

2019.07.16

3 Senator S.Y. Mézec of the Chairman of the Privileges and Procedures Committee regarding the Commonwealth Parliamentary Association's Election Observers' report: (OQ.193/2019)

Will the Chairman make a statement to the Assembly or propose an in-committee debate on the C.P.A. (Commonwealth Parliamentary Association) Election Observers report, to enable Members to receive a full update on progress made in implementing the report's recommendations?

Deputy R. Labey (Chairman, Privileges and Procedures Committee):

I had not thought of proposing an in-committee debate, but I will certainly hear the Senator out on that if he thinks it would be a good idea. As to a statement, yes, I will keep considering that and if necessary will do exactly that. In the meantime, as the Senator will know, recommendations 1 and 2 from the C.P.A. E.O.M. (Election Observers Missions) resulted in P.46/2019, which is down for debate on 24th September. I am also charged in recommendation 1 with consulting inclusively and I believe there needs to be more quantitative and qualitative survey research done before P.46 is debated. It was my intention to inform Members as to the progress of P.46 very shortly, before the summer break, because there is a chance that we will have to either withdraw it, because it has run out of time, or defer it. But I do think that it is unlikely that P.46 will be debated on 24th September. I hope for no more than a month's delay, just to finish this vital research. I will keep Members informed, because I know a lot of Members wanted to bring an amendment, or are considering doing so. I will ensure that they have the appropriate time to do that. There is a raft of recommendations on the conduct of elections, proroguing the Assembly, voter registration, *et cetera*, which can run in tandem with P.46. We have consulted already on those. We have to do further consultations, but they are already being drafted and we will bring them along in tandem with P.46. There are other recommendations, which we really need to know the result of P.46. We need to know, for example, whether the Assembly will go for equal-sized districts in terms of population and in terms of voter equality. That will inform whether we need a Boundary Commission.

5.3.1 Senator S.Y. Mézec:

Obviously, I commend the work that the Chairman and the Privileges and Procedures Committee have done with P.46. I think they are doing the right thing and that appears to be going well. But I do think that lots of these recommendations are not dependent on what constituency makeup we have. Lots of them are to do with the administrations of elections, no matter what that system is. At this point, it is not entirely clear for Members, who are not part of P.P.C. (Privileges and Procedures Committee), what progress is being made and it is right that we hold that Committee to account for that and demand to know what progress is being made and when we can expect these changes to be brought to the Assembly so we can effectively scrutinise them. Would the Chairman of P.P.C. at least undertake to present, as soon as possible, a timeline for these proposals, or legislative changes being put to the Assembly, so that we are aware of what that is going to be?

Deputy R. Labey:

Yes, I would be very happy to do that. The recommendations I was talking about, which can run in tandem with P.46, will be brought to the Assembly before Christmas. Certainly, I think at the end of autumn, beginning of winter. Others do have to wait a little longer, but work is going on all the time on those as well as all the consultations we have to do as regards P.46. But, yes, happy to keep the Assembly updated.

5.3.2 Deputy G.P. Southern:

Can the Chairman update Members on the detail of what he believes are the further pieces of research that he needs to do before progressing these changes?

Deputy R. Labey:

As the Deputy will know, we have travelled the Parish Halls. We have been to every one of them and been welcomed in every one of them and have had very good meetings with both sides of the argument aired. But that is, I think, an exercise that we had to undertake. It was important to do that. But it is not where the argument ends, or where the consultation should end. I would like to carry out - I am in the process of doing that - some surveys, qualitative and quantitative, with informing the consultees and seeing what the response is, so that it is slightly more scientific with a good sample. Because, for instance, a lot of Members from my meeting with the Council of Ministers, were saying that they would be happier to rely on this sort of information before making their vote on P.46.

5.3.3 Deputy R.J. Ward of St. Helier:

Will this qualitative and quantitative research be directed at younger people in our Island, because this is their future voting opportunity; so schools, colleges, and that demographic that simply does not vote, even though they have the opportunity to vote at 16, which is quite progressive for us as a jurisdiction?

Deputy R. Labey:

The key to proper research of this kind is that you are researching from a representative sample of the population. That is the important thing. One of the saddest things for me about touring the Parish Halls - it was a great process - was the amount of people even under 30 that attended those meetings. Very few.

5.3.4 Deputy G.P. Southern:

Is there not a danger in pursuing the route of what has been in the past endless further research that the proposals get kicked into the long grass like so many; Clothier and Carswell before them?

Deputy R. Labey:

I am not sure that that statement is true. I believe it is work that we have to undertake.

5.3.5 Deputy S.M. Ahier:

While the Chairman was visiting the Parish Halls, did he take into consideration the accessibility for disabled users when it comes to election and voting?

Deputy R. Labey:

Does the Deputy mean the ability for disabled voters to get into the Parish Hall?

The Bailiff:

That is some way away from the original question, which is in-committee debates on the C.P.A. Election Observers report and is disallowed.

5.3.6 Deputy J.H. Young of St. Brelade:

Could the Chairman remind us, because I have certainly forgotten, when is the last date we need to approve changes for the next elections, if we are to do so?

Deputy R. Labey:

We have to have everything approved by May 2021. Every change that we are going to make to the electoral process, if we are going to stay in line with international standards on free and fair elections, the kind of standards we are signed up to, then we should make all changes at least a year before an election date. That is our target. I think we can. I think it is possible to get through all of the 18 recommendations one year before the elections in 2022 and that is what we are aiming for.

5.3.7 Deputy S.Y. Mézec:

There are recommendations in the report which suggest introducing an independent election administration body and, in particular, recommendation 8 talks about eliminating the conflict of interest associated with the functions of the Constables as election administrators. Could the Chairman confirm whether he accepts that recommendation and if so, what consultation has taken place up to this point in how we would establish an independent election administration body?

Deputy R. Labey:

That one I have not gone forward on just yet. I feel that P.P.C. has to accept all the recommendations and address at least all the recommendations and bring a recommendation on those to this Assembly to make a decision on. I do not think it is P.P.C.'s position to draw the red lines here. I think we need to be open and try to achieve what we have been asked to achieve by the people we have invited to look at our system and give us recommendations. They are the world's foremost authority on the running of free and fair elections. We should listen to them.