

**WRITTEN QUESTION TO THE CHAIRMAN OF THE PRIVILEGES AND PROCEDURES
COMMITTEE**

ANSWER TO BE TABLED ON TUESDAY 10th MARCH 2015

Question

Can the Chairman advise members what debrief and feedback the Committee has received following the 2014 election process and state what, if anything, the Committee is looking to change to improve the election process for candidates and the public?

Answer

The Committee is leading a wide-ranging, ongoing discussion on matters arising from the 2014 election process. A number of potential refinements to the Public Elections (Jersey) Law 2002 have already been identified, due in no small part to feedback received from the various individuals and bodies involved in the electoral process. At its meeting on 16th December 2014 the Committee welcomed the Deputy Judicial Greffier, Jurats J.M. Clapham, G.W. Fisher and A.J. Olsen, Mrs. S. De Gruchy, Secretary to the Comité des Connétables, and Mr. B. Buesnel, St. Saviour Parish Secretary, in connexion with a review of election procedures.

For electors, steps are being taken to improve the accessibility, ease and privacy of voting. The Committee has extended its support to the Chief Minister in his intention to lodge Regulations permitting a trial comparison of data between the Names and Addresses Register and the manually updated electoral register. The trial would establish whether the Names and Addresses Register could be used to generate the electoral register automatically without the need for the current annual registration process. Similarly, a recently enacted amendment to Article 7(A) of the Public Elections (Jersey) Law 2002 charges the parishes with issuing a notice to every unit of accommodation within their boundaries stating the names of the persons (if any) registered to vote. This notice is to be dispatched in the run-up to an election. It is hoped that these measures will enhance the accuracy and completeness of the electoral register. In addition, the Committee has directed the States Greffe to prepare drafting instructions to insert a sensible 'cut-off' time for sick votes and to clarify the circumstances in which a 'known name' can be used on the ballot, so that ballot papers can be presented more simply. As for voters' independence, the Judicial Greffe and the Jurats are reviewing the pre-poll process to ensure that candidates cannot knowingly or unknowingly pressurise voters, for example by accompanying them into the pre-poll room. The Committee has also supported the principle of amending the Law to enable electoral observers to be present for future elections.

For candidates, consideration has been given to the instances where one might demand a recount or a re-election. The Committee is of the view that Article 52(6) of the Law should be tightened to ensure that a recount can only be requested when there is reasonable and realistic doubt over the veracity of a result. The Committee further agreed to invite H.M. Attorney General to prepare drafting instructions to amend Article 61 of the Law, which deals with challenges to the legality of an election. It was considered that the Royal Court should have the power to declare a by-election in respect of one seat only in a multi-seat constituency in instances where an elected candidate had been declared ineligible. Article 61(3) currently makes no such provisions, requiring that an entirely '*fresh election*' must take place in such cases.

Work is also progressing to ensure that the announcement of election results is made in a consistent manner, that accurate and complete results are published on Vote.je in a timely fashion, and that counters perform a practical level of vote reconciliation.

The Committee is currently awaiting correspondence from the Deputy Judicial Greffier which will set out other potential enhancements to the Law. Plans for refinements to the election process are expected to advance upon receipt of this correspondence.