

**WRITTEN QUESTION TO THE CHIEF MINISTER  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 6TH JUNE 2017**

**Question**

Further to ‘Code of Conduct and Practice for Ministers and Assistant Ministers’ (R.11/2015), and in particular the reference in paragraph 4 that Ministers should “*maintain a united position when decisions have been reached*”, will the Chief Minister explain whether this means that Ministers are only bound by collective responsibility following decisions made by all members of the Council of Ministers at a formal meeting after informed and inclusive debate; or whether it means Ministers may be bound by the decisions of one or a smaller number of Ministers where there has been no consultation or they have no prior knowledge of the decisions that have been taken, and are informed afterwards; or can collective responsibility apply in both instances?

**Answer**

Ministers are corporation sole, responsible for discharging of their legal functions, and within this, as stated in the Code of Conduct and Practice for Ministers and Assistant Ministers (R.11/2015), “Ministers should uphold the principle of collective responsibility, save where it is explicitly set aside by the Chief Minister.”

Further guidance on the usual operation of the principle of collective responsibility can be found in the Cabinet Manual published in 2011 by Her Majesty’s Government: “The Cabinet system of government is based on the principle of collective responsibility. All government ministers are bound by the collective decisions of Cabinet, save where it is explicitly set aside, and carry joint responsibility for all the Government’s policies and decisions. In practice, this means that a decision of Cabinet or one of its committees is binding on all members of the Government, regardless of whether they were present when the decision was taken or their personal views.”

The principle of collective responsibility is being reviewed and proposals are expected to be lodged later this year, as explained at a recent quarterly scrutiny hearing and as widely reported in the media.