

PRIVILEGES AND PROCEDURES COMMITTEE

States Business Organisation Sub-Group

(2nd Meeting)

15th January 2010PART A

All members were present.

Deputy C.H. Egré, Chairman  
 Deputy J.B. Fox  
 Deputy M.R. Higgins

In attendance -

M.N. de la Haye, Greffier of the States  
 Mrs. A.H. Harris, Deputy Greffier of the States  
 Miss A-C. Heuston, Clerk to the Privileges and Procedures Committee

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

Efficiency during  
 States sittings.  
 465/1(136)

A1. The sub-group, with reference to its Minute No. A1 of 14th January 2010, received further oral submissions in connexion with its review of the organisation of States business, as follows:

**Deputy J.M. Maçon**

The sub-group welcomed Deputy J.M. Maçon of St. Saviour. The Deputy advised that the problem could be perceived to be the impact of time spent in the Chamber upon members' other responsibilities. The Deputy asked whether a member's priority should be work carried out the States Chamber, or other duties, and suggested that the primary duty of members should be examined and defined. The Deputy felt that misinformation and misinterpretation could prevent members from fully understanding what was being debated. Comparisons were drawn between the current Ministerial system of government and the former Committee system. While a diverse group of members would participate in each Committee, it was noted that fewer members were involved in each piece of work under Ministerial government. This resulted in the discussion and information gathering stages of the Committee system being transported into the States Chamber, with questions, repetition and misunderstanding in the Chamber being perceived as time-wasting. It was considered that the design of Ministerial government was more suited to a party political structure.

Consideration was given to the length of speeches. The Deputy asserted that time limits on speeches could work under a party political system, but would not be effective under a system of independent members, as comments could be required on each element of a complex proposition. It was considered that action needed to be taken to prevent repetition, however, the Deputy did not feel that members should be required to gauge the support of other members prior to lodging a proposition, nor that propositions should be subject to veto prior to being brought before the Assembly. A limit on the number of propositions that could be lodged by an

individual member would not be supported by Deputy Maçon. It was considered that Ministers could be led by civil servants due to a lack of understanding of their portfolio. The view was expressed that Ministers should do as instructed by the Assembly so that members would not be required to bring propositions back to the Assembly. It was considered that, unless there was a change to the fundamental structure of States business, the problems being experienced would continue. The rôle of Chief Minister was seen by some as a co-ordinating rôle between departments and agencies, and this was felt to be preferable to the silo mentality which could result from a Committee system, however, it was felt that the rôle of Chief Minister should be more clearly defined.

Trust and the provision of information were considered to be essential to improving efficiency. It was felt, for example, that Ministers should ask members for their views regarding what should be included in the Business Plan in order to prevent issues arising which could have been addressed earlier on in the process. The Deputy also felt that Ministers should give more consideration to decisions to oppose amendments, as this increased the length of debate.

#### **Senator S.C. Ferguson**

The sub-group heard from Senator S.C. Ferguson, who considered the States to be inefficient. With regard to questions asked in the States Chamber, Senator Ferguson expressed the view that information requested was often available through a direct approach to a department, or was already publicly available, and that a one line answer to that effect should be given in such cases.

The Senator expressed concern about the amount of paper used for States' business. Greater consideration should be given to the use of information technology, such as the e-reader, in the Chamber, so that members would have documents easily available. Consideration was given to the possible introduction of a specified time for private members' propositions, although it was noted that this would not reduce the volume of work. The Senator expressed the view that the Chair should be more forthright in preventing repetition. Members were thought to lack the ability to speak concisely and to the point, and it was suggested that one option may be to provide lessons in speech-making. Repetition often occurred due to members' absence from the Chamber during other members' speeches. The problem could be due to the amount of time spent in the Chamber and/or the way time was being spent in the Chamber. It was considered that a more efficient structure was required and that a clock or stop watch could be used to time members' speeches.

#### **Deputy A.E. Jeune**

The sub-group welcomed Deputy A.E. Jeune of St. Brelade, who expressed concern regarding the length of debates and the length of members' speeches. The Deputy advised that she had informed the Chairman of the Privileges and Procedures Committee that she was minded to bring a proposition to limit the length of members' speeches, but was aware that the Committee was looking into the matter, so had not done so to date. The Deputy expressed the view that time limits should be considered, as they worked well in other jurisdictions. It was felt that the States should sit for as long as required, but that sittings should not be laboured. A time limit on speeches could therefore provide an improved structure. It was suggested that members could be required to clock in and clock out of the Assembly, as it was felt that some members spent very little time in the Chamber. The Deputy also expressed the view that more members should attend presentations given by departments and Ministers in advance of important debates in order to reduce the amount of time spent in the States Chamber.

The Deputy expressed concern that the Privileges and Procedures Committee had not

been given the ability to be effective, and was unable to address issues of conduct and behaviour due to a lack of sanctions. The use of derogatory language or inappropriate behaviour was seen to be unprofessional, and it was noted that it was within the ability of the Chair to deal with such matters in the Chamber.

The importance of scrutiny in Ministerial government was discussed, although the Deputy was concerned that scrutiny was being perceived as the opposition, and that was not its rôle. It was noted that consideration had previously been given to the changing the name of scrutiny panels to select committees, but that this had not been pursued (Minute No. A6 of the meeting of the Privileges and Procedures Committee on 6th February 2009 refers).

Having been thanked by the Chairman for their attendance, those present withdrew from the meeting.