

Privileges and Procedures Committee

(26th Meeting)

17th March 2025

Part A (Non-Exempt)

All members were present, with the exception of Deputy L.M.C. Doublet of St. Saviour, from whom apologies had been received.

Connétable K. Shenton-Stone of St. Martin, Chair
Deputy C.S. Alves of St. Helier Central, Vice Chair (for a time)
Deputy L. K. F. Stephenson of St. Mary, St. Ouen and St. Peter
Connétable M.K. Jackson of St. Brelade
Deputy T.A. Coles of St. Helier South
Deputy S.M. Ahier of St. Helier North

In attendance -

L-M. Hart, Greffier of the States
W. Millow, Deputy Greffier of the States
J. Hales, Research and Project Officer (for item No. A7 only)
C. Fearn, Secretariat Officer, Specialist Secretariat
L. Plumley, Senior Secretariat Officer, Specialist Secretariat
K.M. Larbalestier, Principal Secretariat Officer, Specialist Secretariat

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

Minutes. A1. The Minutes of the meetings of 12th, 24th and 26th February and 5th and 12th March 2025, having previously been circulated, were taken as read and were confirmed.

Action list:
Privileges and
Procedures
Committee. A2. The Committee noted the actions and outcomes arising from previous meetings as follows –

Minute No. A10 of 24th February 2025 – Automatic Voter Registration – the Greffier of the States advised the Committee of a potential pilot scheme in the Parish of St. Helier to test the ability to vote at any polling station.

On a related matter, the Committee noted that the Data Protection Authority would be consulted on the draft Elections (Electoral Registers) (Jersey) Amendment Law 202-, in accordance with Article 18 of the Data Protection (Jersey) Law 2018.

Minute No. A11 of 24th February 2025 – Draft Elections (Jersey) Amendment Law 202- – the Committee was advised that minor amendments had been made to the draft legislation, which included a provision for postal votes to be submitted no later than 2 working days before the election date. The Committee considered the blanket approach to postal voting adopted by Guernsey in the 2020 public election, in which postal ballots were issued to each constituent upon registration. The potential benefits and costs of implementing a similar system in Jersey were highlighted, and the Greffier advised that further consideration could be given to such an arrangement ahead of the 2030 public election.

Minute No. A15 of 24th February 2025 – E-petitions system: review – the Committee was advised of the proposed dates of ‘pop-up’ events to facilitate engagement with the public in connexion with the e-petition system. Calendar invitations would be forwarded to those Members who were available to attend.

Minute No. A6 of 20th January 2025 – Review of the Code of Conduct for Elected Members – it was envisaged that the revised draft of the Code of Conduct and the accompanying guidance would be ready for lodging in late April/early May 2025, following the compilation of the accompanying guidance notes and their subsequent approval by the Committee. The Greffier advised that the draft guidance notes would be sent to the Commissioner for Standards for comment. Deputy T.A. Coles of St. Helier South requested that a provision in relation to confidentiality be added to the draft Code, in response to references to speculative propositions in recent media reports.

Minutes and
action lists:
Privileges and
Procedures
Sub-
Committees.

A3. The Committee noted the Minutes of the meetings of the various Sub-Committees of the Privileges and Procedures Committee and the actions and outcomes arising from the same, as follows –

Diversity Forum meeting – 13th February 2025

Minute No. A4 – Commonwealth Parliamentary Association (CPA): Gender Sensitive Parliament Self-Assessment – the Committee noted that the Greffier of the States had attended a meeting of the Diversity Forum held on 13th March 2025, in connexion with the Gender Sensitive Parliament Self-Assessment.

With regard to recommendation No. 9, the Diversity Forum had proposed that the Caroline Trachy room in the States Building be designated as a family room to support breastfeeding and caregiving needs. The Greffier advised that the Bailiff had raised concerns about this on the basis that unsupervised dependents could gain unrestricted access to the States Chamber, contrary to Article 33 of the States of Jersey Law 2005 and Standing Order 173 relating to strangers in the precincts of the States. Consequently, it had been suggested that it might be more appropriate to use another room where access to the States Chamber was restricted. It was agreed that the room could also be used to accommodate meetings with constituents. The Committee discussed issues relating to access to toilets and refreshment facilities, comfort and security, and it was agreed that Members should be consulted on the proposals to ascertain demand.

Minute No. A5 – Disability Access in the States Building – the Committee noted that the Bailiff’s Chambers had committed to reviewing the security of the States Building, and an invitation had been extended to the Diversity Forum for a representative to attend a meeting of the Building Users Steering Group in this connexion.

