

STATES OF JERSEY



STANDING ORDERS: ORAL QUESTIONS WITH NOTICE

Lodged au Greffe on 1st February 2011
by Deputy P.V.F. Le Claire of St. Helier

STATES GREFFE

PROPOSITION

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

- (a) to agree that the procedures in Standing Orders on the asking and answering of oral questions with notice should be amended to provide that –
 - (i) each oral question with notice listed on the Order Paper shall be asked and answered in turn with only the questioner permitted, if he or she so wishes, to ask up to 2 supplementary questions after the initial answer has been given;
 - (ii) once the last such question listed on the Order Paper has been answered (providing that this can be done within the 2 hour period allowed) all members shall be permitted to ask supplementary questions on the answers given until the expiry of the 2 hour period;
- (b) to request the Privileges and Procedures Committee to bring forward for approval the necessary amendments to Standing Orders to give effect to the proposal, including detailed provisions on the most appropriate manner to structure the asking of supplementary questions in the manner described in paragraph (a)(ii) above.

DEPUTY P.V.F. LE CLAIRE OF ST. HELIER

REPORT

The changes in recent times to Standing Orders in relation to questions have reflected 2 important changes –

1. Oral and written questions have been limited;
2. A preference has been allowed when tabling your 2 oral questions per Sitting.

The rules and procedures for submitting oral questions are comprehensive. It could be argued that they are too comprehensive and too defined. That may well be the case, but setting that argument to one side there is a system in operation at this time and members are governed by the rules that we ourselves have accepted in the main.

One important oversight in relation to how we have implemented change has, with experience, become apparent over the last few years. That oversight is how to ensure that within the time limit prescribed, members' previously tabled and approved oral questions are asked.

At the moment, with a restriction on time and with the inevitable stream of supplementaries that arise, the time limit has regularly expired, and questions which have been submitted and accepted by the Bailiff and answers no doubt prepared by the Ministers and their departments, simply fall away.

There has been a willingness for Ministers in some regards to circulate answers to these questions as they have prepared them, and with a willingness to be helpful this has occurred on many occasions, but not on all.

Standing Orders are quite clear that if a question has not been asked it simply falls away and no answer is recorded in the Minutes even if it is later circulated. This cannot be right.

Surely if members have a desire to ask their 2 questions and have important matters that need answers and issues that need to be raised, then they should be afforded as much opportunity as possible to ask them. They have jumped through some hoops in getting their question approved after all!

The change to this Standing Order will mean all oral questions that are tabled as 1st preference will have a chance of being asked, with the proposer being allowed 2 supplementaries on his or her question before moving on to allow for other approved questions.

Once all the 1st choice questions have been asked, then we would move to 2nd preference approved questions, with again 2 supplementaries being allowed for the tabler of the question before moving on to the next question.

Once all of the 2nd preference questions have been asked within the set time limit allowed (if there is time remaining), it would be open for all members to ask supplementary questions on any of the questions that have been asked already.

It may be that the Privileges and Procedures Committee considers that there should be some order to these supplementary questions from other members and, of course, it is within their gift to bring proposals to manage such matters.

For example, it might be that members wish us to ask supplementary questions in the order that the questions have been tabled, with the Chair governing as now, the length and number afforded to each question until the overall time limit has expired. That will be a matter for them to decide, as that level of finite detail is probably best left until we have debated the main change I am proposing.

I imagine there may be some reluctance from Ministers and members to sit through the question period to achieve this, as now they can answer and retire to manage their affairs, but question time is extremely important, especially given the way information has been removed from members in the main on most matters of Government business.

This will strengthen oversight and accountability to our democracy, with an added element of fairness to those backbenchers whose efforts in holding the Council of Ministers and their departments to account have been severely diluted, and continues to be so, by proposals to limit their activities in the States.

Financial and manpower implications

There are no increased costs or manpower implications. In fact as time and effort is expended communicating answers not tabled by officers after the event there will be savings, all be it relatively little in terms of costs, but perhaps not relatively little in terms of manpower.