

**WRITTEN QUESTION TO THE CHAIRMAN OF PRIVILEGES AND PROCEDURES COMMITTEE
BY SENATOR B. SHENTON**

ANSWER TO BE TABLED ON TUESDAY 1st JULY 2008

Question

Will the Privileges and Procedures Committee give consideration to publishing a summary of Members attendance and voting statistics ahead of this year's elections and if not, why?

Answer

The Assembly will be aware that all States minutes are uploaded to the States Assembly website (at www.statesassembly.gov.je) and, in accordance with Standing Orders, these contain details of who is absent, who is 'en défaut', excused, ill, or out of the Island on States business. This information is repeated within each of the electronically recorded votes.

The preparation of statistics on voting patterns (particularly on a retrospective basis) would be complex and time consuming, and fraught with difficulty. As the Senator will be acutely aware, as he presented a report informally to members at the beginning of 2007, it is extremely important that the figures are accurate, and take account of whether a member was present at the meeting, and if he or she was not, then the reasons for absence, which may well have been legitimate. Such a report would need to include whether a member arrived late at a meeting, whether he or she was 'en défaut' or excused, absent on States business, whether a member declared an interest and therefore did not vote, etc. The records would only show participation in recorded votes, and would be silent on standing votes where an electronic vote is not called for. It would be extremely important that all information was 100 per cent accurate as, were a candidate to lose an election, and incorrect information had been circulated, then the Committee would be open to criticism.

The minutes similarly show where a member declares an interest under Standing Orders and withdraws. What the States minutes do not, however, show is where the Minister for Planning and Environment advises the Assembly that he does not intend to cast his vote in a matter because it relates to a planning application under consideration. Standing Orders do not call for such a declaration, and accordingly, none is recorded. He will therefore either not vote or abstain. To evidence such declarations, extensive searches of the Official Report would be required.

Similarly, all Assembly votes are shown on the States Assembly website, both on a page entitled 'Assembly Votes' and the voting record of each member is listed at 'Members and Officers' under his or her personal details. Therefore the public are able to review the performance of their representatives standing for election again to assess whether they had voted in accordance with their own standpoint ('pour', 'contre' or 'abstained'), or whether they had not voted, and if not, the reason for absence. Reasons for absence are listed as 'ill,' 'en défaut' (where a member is absent or, more rarely, where he or she may be on States business inside the Island), 'excused', 'out of Island' (that is, on official States' business), 'declared an interest' and 'not present for the vote' (where a member had been present at the start of the meeting, and was then absent for the vote). There is an ongoing debate as to whether a member should be listed as being 'on States business' where he or she is absent for unavoidable business on the island, but the position is that members' first duty is to attend the States when in session, so no change has been advocated. Of course, the performance of candidates who have not previously been elected to the States is not capable of being assessed.

If it is considered that attendance at meetings is of great interest to the public, then where does this end? Should attendance at all meetings of committees, panels and other bodies also be evaluated? How would one evaluate the diligence of members who have an official responsibility, such as Ministers, but who are not members of committees or other official bodies?

The terms of reference of the Committee do not include the maintenance of records on members' attendance or voting patterns, and if it was considered appropriate to do this, then it would form part of the Committee's annual

report, rather than be presented immediately prior to elections.

The Committee recently considered the question of preparation of attendance at States meetings and voting patterns briefly on 11th June 2008, and does not consider that it is of sufficient importance to justify the resource required to undertake the task properly.