

PRIVILEGES AND PROCEDURES COMMITTEE

(40th Meeting)

7th March 2007PART A

All members were present, with the exception of Senator S. Syvret and Deputy G.C.L. Baudains, from whom apologies had been received.

Connétable D.F. Gray of St. Clement - Chairman
 Senator M.E. Vibert
 Connétable K.A. Le Brun of St. Mary
 Deputy C.H. Egré
 Deputy J. Gallichan

In attendance -

M.N. de la Haye, Greffier of the States
 Mrs. A.H. Harris, Deputy Greffier of the States
 Miss P. Horton, 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 7th February 2007 (Part A and Part B), 9th February 2007 (Part B only) and 13th February 2007 (Part B only), having been previously circulated, were taken as read and were confirmed.

The Minutes of the meetings of the Privileges and Procedures Committee Sub-Panel on Complaints held on 6th, 9th and 14th February 2007 (all Part B only), having been previously circulated, were also taken as read and were confirmed.

Draft Freedom of
 Information
 (Jersey) Law
 200-
 670(1)

A2. The Committee, with reference to its Minute No. A4 of 10th January 2007, received an oral report from the Deputy Greffier of the States updating members on the Draft Freedom of Information (Jersey) Law 200-.

The Committee was advised that Senator Syvret had met with the Deputy Greffier on 1st February 2007 to discuss amendments to the exemptions and the draft Law was now with the Law Draftsman for his consideration. The Committee was advised that, depending on the extent of the changes made, it might be necessary to send the draft Law out to consultation again.

The Committee noted the position.

Composition and
 Election of the
 States Assembly.
 465/1(75)

A3. The Committee, with reference to its Minute No. A3 of 7th February 2007, considered the next steps that should be taken regarding the proposed reform of the States Assembly.

The Committee recalled that a leaflet outlining various options had been distributed to every household in the Island and three public meetings had been held to allow the public to express their views on the reform of the States Assembly. A further survey of public opinion had been conducted by Ipsos MORI and the results had been

presented to the States in a report entitled "Survey in Electoral Reform in Jersey, 2007" - R.20/2007, a summary of the responses received to-date from the public had also been presented to the States in a report entitled "Composition and Election of the States - Summary of Responses to Consultation" - R.19/2007. The views of States members would be gauged by means of an 'in Committee' discussion to be held on Tuesday, 13th March 2007.

With regard to the 'in Committee' discussion, it was felt that it would be beneficial to get States members' views on specific points and the Committee agreed that members should be advised of key questions it would like them to address which could then provide an indication of whether or not members supported a substantial reform of the States. It was proposed that members should be asked to give their views on such issues as, how many members there should be in the Assembly; how should members be elected, for example, on a Parish basis, Island-wide mandate, large constituencies or a mixture; whether the Connétables should remain as members of the States; how long the term of office for members should be; should there be a general election or would staggered elections be preferable; should a referendum be held, and, if so, at what stage in the process should this happen and what questions should be asked? The Committee requested that States members be advised of the abovementioned prior to the 'in Committee' debate.

The Committee did not want too much emphasis placed on the need for transitional arrangements to take account of the term of office of existing members during the 'in Committee' debate and suggested that members should be advised accordingly. It was also requested that members be notified of the deadlines that must be met in order to implement reform in 2008 as it was recognised that the schedule would be very tight.

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

Administrative
Decisions
(Review) (Jersey)
Law 1982, as
amended: Report
of the
Administrative
Appeals Panel for
2006.
1386/2/2(12)

A4. The Committee, in accordance with the Administrative Decisions (Review) (Jersey) Law 1982, as amended, considered a draft of the report of the Complaints Appeals Panel for 2006.

The Committee, having noted the report of the Complaints Panel for 2006, accordingly approved the same, subject to some minor amendments, and requested that it be presented to the States at the earliest opportunity.

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

Jersey Electoral
Register.
424/2(34)

A5. The Committee, with reference to its Minute No. A3 of 15th November 2006, considered correspondence dated 6th February 2007, received from Mr. Darren Woodside, Legal Adviser, regarding the Jersey Electoral Register.

The Committee recalled that it had met with the Regulatory Advisor to Experian to discuss that company's request to access the electoral registers held by the Parishes in connexion with its credit reference agency work. The information contained within the United Kingdom electoral registers was used for purposes other than credit referencing and included savings products, prevention of fraud and/or money laundering. It was apparent that the protection afforded to the United Kingdom electoral register did not presently apply to Jersey and that, consequently, legislative change would be required if the use of the Jersey electoral registers was to be permitted. It was recognised that, following such legislative provision, it would then be possible for sanctions under Jersey law to be imposed upon companies who misused the Island's electoral registers. The Committee had decided to seek legal

advice on this aspect of the matter.

In this regard, the Committee noted from the legal advice that it was considered that there was good communication between the Data Protection Commissioner and the United Kingdom Information Commissioner and it was thought that adequate safeguards existed to ensure that any misuse of personal data should be properly regulated.

Although the Committee had decided not to support the release of the electoral register to United Kingdom companies it was recognised that this would be a matter for the Connétables and it was agreed that a copy of the legal advice should be provided to the Comité des Connétable for its consideration.

The Committee Clerk was requested to take the necessary action subject to Mr. Woodside, Legal Adviser consenting to the release of his letter.

Matters for
information.

A6. The Committee noted the following matters for information -

- (a) correspondence dated 8th February 2007 sent to all members of the States regarding the Composition and election of the States Assembly - "in Committee" meeting of the States;
- (b) correspondence dated 9th February 2007 sent to Deputy P.V.F. Le Claire, regarding States IT Co-ordinator for all States Members; and
- (c) correspondence dated 15th February 2007 sent to Ms. Anna Ormsby, Jersey Youth Service regarding the age of voting being lowered to 16. The Committee was advised that the Youth Council was arranging meetings at which discussions would be held on the age of voting and also a web-site had recently been developed and was currently asking for opinions on the voting age. The Greffier of the States advised that, although exact figures showing how many young people had voted in the Isle of Man elections had yet to be collated, it was apparent that registration had been low. It was felt that not enough had been done to inform young people in that island on political issues leading up to the elections. The Committee agreed that, if the voting age was lowered, it would be necessary to introduce politics into the school curriculum at an earlier age. The Committee noted the position.