

Privileges and Procedures Committee

(1st Meeting)

26th July 2022

Part A (Non-Exempt)

All members were present, with the exception of, Deputy M.R. Ferey of St Saviour, from whom apologies had been received.

Connétable K. Shenton-Stone of St Martin
Deputy M.R. Le Hegarat of St Helier, Vice-Chair
Deputy L.J Farnham of St Mary of St Ouen and St Peter
Deputy C.A. Alves of St Helier
Deputy L.K.F Stephenson of St Mary, St Ouen and St Peter

In attendance -

Ms L. Hart, Greffer of the States
Mr W. Millow, Assistant Greffier of the States (Chamber and Members' Support)
Ms K. Boydens, Principal Committee and Panel Officer
Ms K. Camara, Research and Project Officer

Note: The Minutes of this meeting comprise Part A only

Vice-Chair. A1. The Committee agreed to appoint Deputy M. R. Le Hegarat as Vice-Chair.

Forthcoming business for debate by the States Assembly. A2. The Committee noted that Deputy I. Gorst had lodged a Proposition entitled 'Reinstatement of Senators' (P.79/2022) on 27th June 2022, which was due to be debated on 13th September 2022. Deputy L.J Farnham, having confirmed that he had drafted the Proposition jointly with Deputy Gorst, advised that it asked the States to agree that the office of Senator, elected on an Island-wide basis, should be reinstated in time for the General Election in 2026.

The Committee noted that the Proposition also asked that the Committee engage with States Members, the public and other individuals or bodies in order to develop proposals that would amend the electoral system, and to lodge the proposals in time for debate before the end of July 2023.

After discussion, the Committee agreed that it was too early to develop proposals for the reinstatement of Senators, particularly as the Election Observers Mission undertaken by the Commonwealth Parliamentary Association had not yet published its full Report, and the Jersey Electoral Authority's review of the election process also had not been made available. The Chair confirmed that she would discuss the matter with Deputy Gorst and would ask him to consider deferring the Proposition until the sitting on 4th October 2022, which would allow the Committee more time to consider its response more fully.

The Greffier of the States suggested that the Committee give some consideration to how

it would seek to understand the views of the electorate on the changes to the system, as this would underpin any further amendments to the composition and election of the Assembly. It was agreed that such research would be vital and that it would be important to engage in a variety of ways with the public, including focus group work and surveys. The Greffier advised that she and Deputy C.A. Alves had met previously with Professor C. Pich, a Senior Lecturer at Nottingham Business School, who had expertise in political branding and the application of qualitative projective techniques. It was suggested that he be invited to come to a future meeting to explain some of the methodology he could utilise and explore the possibility of developing a positive working relationship between the Committee and the Business School. The Committee agreed and requested the Principal Committee and Panel Officer to make the necessary arrangements.

States
Members'
Remuneration
– recruitment
panel.

A3. The Committee, with reference to Minute No. B8 of 24th January 2022, recalled that P.40/2022 'Draft States of Jersey Amendment (Remuneration of Elected Members) Law 202-' had been approved by the Assembly in April 2022. The Law, which was implemented in 2022, set out a new process for setting States Members' remuneration and the Committee's role in appointing an independent reviewer.

The Greffier advised that the Committee was mandated to establish a panel, consisting of the Greffier and between 2 and 4 other people who were not States Members or States Employees, to appoint a person to carry out a review of the amount of remuneration and allowances payable to Members.

In order to establish the panel, the Greffier suggested that an advert for the role was published in the Gazette and on social media. The Committee received a draft advert and, subject to minor amendments, approved the advert to be published with a closing date of 2nd September 2022, for expressions of interest. The Principal Committee and Panel Officer advised that the Digital and Public Engagement section of the States Greffe would be tasked to make the necessary arrangements.

States of
Jersey
Complaints
Panel –
publication of
reports

A4. The Committee, with reference to Minute No. A1 of 3rd December 2022, received two reports from the Greffier of the States in relation to the States of Jersey Complaints Panel. The first was a Complaints Panel report which related to a complaint by Mr S. Newman, a retired firefighter, against the Minister for Treasury and Resources regarding the way in which his pension entitlement had been calculated.

The Committee approved the report and noted that it would be published as a Report to the States Assembly once a press notice had been drafted.

The second report related to the membership of the States of Jersey Complaints Panel. The Greffier explained that, although the long-term future of the Complaints Panel was uncertain due to the likely establishment of a Public Sector Ombudsperson, it was important to maintain the existing provision so that Islanders could still seek help if they were not satisfied with the decisions or actions of Ministers or Government Departments.

