



## Privileges and Procedures Committee (PPC)

### Records of Meetings

**2024**

The following records of meetings have been approved by the Committee.

The Committee was reconstituted on 27th February 2024 and these records show all activity from that date.

Signed

Chair

Connétable Karen Shenton Stone

États de Jersey



L's États d'Jèrri

Privileges and Procedures Committee

(1st Meeting)

7th March 2024

**Part A (Non-Exempt)**

All members were present, with the exception of Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter, from whom apologies had been received.

Connétable K. Shenton-Stone of St. Martin, Chair  
Deputy C.S. Alves of St. Helier Central (via Teams)  
Connétable M.K. Jackson of St. Brelade  
Deputy T.A. Coles of St. Helier South  
Deputy S.M. Ahier of St. Helier North

In attendance -

W. Millow, Deputy Greffier of the States  
Y. Fillieul, Assistant Greffier of the States, Chamber and Members' Support  
(via Teams)  
T. Oldham, Assistant Greffier of the States, Committees and Panels (via  
Teams)  
J. Lepp, Research and Project Officer  
J. Hales, Research and Project Officer (via Teams)  
K.M. LARBALÉSTIER, Principal Secretariat Officer, Specialist Secretariat  
C. Fearn, Assistant Secretariat Officer, Specialist Secretariat (Minutes)

Note: The Minutes of this meeting comprise Part A only.

Privileges and  
Procedures  
Committee:  
overview of  
remit and  
procedural  
framework.

A1. The Chair welcomed Members to the inaugural meeting of the newly constituted Privileges and Procedures Committee.

Attention was drawn to Standing Orders 127 – 131, which set out the Committee's terms of reference. The Committee also considered a report entitled 'Privileges and Procedures Committee: Proceedings', which had been prepared by Ms. J. Lepp, Research and Project Officer, in connexion with its remit and procedural framework. The membership requirements, structure of meetings and role of the Chair were outlined, together with the specific responsibilities of the Committee in the context of the arrangement of public business for meetings of the States Assembly and the role of the Commissioner for Standards.

The Committee noted that it was obliged to maintain those Sub-Committees which had been established under Standing Orders (the Machinery of Government, Diversity Forum, and Political Awareness and Education Sub-Committees), and that these would need to be reconstituted. Whilst the Deputy Greffier suggested that a member of the Committee should act as the Chair of each Sub-Committee to assist with reporting lines, the Committee noted the contrary view of Deputy C.S. Alves of St. Helier Central that the role of Sub-Committee Chair should not be limited to members of the Committee. The challenge of obtaining a quorum at meetings of larger Sub-Committees, for example the Diversity Forum, was recalled and the Committee agreed that the number of Members on each Sub-Committee should

mirror arrangements for the main Committee (7 Members).

Turning to the Pensions Sub-Committee, which had not been established under Standing Orders, the Deputy Greffier suggested that the Committee might wish to incorporate the work of that Sub-Committee into the remit of the main Committee. However, Members concluded that it would be useful to maintain the Sub-Committee and noted that meetings had previously been held twice a year.

Appointment  
of Vice-Chair.

A2. The Committee discussed the appointment of a Vice-Chair, in accordance with Standing Order 131(3), and noted that any member of the Committee could be nominated, regardless of whether they held a Government position or not.

It was noted that both Deputies C.S. Alves of St. Helier Central and S. M. Ahier of St. Helier North had expressed an interest in the role of Vice-Chair.

As the Committee was not yet fully constituted (a member of the Scrutiny Liaison Committee had yet to be formally appointed), the Committee agreed to defer appointing a Vice-Chair to a future meeting.

Appointment  
of Scrutiny  
Liaison  
Committee  
member to the  
Privileges and  
Procedures  
Committee.

A3. The Committee was informed that the Scrutiny Liaison Committee (SLC) had agreed to propose Deputy L.M.C. Doublet of St. Saviour as its representative, subject to the approval of the States Assembly, in accordance with Standing Order 127(2).

The Committee endorsed the nomination of Deputy Doublet by the SLC, and it was agreed that she should be invited to attend the next scheduled meeting of the Committee on 18th March 2024, as an observer (as the Committee meeting would precede the next States Assembly meeting).

Privileges and  
Procedures  
Committee:  
Working  
practices.

A4. The Committee considered a report entitled 'Privileges and Procedures Committee – Working Practices' which had been prepared by Ms. J. Lepp, Research and Project Officer.

The Committee agreed to maintain the administrative approach, as outlined in the report, noting that it would be beneficial to continue to receive communications and documents via Microsoft Teams and electronic mail messages.

Privileges and  
Procedures  
Committee:  
update on  
workstreams.

A5. The Committee considered a report entitled 'Position Paper: Privileges and Procedures Committee', in connexion with the progress that had been made by the Committee, as previously constituted.

The Committee noted details of the wide-ranging work which had been undertaken to date and the future work programme, which included a review of the Code of Conduct for States Members and voter registration reform in consultation with Government, for which funding had been approved in the Government Plan. The Deputy Greffier of the States highlighted a recent proposal from Deputy M. Tadier of St. Brelade for a review of the safety and security of States Members.

In response to a question from Deputy S.M. Ahier of St. Helier North, the Deputy Greffier advised that electoral reform work spanned the remits of a number of bodies. Deputy Ahier suggested that consideration should be given to bringing the date of the June 2026 election forward for practical purposes. It was recalled that this had been raised by the Chair at a meeting in 2023, when Members had been advised of wider support for the same. It was agreed that the matter should be included on the agenda for a future meeting.

On a related matter, Deputy C.S. Alves of St. Helier Central informed the Committee that she had been delegated responsibility for civic engagement from a Government perspective by the Chief Minister.

Privileges and  
Procedures  
Committee:  
Sub-  
Committees –  
remit and  
update on  
workstreams.

A6. The Committee, with reference to Minute No. A9 of 15th January 2024, of the Committee as previously constituted, considered a number of reports which had been prepared in connexion with the progress that had been made by its Sub-Committees.

