

4.14 Deputy T.M. Pitman of the Chairman of the Privileges and Procedures Committee regarding States Members with second jobs:

Given the issue of part-time M.P.s (Members of Parliament) with second jobs was highlighted in the recent United Kingdom elections, will the Chairman advise the Assembly what reforms, if any, the Privileges and Procedures Committee has considered or will be considering relating to States Members with second jobs and who withdraw from the Chamber after roll call and leave the States building entirely for long periods of time during States sittings?

The Connétable of St. Mary (Chairman of the Privileges and Procedures Committee):

As this question is broadly similar to the written question which Deputy Pitman has also asked me today, in the interests of States efficiency I would firstly refer Members to my written answer, which is 22 in the bundle, although I will of course be prepared to read it out if requested.

Deputy T.M. Pitman:

It might be nice for the public. Can I have a supplementary then? **[Interruption]** Okay, please.

The Connétable of St. Mary:

States Members are prevented by the States of Jersey Law 2005 from working as public employees other than in this regard there is nothing in the States of Jersey Law 2005, Standing Orders or the Code of Conduct for elected Members to say that Members should not have outside employment or careers, paid or otherwise, nor indeed any other commitment. The committee therefore has no remit to specifically monitor this or to quantify or validate the commitment given by any Member to carrying out his or her public duties. This is a matter for individual Member's conscience and for the electorate. The committee has from time to time discussed attendance during States sittings in general terms but nothing specific in relation to the outside employment of any Member. There may be many valid reasons why Members need to leave the States Assembly or indeed the States building during a sitting but to date this has not resulted in any complaint under the Code of Conduct being made to the committee. Should such a complaint be brought to P.P.C. then P.P.C. would be required to investigate it in accordance with Standing Orders.

4.14.1 Deputy T.M. Pitman:

When unsuccessfully attempting to increase the quorum for the States it was stated, and fairly, that some Members who are not in the Chamber would be down in the facilities room working, however upon election we commit to serve the public. With both the Conservatives and Labour already moving on this issue as a part of the drive to restore faith in politicians, does the Chairman not agree that if we cannot regulate to ensure politicians attend the States and at least stay in the building, then in effect P.P.C. is really a waste of time because it is clearly toothless?

The Connétable of St. Mary:

I wonder if I can seek some clarification from the Deputy because I am a little concerned whether he is expressing concern about outside employment specifically or whether simply about attendance in the States because he has linked the 2, but I am not sure where he is expecting the emphasis to come from my response.

Deputy T.M. Pitman:

I think they are clearly linked and I am sure the Chairman of P.P.C. appreciates that. The Chairman said it is quite understandable that sometimes we will have to leave the building, and I am sure that is, maybe for a doctor's appointment or whatever, but does the Chairman hold the view that going to another place of work during the States day is acceptable because I, and other States Members, and a lot of the public do not?

The Connétable of St. Mary:

As I have already said, the commitment that States Members give to their duties is not something that P.P.C. could monitor. It is a matter for States Members conscience under the oath of office which we swear and also the other elements I have already alluded to. As for leaving the building to go to a second place of work, as I have said, there have been no issues raised with P.P.C. in this regard, neither have there been any issues raised with Members undertaking work within the States building which might not be directly related to the States sitting. This is something which has not been P.P.C.'s remit to monitor tightly and it is not clear to me how I could ascertain without intruding into Member's affairs which they may need to keep private for their constituent's work, exactly what they are doing at any particular time during a sitting.

4.14.2 The Deputy of St. John:

Would the Chairman agree that the way Jersey runs its affairs is somewhat better than that of the United Kingdom where we see the sleaze of Members and their expenses, just to name one area, and would the Chairman agree that things are done somewhat better in Jersey?

The Connétable of St. Mary:

I believe that in general States Members behave with the integrity and the responsibility which the electorate expect of them. For that I am incredibly grateful. There are always ways in which we can improve and I would certainly not aim to criticise Members of another government that, can easily be done by their own electorate and needs no assistance from me.

The Bailiff:

That probably answers it.

4.14.3 Senator J.L. Perchard:

Does the Chairman believe that it really would be in the Island's best interests if a person seeking election to the States should be unemployed or even unemployable?

