges and Procedures Committee as previously constituted. It was noted that the Privileges and Procedures Committee had included a representative of the Chairmen's Committee at the time the decision was made; that these were exceptional circumstances; and that the Committee would not normally accede to such requests. The Chairman was requested to write to the President in this regard.