

IC/JAC/204

PRIVILEGES AND PROCEDURES COMMITTEE

(32nd Meeting)

11th July 2013**PART A**

All members were present.

Connétable A.S. Crowcroft of St. Helier, Chairman  
 Senator S.C. Ferguson  
 Senator Sir P.M. Bailhache  
 Connétable L. Norman of St. Clement  
 Deputy J.A. Martin  
 Deputy M. Tadier  
 Deputy K.L. Moore

In attendance -

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 and Part B.

- Minutes. A1. The Minutes of the meetings held on 23rd May (Parts A and B), 31st May (Part A only) and 21st June 2013, having been circulated previously, were taken as read and were confirmed.
- Matters arising. A2. The Committee noted the following matters arising from the Part A Minutes of its meetings held on 23rd May, 31st May and 21st June 2013 –
- (a) Minute No. A3 of 23rd May – the Committee noted that the States of Jersey Complaints Panel Annual Report 2012 had been presented to the States Assembly on 31st May 2013 (R.53/2013); and,
- (b) Minute No. A1 of 31st May – the Committee recalled that the States had adopted Amendment No.21 of the Standing Orders of the States of Jersey and, further, that the Committee had been asked to conduct –
- a health assessment regarding the use of wireless devices in the Chamber,
  - a review of the capacity or bandwidth of the wireless network installed in the States Building, and
  - a review of the voluntary fines applied following any disturbance in the Chamber caused by Members' electronic devices.
- Regarding (b) above, the Committee noted that a project to upgrade the wireless network in the States Building was already underway and that reports on the other matters would be added to the Committee's agenda in due course.
- Financial report: first and second quarter 2013. A3. The Committee, with reference to its Minute No. A2 of 7th February 2013 and with the Finance and Administration Manager in attendance, considered the States Assembly financial report for the first and second quarters of 2013.

422/10/1(89)

The Committee was advised that the balance of the facilities budget would in due course reduce significantly in order to finance the replacement of the existing audio recording equipment that facilitated the production of the Official Record (Hansard). This equipment was fast approaching the end of its design life. It was further reported that the budget for the forthcoming Committee of Inquiry – Historical Child Abuse had not yet been allocated to the States Greffe and, further that the Scrutiny budget was showing a notable under-spend, as had been the case in previous years.

Having observed that the Assembly budget for 2013 was likely to remain in surplus through 2013 and having been notified of administrative difficulties suffered by Deputy S.S.P.A Power and others before and following their attendance at the *Parlement des Jeunes* (the French-speaking Youth Parliament) in Abidjan, Ivory Coast during July 2013, the Committee requested that the Greffier of the States consider ensuring that Members attending conferences or similar events in other countries were henceforth accompanied by an official.

The Committee **noted** the report.

States of  
Guernsey:  
States Review  
Committee  
visit.  
465/1(186)

A4. The Committee, with reference to its Minute No. A10 of 7th February 2013, recalled that the States Review Committee of the States of Guernsey had finally been able to visit the Island on 10th – 11th June 2013 and, further, that the States Review Committee had met with members of the Committee and the Machinery of Government Review Sub-Committee to discuss the machinery of government in both islands.

The Committee **noted** correspondence, dated 18th June 2013, from Deputy P.A. Harwood, Chief Minister of Guernsey, in which the Chief Minister of Guernsey had, on behalf of his committee, expressed thanks for the feedback received from Members regarding the advantages and disadvantages of the committee and ministerial systems of government.

States  
Assembly  
meeting dates  
2014.  
1240/2(83)

A5. The Committee, with reference to its Minute No. A2 of 6th September 2012, considered a report prepared by the Greffier of the States and which was entitled: 'States Meeting Dates for 2014.'

The Committee noted that, in accordance with Standing Order 4 of the Standing Orders of the States of Jersey, it was required to draft a list of proposed meeting dates for presentation to the States by the end of September. A fortnightly cycle of meetings was again being proposed in accordance with the emerging conclusions of the Standing Orders and Internal Procedures Sub-Committee, which had decided against pursuing a 3 week cycle. The draft schedule followed the emerging convention that States meetings should not take place during school holidays.

The Committee **approved** the dates proposed, save that it agreed the final meeting in July should commence on the afternoon of Monday 14th, so that the Assembly might deal with both oral and written questions early in what was thought likely to be a particularly busy week for States business.

The Committee **agreed** that the amended report should be presented to the States forthwith.