Machinery of Government Sub-Committee meeting – 14th February 2025

Minute No. A5 – Ministerial Role Descriptions – the Committee noted that representatives of the Cabinet Office had attended a meeting of the Sub-Committee held on 14th March 2025, to provide an update on the enhancement of Ministerial role descriptors. It was recalled that this had been one of the recommendations set out in the final report of the former Democratic Accountability and Governance Sub-Committee.

Re-instatement
of Senators
(P.2/2025):

A4. The Committee, with reference to its Minute No. A9 of 24th February 2025, considered the various amendments which had been lodged ‘au Greffe’ in response to the proposition entitled ‘Re-instatement of Senators’ (P.2/2025), which had been

comments.

lodged 'au Greffe' by Deputy M.E. Millar of St. John, St. Mary and St. Peter.

The Committee recalled that Deputy Millar's proposition proposed the removal of one Deputy from each of the 9 electoral districts and their replacement with 9 Senators in time for the 2026 public election. The Committee had lodged 'au Greffe' an amendment in response to the above proposition so that, if adopted, the re-instatement of Senators would not come into force until the 2030 public election (P.2/2025 – third amendment refers). The Committee had also presented comments on the proposition.

The Committee considered the following amendments to the proposition –

first amendment – lodged 'au Greffe' by Deputy T.A. Coles of St. Helier South – the amendment supported the re-instatement of Senators, facilitated by the removal of the role of Connétables as voting Members in the States Assembly;

amendment to the first amendment – lodged 'au Greffe' by Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter – the amendment proposed that the office of Senator should sit alongside the office of Deputy in the States Assembly, and that the role of Connétables as voting Members should be removed, with 8 Senators replacing them. This would have the effect of reducing the number of elected Members within the States Assembly to 45, with funding saved on salaries being distributed equally between the Senatorial seats;

second amendment – lodged 'au Greffe' by Deputy S.Y. Mézec of St. Helier South – the amendment supported the re-instatement of Senators but also sought to retain the Deputies' seats which were to be removed in the main proposition. The amendment also sought support for the establishment of an Independent Boundaries Commission, as approved under P.139/2020. The Committee recalled that it had recently agreed to revise the approach to the establishment of the Boundaries Commission;

fourth amendment – lodged 'au Greffe' by Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter – the amendment sought to replace the removal of one Deputy from each of the 9 electoral districts with 7 Senators, therefore reducing the number of elected Members within the States Assembly to 47, with funding saved on salaries being distributed equally between the Senatorial seats. The amendment also proposed that the Senators should form the entire Council of Ministers; and,

fifth amendment – lodged 'au Greffe' by Deputy M. Tadier of St. Brelade – the amendment proposed that the election for Senators should be held in advance of the deadline for the nomination of any other class of candidate for election as a States Member.

The Committee discussed the forthcoming debate on the proposition and amendments and recognised the importance of clarifying procedural arrangements. Clarification was also sought as to whether the amendments would have to be adopted by a majority (25), in accordance with Standing Order 89A.

Recording of
training
attended by
States
Members.

A5. The Committee, with reference to its Minute No. A2 of 20th January 2025, considered a report which had been prepared by the Deputy Greffier of the States in connexion with the publication of training courses undertaken by elected Members on the States Assembly website.

The Committee noted a summary of responses from Members to correspondence from the Chair advising of the Committee's decision to record and publish training

undertaken by Members which directly related to parliamentary work/States Members' roles.

The Committee noted that a number of concerns/views had been expressed with regard to the decision, as follows –

- the publication of training information could make Members feel pressurised into undertaking training when there might be a valid reason for not participating;
- training provided to Members in their Ministerial capacity would not be captured;
- the decision might motivate Members to seek to 'play the system' by signing up to training but not actually completing it;
- the published information would not take account of other qualifications and training undertaken independently by Members prior to election;
- the training provided was not relevant to all States Members;
- Members who were unable to attend training due to conflicting commitments would be unfairly disadvantaged;
- Members had not been consulted by the Committee on the decision to publish training information in the first place;
- consideration had to be given to the balance between the public interest and 'employee' confidentiality and the 'employer's' duty of care;
- fears regarding the publication of other information, such as periods of absence due to ill health or parental leave;
- whether the information which was to be published would otherwise be accessible via a Freedom of Information request;
- insufficient weight could be given to some training courses; and,
- Members should be able to provide their own professional development records and submit these to the States Greffe for publication on the website.

It was recalled that the Committee, as previously constituted, had decided not to introduce mandatory training but to publish training undertaken instead; a position which had been endorsed by the Committee as presently constituted. The Committee noted that one Member had indicated their intention to lodge a proposition to amend Standing Orders to mandate Members to undertake certain training courses (with more than one opportunity to attend being made available), with a penalty where a reasonable excuse for non-attendance was not provided. It was further recalled that, at present, there was no procedural requirement for the publication of Members' training records.

