

# STATES OF JERSEY



## MACHINERY OF GOVERNMENT: VOTES OF NO CONFIDENCE IN INDIVIDUAL MINISTERS

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Lodged au Greffe on 20th January 2004  
by Senator S. Syvret

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STATES GREFFE

## **PROPOSITION**

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

to refer to their Act dated 21st November 2002 in which they agreed the structure of the Executive, and to vary that Act as appropriate and agree that upon the introduction of the ministerial system of government –

- (a) the States Assembly shall have the power to debate votes of no confidence in the Chief Minister or in individual Ministers and that the mechanism for bringing such a vote of no confidence shall be that the proposition shall be signed by the member presenting it and at least three other members, and shall contain a statement of the reason for moving the proposition; and
- (b) to request the Privileges and Procedures Committee to include provision for such votes of no confidence in the revised States of Jersey Law and Standing Orders as appropriate.

**SENATOR S. SYVRET**

## **REPORT**

When the States Assembly made the original 'in-principle' decision to end the Committee system of government and move to a Ministerial system, a number of promises were made at that time which reassured some members that satisfactory checks and balances would remain in place to enable the Island's parliament to hold the executive to account. One of those promises was that the Assembly would be able to engage in votes of no confidence against the Chief Minister or individual Ministers. This undertaking was given in the report accompanying P.122/2001 at paragraph 6.15. However, since then this safeguard has been abandoned. The previous Policy and Resources Committee opposed the States Assembly retaining this power, notwithstanding their previous promise. As a result P.149/2002, which sought to clarify that the Assembly would retain this power, was defeated.

Since the previous debate I have had correspondence with the Attorney General and Solicitor General on this subject but, unfortunately, although permission was sought to include that correspondence in this report that permission was declined.

Unless the States Assembly asserts its right to debate votes of no confidence in individual Ministers, we will be denying to the public the right to have an entire class of propositions debated in their parliament. A state of affairs not compatible with fully functioning democracy.

There are no financial and manpower implications arising out of this proposition.