

STATES OF JERSEY



ORAL QUESTIONS WITH NOTICE: EXTENSION TO 2 HOURS

Lodged au Greffe on 20th March 2009
by the Deputy of St. Martin

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree that Standing Orders 13 and 63 should be amended to extend the current 90 minutes allowed for oral questions with notice from 90 minutes to 2 hours; and
- (b) to request the Privileges and Procedures Committee to bring forward the necessary amendment to give effect to the proposal.

DEPUTY OF ST. MARTIN

REPORT

Question time performs a vital function in the overall business of the States. It is the one opportunity for any Member to question a Minister and seek answers in an open forum. It is indeed a vital tool to support the principles of openness and accountability.

The question time procedure prior to 2004 was that questions were lodged prior to States Sittings and at the subsequent Sitting the answers were available in written form at the start of the Sitting. The questions and answers were then read out by the questioner and President respectively and, if any Member wished for an explanation of the answer given, supplementary questions were allowed. Prior to 2004 there was no time limit for this question time and there was no separate system for purely written questions as exists at present.

The new system of questions was first introduced as a trial in May 2004 (P.79/2004). That allowed one hour for oral questions with notice. After the trial PPC brought amendments to Standing Orders to formalise the new system (P.171/2004). That was adopted on 26th October 2004. Deputy Southern tried to amend it (P.171/2004 Amd.(3)) to extend the one hour to 90 minutes but that was rejected on a tied vote.

Deputy Southern tried again in early 2005 to extend to 90 minutes (P.5/2005). In a repeat of the earlier attempt this was rejected on 2nd February 2009 on a tied vote. Later in 2005 he lodged another proposition to abolish the time and just allow up to 15 questions per meeting (selected by ballot). He never got to debate that because PPC had lodged the new Standing Orders (P.162/2005) and Deputy Southern brought a successful amendment to those (P.162/2005 Amd.(2)) to extend the one hour to 90 minutes, so that period became the norm from the start of ministerial government. PPC did not oppose the amendment – it commented as follows –

These amendments, if adopted, will increase the length of oral questions with notice from one hour to one and a half hours. When the proposed half-hour of oral questions without notice to Ministers is added this would make a total of 2 hours of oral questions at every scheduled meeting.

The Privileges and Procedures Committee (PPC) is willing to support this amendment as it accepts Deputy Southern's assertion that oral questions can be unduly 'rushed' in a one hour period.

Since the introduction of Ministerial Government in 2005 there has been a steady rise in the number of oral questions being asked. Although Ministers are required to answer in a concise manner, quite often, although Ministers might disagree, considerable time is taken and the answer given does not match the question asked. This will lead to lengthy supplementary questions being asked. Often, although Members might disagree, supplementary questions are not concise. This leads to occasions when, because of the public interest in a particular issue, a considerable period of time is given to that question, to the detriment of Members whose question(s) is/are further down the list.

If a question is worth being asked and has been approved, it is worthy of an answer. However at present it is a lottery as to whether the question will be asked. Not that I question the order in which questions are asked (by way of drawing lots), but it matters not as to when a particular question is tabled or its perceived public importance.

If there is insufficient time for questions to be asked, although Ministers do e-mail Members with the answer they would have given, this does not compensate for inability to ask supplementary questions or for the answers being made known publicly.

Another very important factor is that the time limit poses particular difficulties for the Presiding Officer, who is often left in a no-win situation. If by trying to ensure that, given the number of questions being asked, (s)he limits the number of supplementary questions, (s)he is placed in a position where (s)he could be deemed to be biased. However, if the Presiding Officer allows too much latitude, questions further down the list may well not be asked.

From time to time, because of the number of oral questions lodged there is insufficient time for all to be answered. At present, Standing Order 80 permits a member to propose the suspension of Standing Orders to enable time for all the unanswered questions to be asked. Members have proposed that Standing Orders be

suspended to allow time for extra time, but unfortunately that too is a lottery. This has led to questions being unanswered, which does nothing for the principles of open government.

At present, after prayers and other business, with 90 minutes being allocated to oral question time, plus 30 minutes for Ministers' questions without notice, and possible Ministers' statements, much of the morning's time is taken up. It would not be appropriate to suggest that question time be expanded to fill the time; however if questions are tabled to be answered it would be seen to be fair and equitable that sufficient time is given. For the reasons above it would seem appropriate for an additional 30 minutes to be added to Question Time. Any time left before the luncheon adjournment may be given over to addressing propositions which often do not require lengthy debates.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this proposition.