

TM/SC/336

PRIVILEGES AND PROCEDURES COMMITTEE

(1st Meeting)

20th November 2014**PART A**

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence, from whom apologies had been received.

Connétable L. Norman of St. Clement, Chairman  
 Senator P.F.C. Ozouf  
 Connétable J.E. Le Maistre of Grouville  
 (not present for item Nos. A9 – A15)  
 Connétable C.H. Taylor of St. John  
 Deputy J.A. Martin of St. Helier  
 (not present for item Nos. A12 – A15)  
 Deputy S.Y. Mézec of St. Helier

In attendance -

M.N. de la Haye O.B.E., Greffier of the States  
 L.M. Hart, Deputy Greffier of the States  
 T. McMinigal, Clerk to the Privileges and Procedures Committee  
 K.M. Larbalestier, States Greffe

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

Chairman's  
welcome.

A1. The Chairman welcomed members to the first meeting of the Privileges and Procedures Committee.

Appointment  
of Vice  
Chairman.

A2. The Committee, in accordance with Article 127(3) of the Standing Orders of the States of Jersey, appointed Connétable D.W. Mezbourian as Vice Chairman.

Public access  
to meetings.  
465/4(12)

A3. The Committee reviewed its current practice of opening its meetings to the general public.

The Committee recalled that minutes and agendas of the meetings of the Privileges and Procedures Committee were published on the States Assembly website and that members of the public were permitted to observe the discussion of items included on Part A agendas at Committee meetings.

Following discussion, the Committee agreed to maintain the status quo of allowing public access to meetings where Part A items were being discussed.

Web-streaming  
of meetings of  
the States.  
465/4(13)

A4. The Committee considered a report and appendices dated 14th November 2014, which had been prepared by the Greffier of the States in connexion with the web-streaming of meetings of the States Assembly.

The Committee recalled that during his speech in the Assembly and prior to his appointment, the Chairman had indicated that the filming and web-streaming of proceedings of the States and Committees/Panels should be introduced.

It was recalled further that work had previously been carried out on the above matter on behalf of the Privileges and Procedures Committee and the Scrutiny Chairmen's Committee. The view had been taken that the expense of installing and operating cameras could not be justified. Past research had indicated that, from a practical perspective, the filming and web-streaming of States meetings was perfectly feasible if an appropriate capital sum could be made available.

The Greffier of the States advised that although no funds were available in the States Assembly budget for the capital costs of installation, it was considered that the day-to-day operation of the system could be managed within existing resources, although some extra provision might be required for annual maintenance costs. It would, however, be necessary for funding to be made available before any equipment could be purchased or installed.

Having considered the above matter, the Committee agreed, in principle, that it would be beneficial to film/web-stream meetings of the States. The Committee acknowledged that, ultimately, a States' decision would be required in relation to this matter. In the meantime the Committee requested the Greffier of the States to obtain full costings for the project and to report back at the next meeting. In addition, the Chairman undertook to write to the Chairmen's Committee to seek views on the potential web-streaming of scrutiny meetings.

Composition  
and election of  
the States  
Assembly.  
465/1(195)

A5. The Committee, with reference to its Minute No. A6 of 11th July 2014, discussed the referendum on reform of the States Assembly held on 15th October 2014. It also noted correspondence dated 22nd October 2014, from the Chairman of the Comité des Connétables in connexion with the result.

The Committee recalled that the referendum question had asked "should the Constables remain as members of the States as an automatic right?" The result had been confirmed as –

YES – 15,060 votes (62.44%)

NO – 9,061 votes (37.56%)

The Committee accepted that the referendum had delivered a clear steer as to the position of the Connétables within the Assembly.

There followed a more general discussion in connexion with the question of reform of the States Assembly. Members explored a range of options, including the establishment of a Boundaries Commission. The Committee was not minded to pursue reform in the context of the position of Senator.

It was agreed that much more detailed consideration of this matter would be required at a future meeting, and in the first instance a meeting should be arranged between the Chairman and the Chief Minister.

States  
procedures:  
review.  
465/4(14)

A6. The Committee discussed certain States procedures, to include the appointment of Ministers, the arrangement of public business and the requirements for answering questions.

The Committee considered the possible introduction of a 'Business Committee' which would be responsible for the scheduling of business in the Assembly. The Committee also discussed the potential installation of a digital timer/timers in the Assembly, which would be manually reset each time a member spoke. It was reported that a number of other parliaments had adopted both measures.

