

STATES OF JERSEY



ORAL QUESTIONS WITH NOTICE: EXTENSION TO 2 HOURS (P.40/2009) – COMMENTS

Presented to the States on 27th April 2009
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

PPC does not believe it would be appropriate for it to comment on the substantive issue of whether or not the period set aside for oral questions with notice should be extended from 90 minutes to 2 hours. PPC considers that it is a purely political decision for individual members to assess how much time they consider should be set aside for oral questions with notice; and members of PPC, in common with all other members, each have their own individual views. Deputy M. Tadier has now lodged a further proposition (P.59/2009) proposing that the time limit should be totally removed to allow all questions to be answered, and that is another option that members will be able to consider.

Although it expresses no view on the substantive issue of extending question time, PPC does nevertheless believe it is important to stress that, if the period allocated to oral questions is increased, members must also accept that this will lead to increased sitting hours for the Assembly. PPC is of the view that it would be totally unacceptable for the time allocated to Public Business to be somehow 'squeezed' because members were not willing to see the extra question time as an additional period and tried to rush through debates as a result. The Committee also considers that any increase in time for questions, through the extension of the time limit by half an hour, or its complete removal, may result in significant resource implications for departments which would need to be addressed separately.

In order to put the proposition into context, members will find details in the Appendix of the number of oral questions with notice that have been answered since the 90 minute period was established at the start of ministerial government, together with the total period spent on this item at each Sitting.

Although it is not directly related to this proposition, PPC wishes to point out that it believes that the manner in which oral questions that are unanswered are dealt with is somewhat unsatisfactory at present. Both States members and officers can spend a significant amount of time establishing the answer to an oral question, and this can be lost should the question remain unanswered. If the proposition of Deputy Tadier (P.59/2009) is rejected and a maximum time limit for questions is retained, there will always be a risk that some questions may not be answered within the allotted time. Standing Order 63(8) provides that: *'A question that has not been asked before the end of the 90 minutes allowed shall be taken to have been withdrawn'* but it has nevertheless become usual practice in recent weeks for Ministers to circulate answers to unanswered questions by e-mail. These 'answers' have no official status, do not benefit from any parliamentary privilege and are not subsequently recorded in Hansard or elsewhere. In addition, although Ministers will probably usually have a draft answer ready before the Sitting, there may be additional work involved in converting notes into a format that can be circulated. PPC clearly needs to await the outcome of the debates on the propositions of the Deputy of St. Martin and Deputy Tadier before deciding whether changes are needed in relation to unanswered questions, but undertakes to consider this matter and make recommendations in due course when those debates have taken place, if a time limit is retained.

APPENDIX

Date	Oral with Notice answered	Oral with Notice unanswered	Oral with Notice (Minutes)
17th January 2006	10	0	65
31st January 2006	9	0	52
14th February 2006	11	0	63
28th February 2006	13	0	70
14th March 2006	12	0	92
28th March 2006	14	0	143
4th April 2006	9	0	69
25th April 2006	4	0	24
16th May 2006	17	0	70
23rd May 2006	14	0	83
6th June 2006	6	0	47
20th June 2006	12	0	82
4th July 2006	9	0	56
18th July 2006	11	0	88
12th September 2006	10	0	88
26th September 2006	9	0	64
10th October 2006	16	0	61
25th October 2006	16	0	86
7th November 2006	11	0	63
21st November 2006	14	0	89
5th December 2006	7	0	50
16th January 2007	12	0	91
30th January 2007	8	0	53
13th February 2007	5	0	27
27th February 2007	8	0	58
13th March 2007	13	0	84
27th March 2007	16	0	95
17th April 2007	9	0	58
1st May 2007	11	0	79
15th May 2007	8	0	67
5th June 2007	6	0	39
19th June 2007	13	0	81
3rd July 2007	16	0	75
16th July 2007	17	0	77
11th September 2007	12	0	63
25th September 2007	5	0	22
9th October 2007	13	0	80
23rd October 2007	12	0	71
6th November 2007	17	0	87
20th November 2007	17	0	97
4th December 2007	15	0	92

Date	Oral with Notice answered	Oral with Notice unanswered	Oral with Notice (Minutes)
15th January 2008	17	0	92
29th January 2008	13	0	92
12th February 2008	16	4	96
26th February 2008	12	0	85
11th March 2008	13	0	91
1st April 2008	8	0	60
29th April 2008	16	2	92
13th May 2008	12	0	71
3rd June 2008	12	0	60
17th June 2008	8	0	39
1st July 2008	13	0	97
15th July 2008	17	1	92
8th September 2008	9	0	46
16th September 2008	8	0	68
21st October 2008	11	0	52
2nd December 2008	16	0	90

From the above figures it can be calculated that during the lifetime of the last States there were, on average, 11.7 questions answered during the 57 meetings when oral questions were answered and the question period lasted, on average, 72.4 minutes. Standing Orders were suspended once, on 28th March 2006, to allow the question period to extend beyond 90 minutes. Only 7 questions (all in 2008) were unanswered during the 3 year period when the time expired before they could be dealt with.

The figures for the new States show that since January 2009 more questions have been submitted and more have been unanswered. The figures to date are as follows –

Date	Oral with Notice answered	Oral with Notice unanswered	Oral with Notice (Minutes)
20th January 2009	19	0	114
3rd February 2009	15	0	91
24th February 2009	16	4	92
10th March 2009	13	16	101
24th March 2009	14	4	91
31st March 2009	18	0	110

Standing Orders were suspended on 20th January and 31st March 2009 to allow all questions to be answered.