#### **Machinery of Government (MoG) Sub-Committee**

The Committee was informed that the MoG Sub-Committee had been tasked with reviewing the progress of the implementation of recommendations arising from previous reviews. It was noted that work undertaken by the Sub-Committee to date included: recommendations made to the Chief Minister on Democratic Accountability and Government; the review of guidance documents for the States of Jersey Law 2005, Standing Orders for the Executive and conflicts of interest; and the provision of law drafting training for States Members.

#### **Diversity Forum**

The Committee was informed that the Diversity Forum aimed to increase public engagement in democratic processes, particularly in relation to under-represented groups. It was noted that work undertaken by the Diversity Forum to date related to equality, gender balance in the States Assembly, gender pay and the inclusion of diversity in the 2022 election campaign through collaboration with the Digital and Public Engagement Team, States Greffe. It was further noted that the Diversity Forum had produced briefing papers in connexion with the responsibilities of the Minister for Housing and Communities in terms of the rights of registered voters in other jurisdictions.

#### **Political Awareness and Education (PAE) Sub-Committee**

It was recalled that the Committee, as previously constituted, had lodged ‘au Greffe’ a proposition entitled ‘Amendment to the Standing Orders of the States of Jersey – Political Awareness and Education, Privileges and Procedures Sub-Committee’ (P.92/2023), to establish the PAE as a permanent Sub-Committee.

The Committee was informed that the PAE sought to raise political awareness and engagement to nurture public interest in politics through collaboration with multiple stakeholders, including the Children, Young People, Education and Skills Department, the Jersey Youth Service, the Comité des Connétables and other key stakeholders. The PAE had worked closely with the Digital and Public Engagement Team and work to date related to the Youth Parliament, Automatic Voter Registration, the Electoral Register and various aspects of the work of the Digital and Public Engagement Team. The PAE had also discussed plans for Citizenship Day and Democracy Week.

#### **Pensions Sub-Committee**

The Committee was informed that the Pensions Sub-Committee had overseen the pension scheme for States Members, including making recommendations to the Committee on its design, leading the procurement process for pension scheme providers, establishing a service level agreement between the pension provider and the States and reviewing contribution rates annually.

In contrast with the other Sub-Committees, the Pensions Sub-Committee had not been established in accordance with Standing Orders. The Committee had decided

to maintain the Pensions Sub-Committee, highlighting that it carried out a useful oversight function (Minute No. A1 of the extant meeting refers).

States of  
Jersey  
Complaints  
Board Report:  
Mrs. X – v the  
Minister for  
Health and  
Social Services

A7. The Committee considered a report of the States of Jersey Complaints Board, in connexion with a complaint which had been made by Mrs. X against the Minister for Health and Social Services in relation to access to tertiary care/communication from health care providers/the administration of a complaint by the Patient Experience Team of the Health and Community Services Department.

The Committee approved the report for presentation to the States Assembly with a brief covering report.

Privileges and  
Procedures  
Committee:  
schedule of  
meetings.

A9. The Committee noted a schedule of monthly meetings proposed for the remainder of 2024, all of which would commence at 10.00 am on Monday mornings.

The Committee discussed the proposed meeting dates and whilst noting some scheduling conflicts, concluded that Monday mornings remained the most suitable time slot for the majority of Members. Where several Members were unable to attend on a specific date/time, the schedule could be revised. The Committee requested that electronic calendar invitations be extended for all future meetings.

The Chair informed the Committee that the agenda for the next scheduled meeting on 18th March 2024, was likely to include a number of items and that the meeting could extend beyond the 2 hours allocated.

Privileges and Procedures Committee

(2nd Meeting)

18th March 2024

**Part A (Non-Exempt)**

All members were present.

Connétable K. Shenton-Stone of St. Martin, Chair  
Deputy C. S. Alves of St. Helier Central (for a time)  
Deputy L. K. F. Stephenson of St. Mary, St. Ouen and St. Peter (for a time)  
Connétable M.K. Jackson of St. Brelade (for a time)  
Deputy T.A. Coles of St. Helier South  
Deputy S.M. Ahier of St. Helier North (for a time)

In attendance -

L-M. Hart, Greffier of the States  
W. Millow, Deputy Greffier of the States  
T. Oldham, Assistant Greffier of the States, Committees and Panels (via Teams) (for a time)  
J. Lepp, Research and Project Officer  
J. Hales, Research and Project Officer (via Teams)  
K.M. LARBALÉSTIER, Principal Secretariat Officer, Specialist Secretariat

Note: The Minutes of this meeting comprise Part A only.

Minutes. A1. The Minutes of the meetings held on 4th December 2023, 15th, 16th, 19th, 26th and 29th January 2024, of the Committee as previously constituted and 7th March 2024, were taken as read and approved.

Forthcoming business. A2. The Committee considered propositions which had been lodged ‘au Greffe’ for the meeting of the States Assembly which was scheduled to commence on 19th March 2024, and concluded that it would not wish to comment on any of the propositions.

Standing Order Nos. 113 and 115: proposed amendments. A3. The Committee considered a report which had been prepared by the Deputy Greffier of the States in connexion with a proposal to amend Standing Orders 113 and 115.

The Committee recalled that Standing Order 113 set out the process for selecting a new Chief Minister and Minister in situations other than those which followed an ordinary election. Standing Order 115 set out the nomination process for the Chief Minister, to include the deadline by which such nominations must be received by the Greffier of the States.

Following the adoption of the proposition entitled ‘Vote of no confidence: Chief Minister’ (P.1/2024), it had become apparent that some challenges existed regarding the practical application of the aforementioned Standing Orders in the context of the timescales and deadlines involved. Consequently, the Committee was requested to consider amending Standing Orders so that appropriate deadlines were set for the various scenarios which necessitated the appointment of a new Chief Minister. In

this context, it was noted that, save for the death or incapacity of a Chief Minister, the incumbent remained in post until such time as a successor was appointed, giving rise to the question of political legitimacy. Concerns had been raised in this connexion following the 2022 election, when the timescale for the appointment of a new Chief Minister had exceeded that set out in Standing Order 113.

