

# STATES OF JERSEY



## **BLACKBERRIES: COSTS FOR MINISTERS AND ASSISTANT MINISTERS AND USE IN THE ASSEMBLY (P.186/2009) – COMMENTS**

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**Presented to the States on 1st December 2009  
by the Privileges and Procedures Committee**

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**STATES GREFFE**

## COMMENTS

Part (a) of the proposition requests that the cost of BlackBerries and call charges for Ministers and Assistant Ministers be reclaimed from the relevant member's expenses instead of being met from the budget of the Chief Minister's Department. The Committee does not find it necessary for all charges to be reclaimed as these devices are intended to be used to assist Ministers, Assistant Ministers and Departments in carrying out their work.

The Committee would therefore recommend that Ministers' and Assistant Ministers' BlackBerries should be for business use only and a mechanism should be put in place to ensure that private and business uses are kept separate. The Committee would also like to advise members that it has agreed that all States members should be invited to take advantage of the corporate rate negotiated for BlackBerries by the Information Services Department.

In respect of part (b) of the proposition, which requests that the use of BlackBerries in the States Chamber during Sittings is banned, the Committee has had regard for Standing Order 99(1) 'Behaviour of members during meeting' which states –

*“Before entering the Chamber, a member of the States must switch off any mobile telephone and every other electronic device he or she has with him or her that would be likely to disturb the proceedings of the States.”*

The Committee would point out that part (b) of the proposition only concerns the use of BlackBerries. If this approach were to be adopted, other electronic devices which perform the same functions as a BlackBerry could continue to be used in the States Chamber provided that they did not cause a disturbance, in accordance with Standing Order 99(1). It is open to members to bring forward a proposition to ban the use of other electronic devices, should they wish to do so.

The Committee recognises that access to electronic information can be of use during parliamentary sittings, as it enables members to search for relevant sections of legislation, Standing Orders, Hansard, and other documentation which may be of relevance to a debate. H.M. Attorney General and the officers of the States Greffe have access to computers during the course of States Sittings, and the Committee considers that the use of electronic devices in the Chamber by States members is a subjective matter which should be decided by the Assembly.

The Committee has carried out research into the use of computers, personal digital assistants and BlackBerries in parliaments in other jurisdictions. It recognises that new technology, and attitudes towards it, are still evolving. In the House of Commons, for example, members are permitted to bring in BlackBerries and PDAs. However, on 2nd November 2009, the Deputy Speaker advised that reading from an electronic device was 'to be discouraged':

*“Mr. Deputy Speaker (Sir Michael Lord): Order. I was not watching the hon. Gentleman precisely, but was he reading from an electronic device?”*

*Alistair Burt: I think that I am allowed to do so in the Chamber.*

**Mr. Deputy Speaker:** *No; I think that doing so is to be discouraged. I will not say any more at this point; I should like to take advice. The hon. Gentleman should continue with this speech.*

**Alistair Burt:** *Thank you, Mr. Deputy Speaker. It was a letter to me in a different form.*

**Mr. Deputy Speaker:** *I am not sure that it is a good idea to read from an electronic device during a speech.”*

In the British Isles, a summary of whether members are permitted to bring electronic equipment into parliament is as follows –

	<b>PDA/BlackBerry</b>	<b>Computers</b>
House of Commons	Yes	No
House of Lords	Yes	No
Wales	No	Yes
Scotland	No	No
Isle of Man	No	No
Northern Ireland	No	No
Eire	No	Yes

A more detailed outline of the research, which mainly focused upon the use of computers in parliaments, is as follows –

<b>Jurisdiction</b>	<b>Fixed computers or laptops in the Chamber?</b>	<b>Comments</b>
Canberra, Australia	Some Ministers/ Shadow Ministers use PDA devices during question time.  Laptops, initially stand alone, now fully functional, internal and external mail.	Members are required to use audio muting plugs to disable the sound outlets on their computers.  On 14th August 2009 the Speaker said that he would ‘view very seriously any failure by members to use this new facility with commonsense and consideration so that the proceedings of the House are not interrupted nor are our colleagues inconvenienced.’  The Speaker also stated that he would review the matter without delay ‘if their use proves to be disruptive or a major distraction to the proceedings of the House’.  The Chair and Deputy Chair of the Presiding Officers Information Technology Advisory Group have been invited to monitor the implementation of the new technology.

