

STATES OF JERSEY



COVID-19: QUESTIONS WITHOUT NOTICE TO ALL MINISTERS ON THE RESPONSE OF THE GOVERNMENT OF JERSEY

Lodged au Greffe on 20th April 2020
by Deputy R. Labey of St. Helier

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to suspend, in accordance with Standing Order 80, Standing Orders 64 and 66 until 1st October 2020 in order that alternative arrangements for questions without notice may be introduced temporarily; and
- (b) to agree that, until 1st October 2020, every scheduled meeting of the States will include a period of questions without notice during which questions may be put to any Minister about the response of the Government of Jersey to the Coronavirus crisis.

DEPUTY R. LABEY OF ST. HELIER

REPORT

This proposition, if adopted, would allow for a period of questions without notice to all Ministers to take place during any scheduled meeting of the Assembly. Such an arrangement would remain in place until 1st October 2020.

Since the start of the Coronavirus crisis to date, the Assembly has held 4 additional meetings. At each one, a period of one hour has been allocated for Members to ask questions without notice of any Minister on the subject of the Government's response to the crisis. I have brought this proposition as there has been positive feedback from Members about the ability to hold these periods of questions without notice; and I believe the Assembly will be frustrated if they cannot be held at every meeting during the current crisis.

It has been possible to hold these question periods because there is some procedural leeway in respect of such additional meetings. These meetings have been requisitioned in accordance with Standing Order 5. That Standing Order simply states that an additional meeting must be for a specified purpose; and it has been acceptable for the requisition notice to specify that the business to be considered at the meeting will include a period of questions without notice to all Ministers.

Such leeway does not currently exist in respect of scheduled meetings of the Assembly (i.e. those on the list prepared, circulated and published by the Privileges and Procedures Committee last year). For scheduled meetings, Standing Orders 64 and 66 require the arrangements for questions without notice with which Members are familiar: a 30-minute period during which Ministers take slots on a rota basis, and for which the Chief Minister appears at every second meeting. Because of the requirements of Standing Orders 64 and 66, it is not procedurally feasible for a period of questions without notice for all Ministers to be held at a scheduled meeting.¹

If this proposition were adopted, Standing Orders 64 and 66 would therefore be suspended until 1st October 2020 to ensure that a period of questions without notice for all Ministers could be held at both scheduled meetings and additional ones. This timeframe has been proposed to mirror the timeframes proposed in the emergency legislation which the Assembly has recently adopted. If the Assembly wished the arrangements to remain in place for longer, a new proposition would be required before 1st October 2020 (and if the Assembly wished this arrangement to remain in place permanently, an amendment to Standing Orders would be required).

The proposition itself does not specify how long the period of questions without notice should last, nor when during a meeting the questioning should take place. Unless the Assembly agreed otherwise at a particular meeting, the questions without notice would thus be taken before statements and public business. In terms of duration, I would expect one hour to be allocated (as has been the case to date). Not specifying the duration in this proposition, however, would allow the Presiding Officer the flexibility to go beyond the hour if it were apparent that more questions could be asked and that was what the Assembly wanted. As with the arrangements to date, only questions about the Government's response to the Coronavirus crisis would be permitted.

¹ At the one scheduled meeting held since the start of the Coronavirus crisis to date (on 24th March 2020), there was no period of questions without notice to all Ministers; instead, the Minister for Health and Social Services and the Chief Minister faced questions during the standard 30-minute period.

For the avoidance of doubt, adoption of this proposition would not stop Members from submitting written questions and oral questions (with notice) to be answered at scheduled meetings. The proposition has been constructed in such a way that if Members wanted the period of questions without notice to all Ministers to be additional to the standard 30-minute period that there is at scheduled meetings (rather than simply replacing it), this could be achieved by adopting part (b) of the proposition alone.

Financial and manpower implications

There is a minor resource implication in that meetings of the Assembly would last slightly longer if there were a one-hour period of questions without notice to all Ministers instead of (or, in addition to) the existing 30-minute period. This could be accommodated, however, within the existing resources of the States Greffe.