

TM/SC/083

PRIVILEGES AND PROCEDURES COMMITTEE

(8th Meeting)

16th March 2015PART A

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence and Connétable J.E. Le Maistre of Grouville, from whom apologies had been received.

Connétable L. Norman of St. Clement, Chairman  
 Senator P.F.C. Ozouf (by video conference)  
 Connétable C.H. Taylor of St. John  
 Deputy J.A. Martin of St. Helier  
 Deputy S.Y. Mézec of St. Helier

In attendance -

M.N. de la Haye O.B.E., Greffier of the States  
 L.M. Hart, Deputy Greffier of the States  
 T. McMinigal, 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 meetings of 10th February 2015 (Part A), 20th February 2015 (Part B only) and 9th March 2015 (Part A only), having been previously circulated, were taken as read and were confirmed.

The Committee agreed an amendment to Minute No. B1 of the Minutes of the meeting of 10th February 2015 (Part B), and requested that the revised draft be circulated in due course for confirmation at the next scheduled meeting.

Members' facilities: access to information. 1240/9/1(137)

A2. The Committee, with reference to its Minute No. A10 of 16th December 2014, welcomed the Assistant Greffier of the States in connexion with the Livelink document and records management system.

It was reported that some Members had experienced difficulties when attempting to access Minutes, agendas and papers through the shared document area facility.

The Assistant Greffier of the States undertook to relate Members' concerns to the Information Services Department in order that they might be resolved. The Committee Clerk was directed henceforth to arrange for paper copies of Committee Minutes and Agendas to be sent to those Members who had encountered issues with Livelink.

States procedures: review 465/4(14)

A3. The Committee, with reference to its Minute No. A2 of 10th February 2015, received an oral update from the Committee Clerk on the activities of the Standing Orders and Internal Procedures Sub-Committee.

The Committee recalled that a second meeting of the Sub-Committee was to be convened at an appropriate time. This meeting had now been arranged for 23rd March 2015.

It was anticipated that the Meeting would consider, amongst other matters, the appointment procedures for Ministers and Chairmen and the possible introduction of a Business Committee. The Meeting would also review the possibility of hosting a workshop for all States Members to discuss Standing Orders, as well as issuing a questionnaire intended for the same purpose.

The Committee further recalled that the Assistant Greffier of the States had sent electronic mail correspondence to all States Members to invite comment on the current Standing Orders. The Committee Clerk reported that only 2 replies had been received in response to this correspondence. In light of this, the Assistant Greffier of the States was requested to reiterate the invitation to States Members to remark on Standing Orders.

Composition and election of the States Assembly.  
465/1(195)

A4. The Committee, with reference to its Minute No. A5 of 13th January 2015, received an oral update from the Deputy Greffier of the States on the activities of the Sub-Committee on the Composition and Election of the States Assembly.

The Deputy Greffier of the States reported that the Sub-Committee had met for the first time on 18th February 2015. The Meeting had explored a number of matters including the possible objectives, parameters and timeline of reform. The Sub-Committee had also discussed the process it might follow to progress its work on reform.

Above all, the Sub-Committee considered that all States Members should play a part in the reform process. Rather than present a *fait accompli* to the Assembly as with labours past, the Sub-Committee would undertake to embark on a wide-ranging consultative process, involving all Members from the offset. A series of open forum meetings would be held in which Members would discuss options for reform and vote for them informally. The process would emphasise the need for Members to compromise and cooperate given the plurality of views on reform. A preliminary meeting was to be scheduled in Spring 2015 to initiate the Sub-Committee's consultation process with all States Members.

With regard to the objectives of reform, the Sub-Committee had observed that the priority of any reform proposal should be to improve voter equity and representative proportionality. The Sub-Committee had expressed the hope and belief that a modified electoral system could enhance the position of both elements whilst satisfying a majority of States Members.

The Committee noted the position and awaited further developments with interest.

States Assembly budget.  
422/10/1(92)

A5. The Committee, with reference to its Minute No. A3 of 10th February 2015, received a report which had been prepared by the Greffier of the States in connexion with the current budget of the States Assembly.