If the Committee decided to endorse the recommendation of the Deputy Greffier of the States, it was suggested that all States Members be consulted. The Committee was also requested to consider delegating responsibility for this matter to the Machinery of Government Sub-Committee, subject to wider support for the proposed amendments.

The Committee endorsed the recommendation to refer the matter to the Machinery of Government Sub-Committee.

On a related matter, the Committee noted correspondence dated 17th January 2024, addressed to the Bailiff from a member of the public, which referenced the perceived impact of the aforementioned Standings Orders in the context of the nomination of the Chief Minister following the adoption of P.1/24.

*In camera*  
debates.

A4. The Committee considered a report in connexion with *in camera* debates and was asked to consider whether it would be appropriate to amend Standing Orders so that certain business, such as appointments, was not debated *in camera*.

It was noted that concerns had been expressed by some Members regarding the decision to hold an *in camera* debate for the appointment of the Children's Commissioner in 2023. The public perception of the same and the impact on building trust had been highlighted.

Attention was drawn to Standing Orders 81 and 82, which set out the circumstances in which an *in camera* debate could be held. It was noted that the appointment of the Greffier of the States was debated *in camera* and, in this context, the Greffier declared an interest.

Following a most comprehensive discussion, the Committee concluded that it would not wish to amend Standing Orders as suggested on the basis of the wider consequences of the removal of the ability to debate such matters *in camera*.

Code of  
Conduct:  
review.

A5. The Committee, with reference to Minute No. A7 of 15th January 2024, of the Committee as previously constituted, considered a report in connexion with the review of the Code of Conduct for Elected Members.

The Committee noted that the previous Committee had agreed to undertake a review of the Code of Conduct for States Members in consultation with all Members and with the support of the Commissioner for Standards. The review would inform any changes to the Code.

It was recalled that the previous Committee had also met Deputy M. R. Scott of St. Brelade in connexion with her proposition entitled 'Ethical Standards' (P.75/2023) and had advised the Deputy of its intention to undertake a review of the Code. In response, Deputy Scott had indicated a willingness to withdraw her proposition.

Turning to the terms of reference for the review, the Committee was asked to consider the following key questions for inclusion in the consultation –

Should the Commissioner for Standards make recommendations in terms of the sanctions imposed following the identification of a breach?

Should declarations of interest in relation to non-pecuniary matters be more explicit and extend to all areas of public life to avoid a perceived conflict of interest in decision making? *(The Committee noted the contents of an electronic mail message dated 5th March 2024, from the Bailiff of Jersey in this connexion and was advised that the Greffier of the States would ascertain the status of guidance from the Bailiff regarding conflicts of interest). Attention was also drawn to the Ministerial Code of Conduct which made reference to non-pecuniary matters.*

Should the submission of complaints pertaining to alleged breaches of the Code be time limited?

Should expected behaviours be more clearly defined within the Code?

The Committee agreed to invite general submissions on the Code of Conduct as well as posing the above questions and noted that the consultation would encompass all Members and the network of Commissioners for Standards.

Social media  
community  
rules: proposed  
review.

A6. The Committee considered a report in connexion with the existing social media community rules for the States Assembly, which had been developed in 2022/23 in response to certain messages which had been received by some Members via social media.

In this connexion, the Committee noted the contents of an electronic mail message dated 6th March 2024, from Deputy M. Tadier of St. Brelade requesting the establishment of a Sub-Committee to consider the security and safety of Members and expressing a willingness to act as Chair. Whilst the Committee was supportive of a review of security and safety, it concluded that this work could be undertaken by the Privileges and Procedures Committee.

Attention was drawn to the current rules, which were available on the States Assembly website and it was noted that any review of the same could form part of wider considerations in relation to the security and safety of Members.

The Committee noted the view of Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter that the existing rules could be made more visible and she also suggested the development of a social media charter. Deputy Stephenson drew attention to the social media rules established by Bailiwick Express, which made it clear that comments which did not adhere to the rules would be removed. She also suggested that legal advice should be sought in terms of the specific responsibilities of the States Greffe (and perhaps the Government as a whole) in this area.

The Committee endorsed the recommendation to review the existing rules as part of a wider review into the security and safety of Members and noted that a paper would be presented at a future meeting.

States  
building:  
access and  
security  
arrangements.

A7. The Committee, with reference to Minute No. A1 of 19th January 2024, of the Committee as previously constituted, discussed access to and the use of the States building by Jurors attending the Royal Court and other external parties.

It was recalled that agreement had recently been reached with the Judicial Greffe/Viscount's Department in relation to a short-term solution for the access and use of the States building by Jurors. In the longer term, it was hoped that accommodation could be secured in Hill Street for use by the Courts. It had also been agreed that all staff accessing the building through the Members' entrance should display their identification fobs at all times.



Turning to the use of the building by external parties, the Committee recalled that concerns had been expressed on a number of occasions with regard to security arrangements when the building was being used for presentations/meetings organised by external groups.

The Committee discussed the above matter and concluded that it would wish to encourage the use of facilities other than the States Building for external meetings due to the safety and security issues which arose. However, if a States Member was prepared to ‘sponsor’ an event and act in accordance with agreed guidelines (which would require, among other things, the presence of that Member at the event) the use of specific rooms within a confined area could be permitted. It was recalled that the use of certain rooms by Scrutiny Panels was prioritised and that arrangements were in place with the Court for Jurors to wait in Le Capelain and Blampied rooms prior to their accompaniment to the Royal Court for empanelment.

