

STATES OF JERSEY



BAILIFF'S CONSULTATIVE PANEL: AMENDMENT TO TERM OF OFFICE

Lodged au Greffe on 27th January 2026
by the Privileges and Procedures Committee
Earliest date for debate: 10th March 2026

STATES GREFFE

PROPOSITION

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

to refer to their Acts dated 7th July 1992, 4th February 2003 and 16th May 2006, in which they agreed to establish a Consultative Panel of elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases and, subsequently, to amend the constitution of the Panel, and to agree that, after the elections to the States Assembly on 7th June 2026 –

- (a) those Members elected to the Panel by ballot shall be chosen at the same meeting as that at which (in accordance with Standing Order 112) the Members of Scrutiny Panels are chosen; and
- (b) the term of office for Members elected to the Panel by ballot shall align with the election cycle.

PRIVILEGES AND PROCEDURES COMMITTEE

REPORT

The purpose of this proposition is to amend the term of office for elected States Members who are selected by the Assembly to serve on the Bailiff's Consultative Panel.

The Bailiff's Consultative Panel was initially constituted by an Act of the States, dated 7th July 1992, in which the Assembly agreed to establish a Consultative Panel of elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases and that that a quorum for meetings of the Panel should be five elected Members.

The constitution of the Panel was amended by Acts of the States on 4th February 2003 and 16th May 2006 and, as a consequence, the Panel currently comprises the following members –

- the Chief Minister;
- the Minister for Treasury and Resources;
- the Chair of the Privileges and Procedures Committee;
- the Chair of the Comité des Connétables; and
- five other Members elected by ballot by the States for a period of 3 years.

The Acts of the States did not specify whether the ballot should be secret or open; but on the basis of precedent, when there is an election for membership, it is done by secret ballot. Nominations are made on the floor of the Chamber and do not need to be made in advance of the relevant meeting.

A term of office of 3 years for those Members was no doubt selected to align with the election cycle of the time. However, the constitutional arrangements for the Panel were not updated when the political term was extended to 4 years. The appointment of Members to the Panel has therefore become out of sync with the election cycle, that cycle providing the impetus for most other appointments by the Assembly to Committees and Panels. The only means to amend the term of office is by a proposition debated and approved by the Assembly.

Whilst there is no problem in principle with appointments to the Panel taking place at other times, administratively the Committee considers it would make sense (and in keeping with the original intentions of the Assembly) for the appointments to occur alongside others after each election. There is a risk that, otherwise, the appointments may be missed and the Panel left with vacancies and, potentially, a lack of a quorum. Indeed, there have been periods when this has occurred; for example, the term of office of the Members elected by ballot ended on 22nd November 2025. Members will recall that these vacancies were not filled until the meeting of 20th January 2026.

The Committee has engaged with the Bailiff on this matter and agreed to lodge this proposition. If adopted, the proposition would mean that the term of office of the current Members elected by ballot would cease at the next elections; and new Members would be elected during the first meetings after the election (alongside the selection of Members for other bodies).

Financial and staffing implications

There are no financial or staffing implications for the States arising from this proposition.

Children's Rights Impact Assessment

The Committee considers that this proposition has no direct or indirect impact on children and that the duty to have due regard to the UN Convention on the Rights of the Child does not arise. Accordingly, a Children's Rights Impact Assessment is not required under the Children (Convention Rights) (Jersey) Law 2022 .