



MEMORANDUM

TO: Greffier of the States **FROM:** Bailiff
CC: Deputy Bailiff **DATE:** 8th January 2019
YOUR REF: **OUR REF:** S5/29

Senator Mezec has submitted the following written question for the Chairman of the Privileges and Procedures Committee:-

“Following the announcement that the current Bailiff will retire at the end of this year, will the Chairman state –

- a) What involvement, if any, he has had in the appointment of a new Presiding Officer of the States Assembly and what involvement, if any, he will have in the appointment of a new Deputy Presiding Officer (once the current Deputy Bailiff has become Bailiff); and*
- b) Whether it is his assessment that the current appointment practice is satisfactory and, if not, what changes he will be seeking to have implemented?”*

I asked you to indicate to Senator Mezec that I would be pleased to discuss his proposed question with him, but I understand that he does not wish to attend upon me for that purpose.

Standing Order 11(6) provides that where the Bailiff is of the opinion that the question contravenes Standing Orders, he should alter the question, with the agreement of the questioner, so that it does not contravene Standing Orders and then approve it or direct the questioner be informed that the question is out of order. As I have not been able to discuss the question with Senator Mezec, the question of alteration does not arise.

Under Standing Order 9, any member of the States may address a question to another member upon a public matter for which the other member has an official responsibility. The question as posed is out of order because the Chairman of the Privileges and Procedures Committee has no official responsibility for the appointment of the next Bailiff. The fact that the question refers to a “*new Presiding Officer*” is beside the point in this respect. By Article 3 of the States of Jersey Law 2005, the Bailiff is the President of the States, and therefore is the Presiding Officer.

The Bailiff is appointed by Her Majesty The Queen on the advice of the Secretary of State for Justice. The Chairman of the Privileges and Procedures Committee does not have any official responsibility for the appointment of the Bailiff. He will also have no official responsibility for the appointment of a new Deputy Bailiff as that office is again one to which Her Majesty The Queen makes appointment.

The process for the appointment of the next Deputy Bailiff will be uplifted to the Bailiff's website in early course.

Because the appointment is a Crown Appointment, the Chairman of the Privileges and Procedures Committee has no official responsibility for settling the current appointment practice. His assessment of it is therefore no different from the assessment which might be made by any member. In any event the mode of appointment of the Bailiff is not a matter for the States but for the Crown.

As currently framed, the question is upon a public matter which is clearly not one for which the Chairman of Privileges and Procedures has any official responsibility and it is therefore out of order.



WJB