

PRIVILEGES AND PROCEDURES COMMITTEE

(27th Meeting)

3rd July 2009PART A

All members were present, with the exception of Senator B.I. Le Marquand and Deputy M.R. Higgins, from whom apologies had been received.

Connétable J. Gallichan of St. Mary, Chairman
 Deputy J.B. Fox
 Deputy J.A. Martin
 Deputy C.H. Egré
 Deputy M. Tadier

In attendance -

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

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

States meeting
 dates for 2010.
 1240/2(75)

A1. The Committee considered a report of the Greffier of the States in connexion with States meeting dates for 2010.

The Committee noted that it was asked to agree a list of proposed States meeting dates for 2010 and to present it to the States in accordance with Standing Order 38 of the Standing Orders of the States of Jersey. The Committee, as previously constituted, had decided that States meetings should not take place during the school holidays if at all possible, and the draft list had been drawn up in line with that decision.

The Committee considered the list of dates and the manner in which States business was progressing during 2009. It was agreed that the second sitting in July 2010 should begin on 19th July 2010 rather than 20th July 2010, as proposed in the draft, in order to ensure the completion of business prior to the summer recess.

The Committee accordingly agreed that the Committee would fix the following dates for meetings of the States in 2010:

| Sitting Date | Continuation (if necessary) |
|----------------------|------------------------------------|
| <i>First Session</i> | |
| 19th January | 20th and 21st January |
| 2nd February | 3rd and 4th February |
| 23rd February | 24th and 25th February |
| 9th March | 10th and 11th March |
| 23rd March | 24th and 25th March |
| 20th April | 21st and 22nd April |
| 11th May | 12th and 13th May |
| 25th May | 26th and 27th May |
| 8th June | 9th and 10th June |
| 22nd June | 23rd and 25th June |
| 6th July | 7th and 8th July |
| 19th July | 20th, 21st and 22nd July |

| <i>Second session</i> | |
|-----------------------|-------------------------|
| 14th September | 15th and 16th September |
| 28th September | 29th and 30th September |
| 12th October | 13th and 14th October |
| 19th October | 20th and 21st October |
| 2nd November | 3rd and 4th November |
| 16th November | 17th and 18th November |
| 30th November | 1st and 2nd December |
| 7th December | 8th and 9th December |

The Committee accordingly approved the 2010 sessions and requested that the list be presented to the States at the earliest opportunity.

The Greffier of the States was directed to take the necessary action.

Oral questions with notice: revised ballot procedures. 450/2/1(16)

A2. The Committee considered the proposition entitled ‘Oral questions with notice: revised ballot procedures’ (P.105/2009 refers), lodged ‘au Greffe’ on 29th June 2009 by Deputy M. Tadier of St. Brelade.

The Committee noted that the proposition requested the States to consider whether Standing Order 14 should be amended to provide that members submitting 2 oral questions with notice should indicate which of those questions was the member’s ‘first priority’ and that, after the deadline for the submission of oral questions with notice had passed, the Greffier would undertake a series of ballots to determine the order in which they would be listed on the Order Paper. The Committee also noted that, should the States approve the proposition, it would be requested to bring forward for approval the necessary amendment to Standing Orders to give effect to the proposal.

The Committee agreed that it supported the proposition and that a comment to that effect should be presented to the States at the earliest opportunity.

The Committee Clerk was directed to take the necessary action.

Protocol in respect of visual/oral; footage of scrutiny meetings. 510/1(42)

A3. The Committee, with reference to its Minute No. A4 of 15th May 2009, received correspondence dated 29th June 2009 from the President of the Chairmen’s Committee, Senator B.E. Shenton, in connexion with the taking of footage of scrutiny meetings and hearings.

The Committee noted a draft report and proposition of the Chairmen’s Committee in this regard, which was due to be lodged ‘au Greffe’ forthwith. The proposition asked the States to decide whether the Code of Practice for Scrutiny Panels and the Public Accounts Committee should be amended to include statements that the taking of any type of footage of scrutiny hearings and meetings by members of the public, would not be permitted, unless carried out by those people “working professionally for a recognised commercial media organisation”.

