

# STATES OF JERSEY

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## STATES RESOURCE PLAN 2005 TO 2009 (P.135/2004): AMENDMENT

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Lodged au Greffe on 24th August 2004  
by the Privileges and Procedures Committee

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STATES GREFFE

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*For the figure “£406,791,600” in paragraph (a)(i), substitute the figure “£406,939,600” as the amount of the total of the cash limits of the non-trading Committees in 2005, and accordingly amend Table 4.1 in the Resource Plan to show the 2005 Cash Limit for the Privileges and Procedures Committee as “£5,347,700” with consequential adjustment to the figure for Total Net Revenue Expenditure.*

PRIVILEGES AND PROCEDURES COMMITTEE

Note: The comments of the Finance and Economics Committee are to follow.

## REPORT

It is not without careful thought and detailed consideration that the Privileges and Procedures Committee seeks to amend the Resource Plan. The amendment is designed to increase the net Revenue Expenditure of the Committee for 2005 by £148,000, which is the amount needed to implement the recommendation of the Clothier Panel and the decisions of the States agreeing to introduce an Official Report of the States Assembly ('Hansard') with effect from 1st January 2005.

The original decision of the States to introduce a Hansard-type transcription of States' proceedings was taken on 26th September 2001 during the initial debate on the Clothier recommendations (Machinery of Government: proposed reforms – P.122/2001) when the States, by 49 votes to 1, adopted an amendment of the then Deputy A.S. Crowcroft. That amendment was accepted by the Policy and Resources Committee during the debate and members present during the 4-day debate will recall that numerous undertakings were given that adequate resources would be made available to enable all aspects of the new system of government to operate effectively. The States agreed the detailed proposals on the introduction of 'Hansard' (Official Report of the States Assembly and its Committees ('Hansard'): introduction – P.81/2003) on 20th January 2004 by 27 votes to 18 (the results of the 2 votes are reproduced in the Appendix).

Although the Fundamental Spending Review (FSR) growth bid approved for the scrutiny function included the cost of transcription for Scrutiny Panels, the Committee's bid for funding for an Official Report of the States Assembly was not approved by the Presidents' conference on 5th April 2004. The Committee does not believe it would be reasonable to suggest that the £148,000 should be deducted from another Committee's proposed cash limit and so this amendment would have the effect of increasing the total States' net revenue expenditure for 2005. Any decisions taken by the Presidents during the FSR process are, of course, subject to approval by the States during the Resource Plan and Budget debates and the Privileges and Procedures Committee believes that it is appropriate for all members to be given the opportunity to endorse or amend the recommendation from the FSR process not to allocate funding to enable the recommendation of the Clothier Panel and the decisions of the States to be implemented. In addition, Article 44(5)(b) of the draft States of Jersey Law 2004 will, if approved, impose a statutory requirement for a written transcription of proceedings of the States to be maintained, and the Privileges and Procedures Committee believes it is essential that funding is made available from 2005 to enable the Official Report to be correctly established before the coming into force of that Law.

During the debate on 20th January 2004 of P.81/2003 ("Official Report of the States Assembly and its Committees ('Hansard'): introduction") it was suggested that although there was concern on the part of some States members as to the significant financial aspects of the proposal to establish an Official Report because the Island was experiencing some financial difficulties, in the event that figures were to be made available relating to the cost of establishing the Executive side of government it would be seen that there was a tremendous imbalance when measured against the costs of establishing scrutiny. Figures from the Policy and Resources Department indicate that since the publication of the Clothier Report some £821,000 has been spent to date on establishing the executive side of the new system of government.

It is for reasons of scrutiny and, above all, accountability, that an Official Report is not only desirable, but essential. It has always been accepted that there will inevitably be some cost associated with democracy and the achievement of a mature system government under the new arrangements. When the Assembly approved the initial machinery of government reforms in September 2001 the then President of the Finance and Economics Committee gave a commitment that adequate resources would be made available to enable the new system of government to operate correctly. In his speech on 28th September 2001 Senator Walker stated –

*“But we're also talking I think interestingly and importantly about the resourcing not only of the scrutiny process, of scrutiny committees, but also about individual members, providing members with the resources they require to do their job – those who are not on the executive – to do their job fully and properly as, if you like, backbenchers. We're talking about secretarial support, research facilities, library etc. just as they have in the Isle of Man since they established their Council of Ministers system”.*

The principal 'customers' of the Official Reports in other jurisdictions are undoubtedly the members of the Parliament concerned. So too, in all probability, will this be the case in Jersey. Concern was expressed on 20th

January 2004 that the Island had hitherto lacked a precise and easily accessible record of States' proceedings, and there were complaints that there had also been a lack of accountability. A number of States members have recounted tales of the difficulties associated with tracking down precisely what either they or other members (particularly Presidents of Committees) have said on a particular matter. It was revealed during the debate on 20th January 2004 that some 500 cassette tapes with copies of questions and debates are produced by the States Greffe each year and the majority of these are produced for members. The Privileges and Procedures Committee believes that it is not appropriate for members to have to spend many hours listening to long cassette tapes in an attempt to find relevant information in order to be able to hold the Executive to account. This would rapidly become a thing of the past once the complete text is available with an electronic search facility to locate the information required in a matter of seconds.