The Connétable of St. Mary:

I believe that during the election process the electorate of this Island are quite capable of asking the pertinent questions and making their own decisions about the merits or otherwise of one particular candidate over another. What I would say though is that views expressed during the U.K. election were varied and, in fact, various bodies of opinion did say that Members with outside interests - provided those interests, of course, did not interfere with the integrity of their actions once elected - brought a breadth and depth of experience and knowledge that was valuable within the Assembly rather than perhaps a narrow focus that other Members might have brought without it.

4.14.4 Senator A. Breckon:

I wonder if I could ask the Chairman of the Privileges and Procedures Committee if she believes it is discourteous for some Members of this House to absent themselves for long periods without a proper excuse?

The Connétable of St. Mary:

I would hope that Members when they do absent themselves either from the Chamber or from the States building itself do so in full cognisance of the Code of Conduct and the oath that they have sworn to put proper weight on their public duties. That is a matter for the Members and conscience, I believe.

4.14.5 Senator A. Breckon:

I wonder if that is a matter that P.P.C. have any knowledge of or indeed looked at or is it just paying lip services to this?

The Connétable of St. Mary:

As I have already said, the P.P.C. has on several occasions looked at different ways of monitoring and perhaps increasing a States attendance in the Chamber. We have not had any occasion to look at anything relating to outside or secondary employment and so I cannot give any indication of the committee's viewpoint on that. It has not been raised.

4.14.6 Deputy M. Tadier:

Does the Chairman think that it would be more acceptable if those Members who did excuse themselves from the Chamber for very great lengths of time, be it due to work commitments or otherwise, were also to absent themselves during voting?

The Connétable of St. Mary:

I am a little confused. Quite clearly if a Member has had to leave the building for, for example, a medical appointment they will not be here to vote. If they are back in time to vote and are sufficiently apprised of the debate that has gone on then there is no reason why they should not vote.

4.14.7 Deputy M. Tadier:

Maybe I should clarify, I am simply talking about people who leave the building, let us say for a second job, would it be more consistent if they were also to not be present for the voting seeing as they have not heard the debate, for example? At least that is consistent.

The Connétable of St. Mary:

I cannot be more specific. The matter of secondary employment is not something that is either frowned upon or excluded by the States of Jersey Law. There are perhaps Members who absent themselves for reasons that are not related to that who then come back and vote. I am no more able to make any comment on those than I am on Members with secondary employment.

[11:45]

4.14.8 The Connétable of Grouville:

Can I ask the Chairman if she would insist that the Deputy produces proof and names of the people who are allegedly leaving the building or are not being present in the States because this scattergun approach is extremely unfair to other Members who are

diligent and do stay in the House. This is of course playing to the crowd as usual, it is the sort of thing we expect from the J.D.A. (Jersey Democratic Alliance) but as other Members who do not leave the building and who do not absent themselves I feel it is extremely unfair.

The Connétable of St. Mary:

I would advise the Constable that I do not believe this rises to any particular party influence or any influence on behalf of any Member to have a scattergun approach. I have simply said, and I will restate the fact, that there have been no complaints made to P.P.C. and any complaints that are made will be investigated according to the code. As I say, there has not been a complaint.

4.14.9 Deputy T.M. Pitman:

I do appreciate the Constable of Grouville playing to the gallery again unsuccessfully, but there we go. I will just say this question nice and slowly because I think Senator Perchard did not understand it. I am not suggesting that people should have to be unemployed upon seeking election. I am suggesting that does the Chairman agree that surely people sign-up to be a politician, they tell the electorate they will serve them, they should be here, not trotting off to do a second job or to go and do their shopping as I have had complaints about a number of Senators and I am certainly happy to state that one Senator I have searched the building for and could never find him, so unless he is living in the basement sometimes ... are we meant to be full-time politicians or are we not? Perhaps the Chairman could give us her opinion?

The Connétable of St. Mary:

I will say this also slowly, as I have said, there is nothing in the States of Jersey Law, Standing Orders or the Code of Conduct that prevents Members having outside interest, remunerated or otherwise, whether that be any kind of charity commitment or work commitment. It is up to Members to satisfy themselves and ultimately satisfy their electorate that they devote sufficient time to their public duties. Many of the electorate do value quality time that their Members give them and there are many hard working Members in the Assembly, but not all Members achieve things in the same way or, indeed, within the same timeframe.