

Privileges and Procedures Committee

(32nd Meeting)

28th April 2025

**Part A (Non-Exempt)**

All members were present with the exception of Deputy L. K. F. Stephenson of St. Mary, St. Ouen and St. Peter, from whom apologies had been received.

Connétable K. Shenton-Stone of St. Martin, Chair  
Deputy C. S. Alves of St. Helier Central, Vice Chair  
Connétable M.K. Jackson of St. Brelade  
Deputy T.A. Coles of St. Helier South  
Deputy S.M. Ahier of St. Helier North  
Deputy L.M.C. Doublet of St. Saviour

In attendance -

L-M. Hart, Greffier of the States  
W. Millow, Deputy Greffier of the States  
J. O'Brien, Head of Digital and Public Engagement (for a time)  
M. Gladwin, Education Manager, Digital and Public Engagement (for a time)  
C. Fearn, Secretariat Officer, Specialist Secretariat  
L. Plumley, Senior Secretariat Officer, Specialist Secretariat  
K.M. LARBALÉSTIER, Principal Secretariat Officer, Specialist Secretariat

Note: The Minutes of this meeting comprise Parts A and B.

Minutes.	A1. The Minutes of the meetings of 17th, 25th, 26th, 27th March and 3rd April 2025, having previously been circulated, were taken as read and were confirmed.
Action list: Privileges and Procedures Committee.	<p>A2. The Committee noted the actions and outcomes arising from previous meetings as follows –</p> <p><u>Minute No. A2 of 24th February 2025 – postal voting/ballot paper production and distribution/electronic counting</u> – It was noted that quotations had been requested from the following companies –</p> <p>Civica Election Services – for postal voting/ballot paper production and distribution. It was noted that Civica Election Services also provided online voting services; and,</p> <p>UK Engage – for postal voting/electronic counting and ballot paper production and distribution.</p> <p>Quotations had also been sought from several other companies recommended by Royal Mail.</p> <p>Connétable M.K. Jackson of St. Brelade expressed some reservations in relation to the public perception of procuring services from UK companies. The Greffier advised that the aim was to secure tried and tested systems which resulted in savings and efficiencies and improved accessibility to postal voting.</p>

Minute No. A3 of 24th February 2025 – Commonwealth Parliamentary Association (CPA): Gender Sensitive Parliament self-assessment – it was noted that a formal response to the recommendations arising from the Gender Sensitive Parliament self-assessment had now been submitted.

On a related matter, it was noted that a response was being prepared in connexion with the survey in relation to the publication of training courses undertaken by elected Members. It was recalled that this proposal arose from a recommendation of the Gender Sensitive Parliament self-assessment.

Minutes and  
action lists:  
Privileges and  
Procedures  
Sub-  
Committees.

A3. The Committee noted the Minutes of the meetings of the various Sub-Committees of the Privileges and Procedures Committee and the actions and outcomes arising from the same, as follows –

Machinery of Government Sub-Committee – development of role profiles for elected Members – It was noted that work was ongoing and that a report would be presented for consideration by the main Committee at a future meeting. It was recalled that this workstream arose from a recommendation of the former Democratic Accountability and Governance Sub-Committee.

Machinery of  
Government  
Sub-  
Committee:  
lobbying law  
and register.

A4. The Committee considered a report which had been prepared on behalf of the Machinery of Government (MOG) Sub-Committee in connexion with a proposal to introduce a lobbying law and a register of lobbyists.

The Committee noted research which had been undertaken in respect of the above and attention was drawn to relevant United Kingdom (UK) legislation, to include the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, the UK Lobbying Register. Members also considered the legislative context in Scotland, Wales, Northern Ireland and the Republic of Ireland.

It was recommended that the Committee consider the introduction of a lobbying law/guidance and a register in Jersey to enhance transparency within the States Assembly and the Government.

The Committee discussed the above matter in some considerable detail and recognised the benefits from the perspective of openness and transparency, best practice and improved engagement. The majority of Members supported the proposals, concluding that, in the first instance, the development of guidance/an engagement code and a register was preferable over the introduction of legislation.

The Committee requested that the MOG Sub-Committee work up the proposals in greater detail for its consideration at a future meeting.

Connétable M.K. Jackson of St. Brelade and Deputy S.M. Ahier of St. Helier North requested that their dissent from the Committee's decision be recorded on the basis that they considered the proposals unnecessary in the Jersey context and were concerned about unintended consequences.

Standing Order  
112A (Troy  
Rule): draft  
guidance.

A5. The Committee, with reference to its Minute No. B1 of 17th March 2025, considered a report which had been prepared by the Deputy Greffier of the States which set out draft guidance in relation to the application of the so-called Troy Rule, which related to the provisions of Standing Order 112A and Article 25A of the States of Jersey Law 2005.