On a related matter, the Committee noted some concerns from Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter in connexion with perceived safety risks posed by protestors gathering immediately outside the States Members’ entrance. The Greffier of the States suggested that, where advance notice of protests was received, participants could be requested to maintain a certain distance from the door, whilst retaining a direct line of sight. Members expressed a range of views in connexion with the perceived risk, with some noting the predominantly peaceful nature of protests and the presence of the States of Jersey Police at protests.

Privileges and  
Procedures  
Committee:  
appointment of  
Sub-  
Committee  
Chairs.

A8. The Committee, with reference to its Minute No. A6 of 7th March 2024, gave further consideration to the appointment of Chairs of the various Sub-Committees of the Privileges and Procedures Committee.

The Committee recalled that the Deputy Greffier of the States had suggested that a member of the Committee should act as the Chair of each Sub-Committee to assist with reporting lines, but the Committee had noted the view of Deputy C.S. Alves of St. Helier Central that the role of Sub-Committee Chair should not be limited to members of the Committee. The challenge of obtaining a quorum at meetings of larger Sub-Committees had also been discussed and the Committee had agreed that the number of Members on each Sub-Committee should mirror arrangements for the main Committee (7 Members).

The Greffier of the States explained the rationale for the appointment of members of the Committee as the Chairs of the Sub-Committees. It was noted that this ensured a direct connexion with the Committee, providing oversight and avoiding duplication of work.

Returning to the appointment of the Chairs of the respective the Sub-Committees, the Committee agreed that the following Members should Chair the Sub-Committees –

Machinery of Government – Deputy T. A. Coles of St. Helier South  
Diversity Forum – Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter  
Political Awareness and Education – Deputy Deputy C. S. Alves of St. Helier Central  
Pensions - Deputy S.M. Ahier of St. Helier North

The Committee noted that the States Greffe would extend invitations to all States members to join the above Sub-Committees.

Referendum

A9. The Committee, with reference to Minute No. A5 of 18th September 2023, of

Commission:  
appointment of  
Chair.

the Committee as previously constituted, received an oral report from the Deputy Greffier of the States in connexion with the appointment of a Chair to the Referendum Commission, which had been established in accordance with the Referendum (Jersey) Law 2017.

The Committee noted that it had been agreed to establish a recruitment panel in accordance with Article 2(4) of the aforementioned Law to appoint a Chair. This would enable the successful applicant to participate in the appointment of members of the Commission. The former Committee had approved a recruitment strategy and the membership of the recruitment panel.

It had been hoped that the recruitment panel would be in a position to recommend the appointment of the Chair following interviews at the end of October/beginning of November 2023. Thereafter, Commissioners would be sought from a variety of walks of life and a 'person specification' for the role had been developed. However, the Committee was advised that interest in the role of Chair had been limited necessitating a re-run of the recruitment campaign.

The Committee was advised that 2 former members of the Commission had expressed an interest in continuing in their roles and that one individual, who had applied for the position of Chair, was considered suitable for appointment as a Commissioner. Consideration was also being given to merging the Referendum Commission with another body such as the Jersey Electoral Authority or the (yet to be established) Boundaries Commission in the future.

The Deputy Greffier undertook to report back to the Committee on progress in relation to the appointment of a Chair and future arrangements for the Commission.

On a related matter, Deputy S.M. Ahier of St. Helier North requested that Members be provided with details of the total amount of voters in each electoral district.

Proposed  
amendments to  
Standing  
Orders:  
appointment of  
Ministers and  
Panel Chairs –  
order in which  
candidates  
speak/absence  
outside of roll  
call.

A10. The Committee considered a report which had been prepared by the Deputy Greffier of the States in response to suggestions from Members which sought amendments to Standing Orders to (a) address the order in which candidates spoke during Ministerial/Committee/Scrutiny Panel Chair appointments and (b) permit Members to be marked absent at times outside of the roll call.

The Committee noted the provisions of Standing Order 117, which required the Presiding Officer to seek nominations from the Chief Minister designate for Ministerial positions. This provision also applied to the Chairs of the Privileges and Procedures, Planning and Public Accounts Committees, the 5 Scrutiny Panels and the President of the Scrutiny Liaison Committee. However, the selection process for the Chief Minister stipulated that the Presiding Officer should draw lots to determine the order in which nominees would speak and answer questions. It was noted that Deputy M. Tadier of St. Brelade had suggested that the Committee might wish to amend Standing Orders so that the drawing of lots applied in respect of all appointments. The Deputy was of the view that there was profitability in speaking first so it should be left to chance in order to avoid any unfair advantage. No administrative difficulties were envisaged. The Committee concluded that the status quo should remain in terms of Ministerial appointments, but that all other appointments should be subject to the same arrangements as those which applied in respect of the Chief Minister (which involved the drawing of lots to determine the order in which nominees spoke and answered questions).

On a related matter, Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter asked why some votes were secret and others were open. It was noted that this had

arisen as a result of changes undertaken on an *ad hoc* basis to certain Standing Orders which had not filtered through to others. Deputy Stephenson requested that this issue be considered by the Committee at a future meeting.

Turning to Standing Orders 51, 52 and 54, which governed the roll call at the start of each meeting or continuation day, it was noted that there was currently no provision for absences which occurred after the roll call. In practice this meant that it was not evident from the States Minutes when a Member had absented themselves from the meeting after the roll call, albeit that it was possible to obtain this information by other means. It was recalled that Members frequently announced forthcoming absences during the course of meetings and that this was recorded in Hansard. The Committee noted that the issue had been raised on a number of occasions in the past and most recently by Deputy A.F. Curtis of St. Clement. It had also been considered by the Diversity Forum. Consequently, the Committee was being requested to consider whether it would wish to amend Standing Orders to allow Members to be marked absent at any time during the course of a meeting. In practical terms, this would impact on the manner in which votes were recorded on the States Assembly website and some work would be required in this connexion. In addition, consideration would have to be given to the administrative implications. If the Committee supported the principle of the proposed changes, it was suggested that consultation with Members and the Bailiff be undertaken in the first instance. Having been unable to reach a majority decision in respect of this matter, the Committee was advised that the Deputy Greffier of the States would prepare a report for consideration at a future meeting which would illustrate how the proposed changes would work in practice.

