

STATES OF JERSEY



COUNCIL OF MINISTERS' MEETINGS: PUBLIC ACCESS

Lodged au Greffe on 3rd November 2014
by Deputy M. Tadier of St. Brelade

STATES GREFFE

PROPOSITION

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

to request the Council of Ministers to hold its meetings in public, except when the Council is discussing any matter which, by virtue of any enactment or code, it is entitled to discuss in private.

DEPUTY M. TADIER OF ST. BRELADE

REPORT

In 2011, I submitted this same proposition (see Appendix), which was opposed by the then government, led by Senator T.A. Le Sueur.

However, calls for openness in government remain constant, with from newly elected adding their voices to calls for greater transparency in the decision making processes.

“We need transparent government. Accountable politicians that listen to public opinion.”

Deputy G.J. Truscott, of St. Brelade, 2014 manifesto.

“Ministers and departments must be transparent and open in decision-making”.

Deputy R.J. Renouf, of St. Ouen, 2014 manifesto.

“Dr. Zoë Cameron committed to open, honest, dependable government.”

Senator Z.A. Cameron, 2014 manifesto.

“Voters need better representation in the States, a fairer system. Clearer, simpler, more transparent, more open.”

Deputy R.G. Bryans of St. Helier, 2014 manifesto.

I think it is an opportune moment, at the beginning of this term, for this Assembly, the newly formed Council of Ministers and, in particular, the Chief Minister, to send out an unambiguous message to the public that they too are committed to openness and transparency – not just in word, but in deed.

Please find attached the report from 2011, the arguments of which remain as valid today as they were then. The [Hansard of the debate](#) from 12th July 2011 can be read on the States Assembly website.

Financial and manpower implications

There should be no financial or manpower implications arising from the adoption of this proposition. One consideration, however, is that an appropriate room will need to be used, so that interested members of the public and media will be able to be seated.

**Report accompanying P.103/2011 lodged 'au Greffe' by
Deputy M. Tadier of St. Brelade on 7th June 2011**

Commitment to transparency

On 10th June 2009, the States voted, after a lengthy debate, to adopt the 2009 – 2014 Strategic Plan, by 32 votes to 16.

Contained within that document were several references to 'open', 'accountable' and 'transparent' government.

On page 7, we find the words –

*“By working **openly** and **inclusively** with all sectors of our community we will:*

*create a responsive government [...] which embraces a progressive culture of **openness, transparency and accountability to the public.**”*

On page 32 there is a similar pledge –

*“We will work to improve the public trust in government and establish a system of **greater transparency, public participation, and collaboration** to strengthen our democracy and promote efficiency and effectiveness in government (CM).”*

Given these clear commitments to greater openness, transparency, accountability and public participation in the democratic process, it seems that there should be little resistance to this simple proposition asking the Council of Ministers to hold their meetings – as far as possible – in public.

Precedents

In 2005, when the States formally moved to a system of Ministerial Government, the Scrutiny function was also adopted as one of the 'checks and balances' to executive government; its ethos, to hold the Council of Ministers, and the process of policy-making, to account, in a transparent way, based on evidence and facts. As such, there is a presumption of open access to the public in Scrutiny meetings. Similarly, the Privileges and Procedures Committee hold their *normal business* in public session.

It seems that if the Council of Ministers are to take seriously their commitment to more open government, they too should follow the example of Scrutiny and hold at least *some* of their meetings (A Agendas) in public.

Policy in formation – B Agendas

Clearly, there will be times, as is the case for Scrutiny and for PPC (less often for the States Assembly) when items need to be discussed in confidence (I say 'clearly', but of course there will be those more radical than myself who would say that *all*

proceedings should be held in the open). It seems appropriate that the current system of B Agenda items continue to be discussed amongst the Council of Ministers; these items might include policy in formation, and it is quite reasonable that Ministers (and other Committees/Panels) should be able to discuss ideas and policy direction freely, without the fear of misreporting or misinterpretation.

Nonetheless, there should be a presumption that any items which do not reasonably need to be on the B Agenda, be discussed in a forum which is openly accessible to the public. I hope that all members share my view, and the view that is expressed in the very noble aims of the Strategic Plan.

The ideal of an open, transparent, accountable and responsive government is not one that can be achieved overnight, but by taking small steps in the right direction. This is just one of those small steps, which I hope the Assembly will be able to support.

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