

STATES OF JERSEY



STANDING ORDERS: ANSWERS TO QUESTIONS (P.177/2011) – COMMENTS

**Presented to the States on 6th January 2012
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

The Privileges and Procedures Committee does not support Deputy G.P. Southern of St. Helier's proposition as it believes that the formal changes to Standing Orders that are being requested could make question time less effective.

Part (a)(i) of the proposition suggests that answers to oral questions could be accompanied by lists of data if necessary. Rather than help to clarify answers to oral questions, this would instead serve to blur the distinction between written and oral questions. Oral questions should be brief, with Standing Orders requiring answers to be concise. They should not be used to request complicated information which cannot readily be given in the short time allowed for an answer. PPC considers that the change would simply encourage members who had missed the deadline for written questions to submit the question as an oral one when the question might be quite unsuitable for an oral answer.

If adopted, part (a)(ii) of the proposition would grant a new power to the Presiding Officer to direct a member answering a question to address the content more directly. The Presiding Officer is already able to intervene whenever a Minister is not considered to be answering a question directly, and Ministers are expected to adhere to the provisions of the Code of Conduct for Ministers, which provides that they "should be as open as possible with the States, scrutiny committees and the public, refusing to provide information only when disclosure would not be in the public interest which should be decided in accordance with the relevant statutes and codes of access to information".

There should not be any need to amend Standing Orders to create a formal provision in relation to this matter as this would be likely to result in numerous points of order being raised as to whether or not a satisfactory answer had been given to a particular question. PPC is of the view that this could draw the Presiding Officer into political discussions which would be extremely undesirable. Although Deputy Southern correctly refers to a New Zealand Standing Order, enquiries made on behalf of PPC indicate that a significant proportion of question time in the New Zealand parliament is actually spent responding to points of order rather than answering questions. The Committee considers that this would be an inefficient use of the Assembly's time as a proportion of the 2 hour period could be taken out with points of order and not with answers. The attached extract from the New Zealand Parliament Hansard shows how much time was taken with interventions by the Speaker at one sitting selected at random from the parliament's website.

7. Hon ANNETTE KING (Deputy Leader—Labour) to the Prime Minister: Does he stand by all his answers to Oral Question No 1 on 16 August 2011?

Hon PAULA BENNETT (Minister for Social Development and Employment) on behalf of the Prime Minister: Of course.

Hon Annette King: Given his statement in Parliament on 16 August that the report from Every Child Counts—a report that estimated the cost of poor child outcomes at \$6 billion per year—was rubbish, what is his estimation of the actual cost of child poverty in New Zealand?

Hon PAULA BENNETT: In the context of the Prime Minister's statement that it was rubbish, it was quite clear that he was saying that six of the key indicators were not available. So the ranking becomes kind of relative. Two of the ratings used—the indicators—were wrong, so that is the context of his making that statement.

Mr SPEAKER: I invite the Hon Annette King to repeat her question. It was a very interesting answer, but I am not sure that it was actually an answer to the question asked.

Hon Annette King: Given his statement in Parliament on 16 August that the report from Every Child Counts was rubbish—a report that estimated the cost of poor child outcomes at \$6 billion per year—what is his estimation of the actual cost of child poverty in New Zealand?

Hon PAULA BENNETT: It is entirely appropriate to put context around the Prime Minister's statement that the report was rubbish. The member has gone on to make an assumption as to why he made that comment—that it was about the \$6 billion—whereas his comment was made in the context of the fact that six of the key indicators were not available, two of the figures used for the indicators were wrong, and the report did not include Government spending, such as spending on health and other social investments.

Hon Trevor Mallard: I raise a point of order, Mr Speaker. I think you got it right last time when the supplementary question was asked.

Mr SPEAKER: With respect, I think that the Minister did clear up misunderstanding with that answer, because she pointed out in more detail that the Prime Minister's dismissal of the report, or his description of the report, was not related specifically to the cost. It was not the cost that he was arguing was rubbish; it was other aspects of

the report that he was questioning, and that is a perfectly fair answer. It would seem that the Minister is not disputing the cost side of it.

Hon Trevor Mallard: I raise a point of order, Mr Speaker. Although you interpret the answer as the Minister not disputing the costs, it was a very specific question about the cost, which the Minister did not refer to. Normally in this House I think we have an arrangement where Ministers say if they do not dispute it.

Mr SPEAKER: I invite the member to look at the *Hansard*. I seem to recollect the member referring to the cost not being what the Prime Minister was disputing. I accept that my hearing is not great today at all, but I believe I heard that, and that is why I think the second answer was a better explanation and a reasonable answer.