

IC/SC/221

PRIVILEGES AND PROCEDURES COMMITTEE

(1st Meeting)

22nd July 2013PART A

All members were present, with the exception of Senator B.I. Le Marquand, from whom apologies had been received.

Deputy J.M. Maçon, Chairman
 Connétable L. Norman of St. Clement
 Deputy J.A. Martin
 Deputy M. Tadier
 Deputy K.L. Moore
 Deputy J.H. Young

In attendance -

M.N. de la Haye, Greffier of the States
 A.H. Harris, Deputy Greffier of the States
 I. Clarkson, Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A only.

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| Chairman's welcome. | A1. The Chairman welcomed the members of the newly reconstituted Committee. |
| Appointment of Vice Chairman. | A2. The Committee appointed Deputy M. Tadier as Vice Chairman. |
| Meeting dates. | A3. The Committee agreed to meet again on the afternoon of 5th September, during which meeting it would confirm meeting dates for the remainder of 2013. |
| Machinery of Government Sub-Committee: reconstitution. 465/1(182) | <p>A4. The Committee, with reference to Minute No. A6 dated 11th July 2013 of the Committee as previously constituted, and having been briefed on the status of the work being carried out by the Machinery of Government Review Sub-Committee, agreed to reconstitute the Sub-Committee as follows –</p> <p>Deputy M. Tadier (Chairman)
 Connétable L. Norman (Vice Chairman)
 Deputy J.A.N. Le Fondré
 Deputy T.A. Vallois
 Deputy G.C.L. Baudains
 Deputy J.H. Young</p> <p>The Committee instructed the Sub-Committee to complete its final report and submit the same to the Committee for consideration at its next scheduled meeting in September.</p> |
| Work programme as at July 2013. | A5. The Committee considered a report entitled: 'Work Programme as at July 2013,' which outlined the status of the various sub-committees and other workstreams commissioned by the Committee as previously constituted. |

The Committee, having noted that both the Public Elections Sub-Committee and the Standing Orders and Internal Procedures Sub-Committee had concluded their work, agreed that the final reports of both sub-committees should be added to the Committee's September agenda for consideration. It was acknowledged that the final report of the Public Elections Sub-Committee was both voluminous and detailed and would therefore necessitate a meeting of extended duration.

Turning to the Carswell Sub-Committee, (Minute No. A7 dated 11th July 2013 of the Committee as previously constituted refers), the Committee concluded that other matters on its agenda should necessarily be given priority in the short to medium term. On that basis, the Committee **elected** not to reconstitute the Carswell Sub-Committee, albeit that it agreed to review the position towards the end of its term of office and to consider making a recommendation to its successor in the latter part of 2014.

The Committee noted that a review of States Members' facilities was ongoing and it resolved to await a progress report at its next meeting.

The Committee recalled that the Committee as previously constituted had lodged 'au Greffe' a proposition seeking approval for a Commissioner for Standards (P.4/2013 refers). This proposition had been withdrawn following discussions with counterparts in Guernsey regarding the possibility of establishing a joint commissioner. The Committee **agreed** that it would wish to consider re-lodging P.4/2013 at its September meeting unless the Chairman was advised in the intervening period that Guernsey was in a position to proceed on the matter.

The Committee Clerk was authorised to take the necessary action.

Electoral
Commission:
outcome of
debate on
P.64/2013.
450(15)

A6. The Committee, with reference to Minute No. A9 dated 11th July 2013 of the Committee as previously constituted, recalled that on 16th July the States Assembly had rejected the Draft States of Jersey (Amendment No.7) Law 201- (P.64/2013 refers) and had subsequently adopted part (b) of the related proposition lodged 'au Greffe' by Senator B.I. Le Marquand and which was entitled: 'Referendum on States reform: outcome' (P.74/2013 refers). It was therefore the case that the Committee was charged with seeking alternatives for reform of the Assembly.

The Committee considered various methodologies for collecting the data needed to devise alternative reform proposals. In so doing, the Committee was mindful that achieving substantive reform in time for the next public elections in October 2014 would necessitate the lodging and debating of propositions by December 2013. There was broad agreement that some degree of reform must be achieved by October 2014. The Committee was also mindful that Members might consider lodging their own reform propositions in the intervening period.

The Chairman advised the Committee of his wish to speak to all opponents of P.64/2013, and the Committee **agreed** that its officers should complete a review of the Hansard of the P.64/2013 debate. This review should be supplemented with a questionnaire to all States Members that would, amongst other things, invite respondents to confirm which factors most influenced their decision to vote for or against. A report analysing the data collated would then be submitted to the Committee at its September meeting for consideration.

The Deputy Greffier of the States was authorised to take the necessary action.

1st Meeting
22.07.13

Public
Elections –
Single
Transferable
Voting System
(STV) and an
Alternative
Voting System
(AV)
(P.86/2013):
request for
Committee to
arrange
presentation.
424/2(86)

A7. The Committee recalled that on 17th July 2013 Deputy M. Tadier had lodged '*au Greffe*' a report and proposition entitled: 'Public Elections – Single Transferable Voting System (STV) and an Alternative Voting System (AV)' (P.86/2013 refers). This proposition invited the States to bring forward plans for the implementation of STV for multi-member constituencies and an AV system for single member constituencies in time for the 2014 elections.

The Committee considered an oral request from Deputy Tadier that it arrange and fund a briefing for all States Members, to be delivered by Dr. A. Renwick of the University of Reading, United Kingdom, on the relative merits of the STV and AV voting systems. In submitting his request, the Deputy invited the Committee to note that Dr. Renwick had served as a specialist advisor to the Electoral Commission during 2012 and that his report entitled: 'The Jersey States Assembly in Comparative Perspective' had recommended the adoption of STV and AV voting systems.

In considering the proposal, the Committee was mindful that Deputy Tadier had lodged his proposition without having secured the prior endorsement of the Committee as previously constituted. It was further mindful of the adoption, and subsequent abandonment, of the STV system in the Isle of Man.

The Committee **agreed**, by majority, that it should invite Dr. A. Renwick to deliver a suitable presentation for all States Members on the STV and AV voting systems prior to the forthcoming States debate on P.86/2013.

The Committee Clerk was authorised to take the necessary action.

Planning
Appeals:
Revised
System
(P.87/2013).
410/2(17)

A8. The Committee noted that on 22nd July 2013 the Minister for Planning and Environment had lodged '*au Greffe*' a report and proposition entitled: 'Planning Appeals: Revised System' (P.87/2013 refers), which sought the endorsement of the States for a new Planning Appeals process to replace the present appeal provisions in the Planning and Building (Jersey) Law 2002 and for certain associated proposals.

Deputy J.H. Young requested that the Committee consider whether the proposals outlined in P.87/2013 fell within the Committee's terms of reference as defined in Standing Order 128.

The Committee **concluded** that the proposals made in P.87/2013 did not fall directly within its terms of reference.