On a related matter, and in response to a desire by some for periodic announcements by the Chair in relation to the number of Members who had indicated a wish to speak in debates, the Greffier of the States undertook to raise this matter with the Bailiff.

Privileges and  
Procedures  
Committee:  
2024 work  
programme.

A11. The Committee, with reference to Minute No. A9 of 18th December 2023, of the Committee as previously constituted, considered its 2024 work programme.

It was recalled that the adoption of the Children and Young People's (Jersey) Law 2022 in February 2022, introduced the concept of 'corporate parenting' and the Committee was required to prepare a plan which set out how it would discharge its corporate parenting responsibilities. It was noted that further information had been sought by a Scrutiny Panel with regard to the statutory responsibilities of a corporate parent and guidance had recently been published (R.7/2024 refers). A report would be presented to the Committee in April 2024.

A report entitled 'How might the Standing Orders of the States of Jersey respond to the formation of political parties' had been published in 2021. It was suggested that the Committee might wish to consider establishing a Sub-Committee in order to consider the report in more detail and determine which areas to prioritise for implementation. A report on this subject would be presented to the Committee in April 2024.

It was noted that work was ongoing in terms of the establishment of constituency offices and an update would be provided in due course.

The Diversity Forum work programme would include the continuation of work on the behaviour codes in other jurisdictions.

Further consideration would need to be given to remote participation in meetings of the States Assembly, with amendments to Standing Order 55A being presented to the Committee in April 2024.

The application of Standing Order 37A would continue to be monitored by the States Greffe with a view to amending the same to disallow the late presentation of comments.

The Committee would receive an update in connexion with the automatic voter registration project at the meeting in May 2024.

The Committee noted the position.

Date of next  
meeting.

A12. The Committee noted that the next meeting would be held on 15th April 2024, at 11.00 am.

12  
2nd Meeting  
18.03.2024

Privileges and Procedures Committee

(3rd Meeting)

15th April 2024

**Part A (Non-Exempt)**

All members were present, with the exception of Deputies L.M.C. Doublet of St. Saviour and C. S. Alves of St. Helier Central, from whom apologies had been received.

Connétable K. Shenton-Stone of St. Martin, Chair  
Deputy L. K. F. Stephenson of St. Mary, St. Ouen and St. Peter  
Connétable M.K. Jackson of St. Brelade (for item B1, part of item B3, items B4-B6 and part of item B7 only)  
Deputy T.A. Coles of St. Helier South  
Deputy S.M. Ahier of St. Helier North

In attendance -

W. Millow, Deputy Greffier of the States  
T. Oldham, Assistant Greffier of the States, Committees and Panels (via Teams) (for a time)  
Y. Filleul, Assistant Greffier of the States, Chamber and Members' Resources (via Teams) (for a time)  
J. O'Brien, Head of Digital and Public Engagement, States Greffe (via Teams) (for a time)  
F. Walker, Head of Governance and Communities Policy, Cabinet Office (for item B1 only)  
J. Lepp, Research and Project Officer  
J. Hales, Research and Project Officer (via Teams)  
K.L. Slack, Senior Secretariat Officer, States Greffe

Note: The Minutes of this meeting comprise Parts A and B.

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|-----------------------------------|---|
| Minutes.                          | A1. The Minutes of the meeting of 18th March 2024 (Part A only), having previously been circulated, were taken as read and were confirmed.  |
| Forthcoming business.             | A2. The Committee considered items which had been lodged ' <i>au Greffe</i> ' for the meeting of the States Assembly, which was scheduled to commence on 16th April 2024 and concluded that it would not wish to comment on any of the propositions.  |
| Appointment of Vice-Chair.        | A3. The Committee, with reference to its Minute No. A2 of 7th March 2024, agreed to appoint Deputy C.S. Alves of St. Helier Central as Vice-Chair.  |
| States Greffe business plan 2024. | A4. The Committee, with reference to Minute No. A3 of the meeting of 19th June 2023 of the Committee, as previously constituted, received and noted the States Greffe business plan for 2024 and was reminded by Mr. W. Millow, Deputy Greffier of the States, that its approval was required to present the plan to the States Assembly as a Report in the Reports series. |

The Deputy Greffier informed the Committee that the business plan aimed to provide clarity with regard to the role and objectives of the States Greffe, including

the Legislative Drafting Office and listed its operational aims for 2024, as identified by the Senior Leadership Team.

In addition to the business as usual activities for the year were 12 operational objectives, which included a celebration of the 500th anniversary of the earliest surviving Minutes from the States Assembly, which dated back to 1524, and the introduction of a Constituency Support Team to assist all States Members with their constituency work. It was noted that this team would comprise a principal officer and 3 research and project officers to provide support for all members. It was acknowledged that, as this service would be new, a discussion with members around their expectations would be required and the support would be launched initially for certain constituencies only.

The Committee endorsed the business plan and approved it for presentation to the States Assembly as a Report.

Privileges and  
Procedures  
Committee –  
work  
programme  
2024 and  
membership of  
sub-  
Committees.

