

Privileges and Procedures Committee

Machinery of Government Sub-Committee

(17th Meeting)

13th June 2025

Part A (Non-Exempt)

All members were present.

Deputy T.A. Coles of St. Helier South, Chair
Deputy H.L. Jeune of St. John, St. Lawrence and Trinity, Vice Chair
Deputy L.V. Feltham of St. Helier Central
Connétable K. Shenton-Stone of St. Martin
Deputy M.R. Scott of St. Brelade
Deputy R.L. Kovacs of St. Saviour

In attendance –

Y. Fillieul, Assistant Greffier of the States, Chamber and Members' Support, States Greffe
J. Hales, Research and Project Officer, States Greffe
E. Patterson, Secretariat Officer, Specialist Secretariat, States Greffe

Note: The Minutes of this meeting comprise Part A only.

Minutes. A1. The Minutes of the meeting of 4th April 2025, having previously been circulated, were taken as read and were confirmed.

Work Programme. A2. The Sub-Committee, with reference to its Minute No. A3 of 4th April 2025, considered its ongoing work programme, which had been informed by the recommendations set out in the final report of the Democratic Accountability and Governance Sub-Committee (DAGS) (R.23/2022 referred).

The Sub-Committee received and noted correspondence, dated 11th April 2025, addressed to Deputy T.A. Coles of St. Helier South, Chair, from Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter, Chief Minister, in connexion with the current structure of the Cabinet Office.

It was recalled that previous discussions had focused on the DAGS recommendation relating to the creation of a Cabinet Office function *via* the merging of the Ministerial Support Unit and the Strategic Policy, Planning and Performance Department (SPPP). It was noted that the formation of the Cabinet Office (which had been achieved by combining the Chief Operating Office, the Office of the Chief Executive and SPPP) was not what had originally been envisaged. It had been agreed that a letter be drafted to the Chief Minister requesting that an updated organisational structure chart of the Cabinet Office be shared with the Sub-Committee to provide further clarity.

Within his correspondence, the Chief Minister confirmed that the current Cabinet Office structure comprised the Ministerial office, the Communications Directorate and the Policy Directorates, which aligned with the DAGS recommendation. It was

noted that the Government's organisational chart was currently being updated to reflect staffing and structural changes and would be sent to the Chair in due course.

With regard to the structure of the Cabinet Office, Deputy Coles queried as to what statutory protections and lines of accountability, if any, were established for the services provided to Ministers by the Cabinet Office. It was noted that protections within the Cabinet Office were vital in ensuring that Ministers received forthright guidance. Subsequently, it was requested that further correspondence be drafted to the Chief Minister requesting further detail on the same.

On a related matter, the Sub-Committee noted the recent appointment of Mr. P. Wylie as Chief Officer, Cabinet Office. Within his new role, Mr. Wylie would take accountability for the executive leadership of the Cabinet Office and the Ministerial and Communications Team. It was noted that members of the non-Executive had not received the communications regarding this appointment. The Sub-Committee concurred that all Members of the States Assembly should receive regular updates of appointments within the Government and requested that this also be included in the correspondence.

The Sub-Committee noted the position.

Lobbying Law
and Register.

A3. The Sub-Committee, with reference to its Minute No. A2 of 14th March 2025, received and noted a briefing document on the proposed Lobbying Law and Register and heard from Deputy T.A. Coles of St. Helier South, Chair.

It was recalled that the introduction of a Lobbying Law and Register would aim to increase the understanding of lobbying procedures amongst States Members, Government, individuals and groups, and enhance transparency within the States Assembly. Subsequently, a comments paper had been produced, and the matter had been discussed further by the Privileges and Procedures Committee (PPC) at its meeting of 28th April 2025.

Deputy Coles informed the Sub-Committee that PPC had considered the matter in detail and noted the benefits of openness, implementing best practice, and improving political engagement. The majority of PPC Members had supported the proposals, however some Members had raised concerns with regard to the relevance of such a proposal in the context of Jersey and the possibility that it may lead to unintended consequences. Subsequently, PPC had requested that the Sub-Committee provide greater detail as to the development of lobbying guidance and an engagement code, as opposed to formal legislation.

Deputy M.R. Scott of St. Brelade noted that, whilst she was generally supportive of this work and the promotion of transparency, she possessed concerns regarding the Data Protection (Jersey) Law 2018 and how collecting personal information on a Lobbying Register may pose data protection concerns. It was noted that data protection considerations from other jurisdictions with Lobbying Registers would be investigated to ensure that the proposed register was compliant with existing legislation.

