

PRIVILEGES AND PROCEDURES COMMITTEE

(30th Meeting)

17th 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
 Mrs. A.H. Harris, Deputy Greffier of the States
 Miss A Heuston, Clerk to the Privileges and Procedures Committee

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

Minutes.

A1. The Minutes of the meetings held on 5th, 12th and 19th June (Parts A and B), 15th and 17th June (Part A only) and 24th June (Part B only) 2009, having been previously circulated, were taken as read and were confirmed.

Information
 technology
 provision for
 States members.
 1240/9/1(70)

A2. The Committee received a report prepared by the Greffier of the States, dated 10th July 2009, entitled: IT provision for States members.

The Committee noted that, in response to a written question from Deputy P.V.F. Le Claire, the Chairman had indicated that the use of laptops in the States Chamber would be considered by the Committee. The Committee also agreed to consider the possible use of Blackberries by all States members.

The Committee welcomed Mr. N. Wells, Information Services Director. The Committee considered the practical issues surrounding the use of laptops in the States Chamber. A number of possible solutions were proposed and it was acknowledged that the purpose for which laptops were required would influence the decision regarding the preferred device. **It was agreed that a questionnaire should be circulated to members to establish their unique need, and to obtain direction with regard to the requirements of the device. It was also agreed that research would be carried out into the types of technology available in parliaments in other jurisdictions.**

With regard to the use of Blackberries, the Committee noted that a pilot had taken place with Ministers and Chief Officers being offered the use of a Blackberry, and that this had delivered business benefit. The Committee was now invited to consider whether the project should move to the procurement stage. The Committee noted that no budget had been allocated in the Committee's estimates for the provision of

Blackberries, although the sums were not expected to be significant as call charges would remain the responsibility of individual members. Mr. Wells advised that time had been spent with the procurement department looking at costs and underlying infrastructure costs and Cable and Wireless had been selected to provide the service, should the Committee approve.

It was agreed that members who wished to be provided with a Blackberry should hold the contract in their own name, although departments would be permitted to provide their Minister or Assistant Minister with a departmental Blackberry should they chose to do so. **The Committee accordingly agreed that Mr. Wells enter into the agreement with Cable and Wireless.**

The Committee thanked Mr. Wells for his attendance and he withdrew from the meeting.

Protocol in respect of visual/aural footage of scrutiny meetings. (P.112/2009). 510/1(42)

A3. The Committee, with reference to its Minute No. A3 of 3rd July 2009, considered a report and proposition entitled: Code of Practice for Scrutiny Panels and the Public Accounts Committee: Amendments (P.112/2009 refers), lodged "au Greffe" on 6th July 2009 by the Chairmen's Committee.

The Committee noted that the above proposition sought to prohibit the taking of any type of film footage by members of the public at scrutiny hearings or meetings. The Committee was being asked to consider whether it wished to comment on the proposition.

The Committee discussed the matter and concluded that the Chairman should meet with the President of the Chairmen's Committee to discuss the issue.

States members' remuneration: letter from Chairman to the Jersey Evening Post. 1240/3(73)

A4. The Committee noted correspondence, dated 13th July 2009, from the Chairman to the Editor of the Jersey Evening Post in connexion with the subject of States members' remuneration.

The Committee noted that the Chairman had written in response to a letter from Mr. B. Brady, which had been published on 13th July 2009. In her letter she had set out the background to the establishment of the States Members' Remuneration Review Body and had highlighted the fact that that Body's recommendations were automatically implemented without the need for a States' debate, unless they were challenged within one month of being published.

The Committee noted that the Chairman's letter had been published.

States of Jersey Complaints Board: findings. 1386/2/1/2 (286)

A5. The Committee received a report of the findings of the States of Jersey Complaints Board in connexion with a complaint against a decision of the Minister for Planning and Environment.

The Committee noted that, in accordance with Article 9(9) of the Administrative Decisions (Review) (Jersey) Law 1982, as amended, it was the duty of the Privileges and Procedures Committee to present the report to the States.

The Committee accordingly approved the report entitled: States of Jersey Complaints Board: findings – Complaint against a decision of the Minister for Planning and Environment regarding No. 3 Teighmore Park, Grouville; and requested that it be presented to the States at the earliest opportunity.