The Committee recalled that, during the debate on P.122/2001, the States had

adopted an amendment which had been lodged “au Greffe” by the former Deputy P.N. Troy of St. Brelade. The amendment ensured that the number of members of the States who were not involved in the executive was greater by a margin equivalent to at least 10 per cent of the total membership – this had become known as the Troy Rule. The rule had been included in the States of Jersey Law 2005, which had been adopted by the Assembly in November 2004. At that time, the number of Members in the Government could not exceed 23 (43 per cent of the total number of elected States Members). This number had been amended in line with revisions to the composition which resulted in a reduced number of States Members, first to 51 and then to 49. In 2014, the 2005 Law was amended to facilitate the prescription of the limit in Standing Orders and the Committee noted the current legal and procedural provisions.

The Committee had recently considered a report prepared by the Commissioner for Standards in connexion with a complaint against an elected Member. Whilst the Commissioner had ruled that there had been no breach of the Code of Conduct in this particular case, the Committee had been concerned about the potential for a blurring of responsibilities between the executive and the non-executive/a conflict of interest. Previously, the Committee had considered a request from the Legislation Advisory Panel (LAP) to allow the Chair/Vice-Chair of the Panel to act as rapporteur for propositions lodged by the Chief Minister on work undertaken by LAP. The Committee had considered this request in the context of the Troy Rule and Standing Orders. Ultimately, the Committee had rejected the proposal and had agreed that guidance should be produced for States Members on the Troy Rule.

The Committee expressed support for the draft guidance, subject to some refinement in relation to the requirement to declare any work being undertaken on behalf of Government by a backbencher.

Written  
questions:  
timeline for  
responses.

A6. The Committee considered a report which had been prepared by the Deputy Greffier of the States in connexion with issues raised in correspondence dated 24th March 2025, from Deputy T.J.A. Binet of St. Saviour to the Chair.

The Committee noted that Deputy Binet highlighted the number and nature of the Questions which were being submitted by Members to the Minister for Health and Social Services and the impact formulating responses within the required timeframes was having on the work of the administering Department. Deputy Binet had asked whether anything could be done to address this issue.

The Committee recognised that asking questions of those with official responsibilities (not just Ministers) was a common parliamentary function and a means of holding the executive and other authorities to account. Members noted the procedural context for Questions, as set out under Standing Orders 11 and 12. It was noted that although there were weekly limits on the number of Written Questions States Members could submit, there were no limits on how many Questions a Member could ask of another Member with an official responsibility. Standing Order 12 required the submission of responses to Written Questions by 12 noon 4 days after the Question had been submitted. Whilst Standing Order 10(8) suggested that a Member could respond by declining to submit an answer, the political risk of doing so was recognised. No provision existed whereby a Minister could refuse to answer on the grounds of the time it would take to do so. However, ‘holding responses’ had been provided in the past which referenced the need for additional time and this acted as a means of managing the impact on workloads. The Committee agreed that whilst this was acceptable, in some cases answers never materialised and it was suggested that it might be beneficial for the Members’ Resources team, States Greffe to manage this process on behalf of Members to ensure that answers were forthcoming.

The Committee discussed Deputy Binet's correspondence and concluded that the existing procedural context was entirely satisfactory and that mechanisms existed by which to manage any impact on Departments. Members were also at liberty to communicate directly with each other with a view to resolving any issues which arose.

On a related matter, Connétable M.K. Jackson highlighted the challenges faced by Ministers when they were required to respond to a disproportionately large number of questions arising from Scrutiny Hearings within a set time frame. This often resulted in questions remaining unanswered for a prolonged period. The Connétable suggested that this could be resolved by better management of question plans. In her capacity as representative for the Scrutiny Liaison Committee (SLC), Deputy L.M.C. Doublet of St. Saviour was asked to raise this issue with SLC.

Jersey Youth  
Assembly –  
programme  
format and  
branding.

A7. The Committee received a presentation from Ms. M. Gladwin, Education Manager, Digital and Public Engagement in connexion with the new programme format and branding for the Jersey Youth Assembly (JYA).

The Committee noted that the refreshed approach to the JYA aimed to increase opportunities for young people in Jersey to engage with democracy, as follows –

- establishing a closer relationship with the Assembly to enhance visibility;
- combining the work of the Jersey Youth Parliament (JYP) and the JYA;
- renaming the JYP as the JYA, to reflect its renewed focus and closer working relationships; and
- adjusting the age range of participants from 12-18 to 14-19 years old.

