

PRIVILEGES AND PROCEDURES COMMITTEE

(59th Meeting)

17th October 2007PART A

All members were present, with the exception of Deputy G.C.L. Baudains and Deputy S.C. Ferguson, from whom apologies had been received.

Connétable D.F. Gray of St. Clement - Chairman
 Senator M.E. Vibert
 Connétable K.A. Le Brun of St. Mary
 Deputy J. Gallichan
 Deputy I.J. Gorst

In attendance -

M.N. de la Haye, Greffier of the States
 Mrs. A.H. Harris, Deputy Greffier of the States
 Mrs. D. Abbot-Maguire, Finance and Administration Manager, States Greffe
 (for a time)
 Miss S.C. Nicolle, Q.C., H.M. Solicitor General (for a time)
 P. Monamy, Acting Clerk to the Privileges and Procedures Committee

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

Minutes.

A1. The Minutes of the Meetings held on 3rd October (Part A and Part B) and 4th October 2007 (Part A only), having been previously circulated, were taken as read and were confirmed.

Photographic I.D. cards for States members.
 465/1(76)

A2. The Committee, with reference to its Minute No. A2 of 3rd October 2007, considered a report concerning the provision of photographic identification for States members.

Having viewed a number of examples of I.D. cards, the Committee considered the uses to which such cards might be put for the benefit of members. The Committee concluded that there appeared to be few occasions when members of the Assembly would need to be in possession of personalised I.D. cards and agreed that, although the cost of the necessary printing equipment and consumables was relatively minor, equipment in use elsewhere within the States' administration could be utilised should the need arise.

The Committee, recognising that elections were scheduled for 2008 and that it would not be worthwhile to issue I.D. cards before that, decided in the first instance to ascertain from current members of the States the likely demand for such cards.

The Greffier of the States was requested to take the necessary action.

Assistant Ministers serving

A3. The Committee considered a memorandum, dated 4th October 2007, from the Deputy Bailiff concerning Assistant Ministers serving on Scrutiny Sub-Panels.

on Scrutiny Sub-
Panels.
1444/3(12)

The Committee noted that the question had previously been raised as to whether Senator B.E. Shenton would be required to resign from certain Scrutiny Sub-Panels in the event that he had been appointed Assistant Minister for Health and Social Services. Although such a situation had not ultimately transpired, it was possible that it might do so at some time in the future and, in this regard, the Deputy Bailiff considered that Standing Orders were presently deficient.

The Committee recognised that Standing Order 135(2) provided that a Minister or Assistant Minister might not be appointed as a member of a Scrutiny Panel; and furthermore that Standing Order 137(6) provided that a member of a Scrutiny Panel should cease to hold office upon his or her appointment as a Minister or Assistant Minister. However, whereas Standing Order 139 provided that a member of the States might not be appointed as a member of a Scrutiny Sub-Panel if he or she was a Minister or Assistant Minister, it was noted that there was no equivalent to Standing Order 137(6) and, accordingly, no provision that he or she should cease to be a member of a Sub-Panel if he or she subsequently became a Minister or Assistant Minister.

The Committee agreed that the clear intention of the States as reflected in Standing Orders was that Assistant Ministers should not serve on Scrutiny Panels or Scrutiny Sub-Panels. The Committee recognised that, given the express provision of Standing Order 137(6) in relation to Scrutiny Panels and the lack of any equivalent provision in relation to Sub-Panels, it was strongly arguable that a member in Senator Shenton's position as outlined above would not have to resign as a member of a Sub-Panel.

The Committee decided to await the outcome of discussion on the Review of the first 12 months of Ministerial Government before considering the matter further.

Counselling and
support for States
members.
1240/9/1(142)

A4. The Committee considered a report prepared by the Deputy Greffier of the States concerning a paper presented at a recent Society of Clerks at Table annual conference and whether a Member Assistance Programme would be of value in Jersey and, if so, what further steps could be taken to provide one.

The Committee recognised that the main thrust of the paper discussed assistance to members of a parliament to deal with life problems, together with the new set of problems associated with public life. It was noted that there was also evidence of a programme for members who had recently left political life, to assist them with finding employment, starting a business, training and general financial advice.

The Committee further noted that whilst many jurisdictions provided Employee Assistance Programmes, these did not exist for the public sector in Jersey, and consequently it was not possible to provide a Member Assistance Programme on the back of an existing scheme. Another consideration with either Member Assistance or Member Transition schemes was the very low numbers involved in the Island setting.

The Committee recalled that the Dean of Jersey had previously indicated his willingness to make himself available to any member of the Assembly who wished to discuss with him in confidence any personal matters. **The Committee concluded that, subject to verification with the Dean that he continued to be prepared to speak to members in the manner proposed, existing members should be advised of the availability of the offer of a 'listening ear' in the event that they wished to avail themselves of it. In addition, the Committee agreed that this facility should be brought to the attention of new members during the induction programme.**

The Greffier of the States was requested to take the necessary action.

Quarterly Report:
States Assembly -
Third Quarter
2007.
422/10/1(80)

A5. The Committee, with reference to its Minute No. A3 of 5th September 2007, received and considered the Third Quarter Report 2007 for the States Assembly, prepared by the Finance and Administration Manager.

The Committee was advised that the revised budget for the States Assembly and its services for 2007 indicated a likely net underspend of £341,174 by the year-end, arising predominantly from Scrutiny areas of the budget. Although overspending was presently predicted on "Staff Expenditure" and "Premises and Maintenance" areas, this arose from the 2007 pay award and one Voluntary Redundancy (V.R.) payment; and forthcoming minor refurbishment of the States Bookshop area, respectively. It was also noted that additional funds had been allocated towards advance bookings and other arrangements for the 2008 Commonwealth Parliamentary Association (C.P.A.) Regional Conference which was to be held in the Island.

Having recognised that other areas of the States' administration continued to come under extreme funding pressures, the Committee agreed to apprise the Minister for Treasury and Resources that it was prepared, on the basis of a 'one-off' situation and without prejudice to its 2007 year-end outturn or to the level of budget required for 2008 and beyond, to make immediately available for reallocation a sum of £250,000 from its predicted underspend.

The Greffier of the States was requested to take the necessary action.

Matters for
information.

A6. The Committee noted the following matters for information -

- (a) correspondence, dated 4th September 2007, sent to the Connétable of St. Brelade regarding the electoral districts in the Parish;
- (b) correspondence, dated 4th October 2007, with H.M. Attorney General regarding the second consultation on the Freedom of Information (Jersey) Law (R.60/2007) granting an extension of the deadline for comments from the Attorney General to no later than 29th October 2007. The Deputy Greffier of the States advised the Committee that the matter would be placed on the agenda for its meeting scheduled for 14th November 2007;
- (c) Deputy Gallichan advised the Committee that the working group established to consider in more detail the proposed recommendations for changes to the Public Elections (Jersey) Law 2002 had referred a number of matters to the Comité des Connétables and that these were to be discussed at the Comité's next meeting (to be held on 22nd October 2007);
- (d) the Committee noted that its next meeting would be held on 31st October 2007, commencing at 9.30 a.m. in the Le Capelain Room, States Building, Royal Square. On the agenda for that meeting *inter alia* would be a report on the review of the first 12 months of Ministerial Government.