The Committee questioned the use of the word “footage” within the draft proposition and suggested that “recording” might be a more appropriate term, as it was assumed that audio recording was also to be taken into account. The Committee also considered that the word “commercial” could be deleted from the proposed new paragraph 10.5 of the code.

The Chairman was requested to advise the President of the Chairmen’s Committee of the Committee’s concerns regarding the proposition as presently drafted. The Committee considered that it would be content to meet with the President to discuss the matter, should he so wish.

The Committee noted that, as this matter was not exclusive to scrutiny, the

President had also requested that a meeting be held between the Chairmen's Committee and the Privileges and Procedures Committee, to which all media and other interested parties should be invited. **The Committee agreed that it would wish to know more with regard to the purpose of such a meeting prior to arranging a convenient date.**

Support for
States Members.
1240/9/1(151)

A4. The Committee, with reference to its Minute No. A5 of 15th March 2009, considered a draft questionnaire in connexion with States Members' facilities.

The Committee noted that the questionnaire asked members to consider ways in which facilities could be improved, and acknowledged that any improvements would have budgetary implications.

The Committee discussed the possible appointment of research staff to assist members with their work. Consideration was given to matters such as location, staffing, and funding, including whether States Members would be prepared to contribute financially towards the provision of additional facilities.

A number of amendments to the draft questionnaire were agreed, and the Greffier of the States was directed to re-draft the questionnaire accordingly.

Distribution of
propositions and
reports.
1240(211)

A5. The Committee discussed the distribution of propositions and reports by the ushers in the States Chamber during sittings.

The Committee recognised that it could be disruptive for members to receive material that was not directly relevant to the business being conducted, as desk space was limited.

It was agreed that, in future, the ushers should be asked to place such documents in members' pigeonholes outside the Chamber unless they were of direct relevance to the business of the day.

The Greffier of the States was directed to take the necessary action.

Quorum in the
States Chamber.
1240(212)

A6. The Committee discussed quorum in the States Chamber, with particular regard to debates during which large numbers of members were obliged to declare an interest and withdraw.

The Committee noted that, in accordance with Article 15 of the States of Jersey Law 2005, the quorum of the States was 27 elected members. It was suggested that one solution could be to amend the Law to set quorum at half the number of members who had not declared an interest.

The Committee resolved to consider the matter at a later meeting when it would also discuss members' responsibilities in accordance with their Oath of Office, as well as members' attendance at roll call and during States sittings.

Composition and
election of the
States: single
election day each
year.
1240/22/1(50)

A7. The Committee discussed the proposition entitled: 'Composition and election of the States: single election day each year', lodged 'au Greffe' on 30th June 2009 by Deputy J.A.N. Le Fondré of St. Lawrence (P.109/2009 refers).

The Committee considered this with regard to its proposition entitled: 'Composition and election of the States: revised structure', lodged 'au Greffe' by the Committee on 19th May 2009, and scheduled for debate on 8th September 2009 (P.72/2009 refers).

The Committee agreed that, while it supported the concept of a single election day in each year, this should be achieved through a general election when the entire membership of the Assembly would be renewed on one single day every 4 years, as set out in P.72/2009. With reference to its Minute No. A2 of 15th May 2009, the Committee recalled its discussions with representatives of the Jurats and Judicial Greffe in connexion with the administration of the 2008 elections, and that one topic highlighted for further discussion was the number of elections which should be held at any one time. The Committee agreed that it did not support a proposition which dealt solely with this aspect of the elections without having undertaken any consultation as to the possible ramifications.

The Committee also noted that Deputy Le Fondré had requested that his proposition be debated before P.72/2009. This was not considered appropriate, as, until the future composition of the Assembly had been agreed, the Committee felt that it would not be possible for members to have a meaningful debate about the feasibility of holding all elections on one single election day.

The Committee agreed that it would wish to present a comment to the States on Deputy Le Fondré's proposition, outlining its concerns.

The Greffier of the States was directed to take the necessary action.