1st Meeting  
20.11.14

The Committee requested the Greffier of the States to explore the practicalities and implications of installing 2 digital clocks in the Chamber, with a view to trialling their operation. Additionally, the Greffier undertook to discuss the matter with the Bailiff.

The Chairman advised that he would also discuss the above matters with the Chief Minister.

Role of the  
Presiding  
Officer.  
450/1(18)

A7. The Committee, with reference to its Minute No. A4 of 27th September 2012, considered the role of the Presiding Officer of the States Assembly.

The Committee noted a proposal to amend Article 3(2) of the States of Jersey Law 2005, so that if the Bailiff was unable to preside at a meeting of the States, a senior Member would be chosen as Presiding Officer in his/her place. The Law currently stated that the Deputy Bailiff would preside in the absence of the Bailiff. If both the Bailiff and the Deputy Bailiff were unable to preside, then the Bailiff chose an elected member, the Greffier of the States or the Deputy Greffier to preside. The Committee recalled that the Bailiff's Consultative Panel had previously agreed that, as a matter of course, the Greffier should preside in the absence of the Bailiff and Deputy Bailiff, and it was rare for an elected member to be chosen.

The view was expressed that whilst the Deputy Bailiff and Greffier were most excellent presiding officers, the Greffier's role was potentially being compromised whenever he was asked to take the chair. It was advanced that the installation of a senior member as the alternate Presiding Officer would eradicate this conflict of responsibilities, enable the Deputy Greffier to concentrate on judicial responsibilities and act as a symbol of a maturing and modernising Assembly.

Having discussed the above matter in some considerable detail, the Committee was unable to reach a majority decision. Consequently, members agreed to revisit the matter when the Vice Chairman was present. The Chairman undertook to inform the Bailiff of the Committee's deliberations.

States  
members'  
facilities:  
provision of  
lunches.  
1240/9/1(89)

A8. The Committee, with reference to its Minute No. B1 of 23rd May 2013, discussed the provision of lunches for States members during meetings of the States Assembly and other Committee meetings.

The Committee recalled that a successful amendment to the Annual Business Plan 2010 had reduced by £11,300 for that year the net revenue expenditure of the States Assembly and its services. This reduction had been intended to stop the following being paid for from the States Assembly budget –

- (a) lunches for States members on States meeting days; and
- (b) sandwich lunches during meetings of Scrutiny Panels, the Public Accounts Committee and the Privileges and Procedures Committee

Regarding the above, the majority of Committee members favoured the reintroduction of working lunches for States members on Assembly days/during Committee meetings and the Greffier of the States was requested to obtain quotes for the provision of lunches from internal and external catering providers. The Committee agreed that, dependent upon the cost, the Chairman would make a statement in the States Assembly advising that the Committee was minded to support the reintroduction of lunches.

Deputy S.Y. Mézec of St. Helier requested that his dissent from the Committee's decision be recorded on the basis that he was fundamentally opposed to the provision of free working lunches for members.

Access to the  
States  
Building.  
1240/9/1(137)

A9. The Committee, with reference its Minute No. A1 of 2nd June 2014, considered a report, dated 14th November 2014, which had been prepared by the Greffier of the States in connexion with the use of the States Building by outside groups.

The Committee recalled that the Connétable of St. Mary had queried the use of States members' facilities for meetings of the Jersey Human Rights Group and concerns had been raised by others regarding the prayer breakfasts supported by Business Connect. It was noted that this matter had also been raised by the Connétable of St. Lawrence. The Committee was advised that R.112/2007 entitled "States members' facilities in the States Building: conditions of use" specified the conditions of use for members' areas and facilities in the States Building. The report stated that "the facilities must only be used for purposes directly related to members' individual political duties. They must not be used at any time for meetings of outside organisations such as interest groups, charities or political lobbying groups/parties where it would be inappropriate for public money to be used to support the activities."

The Committee discussed the above matter and agreed, in principle, that the rules should be relaxed to allow outside groups to use certain rooms in the States Building, provided they did so under the auspices of an elected Member. The Committee was not in favour of outside organisations using the Members' Room, as this room contained members' pigeon holes. In addition, the Committee noted that the quiet room was under-utilised and agreed that steps should be taken to make it fit for use as a meeting room. The Committee discussed the notion of levying a minimal charge to cover the cost of additional security staff which would be required if the building was open in the evening. Deputy S.Y. Mézec was opposed to this. The Greffier of the States undertook to discuss the proposal with the Chief Usher in order to assess security/access/costing implications.

