

STATES OF JERSEY



ELECTED SPEAKER OF THE STATES (P.160/2013): AMENDMENT (P.160/2013 Amd.) – COMMENTS

**Presented to the States on 25th April 2014
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

The Privileges and Procedures Committee does not support the amendment of Senator Sir P.M. Bailhache. The Committee does not consider this to be a matter for a referendum; the question of who should preside over the Assembly should be decided by the States Assembly. Although the question proposed by Senator Bailhache is restricted to asking the public whether the Bailiff should remain as President of the States, there would undoubtedly be confusion in the minds of some electors about the scope of the change proposed to the Bailiff's role. Some voters may wrongly assume that it is being proposed the civic role of the Bailiff is being removed. In addition, putting the question of whether the Bailiff should cease to be President of the States to the electorate on the same day as the proposed referendum on the composition and election of the States and on the day that the Island elects its Senators, Deputies and Connétables, could cause some confusion, as well as practical difficulties.

Paragraph 5 of Senator Bailhache's report states that the Privileges and Procedures Committee "seems to accept" the argument that "Removing the Bailiff from the States would detract from his standing and tend to undermine his position as civic head". The Committee wishes to clarify that, as per its original comment, in respect of the proposition –

"PPC is conscious that some States members and members of the public are concerned about a change to the Bailiff's role because the Bailiff's role is broader than his presidency of the States and the Royal Court through his wider civic role. It may not be the case, as suggested by the Clothier and Carswell Panels, that this role could continue unchanged in the long term if the Bailiff was principally nothing more than President of the Royal Court. In practice it is likely that a new Bailiff's role would simply evolve naturally over time if he or she was no longer President of the States, and there is no need to have a sudden and total transformation of the role just because he or she would no longer preside over the States."

The Committee does not believe that the transition to an elected Speaker would result in the Bailiff no longer being the civic head of the Island. The Committee considers that the role of the Bailiff would gradually evolve to accord with the new situation over time and the question of the presidency of the States is a matter for members to decide.