The Committee was advised that the design process had been informed by the 2017 Independent Jersey Care Inquiry, the 2018 Youth Voice Report, the Children, Young People, and Families Plan for 2024-27, previous Youth Parliament participants and key stakeholders across the public service. Detailed feedback from 200 young people and high-level feedback from over 30 young people had also been considered. It was noted that the programme had 6 key objectives, as follows –

- to provide young people with regular opportunities to meet decision makers;
- to facilitate collaboration between young people and decision makers;
- to provide young people with opportunities to engage with the States Assembly and Jersey's democratic process;
- to develop knowledge on how to influence decision making in Jersey;
- to provide young people with opportunities to improve the skills required for future careers; and
- to help young people connect with peers in other jurisdictions.

It was noted that the JYA would be made up of numerous Inquiry Groups and one Executive Group. The Inquiry Groups would discuss and scrutinise relevant political topics. The Executive Group would consist of *circa* 5 members, elected on an annual basis by their peers, and these individuals would be responsible for directing the workstreams of the wider JYA membership. The JYA would also be given the opportunity to select 2 topics each year to formally debate in the States Chamber. Additional learning and development opportunities would be available for the entire JYA membership, to include shadowing, mentoring and apprenticeships.

The programme was due to commence in September 2025 for young people aged between 14 and 19 years old and would run in tandem with the academic year. Scheduled sessions would be held bi-weekly for approximately 90 minutes, with

additional meetings being arranged as required. The Committee also noted possible opportunities for JYA members to be involved in future networking events to further increase their exposure to politics.

The Committee noted the branding for the JYA, which aligned with that of the States Assembly and which had been designed in consultation with young Islanders.

The Committee was advised that the Political Awareness and Education Sub-Committee had proposed that the JYA submit one Written Question with notice to a Minister at each States sitting. The Minister would be required to respond verbally, allowing other Members to ask supplementary questions. It had also been suggested that providing the JYA with the autonomy to submit reports to the States Assembly in its own name would further increase political engagement. In-Committee debates were proposed in this connexion with representation from the JYA. In order to implement these provisions, it was recognised that changes to Standing Orders would be necessary and the Committee considered a report prepared by the Deputy Greffier of the States in this connexion. It was noted that the proposed amendments did not include the ability for the JYA to submit a Question at each sitting due to the procedural complexities and implications of the same. The Committee was asked to consider this particular aspect of the proposals and to formally approve the establishment and definition of the JYA. It was further noted that Standing Order 97(2)(b) allowed any person to be present in the Chamber for an in-Committee debate and to speak in that debate so explicit permission for the JYA to participate was not required.

The Committee was pleased to note the positive work which had been undertaken in connexion with the new programme format and noted that consideration would be given to mechanisms by which to encourage ongoing engagement for school leavers.

The Committee endorsed the new format and supported the principle of amendments to Standing Orders to facilitate the same.

The Committee thanked Ms. Gladwin for attending and she withdrew from the meeting.

Common-wealth  
Parliamentary  
Association  
election  
observers'  
mission.

A8. The Committee received an oral report from the Greffier of the States in connexion with correspondence which had been received from the Commonwealth Parliamentary Association (CPA) proposing an Election Observers' Mission (EOM) for the 2026 public election.

The Committee recalled that EOMs had been arranged for previous elections and that any recommendations arising from the observation of the election were provided in a report thereafter. It was noted that a bid for funding would be required for the EOM.

Having considered the matter, the Committee agreed that the next EOM should be arranged for the 2030 public election. In arriving at this decision, Members were mindful of the role of the Jersey Electoral Authority and its oversight of the election process.

Online security  
for elected  
Members.

A9. The Committee welcomed Mr. B. Mason, Information Security Analyst, Scottish Parliament and received a presentation regarding online security for elected Members.

The Committee noted that Mr. Mason had recently addressed delegates at the Commonwealth Women Parliamentarians British Islands and Mediterranean

Regional Conference in Edinburgh. Deputy L.M.C. Doublet of St. Saviour, who had attended the conference with other Members, had invited Mr. Mason to present to the Committee.

The Committee noted Mr. Mason's 30-year career background in policing. Following the murder of Sir David Amess, he had been recruited by the Scottish Parliament to undertake a 2 year trial which considered whether online abuse was an issue for elected Members. At the end of the first year of the trial over 6000 examples of abuse had been flagged, with 500 being reported to Police Scotland. Research revealed that levels of tolerance among Members were too high and a large proportion of female MSPs ultimately left parliament due to social media abuse. Mr. Mason explained how content was monitored both digitally and manually, with contextual analysis. When an incident was reported to Police Scotland, Mr. Mason acted as a witness on behalf of the Member concerned. A personal security adviser also provided support and advice for Members and home surveys could be carried out with recommendations being made for appropriate security measures.