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

Machinery of  
Government  
Review Sub-  
Committee:  
update.  
465/1(182)

A6. The Committee, with reference to its Minute No. A2(a) of 23rd May 2013, recalled that it had received the responses of the Chief Minister and the Chairmen's Committee regarding the interim report of the Machinery of Government Review (MOGR) Sub-Committee.

The Committee received an oral update from the Chairman, MOGR Sub-Committee regarding the production of a final report.

The Committee was advised that the Sub-Committee had been given access to and had reviewed an options paper commissioned by the Chief Minister on machinery of government reform. It had further met on the morning of 11th July to consider a first draft of its own final report. A series of 39 provisional recommendations had been drafted by the Committee Clerk for consideration. Agreement had been reached on a significant number of these. Although it was apparent that further detailed consideration needed to be given to the role of Scrutiny and of Assistant Ministers, the Chairman considered that a draft final report could reasonably be submitted for consideration at the Committee's next scheduled meeting in September.

The Committee **noted** the position and **agreed** that the Sub-Committee should produce a draft final report for consideration at the Committee's next scheduled meeting on 5th September 2013.

Carswell  
Review Sub-  
Committee:  
update.  
499/3(22)

A7. The Committee, with reference to its Minute No. A4 of 25th April 2013, recalled that it had endorsed the terms of reference for the Carswell Review Sub-Committee.

The Committee received a progress report from the Chairman, Carswell Review Sub-Committee. It was advised that the Sub-Committee had met for the first time on 4th July 2013 and had concluded that it should visit the Speaker's Office at Westminster during October 2013 and meet with the Speaker, as well as the various officials who underpinned this role. In the interim, the Assistant Greffier had requested an update from the Bailiff's Chambers of the statistics contained within R.143/2010 relating to the three elements of the Bailiff's current role. These statistics would be analysed in order that the extent of the Bailiff's States and civic related duties might be better understood. The Sub-Committee expected to meet with the Bailiff and Chief Minister once it had researched its draft proposals. It was envisaged that these proposals would be ready to present to the main Committee in late autumn and, if approved, ready for debate before the end of 2013.

The Committee **noted** the position.

Pensions for  
States  
Members.  
1240/3(85)

A8. The Committee, with reference to its Minute No. A6 of 25th April 2013, recalled that the Chairman had planned to make contact with the Treasury and Resources Department and establish whether a reformed Public Employees Contributory Retirement Scheme (PECRS) might be capable of providing a pension scheme for States Members broadly in accordance with option 1 of R.132/2009.

The Committee received an oral report from the Committee Clerk concerning the possibility of utilising the PECRS to provide a pension scheme for States Members. It was advised that the Project Director – Pensions had reviewed the position and, having received advice from the Law Officers' Department, had concluded that States Members could be included in the PECRS. An amendment to primary legislation and new secondary legislation would be required to achieve

the same. Initial research had indicated that the contribution rate for Members would be in the region of 8 per cent for members (i.e. States members), with a further 'employer' contribution to be required also.

The Committee **noted** the position and resolved to consider a formal report on the matter at its next scheduled meeting.

Draft States of Jersey (Amendment No.7) Law 201- (P.64/2013): amendments. 450(15)

A9. The Committee, with reference to its Minute No. A5 of 23rd May 2013, recalled that the Draft States of Jersey (Amendment No.7) Law 201- (P.64/2013 refers) was due to be debated on 16th July 2013.

The Committee considered a report concerning amendments, lodged by Deputy T.M. Pitman and Deputy A.K.F. Green, M.B.E. of St. Helier, to P.64/2013.

The Committee concluded that the draft report could, with minor amendments, serve as a factual comment to both amendments indicating –

- (a) that the statistical analysis used by both Deputies Pitman and Green varied from that used by the Electoral Commission;
- (b) that the question of which statistical analysis was appropriate was a matter for Members to consider;
- (c) precisely how Deputy Green's amendment would affect the number of eligible voters per district in St. Helier; and,
- (d) that each amendment would increase the number of elected States Members to either 46 or 47.

The Committee **approved** its comment to the amendments to P.64/2013 and agreed that they should be presented to the States forthwith.

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

Code of Conduct: Guidance for Members re use of e-mail system. 1240/9/1(143)

A10. The Committee, with reference to its Minute No. B2 of 23rd May 2013, recalled that it had resolved to issue updated guidance to all States Members regarding use of the States of Jersey e-mail system.

The Committee considered a draft report concerning use of the States of Jersey e-mail system.

The Committee, having made 2 minor amendments to the draft report, approved the same and **agreed** that it should be presented to the States forthwith.

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