It was agreed that Deputy Coles would engage in further consultation with officers to make necessary additions and amendments to the briefing document and that it would be circulated to the Sub-Committee for further comment ahead of review by PPC.

Ministerial role

A4. The Sub-Committee, with reference to its Minute No. A2 of 4th April 2025,

profiles.

received and considered a briefing paper entitled 'Role Profiles for States Members' and received an update from Deputy T.A. Coles of St. Helier South, Chair.

It was recalled that the importance of providing clarity on Ministerial role profiles had been noted and that it had been suggested that the provision of more robust frameworks and guidance on Government structure would achieve this. Although information regarding Ministerial roles was available on the Government of Jersey website, a review of the structuring and presentation of this information would be beneficial in ensuring that all explanations were clear and accessible.

Upon reviewing the briefing paper, the Sub-Committee were satisfied that it clearly outlined the potential avenues for States Members to take within a political term and that this paper would be a useful tool for the induction of all States Members following the 2026 public Election. It was requested that supplementary information be added to the document to highlight the ability for backbenchers to challenge Ministerial functions, such as Orders, Regulations and Decisions. The Assistant Greffier of the States, Chamber and Members' Support, informed the Sub-Committee that a number of Ministerial Decision types made provision for Members to challenge them for a period of time after the decision had been made, and that this could be included in the document to highlight nuances in the role of a States Member. Deputy L.V. Feltham of St. Helier Central further highlighted that some Ministerial Decisions included sensitive or personal information which was required to remain confidential, making it difficult for them to be challenged.

Officers undertook to implement the proposed changes to the briefing paper.

Written
Questions:
105/2022 and
156/2022.

A5. The Sub-Committee, with reference to its Minute No. A6 of 4th April 2025, received and noted a briefing paper in connexion with the selection and appointment process for Ministers and Assistant Ministers following an ordinary election.

It was recalled that the Sub-Committee had noted 2 Written Questions (WQ.105/2025 and WQ.156/2022 referred), which had both been addressed to Connétable K. Shenton-Stone of St. Martin, in her capacity as Chair of the Privileges and Procedures Committee (PPC), by Deputy M.R. Scott of St. Brelade. Deputy Scott's Written Questions had asked whether the Chair of PPC would commit to amending the Standing Orders of the States of Jersey to require the Chief Minister to disclose the identities of Ministers and Assistant Ministers prior to the nominations process for Scrutiny Panel Chairs, and whether this would be implemented prior to the 2026 public Election. Some confusion had arisen surrounding the timeline of electing Ministerial roles and Scrutiny Chairs, and the Sub-Committee requested that the current processes for the same be clarified and visualised for further discussion.

It was noted that Standing Order 112 underpinned the selection and appointment of Ministers following an ordinary election. The Chief Minister was selected within the period of 19 days following the ordinary election at the first States Meeting. The second meeting of the States would take place 5 clear days after the close of the first meeting, whereby the following appointments would be made in the order as stated

- Ministers;
- chair of the Privileges and Procedures Committee;
- chair of the Public Accounts Committee;
- chairs of Scrutiny Panels in the order in which the panels appear in Standing Orders;

- chair of the Planning Committee;
- chair of the Jersey Overseas Aid Commission; and
- president of the Scrutiny Liaison Committee

It was acknowledged that Assistant Ministers were not appointed by the Assembly and were appointed at the discretion of Ministers (who required the prior consent of the Chief Minister). The third meeting after the ordinary election allowed the appointment of Scrutiny Panel Members. There was no set time for this third meeting.

Deputy Scott noted that amending Standing Orders to provide for the arrangements raised in WQ.105/2025 and WQ.156/2022 would be in the public interest and reduce contested elections. However, it was acknowledged that Assistant Ministers were not declared formally in States Meetings, as it was not the States Assembly who appointed them. The Assistant Greffier of the States, Chamber and Members' Support, further advised that if Standing Orders were to be amended, a further States Meeting would likely be required to allow for this. Whilst the Sub-Committee commended Deputy Scott for bringing forward this issue, it did not concur that amendments to Standing Orders were necessary. Therefore, Deputy Scott ultimately opted to bring her own proposition to the States Assembly regarding this matter and thanked the Sub-Committee for their input.

Date of Next Meeting.

A6. The Sub-Committee noted that the next meeting was due to be held on 18th July 2025, from 11.00am – 12.30pm in the Le Capelain Room.