The Committee recalled that the preparation of the second Medium Term Financial Plan had commenced at the States Treasury and that the Council of Ministers had set savings targets for States funded bodies. At its last meeting, the Committee had agreed to the savings targets identified in respect of the States Assembly budget. The proposed annual breakdown of savings was as follows –

Year	Recurring Savings	Accumulated total of savings
2015	£98,000	£98,000
2016	£51,000	£149,000
2017	£80,000	£229,000
2018	£82,000	£311,000

2019	£81,000	£392,000
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The Greffier of the States presented a full breakdown of States Assembly expenditure for consideration by the Committee. After the removal of the 2% saving for 2015 (£98,000), the total net revenue expenditure budget for 2015 was £5,137,927. The allocation of this sum was divided across following areas –

	£	% of total
States Chamber, members' facilities and PPC	189,334	3.7
States members' remuneration	2,341,975	45.6
Inter-parliamentary bodies	97,829	1.9
States Greffe services and accommodation	1,501,980	29.2
Scrutiny	1,003,837	19.5
Complaints Panel	2,927	0.1

The Committee was informed that the 2015 savings had been partly achieved by removing the post of Personal Assistant to the Greffier of the States upon the retirement of the previous incumbent. The remainder had been located by apportioning some of the savings from the reduction in the overall membership of the States by 2 elected members.

The Committee noted that work had commenced to identify potential future savings. The Greffier of the States suggested that, if the political willingness existed, the Committee might consider adjusting the Scrutiny budget. It was reported that whilst several reductions had already been made, Scrutiny continued to consistently underspend with year end balances averaging some £200,000. In light of this, the Greffier of the States advised that the current level of Scrutiny activity could undoubtedly be maintained within a reduced budget. It was recognised that there had nevertheless been understandable political resistance from the Chairmen's Committee in the past not to reduce the Scrutiny budget any further.

The Committee recalled that it had previously discussed the implications that the achievement of savings might have for potential growth items such as the web-streaming of meetings of the States. The Greffier of the States indicated that he was confident that web-streaming could be delivered within the proposed reduced budget.

Senator P.F.C. Ozouf expressed the view that if the Scrutiny function was to be effective, it should be resourced appropriately, both financially and in terms of the skill-sets of its officers.

Connétable C.H. Taylor of St. John stated that he had been impressed with those officers he had worked with on the Corporate Services Scrutiny Panel, the Public Accounts Committee and the Privileges and Procedures Committee. Deputy J.A. Martin remarked on the quality of officer work and added that the performance of Scrutiny panels also depended on the energy and direction of its Members.

The Committee noted the Greffier's report. The Committee Clerk undertook to refer the above comments to the Chairmen's Committee for their consideration.

presented to the States upon receipt, with the Committee to be notified accordingly.

Ongoing work  
programme.

A7. The Committee reviewed its ongoing work programme.

Members noted that the Committee had been elected to pursue an enthusiastic agenda. The Committee was satisfied with the progress of its initiatives in connexion with the review of States procedures, reform of the composition and election of the Assembly and the web-streaming of meetings of the States.

The Committee, with reference to its Minute No. A6 of 10th February 2015, recalled that work on the Public Elections (Jersey) Law 2002 was ongoing. Members further recalled that the Deputy Judicial Greffier had undertaken to write to the Committee to outline potential enhancements to the law as identified by the Jurats, the Law Officers' Department and the Judicial Greffe. To date this correspondence had not been received. The Greffier of the States informed those present that he would remind the Deputy Judicial Greffier of his undertaking.

The Committee, with reference to its Minute No. A8 of 16th December 2014, also recalled that it had considered the role of the Bailiff as the Presiding Officer of the States Assembly. Specifically, it had discussed a proposal to amend Article 3(2) of the States of Jersey Law 2005, so that if the Bailiff was unable to preside at a meeting of the States, a senior Member would be chosen as Presiding Officer in his/her place. The Committee had been unable to reach a majority decision on the above matter.

Whilst Members' views varied, the Committee acknowledged that this matter would remain prominent on the political agenda for the foreseeable future. Consequently, the Committee considered that it should formally review the role of the Bailiff as President of the States. In order that the matter might be evaluated judiciously, officers were requested to prepare a paper detailing the implications of the Bailiff no longer acting as Presiding Officer of the States Assembly. Upon completion of the report, the Committee would adopt a formal stance on the topic.

The Committee agreed that the above described report should give specific consideration to the role of the Bailiff as both civic head and Presiding Officer of the States Assembly, the role of the Speaker in other jurisdictions and the practical and financial implications of replacing the Bailiff with an elected Speaker. The paper would also give background as to the findings of the 'Review of the Roles of the Crown Officers' (R.143/2010 refers) and the 'Review Panel on the Machinery of Government in Jersey'.

The Committee considered that the report should be shared with the Chief Minister, together with an invitation to attend its next meeting to discuss the Bailiff's position within the States Assembly. The Committee Clerk undertook to make the necessary arrangements.