A5. The Committee received and noted a spreadsheet of its work programme for 2024 and recalled that it had established a number of sub-Committees in connexion with its work programme and approved the memberships of the same as follows –

Diversity Forum

Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter, Chair  
Connétable M.O'D. Troy of St. Clement  
Deputy L.M.C. Doublet of St. Saviour  
Deputy I. Gardiner of St. Helier North  
Deputy H.M. Miles of St. Brelade  
Deputy H.L. Jeune of St. John, St. Lawrence and Trinity  
Deputy R.S. Kovacs of St. Saviour

Machinery of Government Sub-Committee

Deputy T.A. Coles of St. Helier South, Chair  
Connétable K. Shenton-Stone of St. Martin  
Deputy M.R. Scott of St. Brelade  
Deputy L.V. Feltham of St. Helier Central  
Deputy H.L. Jeune of St. John, St. Lawrence and Trinity  
Deputy R.S. Kovacs of St. Saviour

Political Awareness and Education Sub-Committee

Deputy C.S. Alves of St. Helier Central, Chair  
Connétable M.A. Labey of Grouville  
Deputy C.F. Labey of Grouville and St. Martin  
Deputy M. Tadier of St. Brelade  
Deputy I. Gardiner of St. Helier North  
Deputy R.S. Kovacs of St. Saviour

Pensions Sub-Committee

Deputy S.M. Ahier of St. Helier North, Chair  
Deputy M.R. Ferey of St. Saviour  
Deputy B. Ward of St. Clement

Date of next  
meeting.

A6. The Committee noted that its next meeting would be held on 20th May 2024, at 10.00 a.m. in the Blampied Room, States Building.

Privileges and Procedures Committee

(4th Meeting)

20th May 2024

**Part A (Non-Exempt)**

All members were present, with the exception of Connétable M.K. Jackson of St. Brelade, from whom apologies had been received.

Connétable K. Shenton-Stone of St. Martin, Chair  
Deputy L. K. F. Stephenson of St. Mary, St. Ouen and St. Peter (for a time)  
Deputy T.A. Coles of St. Helier South  
Deputy S.M. Ahier of St. Helier North  
Deputy C. S. Alves of St. Helier Central (for a time)  
Deputy L.M.C. Doublet of St. Saviour (for a time)

In attendance -

L-M. Hart, Greffier of the States  
W. Millow, Deputy Greffier of the States (for a time)  
J. Lepp, Research and Project Officer  
J. Hales, Research and Project Officer (via Teams)  
H. Roche, Senior Secretariat Officer, States Greffe

Note: The Minutes of this meeting comprise Parts A and B.

Minutes. A1. The Minutes of the meeting of 15th April 2024 (Part A and Part B), having previously been circulated, were taken as read and were confirmed.

The Greffier of the States confirmed, with reference to Minute No. B6, that the Chair of the Legislation Advisory Panel would attend the June 2024 meeting of the Committee.

Privileges and Procedures Committee – work programme 2024. A2. The Committee, with reference to its Minute No. A5 of 15th April 2024, received and noted a spreadsheet of its work programme for 2024.

The Committee noted that the work in connexion with States Members' Remuneration had been completed and could be removed from the work programme.

Deputy T.A. Coles of St. Helier South noted that, with the adoption of the Children and Young People's (Jersey) Law 2022 ('the Law') in February 2022, the concept of 'corporate parenting' had been introduced and, therefore, the States Greffe would become a corporate parent under the Law and the Committee would need to prepare a plan for how it proposed to discharge its corporate parenting responsibilities.

It was recalled that the Machinery of Government Sub-Committee had been asked to consider whether amendments to Standing Orders 113 and 115 should be prepared. The potential for amendments arose following the adoption of the proposition entitled 'Vote of no confidence: Chief Minister' (P.1/2024)', and the consequent need for the Assembly to appoint a new Chief Minister and Council of



Ministers. The Greffier of the States suggested that the Committee should revisit the Report produced before the last election outlining potential changes to Standing Orders to reflect the impact of political parties on the mechanics of the Assembly and Ms. J. Lepp, Research and Project Officer, States Greffe, undertook to recirculate the report in this connexion.

The Deputy Greffier of the States informed the Committee that work to establish a Constituency Support Team was underway, and that the Principal Constituency Support Officer had been appointed. In this connexion, the scope of the work to be undertaken by the Constituency Support Team would be established and brought to the Committee for its consideration at a future meeting.

Deputy S.M. Ahier of St. Helier North raised an issue in connexion with a statement which had been placed on the Consolidated Order Paper before the last States meeting and subsequently withdrawn prior to Members having sight of the item. He questioned whether this could be addressed in Standing Orders to prevent this occurring again. The Greffier of the States reminded the Committee that Members wishing to make a statement on a matter of official responsibility were required to advise her no later than 5 pm on the day prior to the States sitting. Deputy C. S. Alves of St. Helier Central suggested that the statement, or a summary thereof, should be submitted prior to being added to the Order Paper. The Greffier of the States advised that it was unusual for items to be placed on the Consolidated Order Paper and subsequently withdrawn 'at the last minute', as had been the case in this instance.

Privileges and  
Procedures  
Committee:  
Sub-  
Committees –  
update on  
workstreams.

A3. The Committee, with reference to its Minute No. A9 of 15th January 2024, of the Committee as previously constituted, considered a report which set out the progress that had been made by the various Sub-Committees which had been established to support its work.

#### Political Awareness and Education Sub-Committee

The Committee noted that the Project Board for the introduction of a digital electoral register had met at the beginning of May 2024, and the Board had been assured that the technological solution to create a digital database would not be as complex as envisaged. One of the risks identified as part of the assessment of the project was that the Office of the Information Commissioner had intimated that it could take up to 20 weeks to undertake the necessary review of the proposals. However, this view had been challenged by the Board, noting that the same information had been accessed to set up the database for the £100 gift card, issued to all Islanders to support post-Covid economic recovery efforts and that initiative had not required such a lengthy review by the Commissioner. The Greffier of the States advised that the project was on track to be completed by the end of 2024.

#### Machinery of Government Sub-Committee

The Committee discussed the procedures and effects on Government of either a Vote of No Confidence Proposition being lodged against the Chief Minister, or the death in service of a serving Chief Minister and agreed that the timescales for the submission of the nomination document for a new Chief Minister should be extended in such circumstances. The Greffier of the States advised that the Draft States of Jersey (Deputy Chief Minister) Amendment Law 202- (the Law) was due to be lodged *au Greffe* for debate at the July 2024 sitting of the Assembly. The Law would expand on the role of the Deputy Chief Minister and clarify that he or she would be the authorised substitute for an executive decision whenever the Chief Minister was out of the Island or otherwise indisposed.

