

PRIVILEGES AND PROCEDURES COMMITTEE

(3rd Meeting)

20th February 2009

PART A

All members were present, with the exception of Deputy J.B. Fox and Deputy J.A. Martin, from whom apologies had been received. Deputy M.R. Higgins was not present for Item Nos. A1 and A2.

Connétable J Gallichan of St Mary, Chairman
Senator B.I. Le Marquand
Deputy C.H. Egré
Deputy M. Tadier
Deputy M.R. Higgins

In attendance -

M.N. de la Haye, Greffier of the States
Mrs. A.H. Harris, Deputy Greffier of the States
Miss A-C. Heuston, Clerk to the Privileges and Procedures Committee

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

- Minutes. A1. The Minutes of the meeting held on 6th February 2009 (Part A and Part B), having previously been circulated, were taken as read and were confirmed.
- States of Jersey
Complaints
Panel: Report for
2008.
1386/6/1(2)
- A2. The Committee received the annual report of the States of Jersey Complaints Panel for 2008, for presentation to the States.
- The Committee noted that there had been a significant increase in the number of matters referred to the Panel during 2008 and that this, coupled with amendments to the administrative appeals system which were introduced in December 2006, had created a greater administrative burden for the Deputy Greffier.
- The Committee agreed that it would review the effectiveness of the procedures currently followed under the appeals system and that this should be noted by the Committee Chairman in her foreword. The Committee expressed its thanks to the Panel Chairman and agreed that the Panel should be invited to attend a future meeting of the Committee.
- The Committee Clerk was directed to take the necessary action.
- Rôle of unelected
Members of the
States: review.
1240/6 (56)
- A3. The Committee, with reference to its Minute No. A9 of 6th February 2009, noted correspondence from Deputy R.G. Le Hérisier in relation to the review being carried out into the rôle of the Bailiff of Jersey and the 2 Law Officers.
- The Committee recalled that it had requested further information from Deputy Le

Hérissier following his indication that he was aware of suitable persons who could be approached to carry out the review. The Committee agreed to forward his suggestions to the Council of Ministers, who, after consultation with the Committee, had been directed to submit the names of the proposed Chairman and members of the review Panel to the States for approval.

The Committee Clerk was directed to take the necessary action.

Public Elections
(Jersey) Law
2002:
Article 39A.
424(8)

A4. The Committee noted a written question regarding Article 39A of the Public Elections (Jersey) Law 2002, put by Deputy G.P. Southern to the Chairman of the Committee, and the Chairman's answer, to be tabled on Tuesday 24th February 2009.

The Committee noted that the proposition lodged 'au Greffe' on 4th February 2009 by Deputy G.P. Southern, entitled: 'Public Elections (Jersey) Law 2002: rescindment of Article 39A' (P.18/2009 refers), would be debated by the States on 12th May 2009.

The Committee agreed that it would consider Deputy Southern's proposition at a later date.

Composition and
election of the
States of Jersey.
465/1 (75)

A5. The Committee, with reference to its Minute No. A2 of 6th February 2009, gave further consideration to a number of documents in connexion with the composition and election of the States of Jersey.

The Committee recalled that it had agreed to re-visit the issue of the reform of the composition and election of the States and noted that it had been provided with all previous relevant documentation. The Committee agreed that it was important to build on the work carried out by the previous Committee on the subject.

The Committee considered the proposition entitled: 'Composition of the States: Revised Structure and Referendum' (P.75/2007), lodged 'au Greffe' on 5th June 2007 by the Privileges and Procedures Committee as previously constituted, the purpose of which had been to amend the composition of the States with effect from 2011. The proposition had been rejected by 5 votes on 18th July 2007.

There followed a discussion concerning: voter turnout; voting methods; the introduction of a single general election day; the timing of elections; the current link between Deputies and their parishes; the rôle of the Parish Connétables; the number of States members; the introduction of a 4-year term of office for members; and the creation of large electoral districts.

The Committee considered that it would wish to propose the introduction of a single general election day, large electoral districts and a 4-year term of office for members from 2011. The Committee was not minded to propose an alteration to the number of States members at present.

The Committee agreed that a proposition should be drafted, asking the States to agree that –

- (a) the current composition of the States should be amended from 2011, and that the elected membership of the States should be the 12 Parish Connétables and 41 other members, elected in large electoral districts;
- (b) from 2011 all elected members of the States should be elected on a single

general election day and for a common term of office of 4 years;

- (c) following debate by the States, reform proposals should be submitted to the electorate in a referendum;
- (d) the Committee should bring forward proposals regarding the precise boundaries and size of the proposed large electoral districts;
- (e) the Committee should investigate the most appropriate time of year to hold a general election; and
- (f) the Committee should undertake research on the merits of alternative methods of voting to replace the current 'first past the post' system.

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

Committee work
programme.
465/1 (110)

A6. The Committee, with reference to its Minute No. A4 of 23rd January 2009, noted that further consideration would be given to its work programme at a future meeting.

It was agreed that, in addition to items currently due for consideration at future meetings, the Committee would discuss undertaking a review of the oath of office taken by States members.

Matters for
information.

A7. The Committee noted the following matters for information -

- (i) a proposition due to be lodged 'au Greffe' by the Chairmen's Committee entitled: 'Code of Practice for Scrutiny Panels and the Public Accounts Committee: Amendments';
- (ii) that the Committee would discuss the proposition lodged 'au Greffe' by the Connétable of St. Peter on 19th February 2009, entitled: 'States members' remuneration for 2009' (P.24/2009 refers) at its next meeting; and
- (iii) that any requests for goods or services had to be made through the Greffier.

Date of next
meeting.

A8. The Committee noted that its next meeting would be held on 27th February 2009, at 9.00 a.m. in the Blampied Room, States Building.