Deputy Doublet sought information on what measures were in place for elected Members in Jersey and Ms. J. O'Brien, Head of Digital and Public Engagement referenced the Social Media Community Rules, which were published on the States Assembly website. This set out the rules for engagement and referenced the active moderation of channels. Breaches could result in hiding and/or deleting a comment, reporting comments to social media platform officials, blocking users temporarily or permanently and reporting incidents to the States of Jersey Police. Mr. Mason advised that professional advice from the Fixated Threat Assessment Centre (a United Kingdom police/mental health unit, whose function was to manage risk to high profile public figures) recommended against blocking users on the basis that this could lead to an escalation of behaviour. Ms. O'Brien advised that decisions were made on a case by case basis and evidence suggested that this approach had been successful in the past. Deputy Doublet advised that she had been asked by a Member who had recently been significantly impacted by online abuse to request the development of enhanced support for Members and clearer procedures for dealing with abuse. The Deputy recognised that the provision of appropriate support to ensure the safety and security of Members might require additional funding. Deputy Doublet suggested that incidences of abuse could potentially rise with the upcoming public election in 2026, and she asked Mr. Mason for advice on basic security measures. He recommended lone worker devices, security cameras, lighting and professional advice and guidance on how to use social media to reduce risk. Deputy Doublet suggested that the States Greffe maintain contact with Mr. Mason with a view to receiving further advice. The Greffier of the States confirmed that the States Greffe took Members' safety very seriously and would consider the matter in further detail and seek appropriate advice. In response to a question from the Greffier, Mr. Mason confirmed that comments could be added to selected parliamentary accounts and that live commentary and moderation on First Minister's Questions and certain debates also occurred.

The Committee thanked Mr. Mason for attending and he withdrew from the meeting. Ms. O'Brien also withdrew.

Code of  
Conduct for  
Elected  
Members/  
accompanying  
guidance.

A10. The Committee, with reference to its Minute No. A2 of 17th March 2025, considered the draft revised Code of Conduct for Elected Members and accompanying guidance.

The Committee recalled that extensive consultation with Members, the Commissioner for Standards and the wider standards network had informed the revised code and guidance.

Members discussed the content of the draft Code and accompanying guidance and expressed some reservations with regard to rule No. 12. This particular rule stipulated that *'Members must not use or attempt to use their position to confer an advantage or preferential treatment for either themselves or any other person, or to avoid disadvantage or create disadvantage for someone else'*. Whilst the Committee recognised that this rule was included within the Code of Conduct for other jurisdictions, the potential implications for Members in relation to the practical application of the rule and the impact on constituents was highlighted. The Committee noted that other elements of the Code addressed such issues and it was agreed that this rule should be removed. However, reference could be made to the rationale for doing so in the report which accompanied the proposition.

Deputy L.M.C. Doublet of St. Saviour was pleased to note references to discrimination in the code, which was defined as behaviour that discriminated against any person on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, political opinion and language preference. The Committee endorsed her recommendation to include the term 'carer status' within the definition. However, Members did not support Deputy Doublet's suggestion to remove the reference to political opinion. It was noted that the Commissioner for Standards had obtained a legal definition of what constituted the basis for discrimination. Members also endorsed a recommendation from Deputy T.A. Coles of St. Helier South to ensure that confidentiality in terms of disclosure of information specifically referenced draft propositions and amendments (rule 21 refers).

The Committee approved the draft Code and guidance, subject to the above amendments. Prior to debate, the Committee agreed that the Commissioner for Standards should be invited to deliver workshops for Members on the revised Code.

Forthcoming  
business.

A11. The Committee considered propositions which had been lodged 'au Greffe' for forthcoming meetings of the States Assembly.

The Committee agreed that it would wish to comment on P.33/2025, which had been lodged 'au Greffe' by Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter. The proposition sought in principle agreement from the States for legislative changes which would facilitate the election of the Chief Minister through an Island-wide vote, with a poll of candidates being conducted in parallel with the election. Prior to a general election, all prospective candidates intending to stand for the role of Chief Minister would be required to declare this when submitting their nomination form as a Senatorial candidate.

The Committee discussed the proposition and concluded that it could not support the proposals. The challenges associated with the practical application of the same were noted, such as a Vote of No Confidence in the Chief Minister (which would necessarily trigger a public election under the proposals) and disqualifying any other category of Member from seeking election for the position of Chief Minister.

Over and above the nature of the proposition, the Committee was disappointed that Members were seeking to make such changes so close to the date of the public election, contrary to generally accepted best practice.

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

Date of next  
meeting.

A12. The Committee requested that its next meeting, which was scheduled for 19th May 2025, be rearranged due to conflicting commitments.