

STATES OF JERSEY



COUNCIL OF MINISTERS' MEETINGS: PUBLIC ACCESS (P.103/2011) – COMMENTS

**Presented to the States on 4th July 2011
by the Council of Ministers**

STATES GREFFE

COMMENTS

The Council of Ministers strongly supports openness and transparency in government. Ministers believe that transparency is essential because it enhances accountability to the public and improves the effectiveness of government.

In line with the commitments made in the Strategic Plan, the Council of Ministers has worked to promote greater transparency and public participation across the States.

Ministers have supported improvements made to the quality of information available on the States website, and have encouraged greater public engagement with the work of government by making Ministerial Decisions, consultations, and reports more accessible. Ministers have also accepted requests for information made under the Code of Practice on Access to Information and recently supported the adoption of a Freedom of Information Law for Jersey.

In principle the Council of Ministers therefore welcomes attempts to strengthen public access to information.

The Council of Ministers cannot, however, support the proposal of Deputy M. Tadier of St. Brelade for it to hold meetings in public. Ministers believe that this proposal would impede the effectiveness of the government process.

It is the role of the Council of Ministers to manage the policies and administration of the States, and Ministers must meet regularly to discuss business, including draft policy, legal and commercial issues, financial matters, international affairs, and employee/employer relations.

The Council of Ministers believes that it would be irresponsible to make these deliberations public. Ministers are concerned that doing so would prejudice the effective conduct of public affairs by prematurely releasing government policies, breaching statutory restrictions on the disclosure of information, and putting the States at a disadvantage in commercial or policy negotiations with third parties.

Deputy Tadier rightly acknowledges that there are times when items need to be discussed in confidence, but the Council of Ministers believes that distinguishing between items that can and cannot be heard in public would be impracticable and difficult to manage, damage the frankness and candour of debate, and prevent decision-making. It should also be noted that there are no other jurisdictions routinely conducting Cabinet meetings in public.

Ministers are committed to openness and transparency, but wish to emphasize the need to balance this against the ability of the Council of Ministers to govern. The Council does, however, wish to ensure that 'a' and 'b' classifications on agenda items and minutes are applied correctly, and will continue its policy that items are only exempt where absolutely necessary.