The Committee approved the report which would renew the appointments of Ms S. Cumming, Mr G. Fraser and Mr J. Moulin alongside the existing members of the Complaints Panel. The Committee requested the Principal Committee and Panel Officer to make the necessary arrangements for the report to be presented to the States Assembly.

Roll of Elected
Members and
the States

A5. The Committee received a paper from the Assistant Greffier (Chamber and Members' Support) regarding the roll of elected Members and the seating plan.

Chamber
Seating Plan

Roll of elected members

The Assistant Greffier advised the Committee that during the determination of the roll following the elections of 2022, several issues were raised by Members including the difference of rules applied for Connétables and Deputies in terms of previous service, and those who had been Senator in the Assembly from 2018 to 2022 appeared after returning Deputies for the roll, although the opposite might have been expected.

The Assistant Greffier explained that the rules for establishing the roll could feasibly be changed through an amendment to, or replacement of, Standing Order 2. The Committee's view was that the total length of service as an elected Member, regardless of category or when the service was accumulated, should be the overarching determination of where a Member was placed in the roll. In order to gather the views of other Members however, the Committee requested that the matter be raised in the annual survey to States Members.

Seating plan

The Assistant Greffier advised that a requirement of Standing Order 171 was that the Greffier maintained a seating plan of the States Chamber. However, no provision was made in Standing Orders for how the plan was determined, and the organisation of seats was therefore determined on the basis of convention. By convention, members sat in their categories, all Connétables and all Deputies together.

The Assistant Greffier asked the Committee to consider whether any changes should be made to the existing practice; whether Members should continue to sit within their category, political party or there should be any provision for Members to highlight particular personal requirements in the allocation of seating.

The Committee agreed that Members should be consulted on the matter and requested that several questions be included as part of the annual survey to all States Members.

On a related matter, the Committee also requested that Members be asked for their views on the dress code within the Chamber, particularly in light of the elevated temperatures recently experienced during States meetings and limited air conditioning provision.

Pan-Island
Commissioner
for Standards.

A6. The Committee, with reference to Minute No. B4 of 24th January 2022, recalled that the previous Committee had discussed the possibility of a pan-Island Commissioner with the President of the States Assembly and Constitution Committee in Guernsey and had agreed that the two Islands should work together to recruit one Commissioner.

The Committee received a paper from the Principal Committee and Panel Officer regarding the timeline for a pan-Island Commissioner. The Committee noted that the current Commissioner, Paul Kernaghan, had been appointed in September 2017 and his contract was due to end in February 2023.

The Committee agreed that a joint recruitment exercise should be undertaken on the understanding that the Commissioner would work to each Island's distinct legislation and Codes of Conduct. The Principal Committee and Panel Officer advised that a meeting with Guernsey was scheduled to take place the following week and an update would be provided to the Committee during its next meeting in September.

States
Assembly
meeting dates

A7. The Committee received a draft report proposing States Assembly meeting dates for 2023. The Committee approved the report and tasked the Principal Committee and Panel Officer to make the necessary arrangements for it to be presented to the States

- for 2023. Assembly.
- Schedule of meetings – Privileges and Procedures Committee. A8. The Committee noted a schedule of meetings proposed for the remainder of 2023. The Committee agreed that it would meet monthly on Monday mornings at 10am. The Principal Committee and Panel Officer confirmed that meeting requests would be circulated in due course.
- Establishment of Sub-Committees. A9. The Committee considered the re-establishment of two of the Sub-Committees which had operated under the Committee as previously constituted.
- The Committee agreed to re-establish the Diversity Forum particularly as it would assist the Committee in ensuring that the support and facilities available for States Members, and the Assembly's framework of rules, encouraged the development of a diverse and inclusive Assembly. It was further agreed that, as part of the induction programme and roll-out of training packages for States Members, diversity training would be required.
- The Committee also agreed to re-establish the Political Education Awareness Sub-Committee which would be chaired by Deputy Alves. The Principal Committee and Panel Officer advised that an email would be circulated to all States Members asking for expressions of interest to be received in terms of membership for the two Sub-Committees.
- States Members' Office Space. A10. The Committee, with reference to Minute No. B4 of 28th March 2022, recalled that the previous Committee had secured funding through the Government Plan 2022-2025 for a project to deliver dedicated office space for States Members and, as a consequence, Jersey Property Holdings had provided a list of potential sites. 23 Hill Street had been favoured by the previous Committee given its proximity to the States Greffe and States Assembly Building.
- The Committee attended a site visit to 23 Hill Street and agreed that the site was in an ideal location. The Committee looked forward to receiving updates on the project as it progressed.
- Any other business. A11. The Committee requested that, in addition to obtaining parking permits, the provision of free bus passes for States Members was also explored. The Assistant Greffier (Chamber and Members' Support) confirmed that the matter would be discussed with the Department for Infrastructure.