It was noted that the order in which Members speak in the States Assembly had been discussed (Minute No. B6 of 15th April 2024 referred) and would be referred back to the Committee in order to bring forward a Proposition in this regard.

The Committee considered whether the structure of Government should include a minimum number of Assistant Ministers and whether the core functions of Assistant Ministers should be clarified within Standing Orders. Members were keen for there to be greater clarity around the roles and responsibilities, and it was suggested that the Digital and Public Engagement team could include the elements of the Assistant Minister role in the upcoming campaign to encourage candidates to stand for election.

The Committee discussed the potential date for the 2026 elections and Deputy S.M. Ahier of St. Helier North indicated that May would be preferred to allow for sufficient time after all of the appointments were made for the Assembly to meet once or twice before the summer recess, which had not been possible after the 2022 elections. Following a suggestion to move the election date towards Autumn, the Greffier of the States advised that, whilst this could be considered for 2030, Members should not extend their period of office in the present term. The Committee requested that officers compile a report outlining potential election dates for 2026 and that the matter, along with a review of postal voting, be presented for consideration at a future meeting of the Committee.

Infrastructure  
and  
Environment  
Department –  
highway  
election  
advertising  
guidelines.

A4. The Committee welcomed Messrs. T. Renouf, Project Manager, and W. Vogt, Senior Network Manager, both of the Infrastructure and Environment (IE) Department, and considered a draft report entitled 'Highway Election Advertising Guidelines' and received a PowerPoint presentation entitled 'Election Advertising Guidelines - Infrastructure and Environment Department Recommendations', in this connexion.

The Committee was informed that, under the Highways (Jersey) Law 1956 (the Law), the Island's Highway Authorities would accept election advertising placed above the highway only in accordance with these guidelines failing which, consideration might be given as to whether an offence had been committed. The candidate would be expected to remove any non-compliant advertising, but costs would be recovered if the IE Department or Highway Authorities were forced to remove the offending items.

Mr. Vogt advised the Committee that the previous guidelines had failed to clearly outline certain activities resulting in confusion and leading to lack of compliance. The areas of concern and relevant safety issues in connexion with the placement of previous election advertising were outlined to the Committee and it was noted that civil servant time had been expended in the removal of dangerously situated banners and posters.

The Committee noted that the IE Department had made improved recommendations which were detailed within the report. Revised guidelines, which had been formed on the basis of advice from the Law Officers' Department, would be approved by the Minister for Infrastructure in order to avoid public and candidate complaints and reduce the safety impacts.

Images of 'best practice' when placing election advertising were displayed and the Committee suggested establishing pre-approved Vote.je election advertising boards or a map of authorised zones in each of the Parishes. It was noted that the guidelines would need to be widely communicated in order to avoid further infractions of the Law and the Greffier of the States added that Vote.je and the Jersey Electoral

Authority would also publicise the guidelines. In response to questions from the Committee, Mr. Vogt advised that the use of roundabouts would not be encouraged as this initiated a range of further safety issues. Mr. Vogt also confirmed that the 35-millimetre letter sizing outlined in guideline 5 was a recommendation and, within reason, the lettering could be smaller or slightly larger.

Deputy T.A. Coles of St. Helier South, having noted that all lampposts had an identification serial code, suggested that IE could consider producing a list of those which posed the most safety issues if utilised, so that candidates would be aware of which posts to avoid. Mr. Vogt acknowledged that this would be a very practical way of ensuring the guidelines could be followed and thanked Deputy Coles for his suggestion.

The Committee thanked Mr. Renouf and Mr. Vogt for the presentation and they withdrew from the meeting.

Government  
Plan 2025 -  
2028.

A5. The Committee, with reference to its Minute No. A4 of 17th July 2023, of the Committee as previously constituted, considered a report entitled 'Draft Government Plan 2025-2028', dated May 2024, which had been prepared by the Deputy Greffier of the States.

The Committee recalled that, in accordance with the provisions of Article 10 of the Public Finances (Jersey) Law 2019, there was a requirement for the Government Plan to include a submission for the States Assembly and the States Greffe, as proposed by the Committee. It was further recalled that a letter would be sent by the Chair of the Privileges and Procedures Committee to the Minister for Treasury and Resources, setting out the submission before the end of May 2024, in accordance with the lodging timetable for the Draft Plan.

The Committee's attention was drawn to the fact that 4 additional budgetary pressures had been identified which required growth within the Government Plan beyond the 2024 base budget as follows –

- funding to address increases to States Members' remuneration and pension contribution, in light of the recommendations of the States Members' Remuneration Review. The recommendations would take automatic effect and could not be altered, in line with the States of Jersey Law 2005;
- funding to ensure sufficient budget for the work of the Commissioner for Standards, which the States was obliged to provide in accordance with the Commissioner for Standards (Jersey) Law 2017;
- funding in 2026 to allow for the additional expenditure incurred for the administration and holding of elections to the States Assembly, ensuring functions prescribed by the Elections (Jersey) Law 2002 were fulfilled; and
- funding for the Legislative Drafting Office to ensure delivery of the legislation programme and to address a shortfall in the provision of technical and specialist advisory services.

It was noted that increased expenditure in 2023 and 2024 in relation to States Members' remuneration and pensions and the work of the Commissioner for Standards had been absorbed from underspends from staffing vacancies, but with those vacancies either filled or due to be filled it would not be feasible or sustainable from 2025 onwards to accommodate the increased expenditure within the existing budget.

The Committee was informed that a fifth item (improved facilities at 23 Hill Street), which had initially been communicated by the States Greffe to the Treasury and Exchequer Department, had not been pursued at this time.

