

21.11.02

9 Connétable P.B. Le Sueur of Trinity of the Chair of the Privileges and Procedures Committee regarding Jersey Electoral Authority (OQ.213/2021)

Given that the Island is approximately 8 months away from the elections in June 2022, will the chair advise what progress has been made towards establishing the Jersey Electoral Authority?

Deputy C.S. Alves (Chair, Privileges and Procedures Committee):

I thank the Connétable for his question. The commencement act for the law changes made by this Assembly to the Public Elections Law 2002 cannot be lodged until the law has returned from the Privy Council, which is hoped will happen this month. The law itself cannot be brought in until after 22nd December; that is the 6 months before the election date. However, we have launched the recruitment process this week to encourage Islanders with an interest in elections to come forward to be part of the first Jersey Electoral Authority. The J.E.A. (Jersey Electoral Authority) will consist of *ex officio* members, who are the Judicial Greffier and the Greffier of the States, a representative of the Parishes and up to 4 members of the public from whom a chair will be selected.

4.9.1 The Connétable of Trinity:

I thank the chair for her comprehensive answer. The next elections will introduce wholesale changes to the electoral processes; changes that will impact on candidates and electorate. These important J.E.A. positions have only just been advertised, leaving the interview, selection process to be completed and if the Appointments Commission wish to be involved in this decision or the process, this could result in further delays. Does the chair think that given the time that will be left after the process had been done, that there is adequate time to the Commission to set their policies and procedures in place?

Deputy C.S. Alves:

I would like to think that, yes, that there is enough time. The J.E.A. will not run the polling stations or count the votes or announce the results of the election. This will remain the role of the Autorisé, supported by the Judicial Greffe and the Parishes. It is very much business as usual for aspects of the election. The J.E.A. will simply be adding value and independent oversight to a robust system that already exists and was praised by the election observers.

4.9.2 Deputy J.M. Maçon:

Can the chair confirm that as part of the recruitment process that one of the key criteria that candidates will need to be able to express is impartiality and objectivity in order to be considered to be on the J.E.A.?

Deputy C.S. Alves:

I thank the Deputy for his question. The law excludes certain individuals from being appointed, these include anybody who has been a States Member in the last 12 months or is engaged in an occupation, whether that is paid or unpaid, which is seen to be a conflict. I have every faith in the Judicial Greffier and the Deputy Greffier's judgment in ensuring that the membership is impartial and apolitical. Once appointed the members will be also offered unconscious bias training.

4.9.3 Deputy J.M. Maçon:

What is being done to prevent the usual faces from applying and is the committee trying to attract a more diverse panel in this regard as well?

Deputy C.S. Alves:

I thank the Deputy again for his question. In the recent advertisement that we have put out, I have quoted that the States Assembly has a strong commitment to diversity and that we would really like the J.E.A. to be a balanced group of people in terms of gender, ethnicity, age, disability, sexual orientation, social-economic status, experience and skills. So in that ad that has gone out, I have asked and encouraged applicants, which will achieve that balance. It was mentioned earlier about whether the Appointments Commission would be involved in this. They have met this morning and this has been confirmed that we will have Kate Wright appointed as the commissioner for this role and that she will be supported by Simon Nash with the recruitment.

4.9.4 Deputy S.G. Luce of St. Martin:

P.P.C. (Privileges and Procedures Committee) recently lodged R.165 Research Project: How might the Standing Orders of the States of Jersey respond to the formation of political parties? Is it the chair's intention to debate this before the next election?

Deputy C.S. Alves:

I thank the Deputy for his question. The report has been published. We intend to set up a sub-committee to look at the report and the recommendations that are coming out of that report. We will also take into account anything that comes out of the Democratic Accountability Sub-committee which is chaired by Senator Vallois, so we are hoping that we will be able to put things in place and get any Standing Order changes through before the next election.

4.9.5 Deputy G.P. Southern:

Could the chair inform Members what has got in the way of the development of a single Island-wide register? With the development of the new larger areas, some areas will have even more, I think, possible polling sites and the existence of a single register would be best exploited in order to raise a polling station.

Deputy C.S. Alves:

That is kind of out of the remit of this question but I am quite happy to answer that. We were originally quoted a price for that. Unfortunately, due to COVID, there were delays that were experienced in getting this up and running and there was also a change in the project manager who then reassessed this project and came back to us with a quote that was significantly higher and just made it unachievable in time for the next election. So I am sure the Deputy is aware that I am really disappointed that this has happened because this was an area that I really wanted to see in place in time for the next election and I hope that the next P.P.C. will be able to look at options to ensure that this will be in place for the election after the next one.

Deputy G.P. Southern:

Supplementary if I may, Sir.

The Deputy Bailiff:

Yes, but try and make it connected to the original question, will you not?

4.9.6 Deputy G.P. Southern:

I shall attempt to, Sir, with your judgment. Can the chair indicate whether, in those areas that have 3 polling sites, each of those polling sites can be used by any of the voters in that election or not?

Deputy C.S. Alves:

So based on what has been passed, the current set up for the new districts are that voters will still have to vote within the districts that currently exist so, for example, although St. Saviour comes together to be one Parish and one district, the same polling stations will have to be used. So if you originally voted in the Maufant area, you will have to continue to vote in the Maufant area.

4.9.7 Deputy M.R. Higgins of St. Helier:

Can the chair tell us whether she really thinks one year is sufficient for people who have left the States when, in the past, we have previous people who, for example, went on the Electoral Commission. Definitely 2 out of 3 that I can think of were minded to go for a particular course of action and were not as objective as they should have been, so how is she going to achieve objectivity on the part of this panel?

Deputy C.S. Alves:

I thank the Deputy for the question. Just to reiterate the point that we do have the Appointments Commission involved in this process so they will ensure that there is objectivity there. Whether the 12 months is sufficient or not, personally, I think it is good to have somebody with some experience. However, if it does cause too much of a conflict, I think there are safeguards in place and there are enough people involved who will be able to counteract this and bring this up. The J.E.A. itself will evolve and they may suggest changes to their own membership in due course so this is really just a starting point.