

**WRITTEN QUESTION TO THE CHAIR OF THE PRIVILEGES AND PROCEDURES
COMMITTEE BY DEPUTY S.Y. MÉZEC OF ST. HELIER SOUTH
QUESTION SUBMITTED ON MONDAY 17th OCTOBER 2022
ANSWER TO BE TABLED ON MONDAY 24th OCTOBER 2022**

Question

Will the Chair consider bringing forward proposals to require Ministers to give statements during States Assembly sittings when the terms of a proposition agreed by the Assembly will not be met (for example, a clear deadline being missed) so that Members are officially advised that their decision will not be implemented and given the opportunity to ask questions to hold that Minister to account?

Answer

PPC has previously discussed how to ensure better compliance, principally on the part of Ministers, with States decisions. It might be helpful if I provide a little more detail on those discussions and the outcome but to directly answer Deputy Mézec's question, I would be very happy for PPC to consider this matter and bring forward any proposals deemed necessary.

In 2021, PPC discussed what sanctions could be applied to Ministers for failing to implement a States decision. The present position is that, procedurally, there are no special rules requiring Ministers to implement the requests made of them by the Assembly (although there is a political imperative on Ministers to heed those requests). Options available to Members include:

- Using questions to ask for an explanation of delay or to press for action;
- Bringing a further proposition to require action;
- In the case of legislation, bringing the legislation directly to the Assembly, although this is only feasible if the change to the law required is relatively modest in scope;
- Publicising the non-compliance with a States decision in the media;
- Bringing a proposition of censure, although this has no formal repercussions;
- Bringing a proposition of no confidence, which would require a Minister to resign if it were adopted by the States.

During its discussions, PPC noted that there is no track of decisions of the States to show what Ministers have been asked to do and what progress towards implementation have been made. On that basis PPC had started to explore the idea of a States' decision log, which would be backdated to 2018 and published, which would require departments to provide progress updates every quarter. The intention behind this would be to make it easier for Members and the media to question Ministers about the implementation and to scrutinise the reasons given for any delay. Where Ministers had decided not to implement a decision, the reasons would need to be stated publicly and Members would have the information they need to question Ministers on this, both in scrutiny and in the Assembly.

The tracker is a work in progress, partly due to PPC's workload before the election. In that regard I will make sure that an item is placed on a future PPC agenda in order to continue our discussions on this matter and the Deputy's suggestion of requiring Ministers to make a Statement in the States will be included in those discussions.