Cyprus	No computers.	<p>There are no fixed computers in place in the plenary for the members to use during sittings.</p> <p>No laptops are allowed in plenary sittings, although the Rules of Procedure of the House of Representatives do not provide for a prohibition on the use of laptops.</p>
Isle of Man	Laptops and BlackBerries are permitted, provided what is being viewed is in connection with business before the Court.	<p>There are three Chambers: Tynwald Court (35 seats), the House of Keys (24) and the Legislative Council (11).</p> <p>There are no fixed terminals in the Chambers, although network points have been installed at each desk in the two larger Chambers. There is no wireless network.</p> <p>Standing Orders of Tynwald Court (3.21(5)): "Members shall not read a document or use electronic apparatus in the Chamber, except in connection with business before the Court."</p> <p>Standing Orders of the House of Keys (at 3.22(6)): "No Member may read a book or newspaper save in connection with business actually before the House, or operate any electronic equipment inappropriately."</p> <p>Standing Orders of the Legislative Council do not address the point.</p> <p>Members would be allowed to bring in laptops and BlackBerries but in practice they do not.</p>
Northern Ireland	<p>None.</p> <p>Mobile phones and other devices are not allowed.</p>	<p>Members are not permitted to use mobile phones or similar devices in the Chamber. Even when switched to 'silent' mode, mobile phones cause interference with the Chamber recording equipment.</p> <p>At present, Members have no facilities to use laptops or computers in the Chamber, even though the necessary wiring is in place following a major refurbishment.</p>
Ontario, Canada	No computers.	The use of laptops in the House is not allowed at any time.
Scotland	None.	<p>Purpose-built modern Chamber.</p> <p>Members do not have fixed computers.</p>

		A Presiding Officer ruling prohibits members from using IT equipment in proceedings. However, both the Chamber and all committee rooms are fully wired to support the use of laptops should that ruling be rescinded.
Saskatchewan, Canada	Laptop, with restrictions.	<p>In Saskatchewan, the committee recommended a practice which was adopted as follows:</p> <p>“That the use of laptop computers be allowed in the Legislative Chamber subject to the following restrictions as interpreted by the Chair:</p> <p>(a) they are permitted for use in the Committee of the Whole and Committee of Finance only;</p> <p>(b) they must be programmed to operate silently; and</p> <p>(c) they must not be used by a member who has the floor or is involved in the exchange of remarks.”</p> <p>The matter was decided upon by the House itself and the guidelines respecting the use of laptops was also decided by the House.</p> <p>The direction could be provided by the contents of a committee report adopted by the House, by changes to the Standing Orders, by substantive motion, or by additions to the document entitled Decorum in the Chamber – Rules and Practices.</p>
Tasmania	Laptops, fully functional.	There has been no trouble with implementation of the new technology.
United Kingdom House of Commons/ Lords	No computers. PDAs and BlackBerries are permitted.	Historic Chamber without desk space.
Yukon, Canada	None.	There are no fixed computers in the Chamber, nor is the use of laptops permitted. Members are not permitted to use electronic communications devices (BlackBerries, laptops, cell phones, etc.) during proceedings in the Chamber, or in Committees.

		<p>While this prohibition does not appear in the Standing Orders, it is the practice in Yukon. A Speaker's Ruling (of 1998) spoke to the matter.</p> <p>– Members should be careful to provide their advice on points of order in the House [rather than by email during a sitting] where all members can hear that advice and, if necessary, respond.</p> <p>A quick survey across Canada reveals that, in the eight provinces that responded, there are four which allow laptops in the Chamber and four which do not.</p>
Wales	<p>Fixed computers.</p> <p>BlackBerries and mobile phones not allowed.</p>	<p>Purpose-built modern Chamber with fixed computers, initially for access to papers electronically, internal messaging and access to e-mails from the internal network.</p> <p>Since 2006 fully functional, including complete e-mail and internet access, as well as chamber-specific functions. Sessions appear calm and well organized, and are well attended because, even if Members are not participating or voting, they can catch up on e-mail and work from the Chamber.</p> <p>BlackBerries and mobile phones are not allowed to be switched on in the Chamber/Committees as they interfere with wireless microphones.</p>