

AG/SC/002

PRIVILEGES AND PROCEDURES COMMITTEE

(19th Meeting)

18th December 2013

(Business conducted by electronic mail)

PART A

All members were present.

Deputy J.M. Maçon, Chairman
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Connétable L. Norman of St. Clement
 Deputy J.A. Martin
 Deputy M. Tadier
 Deputy J.H. Young

In attendance -

M.N. de la Haye, Greffier of the States
 A.H. Harris, Deputy Greffier of the States

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

Draft
 Amendment
 (No. 22) of the
 Standing
 Orders of the
 States of
 Jersey.
 450/2(23)

A1. The Committee received the Draft Amendment (No. 22) of the Standing Orders of the States of Jersey in connexion with the procedures surrounding legal representation before a committee of inquiry and the appointment of persons to assist a committee of inquiry.

The Committee recalled that the States had appointed the Chairman and members of the Committee of Inquiry into Historical Abuse on 2nd December 2013 and noted that the Committee intended to start work in early 2014. Two minor amendments to Standing Orders had been drafted for the Committee's consideration and were intended to assist in the facilitation of Committee's work. The Committee noted that Standing Order 149 'Committee of inquiry: legal representation' presently permitted a committee of inquiry to allow a person appearing before it to be represented by a Jersey qualified advocate or solicitor. This prevented non-Jersey qualified lawyers from being allowed to represent witnesses. It was proposed that this bar be removed in order to give greater flexibility to a committee of inquiry to regulate its own proceedings as it saw fit. The second amendment proposed a similar change to the manner in which the Greffier of the States could appoint persons to assist a committee of inquiry. It was noted that Standing Order 151(6) presently referred to the appointment of a Jersey advocate or solicitor, however, the Committee of Inquiry into Historical Abuse was likely to seek to appoint a Counsel from outside Jersey in order to avoid any possible perception of conflict of interest. The draft amendment therefore served to simplify Standing Order 151(6) to enable a committee of inquiry to appoint other types of specialist support as necessary by permitting the Greffier to appoint any persons required to assist a committee of inquiry.

The Committee, having considered the draft proposition, agreed that it should be

215
19th Meeting
18.12.13

lodged "*au Greffe*" for debate by the States in early course. The Greffier of the States was requested to take the necessary action.