The Committee was advised that, once the above items had been incorporated within the 2024 budget for the States Assembly, the following budget would be included for the States Assembly in the 2025-2028 Government Plan –

- £2,254,000 for 2025 (and a total of £9,016,000 over the period from 2025-2028) for the Committees and Panels Team;
- £899,000 for 2025 (and a total of £3,796,000 over the period from 2025-2028) for the Digital and Public Engagement Team;
- £3,817,000 for 2025 (and a total of £15,764,000 over the period from 2025-2028) for States Assembly – General and Members’ Remuneration;
- £1,938,000 for 2025 (and a total of £7,752,000 over the period from 2025-2028) for States Assembly – Administration and Members’ Services; and,
- £1,997,000 for 2025 (and a total of £7,988,000 over the period from 2025-2028) for the Legislative Drafting Office;
- funding to support an index linked pay increase for States members from 2024 onwards (and potentially 2023 – which would have to be dealt with separately).

The Committee noted the position and approved the Government Plan 2025-2028 submission.

Appointment  
of the  
Referendum  
Commission.

A6. The Committee, with reference to its Minute No. A9 of 18th March 2023, considered a report entitled ‘Appointment of the Referendum Commission’, dated May 2024, which had been prepared by the Deputy Greffier of the States.

The Committee noted that it had been agreed to establish a recruitment panel in accordance with Article 2(4) of the Referendum (Jersey) Law 2017 (the 2017 Law), in order to appoint a Chair and Commissioners to the Referendum Commission (the Commission).

Following 2 recruitment campaigns, the recruitment panel were able to recommend 3 candidates as Commissioners, as follows –

- Advocate M. Boothman;
- Mr. T. Le Sueur, OBE; and
- Mr. C. Dobbing.

The Committee was advised that Advocate Boothman and Mr. Le Sueur, OBE, had been members of the previous Commission. If the 3 recommended candidates were approved by the Committee, 2 Commissioner vacancies including the position of Chair would remain unfulfilled.

It was noted that, at this point in time, there would be no Commission to advise on the wording of a proposed referendum question which was a necessary step for a Referendum Act to be considered and adopted by the States Assembly. Consequently, there was a requirement to constitute the Commission, subject to the Committee’s approval, and to fill the remaining vacancies. The 2017 Law allowed for the Commission to operate with vacancies and its quorum was 3 members.

The options to progress the matter were outlined to the Committee as follows –

- appoint the 3 above candidates, as recommended by the recruitment panel, with no identified Chair;
- appoint the 3 above candidates, as recommended by the recruitment panel, and ask one of the returning members to act as Chair; or
- do not appoint at this time and embark upon a new recruitment campaign (a new recruitment campaign would be undertaken regardless of the decision in order to fulfil the current vacancies). Deputy C. S. Alves of St. Helier Central requested that all Members be made aware of any future recruitment campaigns.

The Committee was advised that, due to the recent low response to recruitment campaigns, it might wish to consider the status of the Commission and how its membership could be filled. Appointment to the Commission was on an unpaid basis, which could be reviewed as a means of encouraging applicants, and consideration could also be given to merging the Referendum Commission with another body such as the Jersey Electoral Authority. It was noted that the Committee might wish to await the results of any further recruitment campaign before taking a view in respect of the future arrangements for the Commission.

The Committee approved the 3 appointments, and the Deputy Greffier of the States undertook to provide an update at a future meeting with regards to the recruitment of a Chair.

States of  
Jersey  
Complaints  
Panel: Annual  
Report.

A7. The Committee, with reference to its Minute No. A12 of 18th December 2023, of the Committee as previously constituted, received and considered the States of Jersey Complaints Panel Annual Report for 2023.

The Committee approved the Complaints Panel's Annual Report for 2023 and agreed that it should be presented to the States at the earliest opportunity. The Greffier of the States advised that a draft foreword would be sent to the Chair for final approval and that the Annual Report would be published thereafter.

Changes to the  
Jersey  
Electoral  
Authority.

A8. The Committee, with reference to its Minute No. A5 of 17th April 2023, of the Committee as previously constituted, considered a report entitled 'Changes to the Jersey Electoral Authority (JEA)', dated May 2024, presented by the Greffier of the States.

The Committee noted the remit of the JEA prior to, during and after an election, which aligned generally with the responsibilities of the United Kingdom's (UK) Electoral Commission with one or two exceptions. It was noted that the JEA considered that its role in dealing with disputes required reconsideration, as the current scope of complaints it could address were significantly limited by Article 13 of the Elections (Jersey) Law 2002 (the 2002 Law) to just candidates. Recommendation 12 of the Commonwealth Parliamentary Association Election Observers Mission Report published after the elections in 2022, had also recommended that consideration should be given to extend redress to persons other than the election candidates. Extending the JEA's complaint handling jurisdiction to the general public would accord with the UK Electoral Commission's role. There was sufficient time before the 2026 election to publicise clear guidance regarding the functions of the JEA and what it would and would not adjudicate upon. It was noted that Article 13D of the 2002 Law would require an amendment to provide for

the extension of the election dispute resolution to include complaints from the public.

The Committee discussed whether it was minded to consider a form of remuneration for JEA members to compensate for the increased activity around the election period, but were reluctant to do so. It was noted that the current Chair, Mr. J. Everett had written to the Chair tendering his resignation with effect from 30th June 2024 and that a recruitment process was planned to add to the JEA's membership, bringing the complement from the existing two lay members to 4 in addition to the Chair. The Committee agreed that this increase in members should ensure that the workload in the period around the election was less burdensome than in 2022.

The Greffier of the States confirmed that the remaining members of the JEA would be asked whether they wished to continue once their term of office expired at the start of 2026, to ensure continuity into the next election.

Forthcoming  
business.

A9. The Committee considered items which had been lodged '*au Greffe*' for the meetings of the States Assembly, which were scheduled to commence on 21st May and 11th June 2024, and concluded that it would not wish to comment on any of the propositions.

Date of next  
meeting.

A10. The Committee noted that its next meeting would be held on 24th June 2024, at 10.00 a.m. in the Blampied Room, States Building.