

STATES OF JERSEY



QUESTIONS IN THE STATES: CONNÉTABLES AND POLITICAL PARTIES (P.85/2010) – COMMENTS

Presented to the States on 15th July 2010
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

The Privileges and Procedures Committee does not support the proposition of Deputy P.V.F. Le Claire for the following reasons –

- (a) if adopted, it would extend members' ability to ask questions to persons who have no direct responsibility to the States for the duties they undertake;
- (b) the 2 hour question period could be taken up with questions that were of little relevance to the majority of members;
- (c) introducing new categories of questions could mean that more questions to Ministers and other officeholders appointed by the States would remain unanswered.

The Committee notes that the proposition would extend the ability of members to ask questions to persons who have no direct responsibility to the States for the duties they undertake. Oral questions with notice are answered during a restricted time period of 2 hours and, to date in 2010, 26 questions have not been answered because the allocated time has expired. It is therefore important to ensure that questions asked are relevant to the business of the States Assembly. By adding new categories of questions, Deputy Le Claire's proposal could mean that even more questions to Ministers and other officeholders remained unanswered.

The principal purpose of questions in the States is to hold to account those who have been appointed by the States to positions of official responsibility. Question time is the opportunity for members to ascertain whether those they have appointed as Ministers or Chairmen of Panels/Committees, etc. are undertaking their duties in a satisfactory way. The vast majority of questions are therefore related directly to official responsibilities undertaken on behalf of the States Assembly as a whole. The only exception to this rule is questions to the Chairman of the Comité des Connétables, who is allowed under Standing Orders to answer questions on matters which are common to all parishes. These would include Public Election matters or Rating matters which are of interest and relevance to all members of the States as they are largely governed by legislation approved by the Assembly.

Deputy Le Claire's first suggestion is that individual Connétables should be able to be asked about parochial matters. The Committee does not consider this to have relevance to the States Assembly as a whole, and it would seem more appropriate that matters relating to an individual parish are raised at Parish Assembly level or with the individual Connétable concerned outside the Assembly. A question under the proposed new rules would appear to be in order, for example, if it asked an individual Connétable about the contract for refuse collection in that particular parish or why a particular parish road had not been resurfaced for a number of years. It is difficult to see how such questions would represent the best use of the Assembly time in the limited question period. In addition, this would go against the principal purpose of States' question time which, as mentioned above, is to hold to account members appointed to positions of responsibility by the Assembly.

Similar considerations apply to the suggestion that questions could be asked to the leader or a representative of a political party. Deputy Le Claire comments in his report that he is concerned about the accountability of political parties, but it is difficult to

see how this accountability can be found through questions in the Assembly. The Speaker of the House of Commons has made it clear that questions in the House of Commons cannot be asked on purely party political matters, even though many of the exchanges at, for example, Prime Minister's Question Time clearly have a heavy party 'slant'. There would, in addition, be nothing to stop "tame" questions from one member or supporter of a political party which would simply ask the leader or representative to confirm that the party was, for example, very wise to adopt a certain new policy or draw attention to a forthcoming party event. The Committee considers this to be a totally inappropriate use of Assembly question time.

PPC is disappointed that Deputy Le Claire did not discuss his proposals with the Committee before lodging this proposition. PPC is always more than willing to discuss matters relating to Standing Orders and procedures with members, and if there had been an opportunity to discuss these proposals in advance with Deputy Le Claire it might have been possible to avoid the need for PPC to present these critical comments to the States.