Public  
Elections:  
amendments to  
legislation and  
administration.  
424/2(88)

A10. The Committee agreed to invite the Deputy Judicial Greffier, Jurat Jill Clapham and Sue De Gruchy, Secretary to the Comité des Connétables, to its next meeting to discuss election procedures and the Public Elections (Jersey) Law 2002.

On a separate, but related issue, the Committee agreed to discuss the electoral register at a future meeting.

Public  
engagement  
and education  
strategy.  
465/4(15)

A11. The Committee considered a report, dated 14th November 2014, which had been prepared by the Deputy Greffier of the States in connexion with efforts by the States Greffe to improve the public's engagement with the political process.

The Committee recalled that during his speech in the Assembly and prior to his appointment, the Chairman had indicated that he would like to raise levels of public engagement.

The Committee was advised that the States Greffe had put in place a number of awareness-enhancing initiatives, to include –

- primary and secondary school visits to the States Chamber
- Ad hoc visits to the Chamber
- Merchandising
- Youth Assembly
- Social media/Vote.je

The Committee discussed how to improve public engagement further and noted a suggestion that Blue Badge guides could be permitted to conduct tours of the

1st Meeting  
20.11.14

Assembly, with support from the States Greffe in the context of the historical facts. In addition, it was proposed that a film detailing the history of the States Chamber be made and uploaded to the States Assembly website. The Greffier of the States agreed to further investigate these proposals.

On a related matter, the Committee noted that plans had emerged for the creation of a Youth Parliament. The Committee requested that officers of the States Greffe liaise with the Minister for Education, Sport and Culture and the Youth Parliament's organiser, Ms. A. Vatcher, to find out what support was required for this initiative.

Members  
facilities:  
access to  
information.  
1240/9/1(137)

A12. The Committee, with reference to Minute No. A2 of 11th July 2014, of the Committee as previously constituted, received an oral update from the Greffier of the States with regard to electronic document access.

The Committee recalled that the Privileges and Procedures Committee, as previously constituted, had trialled a shared document area facility which enabled its members to receive documents remotely, rather than by e-mail or in hard copy format. The Committee discussed the initiative and expressed support for this method of working. Consequently, the Assistant Greffier of the States was invited to attend the next meeting and present a report on the capabilities of shared document access.

Code of  
Conduct for  
Elected  
Members:  
Commissioner  
for Standards.  
465/1(185)

A13. The Committee, with reference to Minute No. A4 of 9th December 2013, of the Committee as previously constituted, received an oral update from the Greffier of the States in respect of the introduction of a Commissioner for Standards.

The Committee was advised that the preparation of law drafting instructions was in progress and that it was anticipated that a draft Law would be lodged "au Greffe" in 2015.

States  
Members'  
Remuneration  
Review Body:  
appointment of  
members  
1240/3(73)

A14. The Committee considered a report, dated 14th November 2014, which had been prepared by the Greffier of the States and which was entitled: 'States Members Remuneration Review Body (SMRRB).'

It was recalled that the term of office of 2 members of the SMRRB, Mr. J. Rogers and Mr. B. Bullock, had come to an end and that steps needed to be taken to recruit new members. As the Panel had operated with 4 members and one vacancy since 2012, the Committee was advised that it would be appropriate to seek to recruit 3 additional members at this stage.

The Committee noted that once the SMRRB was fully re-constituted it could pursue the work set out in R.122/2014 entitled "States Members' Remuneration Review Body: Recommendations for November 2014 to May 2018." In particular the Review Body had stated in that report that it would "develop the detail of voluntary pension arrangements"; review the "level and composition of States members' remuneration" and "the pay structure more generally."

The Committee accordingly requested the Greffier of the States to draft an advertisement inviting applications for the posts. It was agreed that the Chairman and the Greffier should be involved in the interview process. Subsequent candidate recommendations would be considered by the Committee prior to final approval.

Complaints  
Panel: update.  
1386/2/2(18)

A15. The Committee received an oral update from the Deputy Greffier of the States in respect of the work of the States of Jersey Complaints Panel.

It was recalled that the Chairman of the Panel had recently left the post after being

elected to the States Assembly. It was noted that the process to elect a new Chairman had been initiated.

Meeting dates.

A16. The Committee agreed in principle to meet once a month on Tuesday afternoons subject to States sittings. It was agreed that should additional meetings be required, these would be arranged as necessary.

The Committee Clerk was requested to prepare a draft schedule of meeting dates for the Committee's approval.