It is not, of course, only States members who want to know precisely what is said in the Assembly; so too do the officers of various authorities and Scrutiny Panels; members of the public in their various capacities; and there are also the various branches of the media. In addition, in time to come, historians will find the Official Report invaluable to their particular branch of research.

The 'product' to emerge from the Official Report could well be tailored to suit requirements, depending upon the nature of the demand for it. For instance, Question and Answer sessions may be more urgently in demand than debates. The Privileges and Procedures Committee is particularly conscious that the trial system on oral questions, if continued, means that no written record is now available of answers given and this is considered to be a particular area where an Official Report will be invaluable. Not only will the Official Report's 'customers' want to know what was decided but also why, so the arguments put forward in a debate will be of great concern. In years to come the intention underlying legislation enacted by the States will be able to be researched and, if necessary, clarified by the Courts. The speed of production could be varied from product to product, but it may be of interest to note that in the Isle of Man, where Questions and Answers had for some time been produced separately from debates, both of these items have been brought back together as the process has been refined and delays eliminated.

Reference was made on 20th January 2004 to emerging technology and the effect this could have on even the latest digital recording techniques in the future. Satisfactory speech recognition, in particular, is still some way off and other jurisdictions with established Hansards continue to monitor the progress being made in this area, whilst being aware of the current drawbacks. However, the potential to achieve cost-savings in the future is not lost on the Privileges and Procedures Committee and the operation of the Official Report will be kept under review.

In order to be able to establish an Official Report for Jersey as agreed by the States, it will be necessary to provide initial and ongoing funding. It is envisaged that the one-off capital cost of the digital recording equipment to replace the ageing analogue tape recorders will be met from existing budgets, possibly through the central I.T. vote. This will leave the annual costs of transcription, editing and printing. Every endeavour will be made to minimise expenditure and initial enquiries have already been undertaken to ascertain the most cost-effective way of producing the Official Report. Helpful contacts have been established with the British-Irish Parliamentary Reporting Association with, for example, an offer from the Office of the Official Report, Isle of Man to assist towards the initial establishment of a Jersey Official Report through the use of its existing transcribers. Once the project is under way, ongoing review will ensure that costs are controlled and all possible avenues of saving pursued. Potential 'customers' of the Hansard service will be invited to indicate their respective requirements and the Official Report will then endeavour to meet the needs of the majority in the most appropriate way.

The Committee recognises that the States are currently in deficit and is grateful for having already received good growth for 2005. The Committee would nevertheless point out that 53% of the growth allocated to PPC for 2005 is to cover the significant increase in the cost of members' remuneration since the abolition of means testing, 5.8% covers the increased costs of the States Building since the refurbishment, 6.6% is for the cost of establishing the office of a Comptroller and Auditor General and only some 34% is for scrutiny itself. The States have already recognised the importance of an Official Report in order to support and strengthen not only the scrutiny function but also the States Assembly. A Hansard for Jersey is clearly an exceptional item, and one which in the view of the Committee is overdue. In order to introduce the proposed service with the minimum delay the Committee considers it appropriate that it be granted the necessary funding to enable the States decisions to be implemented.

## **Financial and manpower implications**

This amendment would have the effect of adding £148,000 to the proposed total net revenue expenditure of the non-trading Committees for 2005 of £406,791,600. The Privileges and Procedures Committee recognises the current financial position of the Island but would point out that the £148,000 required for the Official Report represents an increase of approximately 0.036% of the total net revenue expenditure. The revised figure would still be considerably less than a 3% increase on the 2004 total net revenue expenditure which was the percentage agreed by the States in last year's Resource Plan as the maximum allowable. The manpower implications of the Official Report were set out in P.81/2003 and, on the assumption that the transcription will not be undertaken by persons employed directly by the States, consist of 0.5FTE for the Hansard Editor.

Machinery of Government: proposed reforms (P.122/2001) – fifth amendments (Deputy A.S. Crowcroft)

26th September 2001

**“Pour” (49)**

**Senators**

Horsfall, Le Maistre, Stein, Quérée, Syvret, Walker, Kinnard, Le Claire, Lakeman.

**Connétables**

Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour, St. Clement, St. Brelade, St. Lawre  
St. Mary, St. John, St. Peter.

**Deputies**

H. Baudains(C), St. Mary, S. Baudains(H), Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S)  
Grouville, Huet(H), St. Martin, St. John, Le Main(H), Crowcroft(H), Vibert(B), Dubras(L), St. Oue  
G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérisier(S), Ozouf(H)  
Fox(H), Bridge(H), Martin(H).

**“Contre” (1)**

**Deputy**

St. Peter.

20th January 2004

**“Pour” (27)**

**Senators**

Le Maistre, Syvret, Norman, Kinnard, Le Claire, Lakeman, M. Vibert, E. Vibert.

**Connétables**

St. Mary, St. Clement, St. Helier, Grouville.

**Deputies**

Duhamel(S), St. Martin, Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Martin(H Southern(H), Bernstein(B), Ferguson(B), Taylor(C), Grouville, St. Peter, Hilton(H).

**“Contre” (18)**

**Senators**

Le Sueur, Routier.

**Connétables**

St. Martin, St. Saviour, St. Brelade, St. Peter, Trinity, St. Lawrence, St. John.

**Deputies**

Trinity, Huet(H), Le Main(H), Baudains(C), Dorey(H), St. Mary, St. Ouen, Ryan(H), De Faye(H).