Whilst Members were not employees, the Committee did, at times, consider certain matters through the lens of an employer. It was noted that mandatory training undertaken by public sector employees was reported to Senior and Executive Leadership teams. The States Greffe also maintained records of Members' activity so that this information could be passed on to individuals at the end of the political term.

The Committee considered the above matter and members expressed conflicting views regarding the merits of maintaining a public record of training and implementing mandatory training sessions. An element of confusion regarding the distinction between training courses and briefing sessions was also noted, and the Deputy Greffier advised that this would be made clearer in future. The Committee was reminded that the proposed publication of training undertaken by Members responded to a recommendation of the Commonwealth Parliamentary Association's Gender Sensitive Parliament Self-Assessment Audit, and it was noted that publicising the training courses available to Members could act as an incentive to prospective election candidates.

The Committee decided to circulate a survey question to ascertain Members' views on the matter prior to making a final decision.

Proposed establishment of Women's Parliamentary Caucus.

A6. The Committee considered a report which had been prepared by the Deputy Greffier of the States and Ms. J. Hales, Research and Project Officer, in connexion with the proposed establishment of a Women's Parliamentary Caucus (WPC) and the resourcing implications of the same.

The Committee recalled that the recommendation to establish a WPC arose from the Commonwealth Parliamentary Association's (CPA) Gender Sensitive Parliament Self-Assessment Audit. The Deputy Greffier's report included information from the CPA website on the establishment of a WPC and it was noted that WPCs were considered important mechanisms for empowering women parliamentarians and strengthening their political impact. WPCs also helped to change parliamentary working environments by advocating for equality between male and female Members and parliamentary staff. Currently, almost 100 parliaments around the world had a functioning WPC. The CPA offered online training on WPCs and it was noted that, following agreement by the Diversity Forum, 5 Members had met in person to attend the online training but had ultimately agreed to complete the course separately. It was noted that the online course had ultimately been aborted prematurely due to technical difficulties.

A number of actions had been agreed by those Members who had met to undertake the online course, to include arranging a meeting in relation to the establishment of a WPC, the provision of officer support, the possibility of arranging in person training sessions with CPA, half yearly meetings of a WPC, and the arrangement of women's surgeries.

The Committee considered various information in relation to the implementation of effective WPCs and data on the establishment of the same in national parliaments. It was suggested that the Committee might wish to request the Diversity Forum to draft terms of reference and a scoping document for the WPC to establish key objectives, operating procedures and outcomes. The Committee might also wish to undertake a survey of Members to ascertain the level of interest in establishing a WPC and to ensure the approach proposed by the CPA was appropriate within Jersey's parliamentary context. Consideration could also be given to whether elements of a WPC were already encompassed within the work of the Diversity Forum.

The Committee considered the above matter and, whilst the principle of establishing a WPC was supported, concerns were raised regarding the potential for the group to become politicised. The Committee agreed to delegate responsibility for the establishment of the WPC's key objectives to the Diversity Forum and deferred consideration of the matter until the parameters and resourcing implications were more clearly defined.

Extension of eligibility for election candidates:
Deputy C.S. Alves of St. Helier Central (P.20/2025).

A7. The Committee considered a proposition entitled 'Extension of eligibility criteria for election candidates' (P.20/2025), which had been lodged 'au Greffe' by Deputy C.S. Alves of St. Helier Central.

Deputy Alves was not present for this item.

The Committee noted that the proposition sought to extend the criteria for qualification to stand for election to any individual who was not a British citizen provided that they met the conditions for permanent Entitled status under the Control

of Housing and Work (Residential and Employment Status) (Jersey) Regulations 2013 and had passed a citizenship test. The proposition proposed to implement the changes ahead of the 2026 public election.

The Committee recalled previous debates on the above subject and noted that the aim of Deputy Alves' proposition was to reflect the diversity of the Island in the elected parliament.

The Committee requested that a comment be prepared in response to the proposition stating that the proposed timeline for implementation ahead of the 2026 public election would not be achievable.

Forthcoming
business.

A8. The Committee considered propositions which had been lodged 'au Greffe' for the meetings of the States Assembly, which were scheduled to commence on 18th March and 1st April 2025.

Having noted that it had discussed certain items of public business under Minute Nos. A4 and A7 of the meeting, the Committee concluded that it would not wish to present comments or lodge amendments to any other propositions.

Date of next
meeting.

A9. The Committee noted that the next scheduled meeting would be held on 28th April 2025, from 10.00 am – 1.00 pm in the Blampied Room.