The Committee Clerk was directed to take the necessary action.

States Members' Remuneration Review Body recommendations for 2009 to 2011.
1240/3(73)

A6. The Committee, with reference to its Minute No. A1 of 15th June 2009, considered a report, dated 13th July 2009, which had been prepared by the Greffier of the States in connexion with the recommendations of the States Members' Remuneration Review Body (SMRRB) on pensions and differential pay.

The Committee recalled the recommendations of the SMRRB for 2009 to 2011 and noted that, as the one month period had passed since the presentation of the Part 1 recommendations, these would be implemented by default.

The Committee considered in detail Part 2 of the Body's recent recommendations, concerning pensions, severance and differential pay. The Committee concurred with the SMRRB's recommendation that no amendments be made to the severance provisions. The Committee noted that differing views had been received on the issue of differential pay for members and concluded that it did not wish to pursue this issue at the present time.

The Committee supported the Body's recommendation that some form of pension scheme be introduced for States members, and it was agreed that the Chairman should request the Review Body to undertake this work in advance of an "in principle" States decision to support a pension scheme.

The Committee Clerk was directed to take the necessary action.

Parliamentary privilege in Jersey.
1240/12(10)

A7. The Committee received a report, dated 17th July 2009, from the Greffier of the States, in connexion with parliamentary privilege in Jersey.

The Committee recalled that the Chairman had undertaken to provide a comprehensive report on the position in Jersey on parliamentary privilege and the above report had been prepared to meet that undertaking. It was noted that the report provided a brief history of parliamentary privilege and summarised the main areas it covered, how the position in Jersey followed common law principles and statutory provision which existed in other jurisdictions.

The Committee agreed that the report should be presented to the States at the earliest opportunity.

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

States of Jersey Complaints Panel: membership.
1386/6/1(5)

A8. The Committee considered a report dated 8th July 2009, which had been prepared by the Greffier of the States in connexion with the membership of the States of Jersey Complaints Panel. The Committee also received a draft report and proposition which proposed the appointment of 4 new members to the aforesaid Panel.

The Committee recalled that in adopting P.92/2009 the States had already approved the appointment of the Chairman, 2 Deputy Chairmen and 5 members on 17th June 2009. Following the completion of a selection process, carried out in accordance with the codes established by the Appointments Commission, it was now proposed to appoint a further 4 members -

Mr. C. Beirne

Mr. R. Bonney
Mr. F. Dearie
Mr. S. Platt

The Committee accordingly approved the report and proposition which related to the appointment of the above individuals and requested that it be lodged “au Greffe” at the earliest opportunity. The Greffier of the States was directed to take the necessary action.

Discussion continued under the B Agenda.

Senator S.
Syvret: vote of
censure.
1240/9/2(56)
1240/9/2(57)

A9. The Committee, with reference to its Minute No. B2 of 24th June 2009, considered a report in connexion with its report and proposition entitled “Senator Stuart Syvret: Vote of Censure” (P.107/2009 refers).

The Committee noted that, in the light of charges which had been brought against Senator Syvret by the States of Jersey Police, the debate on the proposition had initially been deferred to 8th September 2009. The proposition had then been withdrawn during the States sitting of 16th July 2009 in view of the uncertainty regarding the date on which it could be debated.

The Committee noted that it reserved the right to re-present the proposition at a later stage, if necessary and appropriate.

Work
programme:
Privileges and
Procedures
Committee.
465/1/(110)

A10. The Committee received a report which set out details of its ongoing work programme.

The Committee noted the following matters arising:

- (a) With reference to its Minute No. B4 of 19th June 2009, the Committee agreed that the sub-committee considering electoral reform should comprise:

Chairman: Deputy C.H. Egré;
Members: Deputy M. Tadier;
Representative from the Comité des Connétables.

The Chairman agreed to seek a representative from the Comité at the next meeting of the Comité des Connétables.

- (b) The Committee, with reference to its Minute No. A2 of 3rd July 2009, recalled that 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, had been approved by the States. **The Committee agreed that it would consider the procedure for dealing with questions which remained unanswered after the 2-hour period at a future meeting.**